LANCE R. LEFLEUR
DIRECTOR

KAY IVEY
GOVERNOR

Alabama Department of Environmental Management
adem.alabama.gov
1400 Coliseum Blvd. 36110-2400 ▪ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ▪ FAX (334) 271-7950

May 10,2019

Walter L. Hillis III
Environmental Manager
BWI MTN II Inc. d/b/a Blue Water Industries
9509 Diggs Gap Road
Heiskell, TN 37754

RE: Draft Permit
Huntsville Quarry
NPDES Permit No. AL0054933
Madison County (089)

Dear Mr. Hillis:

Transmitted herein is a draft of the above referenced permit. Please review the enclosed draft permit carefully. If previously permitted, the draft may contain additions/revisions to the language in your current permit. Please submit any comments on the draft permit to the Department within 30 days from the date of receipt of this letter.

Since the Department has made a tentative decision to reissue the above referenced permit, ADEM Admin. Code r. 335-6-6-.21 requires a public notice of the draft permit followed by a period of at least 30 days for public comment before the permit can be issued. The United States Environmental Protection Agency will also receive the draft permit for review during the 30-day public comment period.

Any mining, processing, construction, land disturbance, or other regulated activity proposed to be authorized by this draft permit is prohibited prior to the effective date of the formal permit. Any mining or processing activity within the drainage basin associated with each permitted outfall which is conducted prior to Departmental receipt of certification from a professional engineer licensed to practice in the State of Alabama, that the Pollution Abatement/Prevention Plan was implemented according to the design plan, or notification from the Alabama Surface Mining Commission that the sediment control structures have been certified, is prohibited.

The Department utilizes a web-based electronic environmental (E2) reporting system for electronic DMR submittal. Please read Part I.D of the permit carefully and visit https://e2.adem.alabama.gov/npdes.

Should you have any questions concerning this matter, please contact David Hearn by email at david.hearn@adem.alabama.gov or by phone at (334) 274-4231.

Sincerely,

Catherine A. McNeill, Chief
Mining and Natural Resource Section
Stormwater Management Branch
Water Division

CAM/dh File: DPER/6065

Enclosure

cc: David Hearn, ADEM
Environmental Protection Agency Region IV
Alabama Department of Conservation and Natural Resources
U.S. Fish and Wildlife Service
Alabama Historical Commission
Advisory Council on Historic Preservation

Birmingham Branch
110 Vulcan Road
Birmingham, AL 35209-4702
(205) 942-6168
(205) 941-1603 (FAX)

Decatur Branch
2715 Sandlin Road, S.W.
Decatur, AL 35603-1333
(256) 353-1713
(256) 340-9359 (FAX)

Mobile Branch
2204 Perimeter Road
Mobile, AL 36615-1131
(251) 450-3400
(251) 479-2593 (FAX)

Mobile-Coastal
3664 Dauphin Street, Suite B
Mobile, AL 36608
(251) 304-1176
(251) 304-1189 (FAX)

ADEM
Alabama Department of Environmental Management

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM INDIVIDUAL PERMIT

PERMITTEE: BWI MTN II Inc. d/b/a Blue Water Industries
827 Needham Drive
Smyrna, TN 37167

FACILITY LOCATION: Huntsville Quarry
6250 Springfield Road
Huntsville, AL 35806
Madison County
T3S, R1W, Sections 8, 9, and 16

PERMIT NUMBER: AL0054933

DSN & RECEIVING STREAM:
001-1 Unnamed Tributary to Dry Creek
002-1 Unnamed Tributary to Dry Creek

In accordance with and subject to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. §§1251-1388 (the "FWPCA"), the Alabama Water Pollution Control Act, as amended, Code of Alabama 1975, §§ 22-22-1 to 22-22-14 (the "AWPCA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, §§22-22A-1 to 22-22A-17, and rules and regulations adopted thereunder, and subject further to the terms and conditions set forth in this permit, the Permittee is hereby authorized to discharge into the above-named receiving waters.

ISSUANCE DATE:

EFFECTIVE DATE:

EXPIRATION DATE:

** DRAFT **

Alabama Department of Environmental Management

MINING AND NATURAL RESOURCE SECTION

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

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PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this Permit and lasting through the expiration date of this Permit, the Permittee is authorized to discharge from each point source identified on Page 1 of this Permit and described more fully in the Permittee's application, if the outfalls have been constructed and certified. Discharges shall be limited and monitored by the Permittee as specified below:

Parameter	Discharge Limitations			Monitoring Requirements	
	Daily Minimum	Monthly Average	Daily Maximum	Sample Type	Measurement Frequency[1]
pH 00400 (Outfall 001)	6.0 s.u.	-------	8.5 s.u.	Grab	2/Month
pH 00400 (Outfall 002)	6.0 s.u.	-------	9.0 s.u.	Grab	2/Month
Solids, Total Suspended 00530	-------	25.0 mg/L	45.0 mg/L	Grab	2/Month
Flow, In Conduit or Thru Treatment Plant[2] 50050	-------	Report MGD	Report MGD	Instantaneous	2/Month

B. REQUIREMENTS TO ACTIVATE A PROPOSED MINING OUTFALL

1. Discharge from any point source identified on Page 1 of this Permit which is a proposed outfall is not authorized by this Permit until the outfall has been constructed and certification received by the Department from a professional engineer, registered in the State of Alabama, certifying that such facility has been constructed according to good engineering practices and in accordance with the Pollution Abatement and/or Prevention (PAP) Plan.

2. Certification required by Part I.B.1. shall be submitted on a completed ADEM Form 432. The certification shall include the latitude and longitude of the constructed and certified outfall.

3. Discharge monitoring and Discharge Monitoring Report (DMR) reporting requirements described in Part I.C. of this Permit do not apply to point sources that have not been constructed and certified.

4. Upon submittal of the certification required by Part I.B.1. to the Department, all monitoring and DMR submittal requirements shall apply to the constructed and certified outfall.

C. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS

1. Sampling Schedule and Frequency

a. The Permittee shall collect at least one grab sample of the discharge to surface waters from each constructed and certified point source identified on Page 1 of this Permit and described more fully in the Permittee's application twice per month at a rate of at least

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[1] See Part I.C.2. for further measurement frequency requirements.

[2] Flow must be determined at the time of sample collection by direct measurement, calculation, or other method acceptable to the Department.

every other week if a discharge occurs at any time during the two week period, but need not collect more than two samples per calendar month. Each sample collected shall be analyzed for each parameter specified in Part I.A. of this Permit.

b. If the final effluent is pumped in order to discharge (e.g. from incised ponds, old highwall cuts, old pit areas or depressions, etc.), the Permittee shall collect at least one grab sample of the discharge from each point source identified on Page 1 of this Permit and described more fully in the Permittee's application each quarterly (three month) monitoring period if a discharge occurs at any time during the quarterly monitoring period which results from direct pumped drainage. Each sample collected shall be analyzed for each parameter specified in Part I.A. of this Permit.

c. The Permittee may increase the frequency of sampling listed in Parts I.C.1.a and I.C.1.b; however, all sampling results must be reported to the Department and included in any calculated results submitted to the Department in accordance with this Permit.

2. Measurement Frequency

Measurement frequency requirements found in Part I.A. shall mean:

a. A measurement frequency of one day per week shall mean sample collection on any day of discharge which occurs every calendar week.

b. A measurement frequency of two days per month shall mean sample collection on any day of discharge which occurs every other week, but need not exceed two sample days per month.

c. A measurement frequency of one day per month shall mean sample collection on any day of discharge which occurs during each calendar month.

d. A measurement frequency of one day per quarter shall mean sample collection on any day of discharge which occurs during each calendar quarter.

e. A measurement frequency of one day per six months shall mean sample collection on any day of discharge which occurs during the period of January through June and during the period of July through December.

f. A measurement frequency of one day per year shall mean sample collection on any day of discharge which occurs during each calendar year.

3. Monitoring Schedule

The Permittee shall conduct the monitoring required by Part I.A. in accordance with the following schedule:

a. MONITORING REQUIRED MORE FREQUENTLY THAN MONTHLY AND MONTHLY shall be conducted during the first full month following the effective date of coverage under this Permit and every month thereafter. More frequently than monthly and monthly monitoring may be done anytime during the month, unless restricted elsewhere in this Permit, but the results should be reported on the last Discharge Monitoring Report (DMR) due for the quarter (i.e., with the March, June, September, and December DMRs).

b. QUARTERLY MONITORING shall be conducted at least once during each calendar quarter. Calendar quarters are the periods of January through March, April through June, July through September, and October through December. The Permittee shall conduct the

quarterly monitoring during the first complete calendar quarter following the effective date of this Permit and is then required to monitor once during each quarter thereafter. Quarterly monitoring may be done anytime during the quarter, unless restricted elsewhere in this Permit, but the results should be reported on the last DMR due for the quarter (i.e., with the March, June, September, and December DMRs).

c. SEMIANNUAL MONITORING shall be conducted at least once during the period of January through June and at least once during the period of July through December. The Permittee shall conduct the semiannual monitoring during the first complete semiannual calendar period following the effective date of this Permit and is then required to monitor once during each semiannual period thereafter. Semiannual monitoring may be done anytime during the semiannual period, unless restricted elsewhere in this Permit, but it should be reported on the last DMR due for the month of the semiannual period (i.e., with the June and December DMRs).

d. ANNUAL MONITORING shall be conducted at least once during the period of January through December. The Permittee shall conduct the annual monitoring during the first complete calendar annual period following the effective date of this Permit and is then required to monitor once during each annual period thereafter. Annual monitoring may be done anytime during the year, unless restricted elsewhere in this Permit, but it should be reported on the December DMR.

4. Sampling Location

Unless restricted elsewhere in this Permit, samples collected to comply with the monitoring requirements specified in Part I.A. shall be collected at the nearest accessible location just prior to discharge and after final treatment, or at an alternate location approved in writing by the Department.

5. Representative Sampling

Sample collection and measurement actions taken as required herein shall be representative of the volume and nature of the monitored discharge and shall be in accordance with the provisions of this Permit.

6. Test Procedures

For the purpose of reporting and compliance, Permittees shall use one of the following procedures:

a. For parameters with an EPA established Minimum Level (ML), report the measured value if the analytical result is at or above the ML and report "0" for values below the ML. Test procedures for the analysis of pollutants shall conform to 40 CFR Part 136, guidelines published pursuant to Section 304(h) of the FWPCA, 33 U.S.C. Section 1314(h), and ADEM Standard Operating Procedures. If more than one method for analysis of a substance is approved for use, a method having a minimum level lower than the permit limit shall be used. If the minimum level of all methods is higher than the permit limit, the method having the lowest minimum level shall be used and a report of less than the minimum level shall be reported as zero and will constitute compliance, however should EPA approve a method with a lower minimum level during the term of this Permit the Permittee shall use the newly approved method.

b. For pollutant parameters without an established ML, an interim ML may be utilized. The interim ML shall be calculated as 3.18 times the Method Detection Level (MDL) calculated pursuant to 40 CFR Part 136, Appendix B.

Permittees may develop an effluent matrix-specific ML, where an effluent matrix prevents attainment of the established ML. However, a matrix specific ML shall be based upon proper laboratory method and technique. Matrix-specific MLs must be approved by the Department, and may be developed by the Permittee during permit issuance, reissuance, modification, or during compliance schedule.

In either case the measured value should be reported if the analytical result is at or above the ML and "0" reported for values below the ML.

c. For parameters without an EPA established ML, interim ML, or matrix-specific ML, a report of less than the detection limit shall constitute compliance if the detection limit of all analytical methods is higher than the permit limit using the most sensitive EPA approved method. For the purpose of calculating a monthly average, "0" shall be used for values reported less than the detection limit.

The Minimum Level utilized for procedures identified in Parts I.C.6.a. and b. shall be reported on the Permittee's DMR. When an EPA approved test procedure for analysis of a pollutant does not exist, the Director shall approve the procedure to be used.

7. Recording of Results

For each measurement or sample taken pursuant to the requirements of this Permit, the Permittee shall record the following information:

a. The facility name and location, point source number, date, time, and exact place of sampling or measurements;

b. The name(s) of person(s) who obtained the samples or measurements;

c. The dates and times the analyses were performed;

d. The name(s) of the person(s) who performed the analyses;

e. The analytical techniques or methods used including source of method and method number; and

f. The results of all required analyses.

8. Routine Inspection by Permittee

a. The Permittee shall inspect all point sources identified on Page 1 of this Permit and described more fully in the Permittee's application and all treatment or control facilities or systems used by the Permittee to achieve compliance with the terms and conditions of this Permit at least as often as the applicable sampling frequency specified in Part I.C.1 of this Permit.

b. If required by the Director, the Permittee shall maintain a written log for each point source identified on Page 1 of this Permit and described more fully in the Permittee's application in which the Permittee shall record the following information:

(1) The date and time the point source and any associated treatment or control facilities or systems were inspected by the Permittee;

(2) Whether there was a discharge from the point source at the time of inspection by the Permittee;

(3) Whether a sample of the discharge from the point source was collected at the time of inspection by the Permittee;

(4) Whether all associated treatment or control facilities or systems appeared to be in good working order and operating as efficiently as possible, and if not, a description of the problems or deficiencies; and

(5) The name and signature of the person performing the inspection of the point source and associated treatment or control facilities or systems.

9. Records Retention and Production

a. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit, and records of all data used to complete the above reports or the application for this Permit, for a period of at least three (3) years from the date of the sample collection, measurement, report, or application. This period may be extended by request of the Director at any time. If litigation or other enforcement action, under the AWPCA, AEMA, and/or the FWPCA, is ongoing which involves any of the above records, the records shall be kept until the litigation is resolved. Upon the written request of the Director, the Permittee shall provide the Director with a copy of any record required to be retained by this paragraph. Copies of these records should not be submitted unless requested.

b. All records required to be kept for a period of three (3) years shall be kept at the permitted facility or an alternate location approved by the Department in writing and shall be available for inspection.

10. Monitoring Equipment and Instrumentation

All equipment and instrumentation used to determine compliance with the requirements of this Permit shall be installed, maintained, and calibrated in accordance with the manufacturer's instructions or, in the absence of manufacturer's instructions, in accordance with accepted practices. The Permittee shall develop and maintain quality assurance procedures to ensure proper operation and maintenance of all equipment and instrumentation. The quality assurance procedures shall include the proper use, maintenance, and installation, when appropriate, of monitoring equipment at the plant site.

D. DISCHARGE REPORTING REQUIREMENTS

1. Requirements for Reporting of Monitoring

a. Monitoring results obtained during the previous three (3) months shall be summarized for each month on a Discharge Monitoring Report (DMR) Form approved by the Department, and submitted to the Department so that it is received by the Director no later than the 28th day of the month following the quarterly reporting period (i.e., on the 28th day of January, April, July, and October of each year).

b. The Department utilizes a web-based electronic environmental (E2) reporting system for submittal of DMRs. **Except as allowed by Part I.D.1.c. or d., the Permittee shall submit all DMRs required by Part I.D.1.a. by utilizing the E2 reporting system.** The E2 reporting system Permittee Participation Package may be downloaded online at https://e2.adem.alabama.gov/npdes.

c. If the electronic environmental (E2) reporting system is down (i.e. electronic submittal of DMR data is unable to be completed due to technical problems originating with the Department's system; this could include entry/submittal issues with an entire set of DMRs or individual parameters), permittees are not relieved of their obligation to submit DMR data to the Department by the required submittal date. However, if the E2 system is down on the 28th day of the month or is down for an extended period of time as determined by the Department when a DMR is required to be submitted, the facility may submit the data in an alternate manner and format acceptable to the Department. Preapproved alternate acceptable methods include faxing, e-mailing, mailing, or hand-delivery of data such that they are received by the required reporting date. Within five calendar days of the E2 system resuming operation, the Permittee shall enter the data into the E2 reporting system unless an alternate timeframe is approved by the Department. An attachment should be included with the E2 DMR submittal verifying the original submittal date (date of the fax, copy of dated e-mail, or hand-delivery stamped date).

d. The permittee may submit a request to the Department for a temporary electronic reporting waiver for DMR submittals. The waiver request should include the permit number; permittee name; facility/site name; facility address; name, address, and contact information for the responsible official or duly authorized representative; a detailed statement regarding the basis for requesting such a waiver; and the duration for which the waiver is requested. Approved electronic reporting waivers are not transferrable. Permittees with an approved electronic reporting waiver for DMRs may submit hard copy DMRs for the period that the approved electronic reporting waiver request is effective. The Permittee shall submit the Department-approved DMR forms to the address listed in Part I.D.1.j.

e. If the Permittee, using approved analytical methods as specified in Part I.C.6., monitors any discharge from a point source identified on Page 1 of this Permit and describe more fully in the Permittee's application more frequently than required by this Permit; the results of such monitoring shall be included in the calculation and reporting of values on the DMR Form, and the increased frequency shall be indicated on the DMR Form.

f. In the event no discharge from a point source identified on Page 1 of this Permit and described more fully in the Permittee's application occurs during a monitoring period, the Permittee shall report "No Discharge" for such period on the appropriate DMR Form.

g. The Permittee shall report "No Discharge During Quarterly Monitoring Period" on the appropriate DMR Form for each point source receiving pumped discharges pursuant to Part I.C.1.b. provided that no discharge has occurred at <u>any</u> time during the entire quarterly (three month) monitoring period.

h. Each DMR Form submitted by the Permittee to the Department in accordance with Part I.D.1. must be legible and bear an original signature or electronic signature. Photo and electronic copies of the signature are not acceptable and shall not satisfy the reporting requirements of this Permit.

i. All reports and forms required to be submitted by this Permit, the AWPCA, and the Department's rules and regulations, shall be signed by a "responsible official" of the Permittee as defined in ADEM Admin. Code r. 335-6-6-.09 or a "duly authorized representative" of such official as defined in ADEM Admin. Code r. 335-6-6-.09 and shall bear the following certification:

> "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system

designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

j. All DMRs, reports, and forms required to be submitted by this Permit, the AWPCA and the Department's rules and regulations, shall be addressed to:

Alabama Department of Environmental Management
Water Division, Mining and Natural Resource Section
Post Office Box 301463
Montgomery, Alabama 36130-1463

Certified and Registered Mail shall be addressed to:

Alabama Department of Environmental Management
Water Division, Mining and Natural Resource Section
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2059

k. Unless authorized in writing by the Department, approved reporting forms required by this Permit or the Department are not to be altered, and if copied or reproduced, must be consistent in format and identical in content to the ADEM approved form. Unauthorized alteration, falsification, or use of incorrectly reproduced forms constitutes noncompliance with the requirements of this Permit and may significantly delay processing of any request, result in denial of the request, result in permit termination, revocation, suspension, modification, or denial of a permit renewal application, or result in other enforcement action.

l. If this Permit is a reissuance, then the Permittee shall continue to submit DMRs in accordance with the requirements of their previous permit until such time as DMRs are due as discussed in Part I.D.1.

2. Noncompliance Notification

a. The Permittee must notify the Department if, for any reason, the Permittee's discharge:

(1) Potentially threatens human health or welfare;

(2) Potentially threatens fish or aquatic life;

(3) Causes an in-stream water quality criterion to be exceeded;

(4) Does not comply with an applicable toxic pollutant effluent standard or prohibition established under Section 307(a) of the FWPCA, 33 U.S.C. §1317(a);

(5) Contains a quantity of a hazardous substance which has been determined may be harmful to the public health or welfare under Section 311(b)(4) of the FWPCA, 33 U.S.C. §1321(b)(4); or

(6) Exceeds any discharge limitation for an effluent parameter as a result of an unanticipated bypass or upset.

The Permittee shall orally or electronically report any of the above occurrences, describing the circumstances and potential effects of such discharge to the Director within 24-hours after the Permittee becomes aware of the occurrence of such discharge. In addition to the oral or electronic report, the Permittee shall submit to the Director a written report as provided in Part I.D.2.c., no later than five (5) days after becoming aware of the occurrence of such discharge.

b. If for any reason, the Permittee's discharge does not comply with any limitation of this Permit, the Permittee shall submit a written report to the Director as provided in Part I.D.2.c. This report must be submitted with the next Discharge Monitoring Report required to be submitted by Part I.D.1. of this Permit after becoming aware of the occurrence of such noncompliance.

c. Any written report required to be submitted to the Director in accordance with Parts I.D.2.a. and b. shall be submitted using a Noncompliance Notification Form (ADEM Form 421) available on the Department's website (http://adem.alabama.gov/DeptForms/Form421.pdf) and include the following information:

(1) A description of the discharge and cause of noncompliance;

(2) The period of noncompliance, including exact dates and times, or if not corrected, the anticipated time the noncompliance is expected to continue; and

(3) A description of the steps taken and/or being taken to reduce or eliminate the noncomplying discharge and to prevent its recurrence.

1. Reduction, Suspension, or Termination of Monitoring and/or Reporting

a. The Director may, with respect to any point source identified on Page 1 of this Permit and described more fully in the Permittee's application, authorize the Permittee to reduce, suspend, or terminate the monitoring and/or reporting required by this Permit upon the submission of a written request for such reduction, suspension, or termination by the Permittee provided:

(1) All mining, processing, or disturbance in the drainage basin(s) associated with the discharge has ceased and site access is adequately restricted or controlled to preclude unpermitted and unauthorized mining, processing, transportation, or associated operations/activity;

(2) Permanent, perennial vegetation has been re-established on all areas mined or disturbed for at least one year since mining has ceased in the drainage basin(s) associated with the surface discharge, or all areas have been permanently graded such that all drainage is directed back into the mined pit to preclude all surface discharges;

(3) Unless waived in writing by the Department, the Permittee has been granted, in writing, a 100% Bond Release, if applicable, by the Alabama Department of Industrial Relations and, if applicable, by the Surface Mining Commission for all areas mined or disturbed in the drainage basin(s) associated with the discharge;

(4) Unless waived in writing by the Department, the Permittee has submitted inspection reports prepared and certified by a Professional Engineer (PE) registered in the State of Alabama or a qualified professional under the PE's direction which certify that the facility has been fully reclaimed or that water quality remediation has been achieved. The first inspection must be conducted approximately one year prior to and the second inspection must be conducted within thirty days of the Permittee's request for termination of monitoring and reporting requirements;

(5) All surface effects of the mining activity such as fuel or chemical tanks, preparation plants or equipment, old tools or equipment, junk or debris, etc., must be removed and disposed of according to applicable state and federal regulations;

(6) The Permittee's request for termination of monitoring and reporting requirements contained in this Permit has been supported by monitoring data covering a period of at least six consecutive months or such longer period as is necessary to assure that the data reflect discharges occurring during varying seasonal climatological conditions;

(7) The Permittee has stated in its request that the samples collected and reported in the monitoring data submitted in support of the Permittee's request for monitoring termination or suspension are representative of the discharge and were collected in accordance with all Permit terms and conditions respecting sampling times (e.g., rainfall events) and methods and were analyzed in accordance with all Permit terms and conditions respecting analytical methods and procedures;

(8) The Permittee has certified that during the entire period covered by the monitoring data submitted, no chemical treatment of the discharge was provided;

(9) The Permittee's request has included the certification required by Part I.D.1.e. of this Permit; and

(10) The Permittee has certified to the Director in writing as part of the request, its compliance with (1) through (9) above.

b. It remains the responsibility of the Permittee to comply with the monitoring and reporting requirements of this Permit until written authorization to reduce, suspend, or terminate such monitoring and/or reporting is received by the Permittee from the Director.

E. OTHER REPORTING AND NOTIFICATION REQUIREMENTS

1. Anticipated Noncompliance

The Permittee shall give the Director written advance notice of any planned changes or other circumstances regarding a facility which may result in noncompliance with permit requirements.

2. Termination of Discharge

The Permittee shall notify the Director, in writing, when all discharges from any point source(s) identified on Page 1 of this Permit and described more fully in the Permittee's application have permanently ceased.

3. Updating Information

a. The Permittee shall inform the Director of any change in the Permittee's mailing address or telephone number or in the Permittee's designation of a facility contact or officer(s) having the authority and responsibility to prevent and abate violations of the AWPCA, the AEMA, the Department's rules and regulations, and the terms and conditions of this Permit, in writing, no later than ten (10) days after such change. Upon request of the Director, the Permittee shall furnish the Director with an update of any information provided in the permit application.

b. If the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information with a written explanation for the mistake and/or omission.

4. Duty to Provide Information

a. The Permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, suspending, terminating, or revoking and reissuing this Permit, in whole or in part, or to determine compliance with this Permit. The Permittee shall also furnish to the Director upon request, copies of records required to be maintained by this Permit.

b. The Permittee shall furnish to the Director upon request, within a reasonable time, available information (name, phone number, address, and site location) which identifies offsite sources of material or natural resources (mineral, ore, or other material such as iron, coal, coke, dirt, chert, shale, clay, sand, gravel, bauxite, rock, stone, etc.) used in its operation or stored at the facility.

F. SCHEDULE OF COMPLIANCE

The Permittee shall achieve compliance with the discharge limitations specified in Part I.A. of this Permit in accordance with the following schedule:

Compliance must be achieved by the effective date of this Permit.

PART II OTHER REQUIREMENTS, RESPONSIBILITIES, AND DUTIES

A. OPERATIONAL AND MANAGEMENT REQUIREMENTS

1. Facilities Operation and Management

The Permittee shall at all times operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities only when necessary to achieve compliance with the conditions of this Permit.

2. Pollution Abatement and/or Prevention Plan

The Pollution Abatement and/or Prevention (PAP) Plan shall be prepared and certified by a registered Professional Engineer (PE), licensed to practice in the State of Alabama, and shall include at a minimum, the information indicated in ADEM Admin. Code r. 335-6-9-.03 and ADEM Admin. Code ch. 335-6-9 Appendices A and B. The PAP Plan shall become a part of this Permit and all requirements of the PAP Plan shall become requirements of this Permit pursuant to ADEM Admin. Code r. 335-6-9-.05(2).

3. Best Management Practices (BMPs)

a. Unless otherwise authorized in writing by the Director, the Permittee shall provide a means of subsurface withdrawal for any discharge from each point source identified on Page 1 of this Permit and described more fully in the Permittee's application. Notwithstanding the above provision, a means of subsurface withdrawal need not be provided for any discharge caused by a 24-hour precipitation event greater than a 10-year, 24-hour precipitation event.

b. Dilution water shall not be added to achieve compliance with discharge limitations except when the Director has granted prior written authorization for dilution to meet water quality requirements.

c. The Permittee shall minimize the contact of water with overburden, including but not limited to stabilizing disturbed areas through grading, diverting runoff, achieving quick growing stands of temporary vegetation, sealing acid-forming and toxic-forming materials, and maximizing placement of waste materials in back-fill areas.

d. The Permittee shall prepare, submit to the Department for approval, and implement a Best Management Practices (BMPs) Plan for containment of any or all process liquids or solids, in a manner such that these materials do not present a potential for discharge, if so required by the Director. When submitted and approved, the BMP Plan shall become a part of this Permit and all requirements of the BMP Plan shall become requirements of this Permit.

e. Spill Prevention, Control, and Management

The Permittee shall prepare, implement, and maintain a Spill Prevention, Control and Countermeasures (SPCC) Plan acceptable to the Department that is prepared and certified by a Professional Engineer (PE), registered in the State of Alabama, for all onsite petroleum product or other pollutant storage tanks or containers as required by applicable state (ADEM Admin. Code r. 335-6-6-.12(r)) and federal (40 C.F.R. §§112.1-.7)

regulations. The Permittee shall implement appropriate structural and/or non-structural spill prevention, control, and/or management sufficient to prevent any spills of pollutants from entering a ground or surface water of the State or a publicly or privately owned treatment works. Careful consideration should be applied for tanks or containers located near treatment ponds, water bodies, or high traffic areas. In most situations this would require construction of a containment system if the cumulative storage capacity of petroleum products or other pollutants at the facility is greater than 1320 gallons. Any containment system used to implement this requirement shall be constructed of materials compatible with the substance(s) contained and shall prevent the contamination of groundwater. Such containment systems shall be capable of retaining a volume equal to 110 percent of the capacity of the largest tank for which containment is provided. The applicant shall maintain onsite or have readily available flotation booms to contain, and sufficient material to absorb, fuel and chemical spills and leaks. Soil contaminated by chemical spills, oil spills, etc., must be immediately cleaned up or be removed and disposed of in an approved manner.

f. All surface drainage and storm water runoff which originate within or enters the Permittee's premises and which contains any pollutants or other wastes shall be discharged, if at all, from a point source identified on Page 1 of this Permit and described more fully in the Permittee's application.

g. The Permittee shall take all reasonable precautions to prevent any surface drainage or storm water runoff which originates outside the Permittee's premises and which contains any pollutants or other wastes from entering the Permittee's premises. At no time shall the Permittee discharge any such surface drainage or storm water runoff which enters the Permittee's premises if, either alone or in combination with the Permittee's effluent, the discharge would exceed any applicable discharge limitation specified in Part I.A. of this Permit.

4. Biocide Additives

a. The Permittee shall notify the Director in writing not later than sixty (60) days prior to instituting the use of any biocide corrosion inhibitor or chemical additive in any cooling or boiler system(s) regulated by this Permit. Notification is not required for additives that should not reasonably be expected to cause the cooling water or boiler water to exhibit toxicity as determined by analysis of manufacturer's data or testing by the Permittee. Such notification shall include:

(a) Name and general composition of biocide or chemical;

(b) 96-hour median tolerance limit data for organisms representative of the biota of the water(s) which the discharge(s) enter(s);

(c) Quantities to be used;

(d) Frequencies of use;

(e) Proposed discharge concentrations; and

(f) EPA registration number, if applicable.

b. The use of any biocide or chemical additive containing tributyl tin, tributyl tin oxide, zinc, chromium, or related compounds in any cooling or boiler system(s) regulated by the Permit is prohibited except as exempted below. The use of a biocide or additive containing zinc, chromium or related compounds may be used in special circumstances if (1) the permit contains limits for these substances, or (2) the applicant demonstrates

during the application process that the use of zinc, chromium or related compounds as a biocide or additive will not pose a reasonable potential to violate the applicable State water quality standards for these substances. The use of any additive, not identified in this Permit or in the application for this Permit or not exempted from notification under this Permit is prohibited, prior to a determination by the Department that permit modification to control discharge of the additive is not required or prior to issuance of a permit modification controlling discharge of the additive.

5. Facility Identification

The Permittee shall clearly display prior to commencement of any regulated activity and until permit coverage is properly terminated, the name of the Permittee, entire NPDES permit number, facility or site name, and other descriptive information deemed appropriate by the Permittee at an easily accessible location(s) to adequately identify the site, unless approved otherwise in writing by the Department. The Permittee shall repair or replace the sign(s) as necessary upon becoming aware that the identification is missing or is unreadable due to age, vandalism, theft, weather, or other reason.

6. Removed Substances

Solids, sludges, filter backwash, or any other pollutants or other wastes removed in the course of treatment or control of wastewaters shall be disposed of in a manner that complies with all applicable Department rules and regulations.

7. Loss or Failure of Treatment Facilities

Upon the loss or failure of any treatment facility, including but not limited to the loss or failure of the primary source of power of the treatment facility, the Permittee shall, where necessary to maintain compliance with the discharge limitations specified in Part I.A. of this Permit or any other terms or conditions of this Permit, cease, reduce, or otherwise control production and/or discharges until treatment is restored.

8. Duty to Mitigate

The Permittee shall promptly take all reasonable steps to minimize or prevent any violation of this Permit or to mitigate and minimize any adverse impact to waters resulting from noncompliance with any discharge limitation specified in Part I.A. of this Permit, including such accelerated or additional monitoring of the discharge and/or the receiving waterbody as is necessary to determine the nature and impact of the noncomplying discharge.

B. BYPASS AND UPSET

1. Bypass

a. Any bypass is prohibited except as provided in Parts II.B.1.b. and c.

b. A bypass is not prohibited if:

(1) It does not cause any applicable discharge limitation specified in Part I.A. of this Permit to be exceeded;

(2) The discharge resulting from such bypass enters the same receiving water as the discharge from the permitted outfall;

(3) It is necessary for essential maintenance of a treatment or control facility or system to assure efficient operation of such facility or system; and

(4) The Permittee monitors the discharge resulting from such bypass at a frequency, at least daily, sufficient to prove compliance with the discharge limitations specified in Part I.A. of this Permit.

c. A bypass is not prohibited and need not meet the discharge limitations specified in Part I.A. of this Permit if:

(1) It is unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the Permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The Permittee submits a written request for authorization to bypass to the Director at least ten (10) days, if possible, prior to the anticipated bypass or within 24 hours of an unanticipated bypass, the Permittee is granted such authorization, and Permittee complies with any conditions imposed by the Director to minimize any adverse impact to waters resulting from the bypass.

d. The Permittee has the burden of establishing that each of the conditions of Parts II.B.1.b. or c. have been met to qualify for an exception to the general prohibition against bypassing contained in Part II.B.1.a. and an exemption, where applicable, from the discharge limitations specified in Part I.A. of this Permit.

2. Upset

a. Except as provided in Parts II.B.2.b. and c., a discharge which results from an upset need not meet the applicable discharge limitations specified in Part I.A. of this Permit if:

(1) No later than 24-hours after becoming aware of the occurrence of the upset, the Permittee orally reports the occurrence and circumstances of the upset to the Director; and

(2) No later than five (5) days after becoming aware of the occurrence of the upset, the Permittee furnishes the Director with evidence, including properly signed, contemporaneous operating logs, design drawings, construction certification, maintenance records, weir flow measurements, dated photographs, rain gauge measurements, or other relevant evidence, demonstrating that:

(i) An upset occurred;

(ii) The Permittee can identify the specific cause(s) of the upset;

(iii) The Permittee's treatment facility was being properly operated at the time of the upset; and

(iv) The Permittee promptly took all reasonable steps to minimize any adverse impact to waters resulting from the upset.

b. Notwithstanding the provisions of Part II.B.2.a., a discharge which is an overflow from a treatment facility or system, or an excess discharge from a point source associated with a treatment facility or system and which results from a 24-hour precipitation event larger than a 10-year, 24-hour precipitation event is not exempted from the discharge limitations specified in Part I.A. of this Permit unless:

(1) The treatment facility or system is designed, constructed, and maintained to contain the maximum volume of wastewater which would be generated by the facility during a 24-hour period without an increase in volume from precipitation and the maximum volume of wastewater resulting from a 10-year, 24-hour precipitation event or to treat the maximum flow associated with these volumes.

In computing the maximum volume of wastewater which would result from a 10-year, 24-hour precipitation event, the volume which would result from all areas contributing runoff to the individual treatment facility must be included (i.e., all runoff that is not diverted from the mining area and runoff which is not diverted from the preparation plant area); and

(2) The Permittee takes all reasonable steps to maintain treatment of the wastewater and minimize the amount of overflow or excess discharge.

c. The Permittee has the burden of establishing that each of the conditions of Parts II.B.2.a. and b. have been met to qualify for an exemption from the discharge limitations specified in Part I.A. of this Permit.

C. PERMIT CONDITIONS AND RESTRICTIONS

1. Prohibition against Discharge from Facilities Not Certified

a. Notwithstanding any other provisions of this Permit, if the permitted facility has not obtained or is not required to obtain a permit from the Alabama Surface Mining Commission, any discharge(s) from any point or nonpoint source(s) from the permitted facility which was not certified to the Department on a form approved by the Department by a professional engineer, registered in the State of Alabama, as being designed, constructed, and in accordance with plans and specifications reviewed by the Department is prohibited; or

b. Notwithstanding any other provisions of this Permit, if the permitted facility has obtained or is required to obtain a permit from the Alabama Surface Mining Commission, any discharge(s) from any point or nonpoint source(s) from the permitted facility which is associated with a treatment facility which was not constructed and certified to the Alabama Surface Mining Commission pursuant to applicable provisions of said Commission's regulations, is prohibited until the Permittee submits to the Alabama Surface Mining Commission, certification by a professional engineer, registered in the State of Alabama, certifying that such facility has been constructed in accordance with plans and specifications approved by the Alabama Surface Mining Commission. This requirement shall not apply to pumped discharges from the underground works of underground coal mines where no surface structure is required by the Alabama Surface Mining Commission, provided the Department is notified in writing of the completion or installation of such facilities, and the pumped discharges will meet permit effluent limits without treatment.

2. Permit Modification, Suspension, Termination, and Revocation

a. This Permit may be modified, suspended, terminated, or revoked and reissued, in whole or in part, during its term for cause, including but not limited to, the following:

(1) The violation of any term or condition of this Permit;

(2) The obtaining of this Permit by misrepresentation or the failure to disclose fully all relevant facts;

(3) The submission of materially false or inaccurate statements or information in the permit application or reports required by the Permit;

(4) The need for a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;

(5) The existence of any typographical or clerical errors or of any errors in the calculation of discharge limitations;

(6) The existence of material and substantial alterations or additions to the facility or activity generating wastewater which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit;

(7) The threat of the Permittee's discharge on human health or welfare; or

(8) Any other cause allowed by ADEM Admin. Code ch. 335-6-6.

b. The filing of a request by the Permittee for modification, suspension, termination, or revocation and reissuance of this Permit, in whole or in part, does not stay any Permit term or condition of this Permit.

3. Automatic Expiration of Permits for New or Increased Discharges

a. Except as provided by ADEM Admin. Code r. 335-6-6-.02(h) and 335-6-6-.05, if this Permit was issued for a new discharger or new source, it shall expire eighteen months after the issuance date if construction has not begun during that eighteen month period.

b. Except as provided by ADEM Admin. Code r. 335-6-6-.02(h) and 335-6-6-.05, if any portion of this Permit was issued or modified to authorize the discharge of increased quantities of pollutants to accommodate the modification of an existing facility, that portion of this Permit shall expire eighteen months after this Permit's issuance if construction of the modification has not begun within eighteen month period.

c. Construction has begun when the owner or operator has:

(1) Begun, or caused to begin as part of a continuous on-site construction program:

(i) Any placement, assembly, or installation of facilities or equipment; or

(ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(2) Entered into a binding contractual obligation for the purpose of placement, assembly, or installation of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under the paragraph. The entering into a lease with the State of Alabama for exploration and production of hydrocarbons shall also be considered beginning construction.

d. The automatic expiration of this Permit for new or increased discharges if construction has not begun within the eighteen month period after the issuance of this Permit may be tolled by administrative or judicial stay.

4. Transfer of Permit

This Permit may not be transferred or the name of the Permittee changed without notice to the Director and subsequent modification or revocation and reissuance of this Permit to identify the new Permittee and to incorporate any other changes as may be required under the FWPCA or AWPCA. In the case of a change in name, ownership, or control of the Permittee's premises only, a request for permit modification in a format acceptable to the Director is required at least 30 days prior to the change. In the case of a change in name, ownership, or control of the Permittee's premises accompanied by a change or proposed change in effluent characteristics, a complete permit application is required to be submitted to the Director at least 180 days prior to the change. Whenever the Director is notified of a change in name, ownership, or control, he may decide not to modify the existing Permit and require the submission of a new permit application.

5. Groundwater

Unless authorized on page 1 of this Permit, this Permit does not authorize any discharge to groundwater. Should a threat of groundwater contamination occur, the Director may require groundwater monitoring to properly assess the degree of the problem, and the Director may require that the Permittee undertake measures to abate any such discharge and/or contamination.

6. Property and Other Rights

This Permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to persons or property or invasion of other private rights, trespass, or any infringement of Federal, State, or local laws or regulations, nor does it authorize or approve the construction of any physical structures or facilities or the undertaking of any work in any waters of the State or of the United States.

D. RESPONSIBILITIES

1. Duty to Comply

a. The Permittee must comply with all terms and conditions of this Permit. Any permit noncompliance constitutes a violation of the AWPCA, AEMA, and the FWPCA and is grounds for enforcement action, for permit termination, revocation and reissuance, suspension, modification, or denial of a permit renewal application.

b. The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the FWPCA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Permit has not yet been modified to incorporate the effluent standard, prohibition or requirement.

c. For any violation(s) of this Permit, the Permittee is subject to a civil penalty as authorized by the AWPCA, the AEMA, the FWPCA, and Code of Alabama 1975, §§22-22A-1 et. seq., as amended, and/or a criminal penalty as authorized by Code of Alabama 1975, §22-22-1 et. seq., as amended.

d. The necessity to halt or reduce production or other activities in order to maintain compliance with the conditions of this Permit shall not be a defense for a Permittee in an enforcement action.

e. Nothing in this Permit shall be construed to preclude or negate the Permittee's responsibility or liability to apply for, obtain, or comply with other ADEM, federal, state, or local government permits, certifications, licenses, or other approvals.

f. The discharge of a pollutant from a source not specifically identified in the permit application for this Permit and not specifically included in the description of an outfall in this Permit is not authorized and shall constitute noncompliance with this Permit.

g. The Permittee shall take all reasonable steps, including cessation of production or other activities, to minimize or prevent any violation of this Permit or to minimize or prevent any adverse impact of any permit violation.

2. Change in Discharge

a. The Permittee shall apply for a permit modification at least 180 days in advance of any facility expansion, production increase, process change, or other action that could result in the discharge of additional pollutants, increase the quantity of a discharged pollutant, or that could result in an additional discharge point. This requirement also applies to pollutants that are not subject to discharge limitations in this Permit. No new or increased discharge may begin until the Director has authorized it by issuance of a permit modification or a reissued permit.

b. The Permittee shall notify the Director as soon as it knows or has reason to believe that it has begun or expects to begin to discharge any pollutant listed as a toxic pollutant pursuant to Section 307(a) of the FWPCA, 33 U.S.C. §1317(a), any substance designated as a hazardous substance pursuant to Section 311(b)(2) of the FWPCA, 33 U.S.C. §1321(b)(2), any waste listed as a hazardous waste pursuant to Code of Alabama 1975, §22-30-10, or any other pollutants or other wastes which is not subject to any discharge limitations specified in Part I.A. of this Permit and was not reported in the Permittee's application, was reported in the Permittee's application in concentrations or mass rates lower than that which the Permittee expects to begin to be discharged, or has reason to believe has begun to be discharged.

3. Compliance with Toxic or Other Pollutant Effluent Standard or Prohibition

If any applicable effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Sections 301(b)(2)(C),(D),(E) and (F) of the FWPCA, 33 U.S.C. §1311(b)(2)(C),(D),(E), and (F); 304(b)(2) of the FWPCA, 33 U.S.C. §1314(b)(2); or 307(a) of the FWPCA, 33 U.S.C. §1317(a), for a toxic or other pollutant discharged by the Permittee, and such standard or prohibition is more stringent than any discharge limitation on the pollutant specified in Part I.A. of this Permit or controls a pollutant not limited in Part I.A. of this Permit, this Permit shall be modified to conform to the toxic or other pollutant effluent standard or prohibition and the Permittee shall be notified of such modification. If this Permit has not been modified to conform to the toxic or other pollutant effluent standard or prohibition before the effective date of such standard or prohibition, the authorization to discharge in this Permit shall be void to the extent that any discharge limitation on such pollutant in Part I.A.

of this Permit exceeds or is inconsistent with the established toxic or other pollutant effluent standard or prohibition.

4. Compliance with Water Quality Standards and Other Provisions

a. On the basis of the Permittee's application, plans, or other available information, the Department has determined that compliance with the terms and conditions of this Permit will assure compliance with applicable water quality standards. However, this Permit does not relieve the Permittee from compliance with applicable State water quality standards established in ADEM Admin. Code ch. 335-6-10, and does not preclude the Department from taking action as appropriate to address the potential for contravention of applicable State water quality standards which could result from discharges of pollutants from the permitted facility.

b. Compliance with Permit terms and conditions notwithstanding, if the Permittee's discharge(s) from point source(s) identified on Page 1 of this Permit cause(s) or contribute(s) to a condition in contravention of State water quality standards, the Department may require abatement action to be taken by the Permittee, modify the Permit pursuant to the Department's rules and regulations, or both.

c. If the Department determines, on the basis of a notice provided pursuant to Part II.C.2. of this Permit or any investigation, inspection, or sampling, that a modification of this Permit is necessary to assure maintenance of water quality standards or compliance with other provisions of the AWPCA or FWPCA, the Department may require such modification and, in cases of emergency, the Director may prohibit the noticed act until the Permit has been modified.

5. Compliance with Statutes and Rules

a. This Permit has been issued under ADEM Admin. Code div. 335-6. All provisions of this division, that are applicable to this Permit, are hereby made a part of this Permit. A copy of this division may be obtained for a small charge from the Office of General Counsel, Alabama Department of Environmental Management, 1400 Coliseum Blvd., Montgomery, AL 36110-2059.

b. This Permit does not authorize the noncompliance with or violation of any Laws of the State of Alabama or the United States of America or any regulations or rules implementing such laws. FWPCA, 33 U.S.C. Section 1319, and Code of Alabama 1975, Section 22-22-14.

6. Right of Entry and Inspection

The Permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:

a. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the Permit;

b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;

c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and

d. Sample or monitor at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by the AWPCA, any substances or parameters at any location.

7. Duty to Reapply or Notify of Intent to Cease Discharge

a. If the Permittee intends to continue to discharge beyond the expiration date of this Permit, the Permittee shall file with the Department a complete permit application for reissuance of this Permit at least 180 days prior to its expiration.

b. If the Permittee does not desire to continue the discharge(s) allowed by this Permit, the Permittee shall notify the Department at least 180 days prior to expiration of this Permit of the Permittee's intention not to request reissuance of this Permit. This notification must include the information required in Part I.D.4.a. and be signed by an individual meeting the signatory requirements for a permit application as set forth in ADEM Admin. Code r. 335-6-6-.09.

c. Failure of the Permittee to submit to the Department a complete application for reissuance of this Permit at least 180 days prior to the expiration date of this Permit will void the automatic continuation of this Permit provided by ADEM Admin. Code r. 335-6-6-.06; and should this Permit not be reissued for any reason, any discharge after the expiration of this Permit will be an unpermitted discharge.

PART III ADDITIONAL REQUIREMENTS, CONDITIONS, AND LIMITATIONS

A. CIVIL AND CRIMINAL LIABILITY

1. Tampering

Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained or performed under this Permit shall, upon conviction, be subject to penalties and/or imprisonment as provided by the AWPCA and/or the AEMA.

2. False Statements

Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished as provided by applicable State and Federal law.

3. Permit Enforcement

This NPDES Permit is a Permit for the purpose of the AWPCA, the AEMA, and the FWPCA, and as such all terms, conditions, or limitations of this Permit are enforceable under State and Federal law.

4. Relief From Liability

Except as provided in Part II.B.1. (Bypass) and Part II.B.2. (Upset), nothing in this Permit shall be construed to relieve the Permittee of civil or criminal liability under the AWPCA, AEMA, or FWPCA for noncompliance with any term or condition of this Permit.

B. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject to under Section 311 of the FWPCA, 33 U.S.C. §1321.

C. AVAILABILITY OF REPORTS

Except for data determined to be confidential under Code of Alabama 1975, §22-22-9(c), all reports prepared in accordance with the terms of this Permit shall be available for public inspection at the offices of the Department. Effluent data shall not be considered confidential. Knowingly making any false statement in any such report may result in the imposition of criminal penalties as provided for in Section 309 of the FWPCA, 33 U.S.C. §1319, and Code of Alabama 1975, §22-22-14.

D. DEFINITIONS

1. Alabama Environmental Management Act (AEMA) - means Code of Alabama 1975, §§22-22A-1 et. seq., as amended.

2. Alabama Water Pollution Control Act (AWPCA) - means Code of Alabama 1975, §§22-22-1 et. seq., as amended.

3. Average monthly discharge limitation - means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar

month divided by the number of "daily discharges" measured during that month (zero discharge days shall not be included in the number of "daily discharges" measured and a less than detectable test result shall be treated as a concentration of zero if the most sensitive EPA approved method was used).

4. Arithmetic Mean - means the summation of the individual values of any set of values divided by the number of individual values.

5. BOD - means the five-day measure of the pollutant parameter biochemical oxygen demand

6. Bypass - means the intentional diversion of waste streams from any portion of a treatment facility.

7. CBOD - means the five-day measure of the pollutant parameter carbonaceous biochemical oxygen demand.

8. Controlled Surface Mine Drainage – means any surface mine drainage that is pumped or siphoned from the active mining area.

9. Crushed stone mine - means an area on or beneath land which is mined, quarried, or otherwise disturbed in activity related to the extraction, removal, or recovery of stone from natural or artificial deposits, including active mining, reclamation, and mineral storage areas, for production of crushed stone.

10. Daily discharge - means the discharge of a pollutant measured during any consecutive 24-hour period in accordance with the sample type and analytical methodology specified by the discharge permit.

11. Daily maximum - means the highest value of any individual sample result obtained during a day.

12. Daily minimum - means the lowest value of any individual sample result obtained during a day.

13. Day - means any consecutive 24-hour period.

14. Department - means the Alabama Department of Environmental Management.

15. Director - means the Director of the Department or his authorized representative or designee.

16. Discharge - means "[t]he addition, introduction, leaking, spilling or emitting of any sewage, industrial waste, pollutant or other waste into waters of the state." Code of Alabama 1975, §22-22-1(b)(8).

17. Discharge monitoring report (DMR) - means the form approved by the Director to accomplish monitoring report requirements of an NPDES Permit.

18. DO - means dissolved oxygen.

19. E. coli – means the pollutant parameter Escherichia coli.

20. 8HC - means 8-hour composite sample, including any of the following:

    a. The mixing of at least 5 equal volume samples collected at constant time intervals of not more than 2 hours over a period of not less than 8 hours between the hours of 6:00 a.m. and 6:00 p.m. If the sampling period exceeds 8 hours, sampling may be conducted beyond the 6:00 a.m. to 6:00 p.m. period.

b. A sample continuously collected at a constant rate over period of not less than 8 hours between the hours of 6:00 a.m. and 6:00 p.m. If the sampling period exceeds 8 hours, sampling may be conducted beyond the 6:00 a.m. to 6:00 p.m. period.

21. EPA - means the United States Environmental Protection Agency.

22. Federal Water Pollution Control Act (FWPCA) - means 33 U.S.C. §§1251 et. seq., as amended.

23. Flow – means the total volume of discharge in a 24-hour period.

24. Geometric Mean - means the Nth root of the product of the individual values of any set of values where N is equal to the number of individual values. The geometric mean is equivalent to the antilog of the arithmetic mean of the logarithms of the individual values. For purposes of calculating the geometric mean, values of zero (0) shall be considered one (1).

25. Grab Sample - means a single influent or effluent portion which is not a composite sample. The sample(s) shall be collected at the period(s) most representative of the discharge.

26. Indirect Discharger - means a nondomestic discharger who discharges pollutants to a publicly owned treatment works or a privately owned treatment facility operated by another person.

27. Industrial User - means those industries identified in the Standard Industrial Classification manual, Bureau of the Budget 1967, as amended and supplemented, under the category "Division D – Manufacturing" and such other classes of significant waste producers as, by regulation, the Director deems appropriate.

28. mg/L - means milligrams per liter of discharge.

29. MGD - means million gallons per day.

30. Monthly Average - means, other than for E. coli bacteria, the arithmetic mean of all the composite or grab samples taken for the daily discharges collected in one month period. The monthly average for E. coli bacteria is the geometric mean of daily discharge samples collected in a one month period. The monthly average for flow is the arithmetic mean of all flow measurements taken in a one month period. (Zero discharges shall not be included in the calculation of monthly averages.)

31. New Discharger - means a person owning or operating any building, structure, facility or installation:

a. From which there is or may be a discharge of pollutants;

b. From which the discharge of pollutants did not commence prior to August 13, 1979, and which is not a new source; and

c. Which has never received a final effective NPDES Permit for dischargers at that site.

32. New Source - means:

a. A new source as defined for coal mines by 40 CFR Part 434.11 (1994); and

b. Any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

(1) After promulgation of standards of performance under Section 306 of FWPCA which are applicable to such source; or

(2) After proposal of standards of performance in accordance with Section 306 of the FWPCA which are applicable to such source, but only if the standards are promulgated in accordance with Section 206 within 120 days of their proposal.

33. NH3-N - means the pollutant parameter ammonia, measured as nitrogen.

34. 1-year, 24-hour precipitation event - means the maximum 24-hour precipitation event with a probable recurrence interval of once in one year as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, or equivalent regional or rainfall probability information developed therefrom.

35. Permit application - means forms and additional information that are required by ADEM Admin. Code r. 335-6-6-.08 and applicable permit fees.

36. Point Source - means "any discernible, confined and discrete conveyance, including but not limited to any pipe, channel, ditch, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft from which pollutants are or may be discharged." Section 502(14) of the FWPCA, 33 U.S.C. §1362(14).

37. Pollutant - includes for purposes of this Permit, but is not limited to, those pollutants specified in Code of Alabama 1975, §22-22-1(b)(3) and those effluent characteristics, excluding flow, specified in Part I.A. of this Permit.

38. Pollutant of Concern - means those pollutants for which a water body is listed as impaired or which contribute to the listed impairment.

39. Pollution Abatement and/or Prevention Plan (PAP Plan) – mining operations plan developed to minimize impacts on water quality to avoid a contravention of the applicable water quality standards as defined in ADEM Admin. Code r. 335-6-9-.03

40. Preparation, Dry - means a dry preparation facility within which the mineral/material is cleaned, separated, or otherwise processed without use of water or chemical additives before it is shipped to the customer or otherwise utilized. A dry preparation plant includes all ancillary operations and structures necessary to clean, separate, or otherwise process the mineral/material, such as storage areas and loading facilities. Dry preparation also includes minor water spray(s) used solely for dust suppression on equipment and roads to minimize dust emissions.

41. Preparation, Wet - means a wet preparation facility within which the mineral/material is cleaned, separated, or otherwise processed using water or chemical additives before it is shipped to the customer or otherwise utilized. A wet preparation plant includes all ancillary operations and structures necessary to clean, separate, or otherwise process the mineral/material, such as storage areas and loading facilities. Wet preparation also includes mineral extraction/processing by dredging, slurry pumping, etc.

42. Privately Owned Treatment Works - means any devices or system which is used to treat wastes from any facility whose operator is not the operator of the treatment works, and which is not a "POTW".

43. Publicly Owned Treatment Works (POTW) - means a wastewater collection and treatment facility owned by the State, municipality, regional entity composed of two or more municipalities, or another entity created by the State or local authority for the purpose of collecting and treating municipal wastewater.

44. Receiving Stream - means the "waters" receiving a "discharge" from a "point source".

45. Severe property damage - means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

46. 10-year, 24-hour precipitation event - means that amount of precipitation which occurs during the maximum 24-hour precipitation event with a probable recurrence interval of once in ten years as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, or equivalent regional or rainfall probability information developed therefrom.

47. TKN - means the pollutant parameter Total Kjeldahl Nitrogen.

48. TON - means the pollutant parameter Total Organic Nitrogen.

49. TRC - means Total Residual Chlorine.

50. TSS – means the pollutant parameter Total Suspended Solids

51. Treatment facility and treatment system - means all structures which contain, convey, and as necessary, chemically or physically treat mine and/or associated preparation plant drainage, which remove pollutants limited by this Permit from such drainage or wastewater. This includes all pipes, channels, ponds, tanks, and all other equipment serving such structures.

52. 24HC - means 24-hour composite sample, including any of the following:

    a. The mixing of at least 12 equal volume samples collected at constant time intervals of not more than 2 hours over a period of 24 hours;

    b. A sample collected over a consecutive 24-hour period using an automatic sampler composite to one sample. As a minimum, samples shall be collected hourly and each shall be no more than one twenty-fourth (1/24) of the total sample volume collected; or

    c. A sample collected over a consecutive 24-hour period using an automatic composite sampler composited proportional to flow.

53. 24-hour precipitation event - means that amount of precipitation which occurs within any 24-hour period.

54. 2-year, 24-hour precipitation event - means the maximum 24-hour precipitation event with a probable recurrence interval of once in two years as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, or equivalent regional or rainfall probability information developed therefrom.

55. Upset - means an exceptional incident in which there is an unintentional and temporary noncompliance with technology-based permit discharge limitations because of factors beyond the control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate facilities, lack of preventive maintenance, or careless or improper operation.

56. Waters - means "[a]ll waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the State, natural or artificial. This does not include waters which are entirely confined and retained completely upon the property of a single individual, partnership, or corporation unless such waters are used in interstate commerce." Code of Alabama 1975, §22-22-1(b)(2). "Waters" include all "navigable waters" as defined in §502(7) of the FWPCA, 33 U.S.C. §1362(7), which are within the State of Alabama.

57. Week - means the period beginning at twelve midnight Saturday and ending at twelve midnight the following Saturday.

58. Weekly (7-day and calendar week) Average – is the arithmetic mean of all samples collected during a consecutive 7-day period or calendar week, whichever is applicable. The calendar week is defined as beginning on Sunday and ending on Saturday. Weekly averages shall be calculated for all calendar weeks with Saturdays in the month. If a calendar week overlaps two months (i.e., the Sunday is in one month and the Saturday in the following month), the weekly average calculated for the calendar week shall be included in the data for the month that contains the Saturday.

E. SEVERABILITY

The provisions of this Permit are severable, and if any provision of this Permit or the application of any provision of this Permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

F. PROHIBITIONS AND ACTIVIES NOT AUTHORIZED

1. Discharges from disposal or landfill activities as described in ADEM Admin. Code div. 335-13 are not authorized by this Permit unless specifically approved by the Department.

2. Relocation, diversion, or other alteration of a water of the State is not authorized by this Permit unless specifically approved by the Department.

3. Lime or cement manufacturing or production and discharge of process waters from such manufacturing or production is not authorized by this Permit unless specifically approved by the Department.

4. Concrete or asphalt manufacturing or production and discharge of process waters from such manufacturing or production is not authorized by this Permit unless specifically approved by the Department.

5. The discharge of wastewater, generated by any process, facility, or by any other means not under the operational control of the Permittee or not identified in the application for this Permit or not identified specifically in the description of an outfall in this Permit is not authorized by this Permit.

G. DISCHARGES TO IMPAIRED WATERS

1. This Permit does not authorize new sources or new discharges of pollutants of concern to impaired waters unless consistent with an EPA-approved or EPA-established Total Maximum Daily Load (TMDL) and applicable State law, or unless compliance with the limitations and requirements of the Permit ensure that the discharge will not contribute to further degradation of the receiving stream. Impaired waters are those that do not meet applicable water quality standards and are identified on the State of Alabama's §303(d) list or on an EPA-approved or EPA-established TMDL. Pollutants of concern are those pollutants for which the receiving water is listed as impaired or contribute to the listed impairment.

2. Facilities that discharge into a receiving stream which is listed on the State of Alabama's §303(d) list of impaired waters, and with discharges that contain the pollutant(s) for which the waters are impaired, must within six (6) months of the Final §303(d) list approval, document in its BMP plan how the BMPs will control the discharge of the pollutant(s) of concern, and must ensure that there

will be no increase of the pollutants of concern. A monitoring plan to assess the effectiveness of the BMPs in achieving the allocations must also be included in the BMP plan.

3. If the facility discharges to impaired waters as described above, it must determine whether a TMDL has been developed and approved or established by EPA for the listed waters. If a TMDL is approved or established during this Permit cycle by EPA for any waters into which the facility discharges, the facility must review the applicable TMDL to see if it includes requirements for control of any water discharged by the Permittee. Within six (6) months of the date of TMDL approval or establishment, the facility must notify the Department on how it will modify its BMP plan to include best management practices specifically targeted to achieve the allocations prescribed by the TMDL, if necessary. Any revised BMP plans must be submitted to the Department for review. The facility must include in the BMP plan a monitoring component to assess the effectiveness of the BMPs in achieving the allocations.

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION

NPDES INDIVIDUAL PERMIT RATIONALE

Company Name:	BWI MTN II Inc. d/b/a Blue Water Industries
Facility Name:	Huntsville Quarry
County:	Madison
Permit Number:	AL0054933
Prepared by:	David Hearn
Date:	April 12, 2019
Receiving Waters:	Unnamed Tributary to Dry Creek
Permit Coverage:	Crushed Limestone Mine, Wet Preparation, Transportation and Storage, and Associated Areas
SIC Code:	1422

The Department has made a tentative determination that the available information is adequate to support reissuance of this permit.

This proposed permit covers a crushed limestone mine, wet preparation, transportation and storage, and associated areas which discharge to surface waters of the state.

The proposed permit authorizes treated discharges into stream segments, or other State waters classified as Fish and Wildlife (F&W) per ADEM Admin. Code ch. 335-6-11. If the requirements of the proposed permit are fully implemented, the facility will not discharge pollutants at levels that will cause or contribute to a violation of the F&W classification.

Full compliance with the proposed permit terms and conditions is expected to be protective of instream water quality and ensure consistency with applicable instream State water quality standards (WQS) for the receiving stream.

Technology Based Effluent Limits (TBELs) for crushed stone mining facilities can be found in 40 CFR 436.22(1) and (2) for facilities that recycle waste water for use in processing and mine dewatering, respectively. The TBELs were promulgated for existing dischargers using the Best Practicable Control Technology Available (BPT). New Source Performance Standards (NSPS) have not yet been developed by the EPA for the Crushed Stone Subcategory.

The instream WQS for pH, for streams classified as Fish and Wildlife, are 6.0 - 8.5 s.u per ADEM Admin Code r. 335-6-10-.09; however, because discharges from Outfall 002 is expected only in response to rain events, it is the opinion of the Department that discharges with an allowable pH daily maximum of 9.0 will not adversely affect the instream pH based on the low discharge/stream flow ratio. Information provided in the Permittee's application indicated that Outfall 001 could discharge chronically when the discharge/stream flow ratio may be high; therefore, discharge limitations for pH of 6.0 – 8.5 s.u. are proposed for this outfall per ADEM Admin Code r. 335-6-10-.09.

The TBELs for 40 CFR 436 Subpart B do not include limitations for Total Suspended Solids (TSS). TSS is classified as a conventional pollutant in 40 CFR 401.16 and is expected to be discharged from this type of facility. Therefore, monthly average and daily maximum effluent limitations for TSS are those proposed by the EPA for crushed stone mine drainage in the *Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Mineral Mining and Processing Pont Source Category* (July 1979).

The applicant has requested, in accordance with 40 CFR Part 122.21 and their NPDES permit application, a waiver from testing for the Part A, B, and C pollutants listed in the EPA Form 2C and 2D that are not addressed in their application. They have also certified that due to the processes involved in their mining activity these pollutants are believed to be not present in the waste stream.

The Pollution Abatement/Prevention (PAP) plan for this facility has been prepared by a professional engineer (PE) registered in the State of Alabama and is designed to ensure reduction of pollutants in the waste stream to a level that, if operated properly, the discharge will not contribute to or cause a violation of applicable State WQS. The proposed permit terms and conditions are predicated on the basis of ensuring a reduction of pollutants in the discharge to a level that reduces the potential of contributing to or causing a violation of applicable State WQS.

In accordance with ADEM Admin. Code r. 335-6-3-.07 the design PE, as evidenced by their seal and/or signature on the application, has accepted full responsibility for the effectiveness of the waste treatment facility to treat the Permittee's effluent to meet NPDES permit limitations and requirements, and to fully comply with Alabama's WQS, when such treatment facilities are properly operated.

If there is a reasonable potential that a pollutant present in the treated discharges from a facility could cause or contribute to a contravention of applicable State WQS above numeric or narrative criteria, 40 CFR Part 122 requires the Department to establish effluent limits using calculated water quality criterion, establish effluent limits on a case-by-case basis using criteria established by EPA, or establish effluent limits based on an indicator parameter. Based on available information, potential pollutants discharged from this facility, if discharged within the concentrations allowed by this permit, would not have a reasonable potential to cause or contribute to a contravention of applicable State WQS.

Pursuant to ADEM Admin. Code r. 335-6-6-.12(r) this permit requires the Permittee to design and implement a Spill Prevention Control and Countermeasures (SPCC) plan for all stored chemicals, fuels and/or stored pollutants that have the potential to discharge to a water of the State. This plan must meet the minimum engineering requirements as defined in 40 CFR Part 112 and must provide for secondary containment adequate to control a potential spill.

The applicant is not proposing discharges of pollutants to a water of the State with an approved Total Maximum Daily Load (TMDL).

The applicant is not proposing discharges into a stream segment or other State water that is included on Alabama's current CWA §303(d) list.

The applicant is not proposing new discharges of pollutant(s) to an ADEM identified Tier I water.

The proposed permit does not authorize new or increased discharges of pollutants to a Tier II water. Therefore, the Antidegradation Policy (ADEM Admin. Code 335-6-10-.04) does not apply to this permit.

BLUE WATER
INDUSTRIES

9509 Diggs Gap Road, Heiskell, TN 37754

865-573-7625 Fax 865-512-7661

Via UPS #1Z 7R3 1E0 01 9215 6440

April 1, 2019

Mrs. Catherine McNeill, Section Chief
Alabama Department of Environmental Management
Mining and Natural Resources Section
Water Division
P.O. Box 301463
Montgomery, AL 36130-1463

Re: BWI MTN II Inc. d/b/a Blue Water Industries - Huntsville Quarry
NPDES Permit No. AL0054933 Renewal Application

Dear Mrs. McNeill:

Attached please find the Renewal Application for the BWI Huntsville Quarry and Check No. 3180 in the amount of $6860.00 for the application processing fee.

If you have any questions concerning this correspondence, please contact me at 865-255-4349 or whillis@bluewaterindustries.com.

Sincerely,

Walt Hillis

Walt Hillis
Environmental Manager
Blue Water Industries

Attachments
(Form 315, Form 313, Form 110, PAP, SPCC)

cc: Mr. David Hearn, Environmental Engineering Specialist

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM)
NPDES INDIVIDUAL PERMIT APPLICATION (MINING OPERATIONS)

Instructions: This form should be used to submit an application for an NPDES individual permit to authorize discharges from surface & underground mineral, ore, or mineral product mining, quarrying, excavation, borrowing, hydraulic mining, storage, processing, preparation, recovery, handling, loading, storing, or disposing activities, and associated areas including pre-mining site development, construction, excavation, clearing, disturbance, and reclamation. Please complete all questions. Respond with "N/A" as appropriate. Incomplete or incorrect answers or missing signatures will delay processing. Attach additional comments or information as needed. If space is insufficient, continue on an attached sheet(s) as necessary. Commencement of activities applied for as detailed in this application are not authorized until permit coverage has been issued by the Department. Please type or print legibly in blue or black ink.

R# 19-48578
$ 6,860.00

PURPOSE OF THIS APPLICATION

- ☐ Initial Permit Application for New Facility
- ☐ Initial Permit Application for Existing Facility (e.g. facility previously permitted less than 5 acres)
- ☐ Modification of Existing Permit
- ☒ Reissuance of Existing Permit
- ☐ Reissuance & Modification Existing Permit
- ☐ Reissuance & Transfer of Existing Permit
- ☐ Revocation and Reissuance of Existing Permit
- ☐ Other

I. GENERAL INFORMATION

NPDES Permit Number (Not applicable if initial permit application):	County(s) in which Facility is Located:
AL 0054933	MADISON

RECEIVED
APR 02 2019
STORM WATER MANAGEMENT BRANCH

Company/Permittee Name:			Facility Name (*e.g.*, Mine Name, Pit Name, *etc.*):		
BWI MTN II Inc d/b/a Blue Water Industries			Huntsville Quarry		
Mailing Address of Company/Permittee:			Physical Address of Facility (as near as possible to entrance):		
827 Needham Drive			6250 Stringfield Road		
City:	State:	Zip:	City:	State:	Zip:
Smyrna	TN	37167	Huntsville	AL	35806
Permittee Phone Number:	Permittee Fax Number:		Latitude and Longitude of entrance:		
615-793-2600	615-793-2614		34 46' 44"N 86 38' 35"W		

Responsible Official (as described on page 12 of this application):			Responsible Official Title:		
Walter L. Hillis III			Environmental Manager		
Mailing Address of Responsible Official:			Physical Address of Responsible Official:		
9509 Diggs Gap Road			9509 Diggs Gap Road		
City:	State:	Zip:	City:	State:	Zip:
Heiskell	TN	37754	Heiskell	TN	37754
Phone Number of Responsible Official:	Fax Number of Responsible Official:		Email Address of Responsible Official:		
865-512-7628	865-512-1492		whillis@bluewaterindustries.com		

Facility Contact:			Facility Contact Title:	
Danny Oliver			Plant Manager	
Physical Address of Facility Contact:			Phone Number of Facility Contact:	Fax Number of Facility Contact:
6250 Stringfield Road			256-851-9200	
City:	State:	Zip:	Email Address of Facility Contact:	
Huntsville	AL	35806	doliver@bluewaterindustries.com	

II. MEMBER INFORMATION

A. Identify the name, title/position, and unless waived in writing by the Department, the residence address of every officer, general partner, LLP partner, LLC member, investor, director, or person performing a function similar to a director, of the applicant, and each person who is the record or beneficial owner of 10 percent or more of any class of voting stock of the applicant, or any other responsible official(s) of the applicant with legal or decision making responsibility or authority for the facility:

Name:	Title/Position:	Physical Address of Residence (P.O. Box is Not Acceptable)
Edward Baker	CEO	200 West Forsyth Street, Suite 1200 Jacksonville, FL 32202
Charlie Wodehouse	CFO	200 West Forsyth Street, Suite 1200 Jacksonville, FL 32202

B. Other than the "Company/Permittee" listed in Part I., identify the name of each corporation, partnership, association, and single proprietorship for which any individual identified in Part II.A. is or was an officer, general partner, LLP partner, LLC member, investor, director, or individual performing a function similar to a director, or principal (10% or more) stockholder, that had an Alabama NPDES permit at any time during the five year (60 month) period immediately preceding the date on which this form is signed:

Name of Corporation, Partnership, Association, or Single Proprietorship:	Name of Individual from Part II.A.:	Title/Position in Corporation, Partnership, Association, or Single Proprietorship:

III. LEGAL STRUCTURE OF APPLICANT

A. Indicate the legal structure of the "Company/Permittee" listed in Part I:

☒ Corporation ☐ Association ☐ Individual ☐ Single Proprietorship ☐ Partnership ☐ LLP ☐ LLC

☐ Government Agency: _____ ☐ Other: _____

B. If not an individual or single proprietorship, is the "Company/Permittee" listed in Part I. properly registered and in good standing with the Alabama Secretary of State's Office? (If the answer is "No," attach a letter of explanation.) ☒ Yes ☐ No

C. Parent Corporation and Subsidiary Corporations of Applicant, if any: Parent: BWI MTN Inc.

D. Land Owner(s): KEITH BEECHER, GEORGE THOMPSON, HERMAN BARLEY, VERNA LEE CLARK

E. Mining Sub-contractor(s)/Operator(s), if known: N/A

IV. COMPLIANCE HISTORY

A. Has the applicant ever had any of the following:

	Yes	No
(1) An Alabama NPDES, SID, or UIC permit suspended or terminated?	☐	☒
(2) An Alabama license to mine suspended or revoked?	☐	☒
(3) An Alabama or federal mining permit suspended or terminated?	☐	☒
(4) A reclamation bond, or similar security deposited in lieu of a bond, or portion thereof, forfeited?	☐	☒
(5) A bond or similar security deposited in lieu of a bond, or portion thereof, the purpose of which was to secure compliance with any requirement of the Alabama Water Improvement Commission or Alabama Department of Environmental Management, forfeited?	☐	☒

(If the response to any item of Part IV.A. is "Yes," attach a letter of explanation.)

B. Identify every Warning Letter, Notice of Violation (NOV), Administrative Action, or litigation issued to the applicant, parent corporation, subsidiary, general partner, LLP partner, or LLC member and filed by ADEM or EPA during the three year (36 months) period preceding the date on which this form is signed. Indicate the date of issuance, briefly describe alleged violations, list actions (if any) to abate alleged violations, and indicate date of final resolution:

N/A

V. OTHER PERMITS/AUTHORIZATIONS

A. List any other NPDES or other environmental permits (including permit numbers), authorizations, or certifications that have been applied for or issued within the State by ADEM, EPA, Alabama Surface Mining Commission (ASMC), Alabama Department of Labor (ADOL), US Army Corp of Engineers (USACE), or other agency, to the applicant, parent corporation, subsidiary, or LLC member for this facility whether presently effective, expired, suspended, revoked, or terminated:

AIR: 709-P099

B. List any other NPDES or other ADEM permits (including permit numbers), authorizations, or certifications that have been applied for or issued within the State by ADEM, EPA, ASMC, ADOL or USACE, to the applicant, parent corporation, subsidiary, or LLC member for other facilities whether presently effective, expired, suspended, revoked, or terminated:

VI. PROPOSED SCHEDULE

Anticipated Activity Commencement Date: June 1985 Anticipated Activity Completion Date: 2050

VII. ACTIVITY DESCRIPTION & INFORMATION

A. Proposed Total Area of the Permitted Site: 207.39 acres Proposed Total Disturbed Area of the Permitted Site: 150 acres

B. Township(s), Range(s), Section(s): T-3-S, R-1-W, Section 8, 9 & 16

C. Detailed Directions to Site: From Montgomery, 1-65N to I-565 east, AL - 255 N, AL 53 east. AL53 is Stringfield road.

D. Is/ will this facility:

		Yes	No
(1)	an existing facility which currently results in discharges to State waters?	X	
(2)	a proposed facility which will result in a discharge to State waters?		X
(3)	be located within any 100-year flood plain?		X
(4)	discharge to Municipal Separate Storm Sewer?		X
(5)	discharge to waters of or be located in the Coastal Zone?		X
(6)	need/have ADEM UIC permit coverage?		X
(7)	be located on Indian/ historically significant lands?		X
(8)	need/have ADEM SID permit coverage?		X
(9)	need/have ASMC permit coverage?		X
(10)	need/have ADOL permit coverage?		X
(11)	generate, treat, store, or dispose of hazardous or toxic waste ? (If "Yes," attach a detailed explanation.)		X
(12)	be located in or discharge to a Public Water Supply (PWS) watershed or be located within ½ mile of any PWS well?		X

VIII. MATERIAL TO BE REMOVED, PROCESSED, OR TRANSLOADED

List relative percentages of the mineral(s) or mineral product(s) that are proposed to be and/or are currently mined, quarried, recovered, prepared, processed, handled, transloaded, or disposed at the facility. **If more than one mineral is to be mined, list the relative percentages of each mineral by tonnage for the life of the mine.**

____ Dirt &/or Chert	____ Sand &/or Gravel	____ Chalk	____ Talc	____ Crushed rock (other)
____ Bentonite	____ Industrial Sand	____ Marble	____ Shale &/or Common Clay	____ Sandstone
____ Coal	____ Kaolin	____ Coal fines/refuse recovery	____ Coal product, coke	____ Slag, Red Rock
____ Fire clay	____ Iron ore	____ Dimension stone	____ Phosphate rock	____ Granite
____ Bauxitic Clay	____ Bauxite Ore	100 Limestone, crushed limestone and dolomite		

____ Gold, other trace minerals:_____ ____ Other:_____

____ Other:_____ ____ Other:_____

____ Other:_____ ____ Other:_____

IX. PROPOSED ACTIVITY TO BE CONDUCTED

A. Type(s) of activity presently conducted at applicant's existing facility or proposed to be conducted at facility (check all that apply):

- [x] Surface mining
- [ ] Underground mining
- [x] Quarrying
- [ ] Auger mining
- [ ] Hydraulic mining
- [ ] Within-bank mining
- [ ] Solution mining
- [ ] Mineral storing
- [ ] Lime production
- [ ] Cement production
- [ ] Synthetic fuel production
- [ ] Alternative fuels operation
- [ ] Mineral dry processing (crushing & screening)
- [x] Mineral wet preparation
- [ ] Other beneficiation & manufacturing operations
- [x] Mineral loading
- [ ] Chemical processing or leaching
- [ ] Construction related temporary borrow pits/areas
- [ ] Mineral transportation [ ] rail [ ] barge [x] truck
- [ ] Preparation plant waste recovery
- [ ] Hydraulic mining, dredging, instream or between stream-bank mining
- [ ] Grading, clearing, grubbing, *etc.*
- [ ] Pre-construction ponded water removal
- [x] Excavation
- [ ] Pre-mining logging or land clearing
- [ ] Waterbody relocation or other alteration
- [ ] Creek/stream crossings
- [x] Onsite construction debris or equipment storage/disposal
- [x] Onsite mining debris or equipment storage/disposal
- [x] Reclamation of disturbed areas
- [ ] Chemicals used in process or wastewater treatment (coagulant, biocide, etc.)
- [ ] Adjacent/associated asphalt/concrete plant(s)
- [ ] Low volume sewage treatment package plant
- [ ] Other: _____

B. Primary SIC Code: 1422 NAICS Code: 212311 Description: Quarrying Crushed and Broken Limestone

Secondary SIC Code(s): _____ NAICS Code: _____ Description: _____

C. Narrative Description of the Activity: Blasting, crushing, screening and sale of limestone.

X. FUEL – CHEMICAL HANDLING, STORAGE & SPILL PREVENTION CONTROL & COUNTERMEASURES (SPCC) PLAN

A. Will fuels, chemicals, compounds, or liquid waste be used or stored onsite? [x] Yes [ ] No

B. If "Yes," identify the fuel, chemicals, compounds, or liquid waste and indicate the volume of each:

Volume	*Contents*	*Volume*	*Contents*	*Volume*	*Contents*
_____gallons	see attached plan	_____gallons	_____	_____gallons	_____
_____gallons	_____	_____gallons	_____	_____gallons	_____

C. If "Yes," a detailed SPCC Plan with acceptable format and content, including diagrams, must be attached to application in accordance with ADEM Admin. Code R. 335-6-6-.12(r). Unless waived in writing by the Department on a programmatic, categorical, or individual compound/chemical basis, Material Safety Data Sheets (MSDS) for chemicals/compounds used or proposed to be used at the facility must be included in the SPCC Plan submittal.

XI. POLLUTION ABATEMENT & PREVENTION (PAP) PLAN

A. For non-coal mining facilities, a PAP Plan in accordance with ADEM Admin. Code r. 335-6-9-.03 has been completed and is attached as part of this application. [x] Yes [ ] No

B. For coal mining facilities, a detailed PAP Plan has been submitted to ASMC according to submittal procedures for ASMC regulated facilities. [ ] Yes [ ] No

(1) If "Yes" to Part XI.B., provide the date that the PAP Plan was submitted to ASMC: _____

(2) If "No" to Part XI.B., provide the anticipated date that the PAP Plan will be submitted to ASMC: _____

XII. ASMC REGULATED ENTITIES

A. Is this coal mining operation regulated by ASMC? [ ] Yes [x] No

B. If "Yes", provide copies as part of this application of any pre-mining hydrologic sampling reports and Hydrologic Monitoring Reports which have been submitted to ASMC within the 36 months prior to submittal of this application.

XIII. TOPOGRAPHIC MAP SUBMITTAL

Attach to this application a 7.5 minute series U.S.G.S. topographic map(s) or equivalent map(s) no larger than, or folded to a size of 8.5 by 11 inches (several pages may be necessary), of the area extending to at least one mile beyond property boundaries. The topographic or equivalent map(s) must include a caption indicating the name of the topographic map, name of the applicant, facility name, county, and township, range, & section(s) where the facility is located. Unless approved in advance by the Department, the topographic or equivalent map(s), at a minimum, must show:

(a) An accurate outline of the area to be covered by the permit
(b) An outline of the facility
(c) All existing and proposed disturbed areas
(d) Location of discharge areas
(e) Proposed and existing discharge points
(f) Perennial, intermittent, and ephemeral streams
(g) Lakes, springs, water wells, wetlands
(h) All known facility dirt/improved access/haul roads
(i) All surrounding unimproved/improved roads
(j) High-tension power lines and railroad tracks
(k) Buildings and structures, including fuel/water tanks
(l) Contour lines, township-range-section lines
(m) Drainage patterns, swales, washes
(n) All drainage conveyance/treatment structures (ditches, berms, etc.)
(o) Any other pertinent or significant feature

XIV. DETAILED FACILITY MAP SUBMITTAL

Attach to this application a 1:500 scale or better, detailed auto-CAD map(s) or equivalent map(s) no larger than, or folded to a size of 8.5 by 11 inches (several pages may be necessary), of the facility. The facility map(s) must include a caption indicating the name of the facility, name of the applicant, facility name, county, and township, range, & section(s) where the facility is located. Unless approved in advance by the Department, the facility or equivalent map(s), at a minimum, must show:

(a) Information listed in Item XIII (a) – (o) above
(b) If noncoal, detailed, planned mining progression
(c) If noncoal, location of topsoil storage areas
(d) Location of ASMC bonded increments (if applicable)
(e) Location of mining or pond cleanout waste storage/disposal areas
(f) Other information relevant to facility or operation
(g) Location of facility sign showing Permittee name, facility name, and NPDES Number

XV. RECEIVING WATERS

List the requested permit action for each outfall (issue, reissue, add, delete, move, etc.), outfall designation including denoting "E" for existing and "P" for proposed outfalls, name of receiving water(s), whether or not the stream is included in a TMDL, latitude and longitude (to seconds) of location(s) of each discharge point, distance of receiving water from outfall in feet, number of disturbed acres, the number of drainage acres which will drain through each treatment system, outfall, or BMP, and if the outfall discharges to an ADEM listed CWA Section 303(d) waterbody segment at the time of application submittal.

Action	Outfall E/P	Receiving Water	Latitude	Longitude	Distance to Rec. Water	Disturbed Acres	Drainage Acres	ADEM WUC	303(d) Segment (Y/N)	TMDL Segment* (Y/N)
REISSUE	001E	UT to Dry Creek	34 46' 59"	86 38' 29"	25'	143	150	FW	N	N
REISSUE	002E	UT to Dry Creek	34 47' 6"	86 38' 17"	900'	7	8	FW	N	N

*If a TMDL Compliance Schedule is requested, the following should be attached as supporting documentation: (1) Justification for the requested Compliance Schedule (e.g. time for design and installation of control equipment, etc.); (2) Monitoring results for the pollutant(s) of concern which have not previously been submitted to the Department (sample collection dates, analytical results (mass and concentration), methods utilized, MDL/ML, etc. should be reported as available); (3) Requested interim limitations, if applicable; (4) Date of final compliance with the TMDL limitations; and (5) Any other additional information available to support the requested compliance schedule.

XVI. DISCHARGE CHARACTERIZATION

A. EPA Form 2C, EPA Form 2D, and/or Modified EPA Form 2C Submittal

☒ Yes, pursuant to 40 CFR §122.21, the applicant requests a waiver for completion of EPA Form 2C, EPA Form 2D, and the modified EPA Form 2C and certifies that the operating facility will discharge treated stormwater only, unless waived in writing by the Department on a programmatic, categorical, or individual compound/chemical basis that chemical/compound additives are not used, and that there are no process, manufacturing, or other industrial operations or wastewaters, including but not limited to lime or cement production, synfuel operations, *etc.*, and that coal and coal products are not mined nor stored onsite.

☐ No, the applicant does not request a waiver and a complete EPA Form 2C, EPA Form 2D, and/or modified EPA Form 2C is attached.

B. The applicant is required to supply the following information separately for every P or E outfall. If necessary, attach extra sheets. List expected average daily discharge flow rate in cfs and gpd, frequency of discharge in hours per day and days per month, average summer and winter temperature of discharge(s) in degrees centigrade (C), average pH in standard units, average daily discharge in pounds per day of BOD_5, Total Suspended Solids, Total Iron, Total Manganese, and Total Aluminum (if bauxite or bauxitic clay):

Outfall E/P	Information Source - # of Samples	Flow cfs	Flow gpd	Frequency hours/day	Frequency days/month	Sum/Win Temp, °C	pH s.u.	BOD_5 lbs/day	TSS lbs/day	Tot Fe lbs/day	Tot Mn lbs/day	Tot Al lbs/day
001E	BPE	0.17	55000	12	2	AMBIENT	8.3	N/A	7.44	N/A	N/A	N/A
002E	BPE	0.02	6000	12	2	AMBIENT	8.3	N/A	1.0	N/A	N/A	N/A

C. The applicant is required to supply the following information separately for every P or E outfall. If necessary, attach extra sheets. Identify and list expected average daily discharge in pounds per day of any other pollutant(s) listed in EPA Form 2C, Item V – Intake And Effluent Characteristics, Parts A, B, & C that are not referenced in Part XV.B., that you know is present or have reason to believe could be present in the discharge(s) at levels of concern:

Outfall E/P	Reason Believed Present	Information Source - # of Samples									
			lbs/day	lbs/day	lbs/day	lbs/day	lbs/day	lbs/day	lbs/day	lbs/day	lbs/day
NONE	EXPECTED										

XVII. DISCHARGE STRUCTURE DESCRIPTION & POLLUTANT SOURCE

The applicant is required to supply outfall number(s) as it appears on the map(s) required by this application [if this application is for a modification to an existing permit do not change the numbering sequence of the permitted outfalls], describe each, (*e.g.*, pipe, spillway, channel, tunnel, conduit, well, discrete fissure, or container), and identify the origin of pollutants. The response must be precise for each outfall. If the discharge of pollutants from any outfall is the result of commingling of waste streams from different origins, each origin must be completely described.

Outfall	Discharge structure Description	Description of Origin of pollutants	Surface Discharge	Groundwater Discharge	Wet Prep -Other Production Plant	Pumped or Controlled Discharge	Low Volume STP	Other
001E	PIPE & SPILLWAY	7,8,9,10	X	N/A	X	N/A	N/A	N/A
002	PIPE & SPILLWAY	11	X	N/A	N/A	N/A	N/A	N/A

Origin of Pollutants – typical examples:

(1) Discharge of drainage from the underground workings of an underground coal mine, **(2)** Discharge of drainage from a coal surface mine, **(3)** Discharge of drainage from a coal preparation plant and associated areas, **(4)** Discharge of process wastewater from a gravel-washing plant, **(5)** Discharge of wastewater from an existing source coal preparation plant, **(6)** Discharge of drainage from a sand and gravel pit, **(7)** Pumped discharge from a limestone quarry, **(8)** Controlled surface mine drainage (pumped or siphoned), **(9)** Discharge of drainage from mine reclamation, or **(10) Other** (describe below).

LIMESTONE CRUSHING AND WET PREP PLANT

11) LIMESTONE STOCKPILE

XVIII. PROPOSED NEW OR INCREASED DISCHARGES

A. Pursuant to ADEM Admin. Code Chapter 335-6-10-.12(9), responses to the following questions must be provided by the applicant requesting NPDES permit coverage for new or expanded discharges of pollutant(s) to Tier 2 waters (except discharges eligible for coverage under general permits). As part of the permit application review process, the Department is required to consider, based on the applicant's demonstration, whether the proposed new or increased discharge to Tier 2 waters is necessary for important economic or social development in the area in which the waters are located.

☐ Yes. New/increased discharges of pollutant(s) or discharge locations to Tier 2 waters are proposed.

☒ No. New/increased discharges of pollutants(s) or discharge locations to Tier 2 waters are not proposed.

B. If "Yes," complete Items 1 through 6 of this Part (XVII.B.), ADEM Form 311-Alternative Analysis, and either ADEM Form 312 or ADEM Form 313-Calculation of Total Annualized Project Costs (Public-Section or Private-Sector, whichever is applicable). ADEM Form 312 or ADEM Form 313, whichever, is applicable, should be completed for each technically feasible alternative evaluated on ADEM Form 311. ADEM Forms can be found on the Department's website at www.adem.alabama.gov/DeptForms. **Attach additional sheets/documentation and supporting information as needed.**

(1) What environmental or public health problem will the discharge be correcting?

N/A

(2) How much will the discharger be increasing employment (at its existing facility or as a result of locating a new facility)?

N/A

(3) How much reduction in employment will the discharger be avoiding?

N/A

(4) How much additional state or local taxes will the discharger be paying?

N/A

(5) What public service to the community will the discharger be providing?

N/A

(6) What economic or social benefit will the discharger be providing to the community?

N/A

XIX. POLLUTION ABATEMENT & PREVENTION (PAP) PLAN SUMMARY (must be completed for all outfalls)

Y	N	N/A	**Outfall(s):** 001 & 002
X			Runoff from all areas of disturbance is controlled
X			Drainage from pit area, stockpiles, and spoil areas directed to a sedimentation pond
X			Sedimentation basin at least 0.25 acre/feet for every acre of disturbed drainage
X			Sedimentation basin cleaned out when sediment accumulation is 60% of design capacity
		X	Trees, boulders, and other obstructions removed from pond during initial construction
X			Width of top of dam greater than 12'
X			Side slopes of dam no steeper than 3:1
		X	Cutoff trench at least 8' wide
		X	Side slopes of cutoff trench no less than 1:1
		X	Cutoff trench located along the centerline of the dam
		X	Cutoff trench extends at least 2' into bedrock or impervious soil
		X	Cutoff trench filled with impervious material
		X	Embankments and cutoff trench 95% compaction standard proctor ASTM
		X	Embankment free of roots, tree debris, stones >6" diameter, etc.
		X	Embankment constructed in lifts no greater than 12"
X			Spillpipe sized to carry peak flow from a one year storm event
X			Spillpipe will not chemically react with effluent
X			Subsurface withdrawal
		X	Anti-seep collars extend radially at least 2' from each joint in spillpipe
X			Splashpad at the end of the spillpipe
X			Emergency Spillway sized for peak flow from 25-yr 24-hr event if discharge not into PWS classified stream
	X		Emergency spillway sized for peak flow from 50-yr 24-hr event if discharge is into PWS classified stream
X			Emergency overflow at least 20' long
X			Side slopes of emergency spillway no steeper than 2:1
X			Emergency spillway lined with riprap or concrete
X			Minimum of 1.5' of freeboard between normal overflow and emergency overflow
X			Minimum of 1.5' of freeboard between max. design flow of emergency spillway and top of dam
X			All emergency overflows are sized to handle entire drainage area for ponds in series
X			Dam stabilized with permanent vegetation
X			Sustained grade of haul road <10%
X			Maximum grade of haul road <15% for no more than 300'
X			Outer slopes of haul road no steeper than 2:1
X			Outer slopes of haul road vegetated or otherwise stabilized
		X	Detail drawings supplied for all stream crossings
X			Short-Term Stabilization/Grading And Temporary Vegetative Cover Plans
		X	Long-Term Stabilization/Grading And Permanent Reclamation or Water Quality Remediation Plans

IDENTIFY AND PROVIDE DETAILED EXPLANATION FOR ANY "N" OR "N/A" RESPONSE(s):

OUTFALLS 001 & 002 EXIST AND WERE DESIGNED AND CERTIFIED BY ANOTHER ENGINEER.

REC. WATER NOT A PWS

NO STREAM CROSSINGS

LONG TERM CLOSURE PLANS HAVE NOT BEEN DEVELOPED

XX. POLLUTION ABATEMENT & PREVENTION (PAP) PLAN REVIEW CHECKLIST

Y	N	N/A	
X			PE Seal with License #
X			Name and Address of Operator
X			Legal Description of Facility
			General Information:
X			Name of Company
X			Number of Employees
X			Products to be Mined
X			Hours of Operation
X			Water Supply and Disposition
			Topographic Map:
X			Mine Location
X			Location of Prep Plant
X			Location of Treatment Basins
X			Location of Discharge Points
X			Location of Adjacent Streams
			1"- 500' or Equivalent Facility Map:
X			Drainage Patterns
X			Mining Details
X			All Roads, Structures Detailed
X			All Treatment Structures Detailed
			Detailed Design Diagrams:
X			Plan Views
X			Cross-section Views
X			Method of Diverting Runoff to Treatment Basins
			Narrative of Operations:
X			Raw Materials Defined
X			Processes Defined
X			Products Defined
			Schematic Diagram:
X			Points of Waste Origin
			Collection System
X			Disposal System
			Post Treatment Quantity and Quality of Effluent:
X			Flow
X			Suspended Solids
	X		Iron Concentration
X			pH
			Description of Waste Treatment Facility:
X			Pre-Treatment Measures
X			Recovery System
X			Expected Life of Treatment Basin
X			Schedule of Cleaning and/or abandonment
			Other:
	X		Precipitation/Volume Calculations/Diagram Attached
	X		BMP Plan for Haul Roads
X			Measures for Minimizing Impacts to Adjacent Stream i.e., Buffer Strips, Berms, etc.
X			Methods for Minimizing Nonpoint Source Discharges
	X		Facility Closure Plans
	X		PE Rationale(s) For Alternate Standards, Designs or Plans

IDENTIFY AND PROVIDE DETAILED EXPLANATION FOR ANY "N" OR "N/A" RESPONSE(s):

IRON CONCENTRATION IS NOT APPLICABLE TO THIS FACILITY / PERMIT
PRECIPIATION CALCULATIONS NOT APPLICABLE BECAUSE THE PONDS ARE EXISTING
HAUL ROADS DRAIN TO THE PIT OR BASINS
NO FACILITY CLOSURE PLAN EXISTS
NO ALTERNATE STANDARDS

XXI. INFORMATION

Contact the Department prior to submittal with any questions or to request acceptable alternate content/format. Be advised that you are not authorized to commence regulated activity until this application can be processed, publicly noticed, and approval to proceed is received in writing from the Department.

EPA Form(s) 1 and 2F need not be submitted unless specifically required by the Department. EPA Form(s) 2C and/or 2D are required to be submitted unless the applicant is eligible for a waiver and the Department grants a waiver, or unless the relevant information required by EPA Form(s) 2C and/or 2D are submitted to the Department in an alternative format acceptable to the Department.

Planned/proposed mining sites that are greater than 5 acres, that mine/process coal or metallic mineral/ore, or that have wet or chemical processing, must apply for and obtain coverage under an Individual NPDES Permit prior to commencement of any land disturbance. Such coverage may be requested via this ADEM Form 315.

The applicant is advised to contact:

(1) The Alabama Surface Mining Commission (ASMC) if coal, coal fines, coal refuse, or other coal related materials are mined, transloaded, processed, *etc.*;
(2) The Alabama Department of Labor (ADOL) if conducting non-coal mining operations;
(3) The Alabama Historical Commission for requirements related to any potential historic or culturally significant sites;
(4) The Alabama Department of Conservation and Natural Resources (ADCNR) for requirements related to potential presence of threatened/endangered species; and
(5) The US Army Corps of Engineers, Mobile or Nashville Districts, if this project could cause fill to be placed in federal waters or could interfere with navigation.

The Department must be in receipt of a completed version of this form, including any supporting documentation, and the appropriate processing fee [including Greenfield Fee and Biomonitoring & Toxicity Limits fee(s), if applicable], prior to development of a draft NPDES permit. The completed form, supporting documentation, and the appropriate fees must be submitted to:

Water Division
Alabama Department of Environmental Management
Post Office Box 301463
Montgomery, Alabama 36130-1463
Phone: (334) 271-7823
Fax: (334) 279-3051
h2omail@adem.alabama.gov
www.adem.alabama.gov

XXII. PROFESSIONAL ENGINEER (PE) CERTIFICATION

A detailed, comprehensive Pollution Abatement & Prevention (PAP) Plan must be prepared, signed, and certified by a professional engineer (PE), registered in the State of Alabama, and the PE must certify as follows:

"I certify on behalf of the applicant, that I have completed an evaluation of discharge alternatives (Item XVIII) for any proposed new or increased discharges of pollutant(s) to Tier 2 waters and reached the conclusions indicated. I certify under penalty of law that technical information and data contained in this application, and a comprehensive PAP Plan including any attached SPCC plan, maps, engineering designs, etc. acceptable to ADEM, for the prevention and minimization of all sources of pollution in stormwater and authorized related process wastewater runoff has been prepared under my supervision for this facility utilizing effective, good engineering and pollution control practices and in accordance with the provisions of ADEM Admin. Code Division 335-6 , including Chapter 335-6-9 and Appendices A & B. If the PAP Plan is properly implemented and maintained by the Permittee, discharges of pollutants can reasonably be expected to be effectively minimized to the maximum extent practicable and according to permit discharge limitations and other permit requirements. The applicant has been advised that appropriate pollution abatement/prevention facilities and structural & nonstructural management practices or Department approved equivalent management practices as detailed in the PAP Plan must be fully implemented and regularly maintained as needed at the facility in accordance with good sediment, erosion, and other pollution control practices, permit requirements, and other ADEM requirements to ensure protection of groundwater and surface water quality."

Address 535 HERRON STREET, MONTGOMERY, AL 36104 PE Registration # 20897

Name and Title (type or print) STEVEN E. SPEAKS, PRESIDENT Phone Number 334-262-1091

Signature Steven E. Speaks Date Signed 3/29/2019

XXIII. RESPONSIBLE OFFICIAL SIGNATURE*

This application must be signed by a Responsible Official of the applicant pursuant to ADEM Admin. Code Rule 335-6-6-.09 who has overall responsibility for the operation of the facility.

"I certify under penalty of law that this document, including technical information and data, the PAP Plan, including any SPCC plan, maps, engineering designs, and all other attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the PE and other person or persons under my supervision who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine or imprisonment for knowing violations.

"A comprehensive PAP Plan to prevent and minimize discharges of pollution to the maximum extent practicable has been prepared at my direction by a PE for this facility utilizing effective, good engineering and pollution control practices and in accordance with the provisions of ADEM Admin. Code Division 335-6, including Chapter 335-6-9 and Appendices A & B, and information contained in this application, including any attachments. I understand that regular inspections must be performed by, or under the direct supervision of, a PE and all appropriate pollution abatement/prevention facilities and structural & nonstructural management practices or Department approved equivalent management practices identified by the PE must be fully implemented prior to and concurrent with commencement of regulated activities and regularly maintained as needed at the facility in accordance with good sediment, erosion, and other pollution control practices and ADEM requirements. I understand that the PAP Plan must be fully implemented and regularly maintained so that discharges of pollutants can reasonably be expected to be effectively minimized to the maximum extent practicable and according to permit discharge limitations and other requirements to ensure protection of groundwater and surface water quality. I understand that failure to fully implement and regularly maintain required management practices for the protection of groundwater and surface water quality may subject the Permittee to appropriate enforcement action.

"I certify that this form has not been altered, and if copied or reproduced, is consistent in format and identical in content to the ADEM approved form.

"I further certify that the discharges described in this application have been tested or evaluated for the presence of non-stormwater discharges and any non-mining associated beneficiation/process pollutants and wastewaters have been fully identified."

Name (type or print) WALTER L. HILLIS III Official Title ENVIRONMENTAL MANAGER

Signature Walter L Hillis III Date Signed 4/1/2019

*335-6-6-.09 Signatories to Permit Applications and Reports.

(1) The application for an NPDES permit shall be signed by a responsible official, as indicated below:

(a) In the case of a corporation, by a principal executive officer of at least the level of vice president, or a manager assigned or delegated in accordance with corporate procedures, with such delegation submitted in writing if required by the Department, who is responsible for manufacturing, production, or operating facilities and is authorized to make management decisions which govern the operation of the regulated facility;

(b) In the case of a partnership, by a general partner;

(c) In the case of a sole proprietorship, by the proprietor; or

(d) In the case of a municipal, state, federal, or other public entity by either a principal executive officer, or ranking elected official.

Calculation of Total Annualized Project Costs for Private-Sector Projects

BWI - Huntsville Quarry

Capital Costs to be Financed (Supplied by applicant)	$ 0	(1)
Interest rate for Financing (Expressed as a decimal)	N/A	(i)
Time Period of Financing (Assume 10 years*)	10 years	(n)
Annualization Factor = $\frac{i}{(1+i)^{10} - 1} + i$	N/A	(2)
Annualized Capital Cost [Calculate: (1) x (2)]	$ 0	(3)
Annual Cost of Operation and Maintenance (including but not limited to monitoring, inspection, permitting fees, waste disposal charges, repair, administration and replacement)**	$ 5,000	(4)
Total Annual Cost of Pollution Control Project [(3) + (4)]	$ 5,000.00	(5)

* While actual payback schedules may differ across projects and companies, assume equal annual payments over a 10-year period for consistency in comparing projects.

** For recurring costs that occur less frequently than once a year, pro rate the cost over the relevant number of years (e.g., for pumps replaced once every three years, include one-third of the cost in each year).

Pollution Abatement Plan (PAP)

for:

Huntsville Quarry
6250 Stringfield Road
Huntsville, AL 35806
615-793-2600

Operator:

BWI MTN II Inc
d/b/a Blue Water Industries
827 Needham Drive, Smyrna, TN 37167
865-512-7628
whillis@bluewaterindustries.com

PAP Contact:

Larry E. Speaks & Associates, Inc.
Clint Davis
535 Herron Street
Montgomery, Al 36104
Office: 334-262-1091
Fax: 334-262-2211
clint@lespeaks.com

PAP Certifier:

Larry E. Speaks & Associates, Inc.
Steven E. Speaks,
PE/PLS #20897
535 Herron Street
Montgomery, Al 36104
Office: 334-262-1091
Fax: 334-262-2211

PAP Preparation Date:

03/29/2019

Estimated Project Dates:

Project Start Date: **June 1985**
Project Completion Date: **2050**

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SECTION 1: SITE EVALUATION, ASSESSMENT, AND PLANNING

1.1 Introduction

This document has been prepared as a supplement to an application for a permit re-issuance regarding NPDES permit AL0054933 for BWI, Huntsville Quarry located in Section 8,9 & 16 T-3-S, R-1-W, in Madison County, Alabama. This application has been prepared in accordance with the rules and regulations of the Alabama Department of Environmental Management. A thorough field review has been accomplished preceding the approval and submittal of this application. Field checks were made of the entire sedimentation basin system to determine compliance with ADEM rules and regulations.

The pollution abatement plan is presented in two parts which includes a brief narrative presented herein and the Pollution Abatement Plan Drawings and Maps which are attached hereto. The narrative is intended to address the format as outlined by the ADEM Water Division - Water Quality and Control Program, Rules and Regulations, as well as present the basis for the designs as further detailed in the "Pollution Abatement Plan". Drawings as presented in the "Pollution Abatement Plan" were derived from rules and regulations of the ADEM as well as from other generally accepted design data sources primarily from the Natural Resource Conservation Service (NRCS). Generally, the narrative will follow the outline of chapter 6 - 9 -.03, Surface Mining Rules and Regulations from the ADEM Rules and Regulations.

1.2 Project/Site Information

Project/Site Name: Huntsville Quarry

Project Street/Location: 6250 Stringfield Road

City: Huntsville State: AL ZIP Code: 35806

County or Similar Subdivision: Madison County

Latitude/Longitude of the Project Site (front gate).

Latitude: Longitude:

34° 46' 44" N (degrees, minutes, seconds) 86° 38' 35" W (degrees, minutes, seconds)

Method for determining latitude/longitude:

☐ USGS topographic map (specify scale): _____ ☐ EPA Web site ☐ GPS

☒ Other (please specify): Google Earth, site visit

1.2 Contact Information/Responsible Parties

Operator:
BWI
Huntsville Quarry
827 Needham Drive
Smyrna, TN 37167
615-793-2600 -office

Walt Hillis
Environmental Manager

Project Manager(s) or Site Supervisor(s):
BWI
Huntsville Quarry
Danny Oliver

PAP Contact/Design Engineer:
Larry E. Speaks & Associates, Inc.
Steven E. Speaks, PE/PLS #20897
535 Herron Street
Montgomery, Al 36104
334-262-1091
334-262-2211
sspeaks@lespeaks.com

This PAP was Prepared by:
Larry E. Speaks & Associates, Inc.
Clint Davis
535 Herron Street
Montgomery, Al 36104
334-262-1091
334-262-2211--clint@lespeaks.com

Emergency 24-Hour Contact:
BWI Environmental Manager
Walt Hillis 865-512-7628

1.3 General Information

Description of the Mining Limits:
Approximately 80 acres of land leased from Drummond Company located in sections 6 & 7, T-17-S, R-2-W Jefferson County, Alabama.

Proposed Activity(ies) to be Conducted:
☒ Surface Mining ☒ Quarrying ☒ Mineral Storing ☒ Reclamation
☒ Wet Preparation ☐ Dry Preparation
Mineral Transportation: ☒ Truck ☐ Rail ☐ Barge
☐ Hydraulic Mining ☐ Chemical Processing or Leaching
☐ Chemicals in process water or wastewater treatment
☐ Associated Asphalt Plant
☐ Associated Concrete Plant

Primary Materials to be mined and significant overburden:

☐ Dirt-Chert ☐ Sand-Gravel ☐ Shale-Clay ☐ Crushed-Dimension Stone

☒ Other (please specify): Limestone

Primary SIC Code: 1422 Limestone Mining

Secondary SIC Code:

Brief Description of Activity:

Operation of a limestone quarry. Blasting, sorting, crushing, stockpiling and selling of limestone.

1.4 Drainage Patterns

The site is an existing limestone quarry. The drainage is directed in to ponds and pits. Ponds and berms discharging from the facility are to be certified and approved discharge points.

1.5 Narrative of Operations

All drainage will be routed through approved and certified outfalls.

A Spill Prevention Control and Countermeasure (SPCC) Plan in effect for this facility.

1.6 Receiving Waters

Description of receiving waters:
001- UT to Dry Creek
002- UT to Dry Creek

Description of impaired waters or waters subject to TMDLs: N/A
Other: N/A

1.7 Site Features and Sensitive Areas to be Protected

Describe measures to protect these features: Surface waters and drainage easements

1.8 Potential Sources of Pollution

Potential sources of sediment to stormwater runoff:
Overburden, Unstabilized slopes
Potential pollutants and known sources, other than sediment, to stormwater runoff:
Hydrocarbons (bulk storage and mobile equipment)

Trade Name Material		Storage Location
See SPCC		

1.9 Endangered Species

Are there any known endangered or threatened species and critical habitats on or near the project area?

☐ Yes ☒ No

If yes, ADEM strongly recommends that the site operator work closely with the appropriate field office of the U.S. Fish and Wildlife Service www.fws.gov/daphne [Daphne, AL (251) 441-5181] and the Alabama Department of Conservation and Natural Resources Wildlife & Freshwater Fisheries [(334) 242-3465].

1.10 Historic Preservation

Are there any known historic sites on or near the construction site?

☐ Yes ☒ No

If yes, ADEM strongly recommends that the site operator work closely with the Alabama Historical Commission's Historic Preservation office [(334) 230-2667].

1.11 Applicable Federal, State or Local Programs

1.12 Maps

NOI Map--USGS Quad Sheet base map& PAP Maps—Aerial Maps

SECTION 2: EROSION AND SEDIMENT CONTROL BMPS

2.1 Minimize Disturbed Area

Maintain a 50' buffer on all Waters of the US. Preserve native grasses and trees until stripping is absolutely necessary. All areas not being mined, graded or stockpiled for more than 21 days must be temporarily seeded or stabilized.

2.2 Phases Mining Activities

- Active mining
  - Blasting
  - Crushing
  - Wet screening
  - Stockpiling
  - Selling material via trucks

2.3 Method of Diverting Surface Water Runoff

BMP Description: Berms, Dams and Ditches	
Installation Schedule:	As necessary
Maintenance and Inspection:	Berms must have 2:1 slopes or better. Inspect berms and ditches Bi monthly. Repair any significant erosion damage upon discovery.
Responsible Staff:	Plant Manager / Site Contact

2.4 Stabilize Soils

BMP Description: Seeding and Mulching	
☒ ***Permanent***	☒ ***Temporary***
Installation Schedule:	As necessary, newly constructed haul roads
Maintenance and Inspection:	Re-seed as the grade changes or if bare areas persist. Inspect: Bi monthly and after significant rain events
Responsible Staff:	Plant Manager / Site Contact

2.5 Stabilize Slopes

BMP Description: Temporary Seeding and Mulching	
Installation Schedule:	As necessary, newly constructed haul roads
Maintenance and Inspection:	Re-seed as the grade changes or if bare areas persist. Inspect: Bi monthly and after significant rain events
Responsible Staff:	Plant Manager / Site Contact

2.7 Establish Perimeter Controls and Sediment Barriers

BMP Description: Berms or Dams	
Installation Schedule:	As necessary
Maintenance and Inspection:	Berms must have 2:1 slopes or better Dams must have 3:1 slopes or better Both must have vegetation and or mulch
Responsible Staff:	Plant Manager / Site Contact
BMP Description: Temporary Seeding and Mulching	
Installation Schedule:	As necessary; newly constructed haul roads
Maintenance and Inspection:	Re-seed as the grade changes or if bare areas persist. Inspect: Bi monthly and after significant rain events
Responsible Staff:	Plant Manager / Site Contact

2.8 Retain Sediment On-Site

BMP Description: Sediment Basin	
Installation Schedule:	Immediately
Maintenance and Inspection:	Remove sediment when the basin is 60% full. Inspect Bi monthly
Responsible Staff:	Plant Manager / Site Contact

2.9 Sediment Control for Haul Roads

- The grade is designed not to exceed 10 percent;
- The maximum grade is designed not to exceed 15 percent for 300 feet;
- The roads are designed not to be more than 300 feet of 15 percent maximum grade for each 1,000 feet of road constructed;
- The haul road should be located so that runoff from the road enters a sediment basin constructed for the mining operation.

- The outer slopes for haul roads out of the permitted area are designed not to be steeper than 2:1 and should be seeded with annual and perennial grasses with at least 80 percent cover to avoid erosion. Where this is not possible, basins, hay filters or diversion ditches should be cut, built or placed to intercept runoff. Details outlining control measures must be included with the abatement plan.
- Stream crossings should be avoided; however any crossings which are necessary and which meet ADEM technical staff approval should be detailed with drawings and any other pertinent data in this report, using best engineering practices.
- Pit roads will be ditched and stabilized so that runoff will be collected as illustrated on the site plan map

BMP Description: Temporary Seeding and Mulching	
Installation Schedule:	As necessary; newly constructed haul roads
Maintenance and Inspection:	Re-seed as the grade changes or if bare areas persist. Inspect: Bi monthly and after significant rain events
Responsible Staff:	Plant Manager / Site Contact
BMP Description: Check Dams	
Installation Schedule:	As necessary; newly constructed haul roads
Maintenance and Inspection:	Remove sediment when over half full, Must be spaced appropriately and properly shaped. Bi monthly and after significant rain events
Responsible Staff:	Plant Manager / Site Contact

2.10 Dam for Sediment Basin

- The dams and ponds for this facility are existing. The dams shall be maintained in a way that meets the requirement listed in the permit application, ADEM permit, ADEM regulations and any other applicable regulations.

2.11 Water Quality and Quantity Characteristics of the Waste

The only waste products which are a by-product of the processes are fines and clays which will settle into the quarry sump or settling pond. Regarding pH, the waste effluent is neutral in nature and should be in the range of 6 to 8.5. Total suspended solids should not exceed 45 mg/l (daily). The flow depends upon weather conditions, amount of rain, etc. The temperatures should be around 85 F (25 C) summer, 60 F (16 C) winter.

2.12 Waste Treatment Facilities

001:

Consists of a series of ponds that are connected via pipes and pumps. Ponds A, B, C & D make up the circuit. Pond A receives the initial plant runoff from the wet prep plant and stockpiles. Pond B is connected to Pond A via a ditch. Pond D receives water from a ditch on the south side of the pit under the haul road, stockpiles and office area. Pond D has the discharge pipe (001) and spillway. Pond D also has a pump intake to pump water to Pond C. Pond C has a pump to provide make up water to the wet prep plant. A water truck is filled from the pond B and/or C.

002:

Collects water from a large overburden covered rock pile. Basin 002 is accessed by leaving the facility.

SECTION 3: GOOD HOUSEKEEPING (GROUNDS KEEPING) BMPS

3.1 Material Handling and Waste Management

BMP Description: Trash receptacles	
Installation Schedule:	Immediately
Maintenance and Inspection:	Empty when appropriate, Daily Visual Inspection
Responsible Staff:	Plant Manager / Site Contact

BMP Description: Bone Yard/ Reusable Materials	
Installation Schedule:	When needed
Maintenance and Inspection:	Keep materials neatly organized. Stockpiled materials must truly reusable in the foreseeable future.
Responsible Staff:	Plant Manager / Site Contact

BMP Description: Facility Security	
Installation Schedule:	If needed
Maintenance and Inspection:	Lock gate to prevent illegal dumping
Responsible Staff:	Plant Manager / Site Contact

3.2 Establish Proper Building Material Staging Areas

BMP Description: Bone Yard/ Reusable Materials	
Installation Schedule:	When needed
Maintenance and Inspection:	Keep materials neatly organized. Stock piled materials must truly reusable in the foreseeable future.
Responsible Staff:	Plant Manager / Site Contact

BMP Description: Temporary or Permanent Berm(s)	
Installation Schedule:	If storage area is present
Maintenance and Inspection:	To prevent runoff from the reusable materials from mixing with other runoff.
Responsible Staff:	Plant Manager / Site Contact

3.3 Other BMPs

BMP Description: Signage & Permit Numbers	
Installation Schedule:	If needed
Maintenance and Inspection:	Signs for safety, outfall numbers, pond names, permit numbers and emergency contacts. The NPDES permit number is required to be posted at the entrance.
Responsible Staff:	Plant Manager / Site Contact

3.4 Establish Proper Equipment/Vehicle Fueling and Maintenance Practices

BMP Description: Vehicle Maintenance	
Installation Schedule:	If needed
Maintenance and Inspection:	Concrete or asphalt pad for work areas. Inspect work area for any leaching to groundwater
Responsible Staff:	Plant Manager / Site Contact

BMP Description: Fluid Catch Pans	
Installation Schedule:	When needed
Maintenance and Inspection:	All fluids (hydrocarbons, antifreeze, etc) must be captured and prevented from reaching a pervious surface. Inspect as work is ongoing
Responsible Staff:	Plant Manager / Site Contact

BMP Description: Fluid Disposal	
Installation Schedule:	When needed
Maintenance and Inspection:	All used fluids must be disposed of in accordance with State and Federal Laws, Regulations and recommendations. See SPCC for additional information regarding hydrocarbon handling. See MSDS for additional information regarding the fluids currently in use.
Responsible Staff:	Plant Manager / Site Contact

3.5 Control Equipment/Vehicle Washing

The only vehicle washing allowed on-site is exterior washing. No engine overhaul washing liquids or parts washing liquids are allowed to mix with pervious surfaces or stormwater runoff. See the SPCC for reporting spills, if mixing or spillage has occurred.

BMP Description: Sediment Basin	
Installation Schedule:	Immediately
Maintenance and Inspection:	Remove sediment when the basin is 60% full. Inspect Bi monthly
Responsible Staff:	Plant Manager / Site Contact

BMP Description: Sumps	
Installation Schedule:	If needed for isolation of extreme amounts of sediment
Maintenance and Inspection:	Clean out or reclaim as soon as the sump has been used. Intended to be a temporary site feature.
Responsible Staff:	Plant Manager / Site Contact

3.6 Spill Prevention, Control and Management

See the facility's SPCC Plan

3.8 Non-Stormwater Discharge Management

The facility is to have no non-stormwater discharges.

BMP Description: Dust Suppression	
Installation Schedule:	If needed
Maintenance and Inspection:	A dust suppression system must be used on any screening and/or crushing equipment.
Responsible Staff:	Plant Manager / Site Contact

BMP Description: Water Truck	
Installation Schedule:	Immediately
Maintenance and Inspection:	A water truck shall be used to minimize dust from haul roads. Inspections shall be performed on a frequent enough basis in relation to the age of the truck(s) on site.
Responsible Staff:	Plant Manager / Site Contact

SECTION 4: Water Supply, Adjacent Streams & Non-Point Source Pollution

4.1 Water Supply and Disposition

The eventual receiving water is UT to Dry Creek and

☒ *is **NOT** a **Known** (to our office at the time of plan preparation) Public Water Supply*

4.2 Location of Adjacent Streams

Included with the NPDES application preceding this pollution abatement plan is a drawing which has been reproduced from the USGS quad sheet at a 1" = 2000' scale showing the adjacent streams.

4.3 Non-Point Source Pollution

By virtue of the fact that all disturbed areas are graded such that the drainage will carry yard dust to the excavated & existing ponds, non-point sources of pollution do not result from this project. Water truck(s) will be used to help suppress the haul road dust for the project site.

SECTION 5: INSPECTIONS

5.1 Inspections

1. ***Inspection Personnel:*** Identify the person(s) who will be responsible for conducting inspections and describe their qualifications:

   Responsible Official or Plant Manager or Environmental Manager

2. ***Inspection Schedule and Procedures:***

   All BMP's (including berms and ditches) and discharge points must be inspected on a bi-monthly basis.

   All corrections must be completed or scheduled before the next inspection. If an effluent violation is encountered all pumping must be stopped until the problem is corrected and a sample verifying compliance is taken.

   See Appendix D

5.2 Delegation of Authority

Delegation of authority letters and forms should be kept with this plan. All instances of delegated authority must be from the Responsible Official and made with the company's policies and procedures.

5.3 Corrective Action Log

Corrective Action Log: See Appendix F

SECTION 6: RECORDKEEPING AND TRAINING

6.1 Recordkeeping

Records will be retained for a minimum period of at least 3 years after the permit is terminated.

6.2 Log of Changes to the PAP

Log of changes and updates to the PAP. See Appendix G

6.3 Training

Copies of all site training should be kept with this plan. Training should be conducted by previously trained or competent individuals familiar with this site and applicable local, state and federal regulations.

SECTION 7: FINAL STABILIZATION-RECLAMATION

Reclamation should be completed so that the landowner(s) is satisfied. The permit cannot be terminated until water quality remediation is fully achieved.

Permanent stands of vegetation are required on all erodible areas that may discharge from the property.

SECTION 8: CERTIFICATION AND NOTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: Steven E. Speaks Title: President

QCP Designation or Description: Professional Engineer and Professional Land Surveyor

Registration/Certification: 20897

Address: 535 Herron Street
Montgomery, Al 36104

Phone Number: 334-262-1091

Signature: Steven E. Speaks Date: 3/29/2019

CBMPP APPENDICES

Attach the following documentation to the PAP:

Appendix A – NOI Map

Appendix B – Site Maps

Appendix C – Copy of the issued Permit from ADEM

Appendix D – Inspection Reports

Appendix E – Legal Description

Appendix F – Corrective Action Log

Appendix G – PAP Amendment Log

Appendix H – Training Log

Appendix I – Delegation of Authority

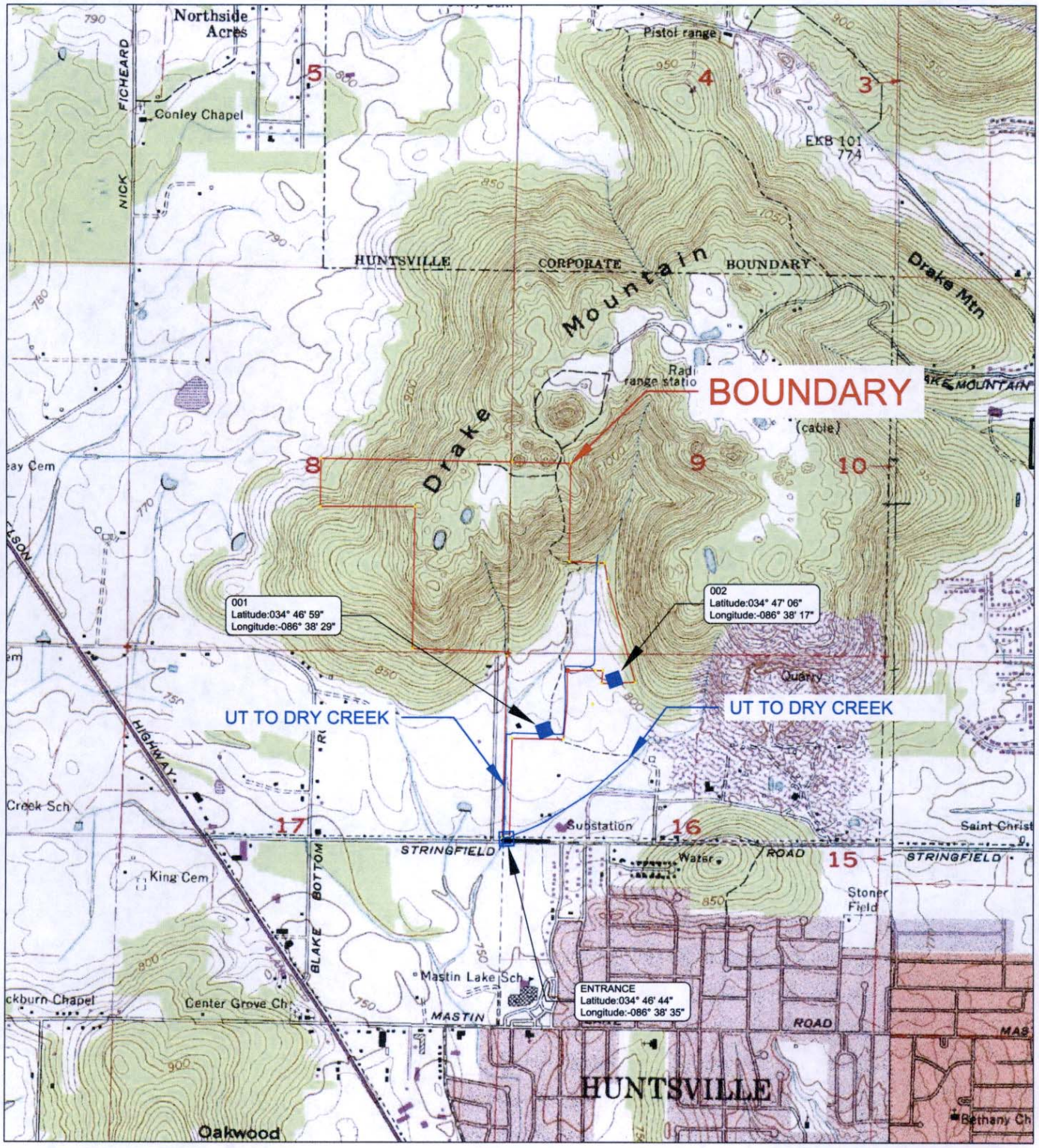
Appendix J – Additional Information – insert as applicable

(i.e., Endangered Species, Historic Preservation, and U.S. Corps of Engineers Documentation)

Appendix A – NOI Map

BWI MTN II Inc d/b/a Blue Water Industries

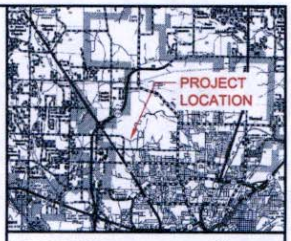
HUNTSVILLE QUARRY
Located in Sections 8, 9 & 16, T-3-S, R-1-W
JEFF Quadrangle
Madison County, Alabama



DATE: 3/29/2019

LARRY E. SPEAKS & ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
535 HERRON STREET
MONTGOMERY, AL. 36104
TEL.(334)262-1091

Appendix B – Site Maps



LOCATION MAP
MADISON COUNTY, AL

NORTH

PIT AREA

BOUNDARY

UT TO DRY CREEK

FUEL STORAGE

STOCKPILES

STOCKPILE

DITCH DIRECTS FLOW FROM PIT AREA TO POND D

POND B

POND A

POND C

PUMP TO PLANT

STOCKPILES

DITCH FROM POND A TO POND D

002
Latitude:034° 47' 06"
Longitude:-086° 38' 17"

POND D (001)

PUMP TO POND C

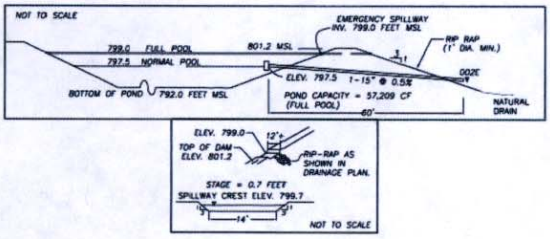
POND A

001
Latitude:034° 46' 59"
Longitude:-086° 38' 29"

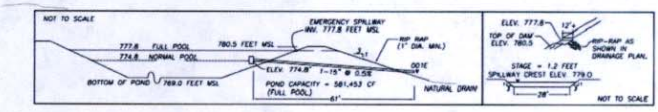
UT TO DRY CREEK

UT TO DRY CREEK

BASIN 002 DETAIL



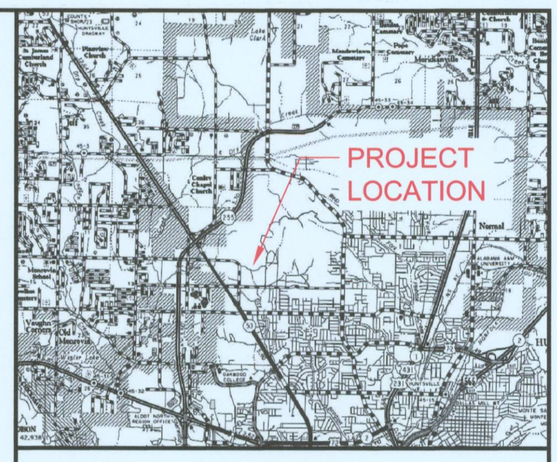
BASIN 001 DETAIL



SHEET	DRAWING TITLE:		REVISIONS			
1 of 1	PAP MAP	Project No.: 18047 Dwg Name: BWI-HUNTSVILLE PAP MAP 2019.dwg Scale: 1"=200' Drawn By: CND Reviewed By: SES Date Issued: 3/29/2019	No.	DATE	DESCRIPTION	

HUNTSVILLE QUARRY
BWI MTN II Inc
d/b/a Blue Water Industries
LOCATED IN SECTIONS 8,9 & 16
T-3-S, R-1-W
HUNTSVILLE, ALABAMA

LARRY E. SPEAKS & ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
535 HERRON STREET
MONTGOMERY, AL 36104
TEL (334)262-1091



LOCATION MAP
MADISON COUNTY, AL

NORTH

PIT AREA

BOUNDARY

UT TO DRY CREEK

FUEL STORAGE

STOCKPILES

STOCKPILE

DITCH DIRECTS FLOW FROM PIT AREA TO POND D

POND B

POND A

POND C

PUMP TO PLANT

STOCKPILES

DITCH FROM POND A TO POND D

002
Latitude:034° 47' 06"
Longitude:-086° 38' 17"

POND D (001)

PUMP TO POND C

OFFICE AREA

POND A

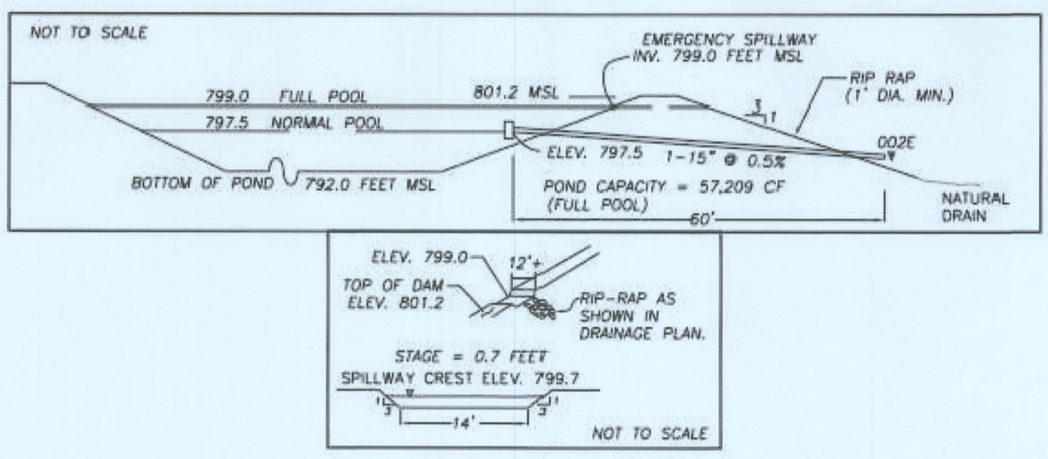
001
Latitude:034° 46' 59"
Longitude:-086° 38' 29"

UT TO DRY CREEK

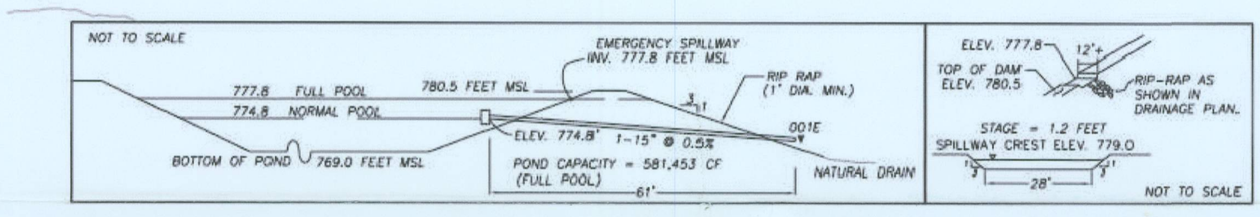
UT TO DRY CREEK

UT TO DRY CREEK

BASIN 002 DETAIL



BASIN 001 DETAIL



SHEET	DRAWING TITLE:		REVISIONS			HUNTSVILLE QUARRY BWI MTN II Inc d/b/a Blue Water Industries LOCATED IN SECTIONS 8,9 & 16 T-3-S, R-1-W HUNTSVILLE, ALABAMA	LARRY E. SPEAKS & ASSOCIATES, INC. CONSULTING ENGINEERS & LAND SURVEYORS 535 HERRON STREET MONTGOMERY, AL. 36104 TEL.(334)262-1091
1 of 1	PAP MAP	Project No.: 18047 Dwg Name: BWI-HUNTSVILLE PAP MAP 2019.dwg Scale: 1"=200' Drawn By: CND Reviewed By: SES Date Issued: 3/29/2019	No.	DATE	DESCRIPTION		

Appendix C – Copy of the issued Permit from ADEM

[INSERT DOCUMENTS HERE]

Appendix D – Inspection Reports

[INSERT REPORTS HERE]

Appendix E – Legal Description

Begin at a point thence N 01°24'49" E 2,605.92' to a point; thence N 88°03'14" W 1,320.06' to a point; thence N 00°57'25" E 1,980.00' to a point; thence N 89°57'19" W 1,320.00' to a point; thence N 00°51'54" E 673.32' to a point; thence S 88°58'50" E 2,661.92' to a point; thence S 88°34'04" E 818.18' to a point; thence S 00°53'15" W 1,369.91' to a point; thence S 87°30'06" E 499.29' to a point; thence S 08°34'04" E 260.45' to a point; thence S 15°34'04" E 1,456.00' to a point; thence S 87°42'18" W 471.13' to a point; thence N 05°36'22" E 180.20' to a point; thence N 89°11'03" W 104.05' to a point; thence S 04°40'43" W 473.00' to a point; thence N 87°08'09" W 356.13' to a point; thence S 05°52'09" W 511.15' to a point; thence N 89°05'11" W 716.70' to a point; thence S 01°24'49" W 1,397.83' to a point; thence N 89°04'04" W 100.00' to the point of beginning.

Containing 207.39 acres, more or less.

Appendix F – *Sample* Corrective Action Log

Project Name:
Site Manager:

Inspection Date	Inspector Name(s)	Description of BMP Deficiency	Corrective Action Needed (including planned date/responsible person)	Date Action Taken/Responsible person

Appendix G – *Sample* PAP Amendment Log

Project Name:
Site Manger:

Amendment No.	Description of the Amendment	Date of Amendment	Amendment Prepared by [Name(s) and Title]

Appendix H – *Sample* PAP Training Log

Pollution Abatement Training Log

Project Name:

Project Location:

Instructor's Name(s):

Instructor's Title(s):

Course Location: _____ Date: _____

Course Length (hours): _____

Stormwater Training Topic: *(check as appropriate)*

- ❑ **Erosion Control BMPs**
- ❑ **Emergency Procedures**
- ❑ **Sediment Control BMPs**
- ❑ **Good Housekeeping BMPs**
- ❑ **Non-Stormwater BMPs**

Specific Training Objective:_____

_____

Attendee Roster: *(attach additional pages as necessary)*

No.	Name of Attendee	Company
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Appendix I – *Sample* Delegation of Authority Form

Delegation of Authority

I, _____ (name), hereby designate the person or specifically described position below to be a duly authorized representative for the purpose of overseeing compliance with environmental requirements, including ADEM Admin. Code chap. 335-6-12, at the _____ construction site. The designee is authorized to sign any reports, stormwater pollution prevention plans and all other documents required by the permit.

_____ (name of person or position)
_____ (company)
_____ (address)
_____ (city, state, zip)
_____ (phone)

By signing this authorization, I confirm that I meet the requirements to make such a designation as set forth in ADEM Admin. Code r. 335-6-6-.09.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: _____

Company: _____

Title: _____

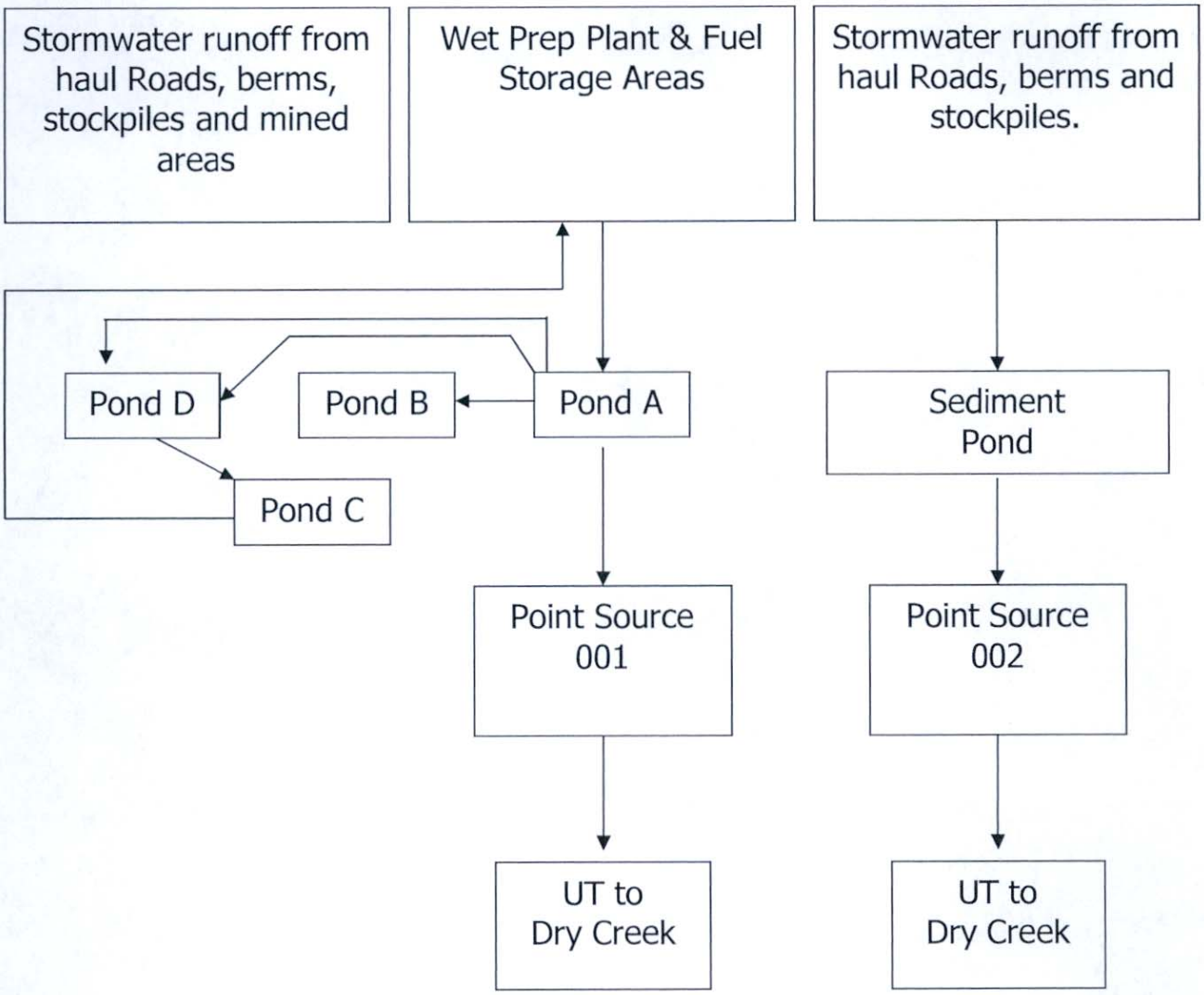
Signature: _____

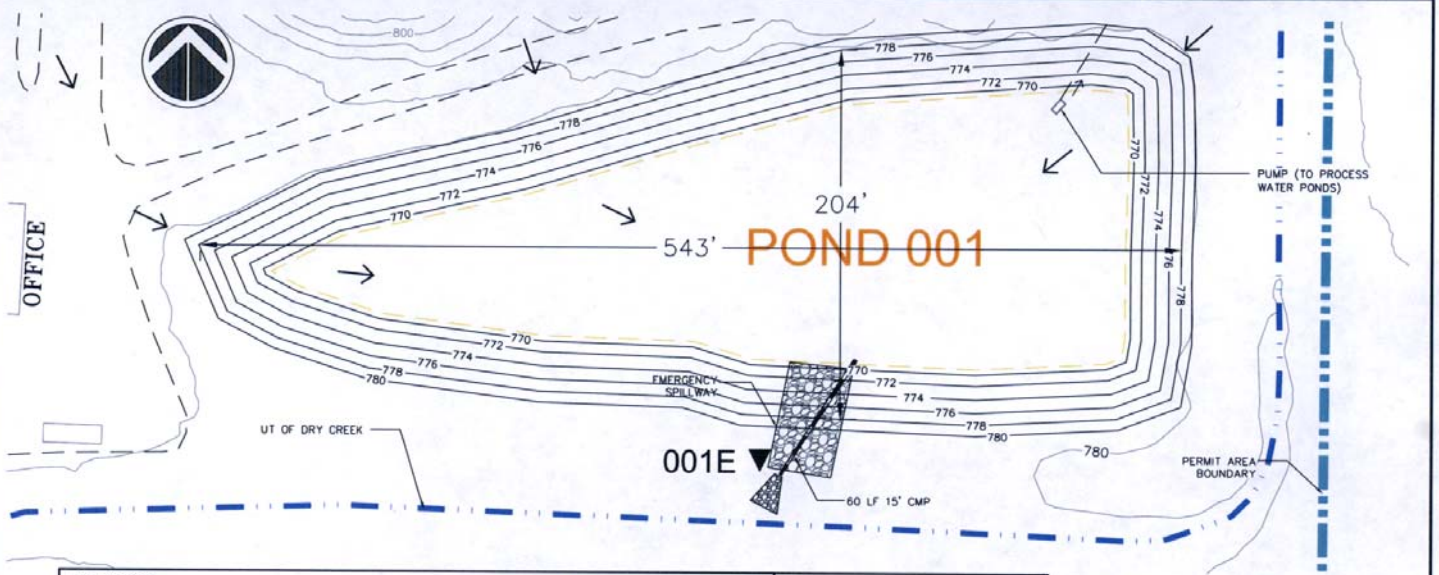
Date: _____

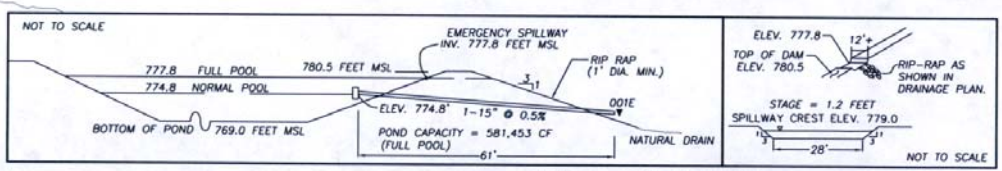
Appendix J – Additional Information (i.e., Endangered Species, Historic Preservation, and U.S. Corps of Engineers Documentation)

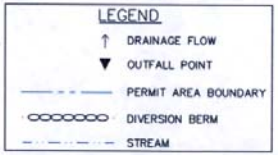
[INSERT ADDITIONAL INFORMATION HERE]

SCHEMATIC DIAGRAM FOR THE
HUNTSVILLE QUARRY
A LIMESTONE MINING OPERATION





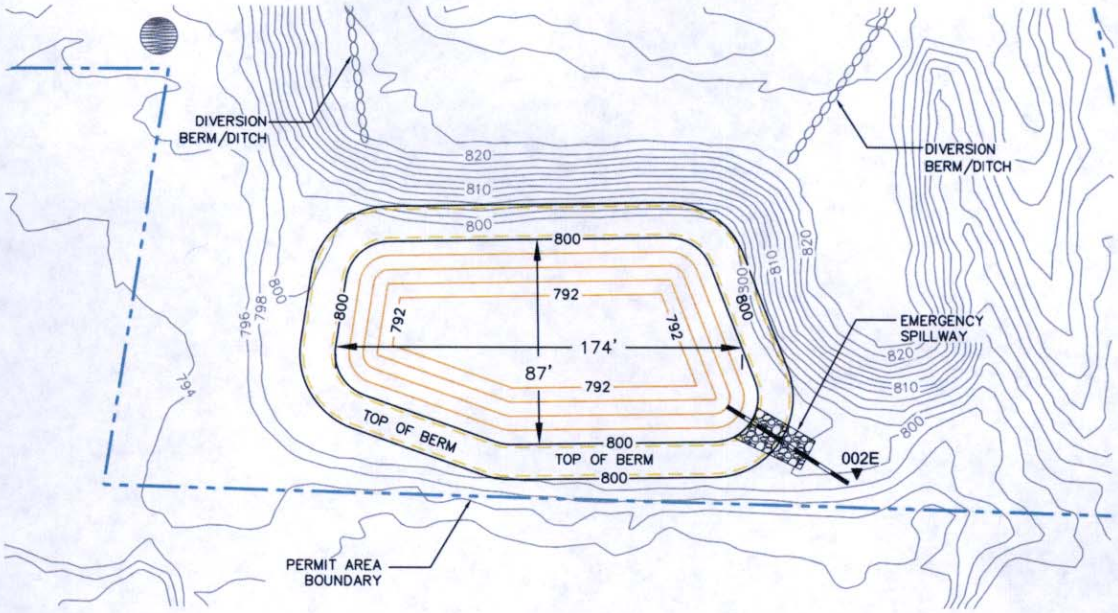




POND 001 DETAIL
HOOVER, INC. HUNTSVILLE QUARRY
APPLICATION FOR REISSUANCE (NPDES AL0054933)

wiser CONSULTANTS
1427 Kensington Square Ct.
Murfreesboro, Tennessee 37130
Telephone: (615) 278-1500
Facsimile: (615) 217-8130
www.wiserconsultants.com

DATE: 3-25-2014	SCALE: 1" = 50	CLIENT: HOOVER, INC.	SHEET
DRAWN BY: JVH	FILE NAME: Huntsville Site.dwg	NOTES:	4 OF 8
CHECKED BY: JRG			

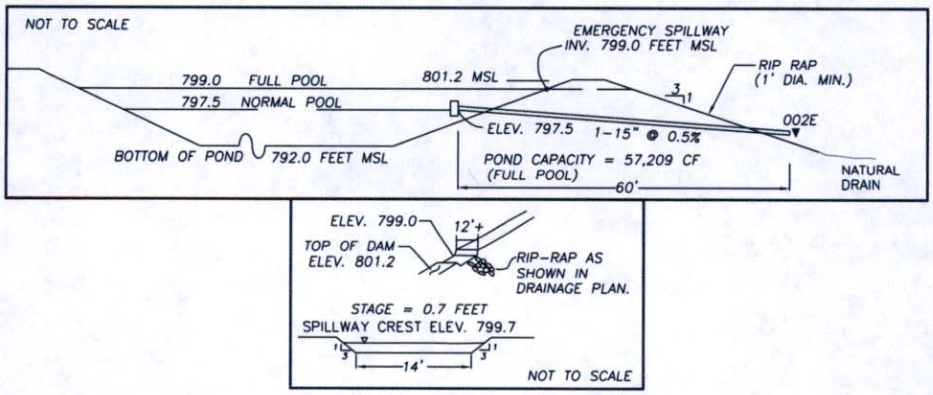


LEGEND

- DRAINAGE FLOW
- OUTFALL POINT
- PERMIT AREA BOUNDARY
- DIVERSION BERM
- STREAM

0 50' 100'

GRAPHIC SCALE
SCALE: 1"=50'



wiser CONSULTANTS
1427 Kensington Square Ct.
Murfreesboro, Tennessee 37130
Telephone: (615) 278-1500
Facsimile: (615) 217-8130
www.wiserconsultants.com

POND 002 DETAIL
HOOVER, INC. HUNTSVILLE QUARRY
APPLICATION FOR REISSUANCE (NPDES AL0054933)

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BLUE WATER
INDUSTRIES

SPILL PREVENTION CONTROL AND COUNTERMEASURE (SPCC) PLAN

Huntsville Quarry
6250 Stringfield Road
Huntsville, Alabama 35806

DESIGNATED PERSON RESPONSIBLE FOR SPILL PREVENTION:
Danny Oliver – Plant Manager

Date of Plan: March 2019

Update Prepared by:

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LIST OF ACRONYMS AND ABBREVIATIONS

AST	Aboveground Storage Tank
ADEM	Alabama Department of Environmental Management
AEMA	Alabama Emergency Management Agency
BWI	Blue Water Industries
CFR	Code of Federal Regulations
DSA	Drum Storage Area
EPA	U.S. Environmental Protection Agency
NPDES	National Pollutant Discharge Elimination System
NRC	National Response Center
PE	Professional Engineer
SPCC	Spill Prevention, Control, and Countermeasures
UST	Underground Storage Tank

INTRODUCTION

Purpose

The purpose of this Spill Prevention, Control, and Countermeasure (SPCC) Plan is to describe measures implemented by Blue Water Industries (BWI) to prevent oil discharges from occurring, and to prepare BWI to respond in a safe, effective, and timely manner to mitigate the impacts of a discharge.

In addition to fulfilling requirements of 40 CFR part §112, this SPCC Plan is used as a reference for oil storage information and testing records, as a tool to communicate practices on preventing and responding to discharges with employees, as a guide to facility inspections, and as a resource during emergency response.

BWI management has determined that this facility does not pose a risk of substantial harm under 40 CFR part §112, as recorded in the "Substantial Harm Determination" included in Appendix 4 of this Plan.

This Plan provides guidance on key actions that BWI must perform to comply with the SPCC rule:

- Complete monthly and annual site inspections as outlined in the Inspection, Tests, and Records Section of this Plan (Section 3.7) using the inspection checklists included in Appendix 8;
- Perform preventive maintenance of equipment, secondary containment systems, and discharge prevention systems described in this Plan as needed to keep them in proper operating conditions;
- Conduct annual employee training as outlined in the Personnel, Training, and Discharge Prevention Procedures Section of this Plan (Section 3.8) and document them on the log included in Appendix 6;
- If either of the following occurs, submit the SPCC Plan to the EPA Region IV Regional Administrator (RA) and the Alabama Department of Environmental Management (ADEM), along with other information as detailed in Section 5.4 of this Plan:
    - The facility discharges more than 1,000 gallons of oil into or upon the navigable waters of the U.S. or adjoining shorelines in a single spill event; or
    - The facility discharges oil in quantity greater than 42 gallons in each of two spill events within any 12-month period;
- Review the SPCC Plan at least once every five (5) years and amend it to include more effective prevention and control technology, if such technology will significantly reduce the likelihood of a spill event and has been proven effective in the field at the time of the review. Plan amendments, other than administrative changes discussed above, must be recertified by a Professional Engineer on the certification page in Section 1.2 of this Plan.
- Amend the SPCC Plan within six (6) months whenever where is a change in facility design, construction, operation, or maintenance that materially affects the facility's spill potential. The revised Plan must be recertified by a Professional Engineer (PE).
- Review the Plan on an annual basis. Update the Plan to reflect any "administrative changes" that are applicable, such as personnel changes or revisions to contact information, such as phone numbers. Administrative changes must be documented in the Plan review log of Section 1.4 of this Plan, but do not have to be certified by a PE.

Part 1: Plan Administration

1.1 Management Approval and Designated Person (40 CFR §112.7)

BWI is committed to the prevention of discharges of oil to navigable waters and the environment through the implementation of this Spill Prevention Control and Countermeasure (SPCC) Plan. BWI management approves this Plan and will provide the manpower, equipment, and materials necessary to implement the measures described in this Plan.

The Plant Manager, Environmental Manager, and Alternates identified above have the approval to commit the necessary resources to implement this plan as described.

Jeremy Goad, General Manager
MTN Aggregates

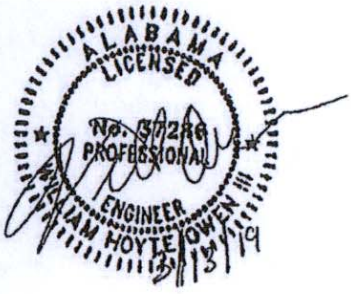
03/20/2019
Date

1.2 Professional Engineer Review & Certification (40 CFR §112.3(d))

By means of this certification, I attest that I am familiar with the requirements of provisions of 40 CFR Part §112, that I or my designated agent have visited and examined the facility, that this SPCC Plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards, and with the requirements of this Part, that procedures for required inspections and testing have been established and that the Plan is adequate for the facility.

Engineer:	Will Owen
Company:	Griggs & Maloney, Inc.
Registration #:	37286-E
State:	State of Alabama

Signature: _____ Date of Plan Certification: *March 13, 2019*



1.3 Location of Plan Statement (40 CFR §112.3(e))

In accordance with 40 CFR §112.3(e), a complete copy of this SPCC Plan is maintained at the facility in the office building. The front office is attended whenever the facility is operating.

1.4 Plan Review (40 CFR §112.3 and §112.5)

1.4.1 Changes in Facility Configuration

In accordance with 40 CFR §112.5(a), BWI periodically reviews and evaluates this SPCC Plan for any change in the facility design, construction, operation, or maintenance that materially affects the facility's potential for an oil discharge, including, but not limited to:

- commissioning of containers;
- reconstruction, replacement, or installation of piping systems;
- construction or demolition that might alter secondary containment structures; or
- changes of product or service, revisions to standard operation, modification of testing/inspection procedures, and use of new or modified industry standards or maintenance procedures.

Amendments to the Plan made to address changes of this nature are referred to as technical amendments and must be certified by a PE. Non-technical amendments can be done (and must be documented in this Section) by the facility owner and/or operator. Non-technical amendments include the following:

- change in the name or contact information (i.e., telephone numbers) of individuals responsible for the implementation of this Plan; or
- change in the name or contact information of spill response or cleanup contractors.

BWI must make the needed revisions to the SPCC Plan as soon as possible, but no later than six months after the change occurs. The Plan must be implemented as soon as possible following any technical amendment, but *no later than six months* from the date of the amendment. The Plant Manager is responsible for initiating and coordinating revisions to the SPCC Plan.

1.4.2 Scheduled Plan Reviews

In accordance with 40 CFR §112.5(b), BWI reviews this SPCC Plan at least once every five years. Revisions to the Plan, if needed, are made within six months of the five-year review. A registered Professional Engineer certifies any technical amendment to the Plan, as described above, in accordance with 40 CFR §112.3(d). This Plan is dated *March 13, 2019*. The next Plan review is therefore scheduled to take place on or prior to *March 13, 2024*.

1.4.3 Record of Plan Reviews

Scheduled reviews and Plan amendments are recorded in the Plan Review Log (Table 1-1). This log must be completed even if no amendment is made to the Plan as a result of the review. Unless a technical or administrative change prompts an earlier review of the Plan, the next scheduled review of this Plan must occur by *March 13, 2024*.

Table 1-1: Plan Review Log

By	Date	Activity	PE certification required?	Comments
Danny Oliver		Draft	No	Plan update; adding oil storage tank and drum area containment structures
John Gordon	10/3/11	Site visit, plan update	Yes	New containment structures complete
John Gordon	03/25/14	Site visit, plan update	Yes	Plan reflects operations
Will Owen	03/13/19	Plan update	Yes	

1.5 Facilities, Procedures, or Equipment Not Yet Fully Operational (40 CFR §112.7)

Bulk storage containers at this facility have not been tested for integrity since their installation in 1985. Section 4.2 of this Plan describes the inspection program to be implemented by the facility following a regular schedule, including the dates by which each of the bulk storage containers must be tested.

1.6 Cross-Reference with SPCC Provisions (40 CFR §112.7)

This SPCC Plan does not follow the exact order presented in 40 CFR part §112. Section headings identify, where appropriate, the relevant Section(s) of the SPCC rule. Table 1-2 presents a cross-reference of Plan Sections relative to applicable parts of 40 CFR part §112.

Table 1-2: SPCC Cross-Reference

Provision	Plan Section	Page
§112.3(d)	Professional Engineer Certification	2
§112.3(e)	Location of SPCC Plan	3
§112.5	Plan Review	3 Table 1-1
§112.7	Management Approval	2
§112.7	Cross-Reference with SPCC Provisions	Table 1-2
§112.7(a)(3)	Part 2: General Facility Information Appendix 1: Facility Diagrams	6 Appendix 1
§112.7(a)(4)	3.3 Discharge Notification	9
§112.7(a)(5)	3.3 Discharge Notification	9
§112.7(b)	3.4 Potential Discharge Volumes and Direction of Flow	10 Table 3-2
§112.7(c)	3.5 Containment and Diversionary Structures	10
§112.7(d)	3.6 Practicability of Secondary Containment	11
§112.7(e)	3.7 Inspections, Tests, and Records	11
§112.7(f)	3.8 Personnel, Training and Discharge Prevention Procedures	11
§112.7(g)	3.9 Security	12
§112.7(h)	3.10 Tank Truck Loading/Unloading Rack Requirements	12
§112.7(i)	3.11 Brittle Fracture Evaluation	12
§112.7(j)	3.12 Conformance with Applicable State and Local Requirements	12
§112.7(k)	3.13 Qualified Oil Filled Operational Equipment	12
§112.8(b)	4.1 Facility Drainage	13
§112.8(c)(1)	4.2.1 Construction	13
§112.8(c)(2)	4.2.2 Secondary Containment	13
§112.8(c)(3)	4.2.3 Drainage of Diked Areas	13
§112.8(c)(5)	4.2.4 Corrosion Protection	13
§112.8(c)(6)	4.2.5 Inspections & Tests Appendix 8 - Facility Inspection Checklists	13 Appendix 8
§112.8(c)(7)	4.2.6 Heating Coils	14
§112.8(c)(8)	4.2.7 Overfill Prevention System	14
§112.8(c)(9)	4.2.8 Effluent Treatment Facilities	14
§112.8(c)(10)	4.2.9 Visible Discharges	14
§112.8(c)(11)	4.2.10 Mobile and Portable Containers	14
§112.8(d)	4.3 Transfer Operations, Pumping and In-Plant Processes	14
§112.20(e)	Certification of Substantial Harm Determination	Appendix 4

* Only selected excerpts of relevant rule text are provided. For a complete list of SPCC requirements, refer to the full text of 40 CFR part §112.

Part 2: General Facility Information

Name: Huntsville Quarry

Location: 6250 Stringfield Road
Huntsville, Alabama 35806
(256) 851-9200

Type: Limestone Quarry

Date of Initial Operations: 1985 (by Hoover, Inc.)

Contact Information

Title	Name	Office	Mobile
Plant Manager	Danny Oliver	(256) 851-9200	(931) 309-9823
Environmental Manager	Walt Hillis	(865) 512-7628	(865) 255-4349
Safety & Health Manager	Greg Muncy	(865) 573-7625	(865) 617-0154
Area Operations Manager	Randy Dies	(615) 793-2600	(615) 524-0740

2.1 Facility Description (40 CFR §112.7(a)(3))

2.1.1 Location and Activities

The Huntsville Quarry operation consists of extraction and processing (crushing and screening) of limestone, which is then stockpiled on-site prior to sale. The facility stores and uses petroleum products in the form of diesel fuel, motor oil, and used oil. The products are stored in several aboveground storage tanks (ASTs), a mobile tank, and in 55-gallon drums. The facility refuels its own vehicles and equipment from aboveground diesel tanks connected to fueling pumps.

The Huntsville Quarry is located in a primarily industrial area at 6250 Stringfield Road in Huntsville, Alabama. The site is comprised of approximately 197 acres of land and is bordered to the east and south by industrial sites (another limestone quarry, and an asphalt plant), and to the north and west by undeveloped land. The normal facility operates up to 11 hours per day, 5 to 6 days per week.

The facility includes an office building, aggregate crushing/screening plant, excavation/mining areas, material stockpile areas, and spoils stockpile areas. Petroleum products are stored near the crushing/screening plant. The receiving stream for this Plant is Dry Creek.

The **Facility Diagrams in Appendix 1** of this Plan show the layout of the facility, and the location of oil containers and critical spill control structures.

2.1.2 Oil Storage

The total storage capacity of petroleum products throughout the Huntsville Quarry is approximately 38,945 gallons. Only containers having storage capacity of 55 gallons or greater are included in this calculation per regulation 40 CFR §112.1(b)2(i). Given that this facility has an aboveground storage capacity of petroleum products in excess of 1,320 gallons, it is subject to the requirements of 40 CFR Part §112, which mandates the preparation and implementation of an SPCC Plan.

PART 3: Discharge Prevention - General SPCC Provisions

3.1 Compliance with Applicable Requirements (40 CFR §112.7(a)(2))

Through the development and implementation of this plan, the facility complies with the requirements for SPCC Plans as presented in 40 CFR Part §112. This plan presents the required information in the sequence presented in the referenced regulation under §112.7 and §112.8. In complying with all applicable plan requirements of the SPCC regulation, no deviations were employed or claimed in this Plan other than those noted for correction in Appendix 12.

3.2 Facility Layout Diagram (40 CFR §112.7(a)(3))

Table 3-1 provides information and descriptions for all aboveground storage tanks (ASTs) found throughout this facility subject to the requirements of 40 CFR §112.1. For the purpose of this plan, all oil ASTs are defined by their associated contents, holding capacities, site locations, and secondary containment provisions.

Table 3-1: Oil Container Contents and Sizes at the Huntsville Quarry

ID	Location	Contents	Storage Capacity	Tank Type	Discharge Prevention & Containment Type[2]
Fixed Storage					
1	Fuel Dispensing Area	20,000 gal	Diesel fuel	Aboveground horizontal tank	Concrete dike
2	Fuel Dispensing Area	2,000 gal	Diesel fuel	Aboveground horizontal tank	Concrete dike
~~3~~[1]	~~Fuel Dispensing Area~~	~~2,000 gal~~	~~Gasoline fuel~~	~~Aboveground horizontal tank~~	~~Concrete dike~~
4	Tank Area 1	4,000 gal	Used oil	Aboveground horizontal tank	Concrete dike[3]
5	Tank Area 2	4,000 gal	Used oil	Aboveground horizontal tank	Concrete dike
6	Tank Area 2	4,000 gal	Motor oil	Aboveground horizontal tank	Concrete dike
DSA1	Drum Storage Area 1	1,100 gal	Motor oil	55-gallon drums (variable stock)	Concrete dike
DSA2	Drum Storage Area 2	1,100 gal	Motor oil	55-gallon drums (variable stock)	Concrete dike
Mobile Storage					
7	Mobile	800 gal	Diesel fuel	Single-walled mobile tank	Site grading
Total Available Oil Storage		**~38,945 gal**			

Note: 1. Items crossed through are currently decommissioned.
2. See Appendix 9.
3. See Appendix 12.

3.2.1 Discharge Prevention Measures (40 CFR §112.7(a)(3)(ii))

The site uses several measures to prevent storm water runoff or spills and other pollution from reaching navigable waters. Those measures include both structural and non-structural controls.

Cleanup materials and supplies shall be kept stocked and shall be located near all oil storage and handling areas. At least one person, either a BWI employee or a delivery contractor, shall be continuously present during all fueling and oil-transfer operations. Oil-storage tanks shall be checked routinely to establish the volumes of materials in storage at the facility.

All piping connections shall be properly secured and inspected before transfer pumps are turned on. Drivers shall conduct visual inspections before departure; the inspections shall include a close examination of the lowermost drain and all outlets to ensure that caps are tight and properly adjusted, and that they will prevent liquid discharges while in transit.

Fuels and oils shall be poured or pumped carefully to prevent spilling and over-filling. Employees shall visually inspect the area following all fueling and oil-transfer activities. BWI employees shall promptly clean up drips and small spills.

The Huntsville Quarry employees are required to be trained to implement spill prevention practices for work with and around oil sources. Quarry personnel shall use common sense and rely on spill prevention practices at all times to minimize the potential for a release of oil. BWI policies, rules, and procedures are available onsite with the Occupational Health/Safety/Environment office.

The following "common sense" practices are recommended:

- keep container lids securely fastened at all times;
- do not leave portable sources unattended (outside);
- return portable sources to their storage location after use;
- use pads, drip pans, and funnels when transferring petroleum products from a portable container;
- protect oil sources from damage by moving equipment;
- keep dike and containment valves closed at all times except when discharging clean stormwater from the diked area;
- contaminated water within the diked area and piping and dispenser sumps shall be removed and disposed of by an appropriately licensed hazardous waste contractor;
- do not store oil sources near catch basins or floor drains; and
- loading and unloading of petroleum products shall be attended at all times.

There are materials and equipment on site that can be used to control an oil spill for this site. The materials include clay, crushed stone, and absorbent materials. Available equipment includes loaders and trucks to move materials and to clean up any spills that may occur. A spill kit (equipped with spill pads, booms, and absorbent) and additional absorbent materials can be found beside *Drum Storage Area 2* (40 CFR §112.7(c)1(iv)(vii)).

Refer to Section §112.7(h) for specific spill prevention procedures employed to prevent discharge during truck loading and tanker unloading.

3.2.2 Discharge Drainage Controls (40 CFR §112.7(a)(3)(iii))

The following controls have been designed to minimize the likelihood of a major spill being released to the waters of the State:

- All fixed tanks and drums except those specified in Appendix 12 are located within secondary containment areas that will hold sufficient volumes to comply with SPCC regulations (at least 110% of the volume of the largest tank within the enclosure, see **Capacity Calculations for Secondary Containment & Test Tank Data in Appendix 9**).
- Oil storage areas are located so that any spills outside secondary containment areas will drain to retention ponds and be prevented from leaving the site.

3.3 Spill Reporting (40 CFR §112.7(a)(4) and §112.7(a)(5))

All oil spills are to be immediately reported to the supervisor on duty. Facility personnel should also be prepared to report an off-site oil spill to other Spill Team members, or if necessary, to agencies such as the National Response Center (NRC), Alabama Department of Environmental Management (ADEM), and Alabama Emergency Management Agency (AEMA). In the event of a major spill during which the Plant Manager is not present, verify the reportable circumstances with one of the listed members of the **Spill Team in Appendix 2.**

A reportable spill must leave the property or cause a visible sheen on the surface of off-site waters. Oil must migrate off of the property to qualify as being reportable to the NRC. *In any spill situation, first notify BWI Management, who will notify the appropriate organizations following a release.* The NRC, ADEM, and the AEMA should be notified as soon as possible. The Local Emergency Planning Committee, the EPA, and all other appropriate agencies should also be notified.

3.3.1 Countermeasures for Discharge Discovery, Response, & Cleanup (§112.7(a)(iv))

The facility's countermeasures for discovery and response to a discharge are based on awareness and response training, BWI's internal notification procedures, and ensuring that access to the spill area is restricted. The countermeasures are designed to ensure rapid discovery and appropriate responses to leaks or spills and to protect the health and safety of employees and the public.

The following measures are used when a spill occurs:

1. Contact 911 if there are safety or health concerns. Eliminate potential spark sources.
2. If possible while remaining safe, identify and shut down the source of the discharge to stop the flow.
3. Contain the discharge with sorbents, berms, trenches, sandbags or other material.
4. Report spills to the Plant Manager and other authorities as directed in the Plan.
5. If feasible, collect and dispose of impacted material. Such material from small spills may be shoveled into a 5-gallon bucket and accumulated in a 55-gallon drum.

All records concerning spill prevention and control will be maintained at the plant. In addition, records of previous spills which include a written description of each spill, corrective action taken, and plans for preventing reoccurrence will be maintained at the facility; see **Record of Secondary Containment Drainage Events in Appendix 7**.

For additional information on Countermeasures, see *Section 4.2.9 (§112.8(c)10).*

For additional information on Training Procedures, see *Section 3.8 (§112.7(f)).*

3.3.2 Methods of Disposal (§112.7(a)(v))

Materials recovered during spill cleanup must be properly contained in impervious bags, drums or buckets. The Plant Manager will characterize the waste for proper disposal and ensure that it is removed from the facility. Water in secondary containment areas will be pumped out by a disposal contractor as needed.

3.4 Potential Discharge Volumes and Direction of Flow (40 CFR §112.7(b))

Any spills caused by equipment failure, overflow of equipment, or overflow of oil storage containers will be handled in the same manner as a spill from any other AST. Please refer to Table 3-2 for a complete description of potential equipment failures and the flow direction of discharge given a possible spill situation.

Table 3-2: Potential Equipment Failures (40 CFR §112.7(b))

Potential Event	Maximum Volume Released	Direction of Flow	Secondary Containment
Failure of aboveground tank or storage drum (puncture or leakage below product level)	20,000 gal	S to retention ponds	Concrete dike
Tank overfill	1 to 120 gal	S to retention ponds	Concrete dike
Dispenser hose/ connections leak	1 to 120 gal	S to retention ponds	Spill cleanup kit
Leak or failure of portable tank	800 gal	Pit area; S to retention ponds	Spill cleanup kit

3.5 Containment and Diversionary Structures (40 CFR §112.7(c))

When necessary, a spill may be contained with dikes, berms, or other easily constructed structures, to divert a spill away from nearby watersheds. Readily available equipment and materials on site such as sand, crushed stone, dirt, and other materials, can be used to build these diversion structures and contain a spill. A spill kit containing sorbent materials is located beside Drum Storage Area 2 in Tank Area 1.

All bulk oil and lubricant storage tanks within the confines of the plant are located above ground and have secondary containment as necessary to contain any release due to rupture or leakage of the storage tank. The secondary containment structure has a minimum net excess capacity of 110% of the capacity of the largest storage tank within the containment area and is constructed of materials impervious to the contents of the tank except those specified in Appendix 12. The containment area freeboard depth is calculated based on the 25-year/24-hour storm event. Accumulated rainwater in containment structures will be pumped for disposal, allowed to evaporate, or removed by some other appropriate method.

Storage areas are located within storm water diversion berms which would direct any spills outside the secondary containment area to on-site retention ponds, preventing the spilled material from leaving the site.

3.6 Practicability of Secondary Containment (40 CFR §112.7(d))

The Plant Manager and the Environmental Manager responsible for this facility have determined that the use of containment and diversionary structures and use of readily available spill equipment to prevent discharged oil from reaching navigable waters is practical and effective at this facility.

However, secondary containment for transformers and other oil-filled operational equipment is not provided and is not practical to construct. The Huntsville Quarry will utilize an **Oil Spill Contingency Plan located in Appendix 10** to prevent a discharge from the facility owned and operated electrical transformers and conveyor equipment hydraulic oil reservoirs. This equipment qualifies as oil-filled operational equipment and does not require a determination of practicability to use a contingency plan in lieu of the general secondary containment requirements. The contingency plan is written based on the criteria identified in 40 CFR §109.5. Further discussion of secondary containment requirements for oil-filled operational equipment is provided in Section 3.13 (§112.7(k)) of this Plan.

3.6.1 Commitment to Control Harmful Discharged Oil (40 CFR §112.7(d)(2))

This SPCC Plan will be fully implemented as described in this Plan. The Emergency Coordinator and Alternates have the authority to implement the response procedures necessary to prevent and expeditiously respond to releases of oil or chemical substances through deployment of the necessary equipment and manpower to contain and remove any quantity of discharged oil.

Jeremy Goad, General Manager
MTN Aggregates

05/20/2019
Date

3.7 Inspections, Tests, and Records (40 CFR §112.7(e))

Secondary containment structures, oil loading and unloading areas, and all AST's are to be visually inspected monthly and recorded on the **Monthly Inspection Checklist located in Appendix 8.** *Inspection records must be signed by the designated inspector and maintained in the SPCC plan for a minimum period of 3 years from the date conducted. These records are to be stored in a location convenient for document inspection.* Inspection records will document when the inspections were done, who conducted the inspection, what areas were inspected, what potential sources were identified, and what steps were taken to control the sources. For additional information on inspections, see Sections 4.2 and 4.3 (§112.8(c)(6) and §112.8(d)(4)).

3.8 Personnel, Training, and Discharge Prevention Procedures (40 CFR §112.7(f))

The Plant Manager is accountable for spill discharge prevention, control, and response preparedness activities at this facility.

Oil handling personnel have been instructed by management in the operation and maintenance of equipment to prevent discharges, to follow discharge procedure protocols, applicable pollution control laws, rules and regulations, and general facility operations, and to understand the contents of their SPCC Plan.

Yearly spill prevention briefings are provided by management for operating personnel to ensure adequate understanding of the SPCC Plan. These briefings highlight any past spill events or failures and recently developed precautionary measures.

Training shall include at least the following topics:

- Proper operation and maintenance of equipment to prevent spills
- Inspection procedures
- Cleanup and disposal procedures
- Notification procedures

Training shall be documented with a record that includes the date of training, the name of the instructor, the topic(s) covered in the training, and the signature of the person trained. Training shall be given to new employees and annual refresher training shall be given to all applicable personnel (see **Appendix 6, Training Records**).

3.9 Security (40 CFR §112.7(g))

The site is not fenced in, but it does have a front entrance gate to prevent vehicular access during non-business hours. Lighting is provided at appropriate areas. Secondary containment areas, other than the *Fuel Dispensing Area* containment structure, do not include drain valves. Accumulated water and/or oil is pumped out of the containment area for proper disposal, as needed. Pump starter controls are kept in the "off" position when pumps are in a non-operating or non-standby status. This facility has no fuel or oil pipelines or piping systems other than hoses to dispense fuel and/or oil. Sufficient lighting is provided at the site during operating hours.

3.10 Tank Truck Loading/Unloading Rack Requirements (40 CFR §112.7(h))

This facility does not have a tank truck loading/unloading rack. Wheel chocks are provided in loading/unloading areas to prevent tanker trucks from departing before complete disconnection of fuel/oil transfer lines. Fuel and/or oil are dispensed to or from the on-site storage tanks as needed. The lowermost drain and all outlets on tank trucks are inspected for leaks prior to departure.

3.11 Brittle Fracture Evaluation (40 CFR §112.7(i))

Whenever a tank at the facility is modified in the field (or 'field constructed'), that tank will be evaluated for risk of discharge, and replaced or modified if necessary. This applies to any tank that undergoes repair, alteration, reconstruction, or a change in service that might affect the risk of a discharge or failure due to brittle fracture or other catastrophic failure (i.e. lightning strikes, dangerous seismic activity, natural disasters).

Currently, this facility has no field-constructed tanks on site. Should any ASTs, or other oil containing equipment or containers be found to be damaged or in need of repair, they shall be repaired, and any spill shall be cleaned up as necessary or the contents removed as soon as possible.

For more details on Repair of Containers, see Section §112.8(c)(6) (Section 4.2).

3.12 Conformance with State and Local Applicable Requirements (40 CFR §112.7(j))

In addition to the requirements of 40 CFR Part §112, the facility is constructed to contain stormwater and process water in retention ponds pursuant to an NPDES permit. This design significantly reduces the potential for an oil release to move beyond the boundaries of the facility.

3.13 Qualified Oil Filled Operational Equipment §112.7(k)

The facility provides diversion berms, retention ponds and sorbent materials pursuant to §112.7(c)(iii), (vi) and (vii) to contain spills from facility hydraulic equipment.

PART 4: Onshore Facilities (Excluding Production Facilities)

4.1 Facility Drainage (40 CFR §112.8(b))

4.1.1 Secondary Containment Drainage (40 CFR §112.8(b)(1))

Drainage from the oil storage areas at the facility is not discharged off the property. The facility has a stormwater discharge permit that requires regular inspections of all discharges for oils or sheens. Water accumulated in diked areas is pumped out for proper disposal as needed.

4.1.2 Secondary Containment Discharge Valves (40 CFR §112.8(b)(2))

N/A. Secondary containment structures, other than the *Fuel Dispensing Area* containment structure, do not have discharge valves. Accumulated water is pumped out for proper disposal as needed.

4.1.3 Grading (40 CFR §112.8(b)(3))

The facility is graded so that spills outside of containment areas will flow by gravity to retention pond areas where the spilled material can be contained.

4.1.4 Treatment of Drainage Waters (40 CFR §112.8(b)(4) & (5))

N/A.

4.2 Bulk Storage Containers (40 CFR §112.8(c))

4.2.1 Construction (40 CFR §112.8 (c)(1))

The existing bulk-storage containers have been, and any new containers shall be, constructed using materials, methods and standards that are appropriate for the types of oil stored in them and for the pressure and temperature conditions under which the materials are stored.

4.2.2 Secondary Containment (40 CFR §112.8(c)(2))

All bulk storage tanks are located within secondary containment structures that provide for the entire capacity of the largest single container and sufficient freeboard to contain precipitation except those specified in Appendix 12. Mobile equipment is stored within the facility boundary, where all spilled material would remain on-site until proper disposal.

4.2.3 Drainage of Diked Areas (40 CFR §112.8(c)(3))

N/A. No drain valves are used in the containment areas. Accumulated water is pumped out. Inspect water within containment areas for oil sheen prior to discharge.

4.2.4 Corrosion Protection (40 CFR §112.8(c)(5))

N/A. There are no buried or partially buried underground storage tanks at this facility.

4.2.5 Inspections & Tests (40 CFR §112.8(c)(6))

As required and deemed necessary, and in accordance with industry standards, BWI shall implement integrity-testing for bulk storage containers and ancillary equipment. All aboveground bulk storage containers for fuels, oils or oil products shall be included in the integrity testing program. The facility does not have any piping that is subject to integrity testing requirements. As required and deemed necessary, integrity testing shall be performed on a regular schedule, and following all material repairs or modifications. Appropriate repairs shall be undertaken whenever a tank or other equipment fails an integrity test. Records of all integrity testing shall be kept with this Plan as Appendix 9.

4.2.6 Heating Coils (40 CFR §112.8(c)(7))

This facility does not have any containers with internal heating coils.

4.2.7 Overfill Prevention Systems (40 CFR §112.8(c)(8))

Tank level gauges and sensors: All fuel and oil tanks are equipped with visual level gauges. Venting capacities are suitable for the anticipated fill and withdrawal rates. BWI's procedures call for at least one person to be present during the material delivery to immediately stop the flow in the event of an overfill incident. The individual filling the tanks must determine the level inside the tank before delivering the fuel/oil. The sight gauges allow direct monitoring of tank volume during the material delivery. If a level gauge is not available, personnel must manually check the tank fuel/oil level prior to delivery.

4.2.8 Effluent Treatment Facilities (40 CFR §112.8(c)(9))

The site has an effluent treatment system for process and storm water, which is collected in retention ponds to comply with permit specifications. Should any oil contamination reach the ponds, it will be visually observed and handled accordingly.

4.2.9 Visible Discharges (40 CFR §112.8(c)(10))

Visible discharges that result in a loss of oil from the container will be promptly corrected, and accumulated oil will be promptly removed from containment areas.

4.2.10 Mobile & Portable Containers (40 CFR §112.8(c)(11))

Mobile storage containers will be located to prevent a discharge to navigable waters. 55-gallon drums are stored within the shop area structure or an enclosed container sufficient to contain the capacity of the single largest container with sufficient freeboard to contain precipitation.

4.3 Transfer Operations, Pumping, and In-Plant Processes (40 CFR §112.8(d))

4.3.1 Buried Piping (40 CFR §112.8(d)(1))

N/A. This facility does not have buried piping. The delivery pump and associated piping is located within the secondary containment structure and is plainly visible for inspection.

4.3.2 Aboveground Piping (40 CFR §112.8(d)(2) & (3))

N/A. This facility does not have an aboveground piping system other than piping associated with tank delivery pumps.

4.3.3 Aboveground Valves (40 CFR §112.8(d)(4))

Aboveground valves and appurtenances are examined regularly to assess their condition and written records are kept on a monthly basis.

Part 5: Discharge Response

In the event of a reportable oil spill, a **Release Information Reporting Form** found in **Appendix 5,** should be completely filled out before a report is made by phone. The information on this form is required by law and is essential to effectively notify an emergency organization of a spill.

To correctly manage an oil spill situation, facility personnel should perform all actions necessary to clean-up the spill, remove any contaminated material, and restore the surrounding environment to its original condition. For the purpose of this plan, the severity of any given spill situation should generally be determined based on the amount of oil that is released.

5.1 Minor Spill Response

A "Minor Spill Response" is defined as one that poses no significant harm to human health or the environment. These spills involve generally less than 42 gallons and can usually be cleaned up by quarry personnel. Other characteristics of a minor spill include the following:

- the spilled material is easily stopped or controlled at the time of the spill;
- the spill is localized;
- the spilled material is not likely to reach surface water or groundwater;
- there is little danger to human health; and
- there is little danger of fire or explosion.

In the event of a minor spill the following guidelines shall apply:

- Stop the source if the spill is ongoing.
- Immediately notify the Plant Manager followed by the Environmental Specialist.
- Call the Plant Manager within two hours to determine if further notification or action is required.
- Under the direction of a senior on-site person, contain the spill with spill response materials and equipment.
- Place spill debris in properly labeled waste containers.
- Complete the **Spill Notification Form located in Appendix 5** and send to the Plant Manager.

5.2 Major Spill Response (Spill Emergency)

A "Spill Emergency" is defined as one involving a spill that cannot be safely controlled or cleaned up. Characteristics include the following:

- the spill is large enough to spread beyond the immediate spill area;
- the spilled material enters surface water or groundwater (regardless of spill size);
- the spill requires special training and equipment to cleanup;
- the spilled material is dangerous to human health; and/or
- there is a danger of fire or explosion.

In the event of a spill emergency, the following guidelines shall apply:

- Stop the source if the spill is ongoing and **only if safe to do so**.
- All workers shall immediately evacuate the spill site and move to a safe distance away from the spill if safety concerns exist. Otherwise, contain spill to the maximum extent possible with all available resources.

- A senior on-site person shall contact the Plant Manager and/or BWI-Environmental Specialist to provide details regarding the spill.
- The Plant Manager and/or BWI-Environmental Specialist shall call for medical assistance if workers are injured (no worker shall engage in rescue operations unless they have been properly trained and equipped).
- The Plant Manager and/or Environmental Specialist shall immediately contact the Madison County EMA (256-427-5123), ADEM (256-353-1713), EPA Region IV (404-562-8700), and the AEMA (1-205-280-2312). Additional agencies may be notified as deemed necessary by the Plant Manager. Document the telephone calls on the **Spill Notification Form in Appendix 5.**
- Notify the local Fire Department or Police Department.
- The Plant Manager will coordinate cleanup and seek assistance from a cleanup contractor as necessary.

If the Plant Manager or senior on-site person is not available at the time of the spill, then the next highest BWI employee in command shall assume responsibility.

When an uncontrollable amount of oil is released, or a spill migrates into off-site waterways, a member of the Spill Team must determine the severity of the event and, if necessary, report it to the proper regulatory agencies and clean-up contractors for immediate response assistance. The current regulation requires that if a spill leaves this site or has already reached off-site waters of the U.S. (creating a noticeable sheen), it must be reported immediately.

To effectively handle minor and major spills, please follow the general *Response Procedures listed in Table 5-1* on the next page. For a graphical representation, refer to the **Emergency Response Flow Chart** in **Appendix 3.**

TABLE 5-1: RESPONSE PROCEDURES (40 CFR §112.7(a)(5))

MINOR SPILL (OIL SHEEN AND/OR LESS THAN 42 GALLONS)

(1) Assess	• the source, size, and severity of the spill.
(2) Contain	• or eliminate the spill source. • the spill using absorbent materials and the spill kit supplies. • the spilled material to prevent it from reaching stormwater runoffs or drains.
(3) Clean-up	• any contaminated materials and affected media, temporarily storing contaminants in drums for later disposal at a licensed disposal facility. ***NOTE: All waste materials from spill cleanup operations are to be disposed of in accordance with current Federal, local and state regulations.***

MAJOR SPILL (42+ GALLONS)

(1) Assess	• the source, size, and severity of the spill. (Spill Team members may be called to help diagnose the situation's severity.) • if health & safety precautions are necessary. (personal protective gear)
(2) Contain	• or eliminate the spill source. • the spilled material to prevent it from reaching stormwater runoffs or drains. • the spill within the "spill boundary" as defined by a Spill Team member. ***NOTE: A drawing of the spill boundary should be prepared showing the location and extent of the spill. Once defined, the area will be flagged off to prevent further contamination***
(3) Clean-up	• using contractors to remove contaminated material and test for contamination before resuming use of the spill area. ***NOTE: Reporting of the incident to the NRC and a follow-up written report to the EPA, AEMA, ADEM, and BWI may be required.***

UNDER NO CIRCUMSTANCES IS THE HEALTH OR SAFETY OF ANY EMPLOYEE TO BE JEOPARDIZED TO PREVENT OR ABATE A RELEASE INCIDENT.

Appendix 1
Facility Diagrams

Figure A: Site Plan
Figure B: Fuel Dispensing Area

500 0 500 1000 1500

SCALE IN FEET

N

GRIGGS & MALONEY
INCORPORATED
Engineering & Environmental Consulting
P.O. BOX 2968, MURFREESBORO, TN 37133-2968
(615) 895-8221 * FAX (615) 895-0632

FILE NAME: L: \Engineering\963\963-19\Drawings\SPCC Huntsville Quarry Fig 1 Site Plan.dwg

Appendix 1 - Figure A
Site Plan

Blue Water Industries SPCC Plan
Huntsville Quarry
6250 Stringfield Road
Huntsville, Alabama

Project No. 963-19 March 2019

30 0 30 60 90

SCALE IN FEET

N

GRIGGS & MALONEY INCORPORATED
Engineering & Environmental Consulting
P.O. BOX 2968, MURFREESBORO, TN 37133-2968
(615) 895-8221 * FAX (615) 895-0632

FILE NAME: L: \Engineering\963\963-19\Drawings\SPCC Huntsville Quarry Fig 2 Facility Diagram.dwg

Appendix 1 - Figure B
Facility Diagram

Blue Water Industries SPCC Plan
Huntsville Quarry
6250 Stringfield Road
Huntsville, Alabama

Project No. 963-19 March 2019

Appendix 2
Facility & Emergency Contacts

Huntsville Quarry Spill Team		Primary Number	Secondary Number
Plant Manager	Danny Oliver	(256) 851-9200	(931) 309-9823
Environmental Manager	Walt Hillis	(865) 255-4349	(865) 512-7628
Area Production Manager	Randy Dies	(615) 524-0740	(615) 793-2600
Health & Safety Manager	Greg Muncy	(865) 617-0154	(865) 573-7625

*Note: if the Plant Manager is unavailable, call the Spill Team members listed below until locating an available individual.

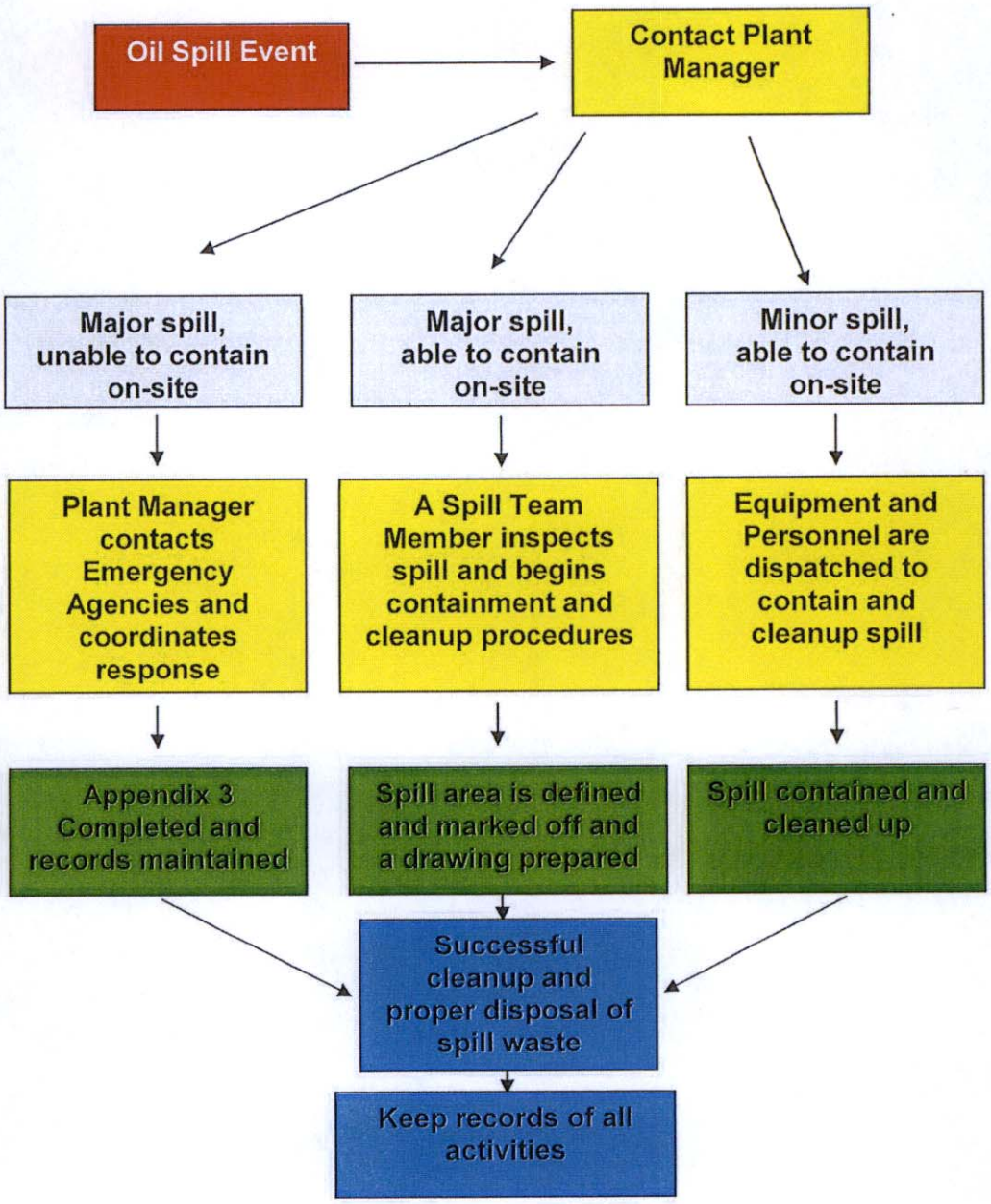
Local Emergency Agencies	Primary Number	Secondary Number
Huntsville Fire Department	911	(256) 427-7401
Huntsville Emergency Medical Services	911	(256) 518-2242
Madison Co. Sheriff's Office	911	(256) 532-3412

Organizations to be notified by Plant Manager	Primary Number	Secondary Number
Madison County Emergency Management Agency	(256) 427-5123	911
Alabama Emergency Management Agency (AEMA)	(205) 280-2312	
Alabama Department of Environmental Management (ADEM)	(256) 353-1713	
EPA Region IV Emergency Response, Atlanta	(404) 562-8700	
National Response Center (NRC)	(800) 424-8802	

CLEAN-UP CONTRACTORS:

HEPACO	24-Hour Emergency Response	(800) 888-7689
	Alabama Regional Office	(205) 957-2217
Safety-Kleen Inc.	Corporate Emergency Response	(888) 375-5336
	Huntsville Office	(256) 851-9492
Enterprise Oil	Knoxville, Tennessee	(800) 875-3860

Appendix 3
Emergency Response Flow Chart



Appendix 4
Substantial Harm Criteria Determination Checklist

Facility Name: Huntsville Quarry
Facility Address: 6250 Stringfield Road, Huntsville, Alabama 35806

1. Does the facility transfer oil over water to or from vessels and does the facility have total oil storage capacity greater than or equal to 42,000 gallons?

   Yes _____ No __x__

2. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and does the facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation within any aboveground oil storage tank area?

   Yes _____ No __x__

3. Does the facility have total storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the formula in Attachment C-III, Appendix 3, 40 CFR §112 or a comparable formula[1]) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments? For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Environments" (Section 10, Appendix 5, 40 CFR §112 for availability) and the applicable Area Contingency Plan.

   Yes _____ No __x__

4. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula (Attachment C-III, Appendix 3, 40 CFR §112 or a comparable formula[1]) such that a discharge from the facility would shut down a public drinking water intake[2]?

   Yes _____ No __x__

5. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and has the facility experienced a reportable oil spill in an amount greater than or equal to 10,000 gallons within the last 5 years?

   Yes _____ No __x__

CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.

Danny Oliver
Name (please type or print)

Danny Oliver
Signature

Plant Manager
Title

3-20-2019
Date

[1]If a comparable formula is used; documentation of the reliability and analytical soundness of the comparable formula must be attached to this form.
[2]For the purposes of 40 CFR part §112, public drinking water intakes are analogous to public water systems as described at 40 CFR §143.2(c) (from 40 CFR §112 Appendix 3, Attachment C-II).

Appendix 5
Release Information Reporting Form

Completely fill out this form and use the information to file a verbal report with the appropriate local, state, and national emergency organizations (see Appendix 2) in the event of a reportable spill.

Agencies Notified*	Date and Time	Person spill reported to
Madison County Emergency Management Agency (205) 280-2312		
Alabama Department of Environmental Management (ADEM) (256) 353-1713		
EPA Region IV (404) 562-8700		
Alabama Emergency Management Agency (AEMA) (205) 280-2312		

**for additional space use the back of this form*

The following information is to be reported by phone.

Your Name: _____

Telephone Number: _____

The name and address of the facility: ***Huntsville Quarry*** ***6250 Stringfield Road*** ***Huntsville, Alabama 35806*** (256) 851-9200	Discharge date and time:
	Name/type of material:
	Location/source:
Est. quantity discharged:	Est. quantity discharged to waterway:
Affected media: (circle all that apply) air / water / soil / stormwater ditch / dike-berm / other:	
Cause of the discharge and any resulting damages/injuries:	
Possible hazards to public health or the environment outside the facility:	
Actions taken to stop, remove, and mitigate the discharge:	

Is an evacuation needed? Yes ___ No ___

j. Attach a facility diagram outlining the location, extent, and flow direction (if applicable) of impacted spill area

Signature: _____

Appendix 6
Training Records

SPILL PREVENTION, CONTROL & COUNTERMEASURES (SPCC) PLAN TRAINING RECORD

Plant: Huntsville Quarry	**Date:**
Instructors Name:	**Instructors Signature:**

TOPICS:

SPCC PLAN REQUIREMENTS
WHAT IS POLLUTION
SPILL RESPONSE
SPILL REPORTING / DOCUMENTATION
WHAT IS A SPILL
SPILL PREVENTION
FACILITY INSPECTIONS
BMPS/MAINTENANCE

Employee Name	Employee Signature

Appendix 7
Record of Secondary Containment Drainage Events

DATE	WHICH CONTAINMENT AREA	OPERATOR NAME	CONDITION OF WATER	APPROXIMATE VOLUME DRAINED (INCHES)

Appendix 8
Monthly Inspection Checklist

CONTAINMENT AREA(s):	Yes	No	Comments
Capacity appears adequate			
Containment impervious to stored materials			
Erosion, corrosion, or cracks in containment			
Debris/Vegetation within containment			
Leaks of stored material present in containment			
Standing water present in containment			
Drainage valve manually operated			
Drainage valves closed & locked when unattended			
FOUNDATION(s):			
Cracks present			
Discoloration present			
Puddles of spilled/leaked product			
Settling			
Gaps between tanks & foundation			
Damage from vegetation			
TANKS(s) / CONTAINER(s):			
Surfaces show signs of leakage			
Tanks are damaged, rusted, or deteriorated			
Level gauges or alarms operative			
Valve seals, flanges, or gaskets leaking			
Vents obstructed			
PIPING:			
Signs of corrosion or damage			
Leaks at valves or other fittings			
Bowing of pipes between supports			
OIL FILLED EQUIPMENT: (Crusher Oil Tanks, Electrical Transformers)			
Signs of corrosion or damage			

Corrective Actions Taken as a Result of Inspection:

_____

_____

_____

Signature:_____ **Date:**_____

Appendix 9
Capacity Calculations for Secondary Containment & Tank Testing Data

The historical 25-year/24-hour rainfall at this location is **5.36"-8.48"**.

Fuel Dispensing Area

Capacity of Tanks within the Fuel Dispensing Area:
Tank 1 = 20,000 gallons
Tank 2 = 2,000 gallons
~~Tank 3 = 2,000 gallons~~

Dike Dimensions:
Footprint (irregular shape) = 963 ft^2
Height = 3.67 ft
Volume = 963 ft^2 x 3.67 ft = 3,259 ft^3 x 7.48 gal/ft^3 = 26,400 gallons

Available Freeboard for Precipitation: 26,400 gallons - 20,000 gallons = 6,400 gallons
6,400 gallons / 7.48 gallons/ ft^3/ (963 ft^3) = 2.33' ~ **15" (> 6.21")**

The dike therefore **provides sufficient storage capacity for the largest tank within the diked area, tank displacement, and precipitation**. The containment capacity is equivalent to 132% of the capacity of the largest container (26,400 gallons/20,000 gallons = 1.32).

Tank Area 1

Capacity of Tanks within Tank Area 1:
Tank 4 = 4,000 gallons

Dike Dimensions:
Footprint = 8.1' x 22.1'
Height ~ 3.0'
Volume = 8.1' x 22.1 x 3' = 537 ft^3 x 7.48 gal/ ft^3= 4,017 gallons

Available Freeboard for Precipitation: 4,017 gallons - 4,000 gallons = 17 gallons
17 gallons / 7.48 gallons/ ft^3/ (179 ft^3) = 0.013' **(<6.21")**

Neither the 25-year storm nor 110% of the capacity of the tank volume are accommodated within the freeboard available, the SPCC rule does not define sufficient freeboard by the 25-year storm event, instead EPA states that secondary containment is a matter of engineering practice. An alternative to accommodating the 25-year, 24-hour storm is providing capacity of 110% of storage tank capacity.

The dike therefore **does not provide sufficient storage capacity for the largest tank within the diked area, tank displacement, and precipitation**. The containment capacity is equivalent to 100.4% of the capacity of the largest container (4,017 gallons/4,000 gallons = 1.004).

Tank Area 2

Capacity of Tanks within Tank Area 2:
~~Tank 5 = 4,000 gallons~~
Tank 6 = 4,000 gallons

Dike Dimensions:
Footprint = 15' x 22.5'
Height ~ 3.0'
Volume = 15' x 22.5' x 3' = 1,012.5 ft^3x 7.48 gal/ ft^3= 7,574 gallons

Available Freeboard for Precipitation: 7,574 gallons - 4,000 gallons = 3,574 gallons
5,374 gallons / 7.48 gallons/ ft^3/ (15 ft x 22.5 ft) = 1.42' ~ **17" (>6.21")**

The dike therefore **provides sufficient storage capacity for the largest tank within the diked area, tank displacement, and precipitation**. The containment capacity is equivalent to 189% of the capacity of the largest container (7,574 gallons/4,000 gallons = 1.894).

Drum Storage Area 1

Capacity of Drums within the Drum Storage Area: 55 gallons

Dike Dimensions:
Footprint ~ 15' x 22'
Height ~ 0.75'
Volume ~ 15' x 22' x 0.75' x 7.48 gal/ft^3 = 1,851 gallons

Available Freeboard for Precipitation: 1,851 gallons – 55 gallons = 1,796 gallons
1,796 gallons / 7.48 gallons/ ft^3 / (15' x 22') = 0.73' ~ **9" (>6.21")**

The dike therefore **provides sufficient storage capacity for the largest tank within the diked area, tank displacement, and precipitation**.

Drum Storage Area 2

Capacity of Drums within the Drum Storage Area: 55 gallons

Dike Dimensions:
Footprint ~ 4.75' x 22.1'
Height ~ 1.67'
Volume ~ 4.75' x 22.1' x 1.67' = 175 ft^3 x 7.48 gal/ft^3 = 1,310 gallons

Available Freeboard for Precipitation: 1,310 gallons – 55 gallons = 1,255 gallons
1,255 gallons / 7.48 gallons/ ft^3 / (4.75' x 22.1') = 1.6' ~ **19" (>6.21")**

The dike therefore **provides sufficient storage capacity for the largest tank within the diked area, tank displacement, and precipitation**.

Appendix 10
Oil Spill Contingency Plan

Facility Name: **Huntsville Quarry**
Location: **6250 Stringfield Road, Huntsville, Alabama 35806**
Telephone: **(256) 851-9200**
Nearest receiving stream: **Dry Creek**

Revision No: **0**
Issue Date: **March 13, 2019**

PART 1: OVERVIEW

This Oil Spill Contingency Plan (OSCP) will be followed by the Huntsville Quarry in response to all spills of oil at this facility that have reached or have the potential to reach a storm water drain at the facility, which discharges to Dry Creek. Small spills that have no potential to reach a storm water drain or which occur within a contained area will not trigger the requirements of this plan. Minor oil leaks from fleet vehicles should be addressed immediately, but do not require the activation of this OSCP. The facility may, but is not required to, use this plan as a basis for responding to spills other than oils. This plan is organized by and follows the requirements set forth in 40 CFR §109.5 and is prepared to be consistent with the practices described in ASTM F1127-07, *Standard Guide for Containment of Hazardous Material Spills by Emergency Response Personnel*. This plan was prepared pursuant to the requirements of Section 4.11 of the facility's Spill Prevention Control and Countermeasures (SPCC) and 40 CFR §112.7(k)(2).

Although this OSCP is written so that it can be followed in response to all oil spills, the regulatory requirement for this OSCP is to address the requirements for the oil-filled process equipment, which are identified in section §112.7(k) of the SPCC plan.

A full printed copy of this plan will be made available in the following locations:
- Plant Manager's Office

PART 2: DEFINITION OF RESPONSIBILITIES

Plant Manager (or his/her designee):
- Primary on-scene coordinator for spill response under this plan
- Ensure adequate spill response equipment is available at the facility (see Part 4)
- Contact third party spill responder where necessary (see Part 4)
- Contact the fire department or other response organization as needed (see Part 4)
- Directs clean-up efforts
- Notify external regulatory agency where applicable (see Part 3)
- Ensure proper disposal or reuse of recovered material
- Prepare a summary of the spill event

PART 3: NOTIFICATION PROCEDURES §109.5(b)

1) Receiving waters: [§109.5(b)(1)]

The initial receiving stream in the event of a release is *Dry Creek*. A site map, including on-site storm water drain locations are identified in **Figure A in Appendix 1** of the SPCC Plan.

2) Emergency contacts: [§109.5(b)(2)]

Table 1: Internal Emergency Response Contacts

Position	Name(s)	Primary	Secondary
Plant Manager	Danny Oliver	(256) 851-9200	(901) 309 9823
Environmental Manager	Walt Hillis	(865) 255-4349	(865) 512-7628
Area Production Manager	Randy Dies	(615) 524-0740	(615) 793-2600
Safety & Health Manager	Greg Muncy	(865) 617-0154	(865) 573-7625

Table 2: External Emergency Response Contacts

Agency	Telephone #
Huntsville Fire Department	911
Huntsville Ambulance	911
Madison County Sheriff	911

Table 3: Regulatory Agencies

Regulatory Agencies	24-Hour Phone Number
National Response Center (NRC)	(800) 424-8802
EPA Region IV Spill Response	(404) 562-8705
Alabama Emergency Management Agency (AEMA)	(205) 280-2312
Alabama Department of Environmental Management (ADEM)	(334) 271-7700
Madison County Emergency Management Agency	(256) 427-5123

Table 4: Spill Response Contractors

Spill Response Contractors	Telephone #
Hepaco	(800) 888-7689
Safety-Kleen Inc.	(888) 375-5336
Enterprise Oil	(865) 558-0533

3) Communications: [§109.5(b)(3)]

Cellular telephones are used throughout the facility. Phones are available in office locations. Based upon the amount of oil stored at the facility, a more sophisticated communications system for contacting and coordinating spill response is not warranted.

4) Prearranged procedures: [§109.5(b)(4)]

The facility has not developed pre-arranged procedures with regulatory or emergency response agencies due to the small volume of oil storage at the facility. The fire department may conduct an inspection of the facility and to become aware of the hazards associated with oil storage at this facility.

5) Notification to applicable regulatory agencies: [§109.5(b)(3)]

An example release reporting form is provided in Appendix 5 of the SPCC Plan.

Federal Release Reporting Requirements

In accordance with 40 CFR Part §110, releases of oil that fall into the following categories are immediately reportable to the National Response Center (800-424-8802):

1. Violate applicable water quality standards, or
2. Cause a film or sheen upon or discoloration of the surface of the water or cause a sludge or emulsion to be deposited beneath the surface of the water.

The Plant Manager will confirm verbal notification of a release, or potential release, with written notification as required. In reporting evidence of a release or potential release, the Plant Manager will provide the following information:

- The name and telephone number of the caller.
- The name and location of the facility.
- The location of the release or potential of a release.
- The date and time of the release incident.
- The type of oil released or which may be released.
- The quantity of oil released or which may be released.
- The possible source(s) of the release.
- The name and telephone number of the principal person responsible for plant oil spill prevention.
- An account of spill/release response measures proposed or taken to abate the release.
- Any other information which is relevant to assessing the degree of hazard posed by the release or potential release.

When discharges of more than 1,000 gallons of oil have occurred in a single discharge, or more than 42 gallons in each of two discharges occurring within any 12-month period, the facility is required to submit the following information to the EPA Region IV Administrator within 60 days:

- Name, telephone number, and address of facility/spill
- Name of owner/operator
- Date and year of initial facility operation
- Maximum storage or handling capacity of oil at the facility and normal daily throughput
- Facility description with maps, flow diagrams, and topographical information
- Name, title, telephone number, and address of reporter
- Date and time of spill/release
- Estimated quantity of material released or spilled and the time/duration
- Extent of injuries/illness, if known
- Possible hazards to human health and environment
- Exact spill location, including name of the waters threatened or other affected media
- Source of release/spill and cause of accident/spill
- Name and telephone number of person responsible for the facility operations at the spill site
- Steps being taken or proposed to contain/clean up the spill, and precautions taken to minimize impacts
- SPCC Plan and failure analysis

PART 4: PROCEDURES FOR RESPONDING TO SPILLS

The first person on the scene in the event of a discharge should contact the Plant Manager. The Plant Manager shall determine the severity of the release. The following steps describe the protocol for personnel who are first responders to a discharge.

Step 1: Contact the Plant Manager. Inform the Plant Manager that a discharge has occurred.

Step 2: Based on the severity, the Plant Manager shall employee the minor spill response procedure identified below or shall implement the major spill response procedure.

Minor Spill Response

A "Minor Spill Response" is defined as one that poses no significant harm to human health or the environment. These spills involve generally less than 42 gallons and can usually be cleaned up by quarry personnel. Other characteristics of a minor spill include the following:

- the spilled material is easily stopped or controlled at the time of the spill;
- the spill is localized;
- the spilled material is not likely to reach surface water or groundwater;
- there is little danger to human health; and
- there is little danger of fire or explosion.

In the event of a minor spill the following guidelines shall apply:

- Stop the source if the spill is ongoing.
- Immediately notify the Plant Manager followed by the Environmental Specialist.
- Call the Plant Manager within two hours to determine if further notification or action is required.

- Under the direction of a senior on-site person, contain the spill with spill response materials and equipment.
- Place spill debris in properly labeled waste containers.
- Complete the *Spill Notification Form* (Appendix 5) and send to the Plant Manager.

Major Spill Response (Spill Emergency)

A "Spill Emergency" is defined as one involving a spill that cannot be safely controlled or cleaned up. Characteristics include the following:

- the spill is large enough to spread beyond the immediate spill area;
- the spilled material enters surface water or groundwater (regardless of spill size);
- the spill requires special training and equipment to cleanup;
- the spilled material is dangerous to human health; and/or
- there is a danger of fire or explosion.

In the event of a spill emergency, the following guidelines shall apply:

- Stop the source if the spill is ongoing and **only if safe to do so**.
- All workers shall immediately evacuate the spill site and move to a safe distance away from the spill if safety concerns exist. Otherwise, contain spill to the maximum extent possible with all available resources.
- A senior on-site person shall contact the Plant Manager and/or BWI-Environmental Specialist to provide details regarding the spill.
- The Plant Manager and/or BWI-Environmental Specialist shall call for medical assistance if workers are injured (no worker shall engage in rescue operations unless they have been properly trained and equipped).
- The Plant Manager and/or Environmental Specialist shall immediately contact the Madison County EMA (256-427-5123), ADEM (256-353-1713), EPA Region IV (404-562-8700), and the AEMA (1-205-280-2312). Additional agencies may be notified as deemed necessary by the Plant Manager. Document the telephone calls on the **Spill Notification Form in Appendix 5.**
- Notify the local Fire Department or Police Department.
- The Plant Manager will coordinate cleanup and seek assistance from a cleanup contractor as necessary.

If the Plant Manager or senior on-site person is not available at the time of the spill, then the next highest BWI employee in command shall assume responsibility.

PART 5: EQUIPMENT AND ADVANCE ARRANGEMENTS

1) Equipment: [§109.5(c)(1)]

The equipment identified on the **Facility Diagram in Appendix 1, Figure B** of the SPCC plan is currently onsite and available for use.

2) Maximum equipment needed: [§109.5(c)(2)]

The material identified on the **Facility Diagram in Appendix 1, Figure B** of the SPCC plan is sufficient to respond to most minor discharges occurring at the facility and to initially contain a major discharge while waiting for additional material or support from outside contractors. The inventory is verified on a monthly basis during the scheduled facility inspection by designated personnel and is replenished as needed.

3) Advance Agreements and Arrangements: [§109.5(c)(3)]

BWI has three pre-approved contractors, which are listed in Part 3, which are to provide support to BWI in the event of a large spill or release.

PART 6: COORDINATION

1) Oil spill response team: [§109.5(d)(1)]

Due to the small amount and limited hazards associated with the types of oil (mineral oil, lubricating oil, hydraulic oil) stored at the facility, a dedicated oil spill response team is not warranted. All members of the SPCC committee will be provided with annual SPCC training and annual hazard communication training.

2) Designation of coordinator: [§109.5(d)(2)]

The Plant Manager will serve as the on-scene coordinator for the facility in the event of an oil spill that threatens to reach a storm drain. Responsibilities for oil spill response are identified in Part 2 of this OSCP.

3) Operation Center and Communications: [§109.5(d)(3)]

The following location will serve as the primary operations center for addressing oil spills at the facility:

Operations Center: **Plant Manager's Office**

As needed communications will be via office phone system, cell phone or handheld radio.

4) Provisions for varying degrees of response: [§109.5(d)(4)]

Due to the small amount of oil stored at the facility, pre-arranged provisions for varying degrees of response effort are not warranted.

5) Prioritization of waters to protect: [§109.5(d)(5)]

Due to the distance from the nearest surface water receptor (Dry Creek), and the absence of additional surface water sources that could reasonably be affected by a spill at the facility, pre-arrangements for protecting additional water sources is not warranted.

PART 7: RECOVERY OF DAMAGES [§109.5(e)]

The facility will notify applicable regulatory agencies as identified in Part 3 of this OSCP. Determination of damages and recovery of damages will be determined through consultation with the governing agency.

Appendix 11
Title 40, Code of Federal Regulations
Part 112 (40 CFR §112)

Appendix 12
Compliance Deviations from the Plan (§112.7(a)(2))

Details regarding compliance issues at the Huntsville Quarry are seen below. If the issues are not addressed within 180 days from the submission date of this SPCC Plan, the Professional Engineer's stamp shall be revoked. Descriptions of compliance issues at the Huntsville Quarry are below.

- Containment for the 4,000-gallon used oil tank identified as 'Tank Area 1' does not contain the 25-year storm event nor 110% of the tank volume as required by the SPCC regulations. It is recommended that Blue Water Industries replace the tank with a double-walled AST, or expand the containment area, or put a roof over the existing tank.