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

SEPTEMBER 5, 2019

MR MORGAN B MYLES
MANAGING MEMBER
THEODORE INDUSTRIAL PORT LLC
3800 SOLLIE ROAD
MOBILE AL 36619

RE: DRAFT PERMIT
NPDES PERMIT NUMBER AL0079979

Dear Mr. Myles:

Transmitted herein is a draft of the referenced permit.

We would appreciate your comments on the permit within **30 days** of the date of this letter. Please direct any comments of a technical or administrative nature to the undersigned.

By copy of this letter and the draft permit, we are also requesting comments within the same time frame from EPA.

Our records indicate that you are currently utilizing the Department's web-based electronic environmental (E2) reporting system for submittal of discharge monitoring reports (DMRs). Your E2 DMRs will automatically update on the effective date of this permit, if issued.

The Alabama Department of Environmental Management encourages you to voluntarily consider pollution prevention practices and alternatives at your facility. Pollution Prevention may assist you in complying with effluent limitations, and possibly reduce or eliminate monitoring requirements.

If you have questions regarding this permit or monitoring requirements, please contact Brian Marshall by e-mail at **bmarshall@adem.alabama.gov** or by phone at **(334) 271-7895.**

Sincerely,

Scott Ramsey, Chief
Industrial Section
Industrial/Municipal Branch
Water Division

Enclosure: Draft Permit

pc via website: Montgomery Field Office
EPA Region IV
U.S. Fish & Wildlife Service
AL Historical Commission
Advisory Council on Historic Preservation
Department of Conservation and Natural Resources

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 PERMIT

PERMITTEE: THEODORE INDUSTRIAL PORT, LLC

FACILITY LOCATION: 2640 CLAUDIA LANE
MOBILE, AL 36619

PERMIT NUMBER: AL0079979

RECEIVING WATERS: DSN001: UNNAMED TRIBUTARY TO SOUTH FORK DEER RIVER
DSN002: SOUTH FORK DEER RIVER

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

INDUSTRIAL SECTION
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

TABLE OF CONTENTS

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 the following point source(s) outfall(s), described more fully in the permittee's application:

DSN001Q: Stormwater runoff from the storage of Iron Ore, Coal, Sand and Gravel, and Industrial Grade Salt. 3/ 4/

Such discharge shall be limited and monitored by the permittee as specified below:

	DISCHARGE LIMITATIONS					MONITORING REQUIREMENTS 1/		
EFFLUENT CHARACTERISTIC	Monthly Average	Daily Maximum	Daily Minimum	Monthly Average	Daily Maximum	Measurement Frequency 2/	Sample Type	Seasonal
pH	-	-	6.0 S.U.	-	9.0 S.U.	Quarterly	Grab	-
Solids, Total Suspended	-	-	-	35.0 mg/l	70.0 mg/l	Quarterly	Grab	-
Oil & Grease	-	-	-	-	15.0 mg/l	Quarterly	Grab	-
Iron, Total (As Fe)	-	-	-	3.0 mg/l	6.0 mg/l	Quarterly	Grab	-
Manganese, Total (As Mn)	-	-	-	2.0 mg/l	4.0 mg/l	Quarterly	Grab	-
Flow, In Conduit or Thru Treatment Plant	REPORT MGD	REPORT MGD	-	-	-	Quarterly	Calculated	-

THE DISCHARGE SHALL HAVE NO SHEEN, AND THERE SHALL BE NO DISCHARGE OF VISIBLE OIL, FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.

2/ If only one sampling event occurs during a month, the sample result shall be reported on the discharge monitoring report as both the monthly average and daily maximum value for all parameters with a monthly average limitation.

3/ See Part IV.A for Best Management Practices (BMP) Plan Requirements.

4/ See Part IV.B for Stormwater Measurement and Sampling 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 the following point source(s) outfall(s), described more fully in the permittee's application:

DSN002Q: Stormwater runoff from the storage of Iron Ore, Coal, Sand and Gravel, and Industrial Grade Salt. 3/

Such discharge shall be limited and monitored by the permittee as specified below:

	DISCHARGE LIMITATIONS					MONITORING REQUIREMENTS 1/		
EFFLUENT CHARACTERISTIC	Monthly Average	Daily Maximum	Daily Minimum	Monthly Average	Daily Maximum	Measurement Frequency 2/	Sample Type	Seasonal
pH	-	-	6.0 S.U.	-	9.0 S.U.	Quarterly	Grab	-
Solids, Total Suspended	-	-	-	35.0 mg/l	70.0 mg/l	Quarterly	Grab	-
Oil & Grease	-	-	-	-	15.0 mg/l	Quarterly	Grab	-
Iron, Total (As Fe)	-	-	-	3.0 mg/l	6.0 mg/l	Quarterly	Grab	-
Manganese, Total (As Mn)	-	-	-	2.0 mg/l	4.0 mg/l	Quarterly	Grab	-
Flow, In Conduit or Thru Treatment Plant	REPORT MGD	REPORT MGD	-	-	-	Quarterly	Calculated	-

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2/ If only one sampling event occurs during a month, the sample result shall be reported on the discharge monitoring report as both the monthly average and daily maximum value for all parameters with a monthly average limitation.

3/ See Part IV.A for Best Management Practices (BMP) Plan Requirements.

B. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS

1. Representative Sampling

Samples and measurements 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.

2. 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 and guidelines published pursuant to Section 304(h) of the FWPCA, 33 U.S.C. Section 1314(h). 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 pollutants 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 A and B above 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.

3. 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;

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.

4. Records Retention and Production

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 the 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 years from the date of the sample 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 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 or his designee, the permittee shall provide the Director with a copy of any record required to be retained by this paragraph. Copies of these records shall not be submitted unless requested.

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

5. 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.

C. DISCHARGE REPORTING REQUIREMENTS

1. Reporting of Monitoring Requirements

a. The permittee shall conduct the required monitoring in accordance with the following schedule:

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.

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 it should be submitted with the last DMR due for the quarter, i.e., (March, June, September and December DMR's).

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 calendar semiannual 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 submitted with the last DMR for the month of the semiannual period, i.e. (June and December DMR's).

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 submitted with the December DMR.

b. The permittee shall submit discharge monitoring reports (DMRs) on the forms provided by the Department and in accordance with the following schedule:

REPORTS OF MORE FREQUENTLY THAN MONTHLY AND MONTHLY TESTING shall be submitted on a **monthly** basis. The first report is due on the **28th day of (MONTH, YEAR).** The reports shall be submitted so that they are received by the Department no later than the 28th day of the month following the reporting period.

REPORTS OF QUARTERLY TESTING shall be submitted on a **quarterly** basis. The first report is due on the **28th day of [Month, Year].** The reports shall be submitted so that they are received by the Department no later than the 28th day of the month following the reporting period.

REPORTS OF SEMIANNUAL TESTING shall be submitted on a semiannual basis. The reports are due on the 28th day of JANUARY and the 28th day of JULY. The reports shall be submitted so that they are received by the Department no later than the 28th day of the month following the reporting period.

REPORTS OF ANNUAL TESTING shall be submitted on an annual basis. The first report is due on the 28th day of JANUARY. The reports shall be submitted so that they are received by the Department no later than the 28th day of the month following the reporting period.

c. Except as allowed by Provision I.C.1.c.(1) or (2), the permittee shall submit all Discharge Monitoring Reports (DMRs) required by Provision I.C.1.b by utilizing the Department's web-based Electronic Environmental (E2) Reporting System.

(1) If the permittee is unable to complete the electronic submittal of DMR data due to technical problems originating with the Department's E2 Reporting system (this could include entry/submittal issues with an entire set of DMRs or individual parameters), the permittee is not relieved of their obligation to submit DMR data to the Department by the date specified in Provision I.C.1.b, unless otherwise directed by the Department.

If the E2 Reporting System is down on the 28th day of the month in which the DMR is due or is down for an extended period of time, as determined by the Department, when a DMR is required to be submitted, the permittee 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 5 calendar days of the E2 Reporting 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 the dated e-mail, or hand-delivery stamped date), if applicable.

(2) 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 Provision I.C.1.e.

(3) If a permittee is allowed to submit a hard copy DMR, the DMR must be legible and bear an original signature. Photo and electronic copies of the signature are not acceptable and shall not satisfy the reporting requirements of this permit.

(4) If the permittee, using approved analytical methods as specified in Provision I.B.2, monitors any discharge from a point source for a limited substance identified in Provision I.A. of this permit 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 and the increased frequency shall be indicated on the DMR.

(5) In the event no discharge from a point source identified in Provision I.A. 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.

d. All reports and forms required to be submitted by this permit, the AWPCA and the Department's Rules, shall be electronically signed (or, if allowed by the Department, traditionally signed) by a "responsible official" of the permittee as defined in ADEM Administrative Code Rule 335-6-6-.09 or a "duly authorized representative" of such official as defined in ADEM Administrative Code Rule 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 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."

e. Discharge Monitoring Reports required by this permit, the AWPCA, and the Department's Rules that are being submitted in hard copy shall be addressed to:

Alabama Department of Environmental Management
Permits and Services Division
Environmental Data Section
Post Office Box 301463
Montgomery, Alabama 36130-1463

Certified and Registered Mail containing Discharge Monitoring Reports shall be addressed to:

Alabama Department of Environmental Management
Permits and Services Division
Environmental Data Section
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400

f. All other correspondence and reports required to be submitted by this permit, the AWPCA, and the Department's Rules shall be addressed to:

Alabama Department of Environmental Management

Water Division
Post Office Box 301463
Montgomery, Alabama 36130-1463

Certified and Registered Mail shall be addressed to:

Alabama Department of Environmental Management
Water Division
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400

g. If this permit is a re-issuance, 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.C.1.b above.

2. Noncompliance Notification

a. 24-Hour Noncompliance Reporting

The permittee shall report to the Director, within 24-hours of becoming aware of the noncompliance, any noncompliance which may endanger health or the environment. This shall include but is not limited to the following circumstances:

(1) does not comply with any daily minimum or maximum discharge limitation for an effluent characteristic specified in Provision I. A. of this permit which is denoted by an "(X)";

(2) threatens human health or welfare, fish or aquatic life, or water quality standards;

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

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

(5) exceeds any discharge limitation for an effluent characteristic as a result of an unanticipated bypass or upset; and

(6) is an unpermitted direct or indirect discharge of a pollutant to a water of the state (unpermitted discharges properly reported to the Department under any other requirement are not required to be reported under this provision).

The permittee shall orally report the occurrence and circumstances 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 report, the permittee shall submit to the Director or Designee a written report as provided in Part I.C.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 to the Director or Designee a written report as provided in Part I.C.2.c below, such report shall be submitted with the next Discharge Monitoring Report required to be submitted by Part I.C.1 of this permit after becoming aware of the occurrence of such noncompliance.

c. Any written report required to be submitted to the Director or Designee by Part I.C.2 a. or 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.

D. 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 in Provision I. A. of this permit have permanently ceased. This notification shall serve as sufficient cause for instituting procedures for modification or termination of the permit.

3. Updating Information

a. The permittee shall inform the Director of any change in the permittee's mailing address, telephone number or in the permittee's designation of a facility contact or office having the authority and responsibility to prevent and abate violations of the AWPCA, the Department's Rules, and the terms and conditions of this permit, in writing, no later than ten (10) days after such change. Upon request of the Director or his designee, 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

The permittee shall furnish to the Director, within a reasonable time, any information which the Director or his designee may request to determine whether cause exists for modifying, revoking and re-issuing, suspending, or terminating this permit, in whole or in part, or to determine compliance with this permit.

5. Cooling Water and Boiler Water Additives

a. The permittee shall notify the Director in writing not later than thirty (30) days prior to instituting the use of any biocide corrosion inhibitor or chemical additive in a cooling or boiler system, not identified in the application for this permit, from which discharge is allowed by this permit. Notification is not required for additives that do not contain a heavy metal(s) as an active ingredient and that pass through a wastewater treatment system prior to discharge nor is notification 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:

(1) name and general composition of biocide or chemical;

(2) 96-hour median tolerance limit data for organisms representative of the biota of the waterway into which the discharge will ultimately reach;

(2) quantities to be used;

(3) frequencies of use;

(4) proposed discharge concentrations; and

(6) EPA registration number, if applicable.

b. The use of a biocide or additive containing tributyl tin, tributyl tin oxide, zinc, chromium or related compounds in cooling or boiler system(s), from which a discharge regulated by this permit occurs, 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.

6. Permit Issued Based On Estimated Characteristics

a. If this permit was issued based on estimates of the characteristics of a process discharge reported on an EPA NPDES Application Form 2D (EPA Form 3510-2D), the permittee shall complete and submit an EPA NPDES Application Form 2C (EPA Form 3510-2C) no later than two years after the date that discharge begins. Sampling required for completion of the Form 2C shall occur when a discharge(s) from the process(s) causing the new or increased discharge is occurring. If this permit was issued based on estimates concerning the composition of a stormwater discharge(s), the permittee shall perform the sampling required by EPA NPDES Application Form 2F (EPA Form 3510-2F) no later than one year after the industrial activity generating the stormwater discharge has been fully initiated.

b. This permit shall be reopened if required to address any new information resulting from the completion and submittal of the Form 2C and or 2F.

E. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the discharge limitations specified in Provision I. A. in accordance with the following schedule:

COMPLIANCE SHALL BE ATTAINED ON THE EFFECTIVE DATE OF THIS PERMIT

2. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

PART II OTHER REQUIREMENTS, RESPONSIBILITIES, AND DUTIES

A. OPERATIONAL AND MANAGEMENT REQUIREMENTS

1. Facilities Operation and Maintenance

The permittee shall at all times properly 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 the 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 the permit.

2. Best Management Practices

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

b. The permittee shall prepare, implement, and maintain a Spill Prevention, Control and Countermeasures (SPCC) Plan in accordance with 40 C.F.R. Section 112 if required thereby.

c. The permittee shall prepare, submit for approval and implement a Best Management Practices (BMP) Plan for containment of any or all process liquids or solids, in a manner such that these materials do not present a significant potential for discharge, if so required by the Director or his designee. 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.

3. Spill Prevention, Control, and Management

The permittee shall provide spill prevention, control, and/or management sufficient to prevent any spills of pollutants from entering a water of the state or a publicly or privately owned treatment works. Any containment system used to implement this requirement shall be constructed of materials compatible with the substance(s) contained and which shall prevent the contamination of groundwater and such containment system shall be capable of retaining a volume equal to 110 percent of the capacity of the largest tank for which containment is provided.

B. OTHER RESPONSIBILITIES

1. Duty to Mitigate Adverse Impacts

The permittee shall promptly take all reasonable steps to mitigate and minimize or prevent any adverse impact on human health or the environment resulting from noncompliance with any discharge limitation specified in Provision I. A. of this permit, including such accelerated or additional monitoring of the discharge and/or the receiving waterbody as necessary to determine the nature and impact of the noncomplying discharge.

2. Right of Entry and Inspection

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

a. enter upon the permittee's premises where a regulated facility or activity or point source 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 the permit;

c. inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the permit; and

d. sample or monitor, for the purposes of assuring permit compliance or as otherwise authorized by the AWPCA, any substances or parameters at any location.

C. BYPASS AND UPSET

1. Bypass

a. Any bypass is prohibited except as provided in b. and c. below:

b. A bypass is not prohibited if:

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

(2) It enters the same receiving stream as the permitted outfall; and

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

c. A bypass is not prohibited and need not meet the discharge limitations specified in Provision 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 adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment 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 prior to the anticipated bypass (if possible), the permittee is granted such authorization, and the permittee complies with any conditions imposed by the Director to minimize any adverse impact on human health or the environment resulting from the bypass.

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

2. Upset

a. A discharge which results from an upset need not meet the discharge limitations specified in Provision 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 or his designee; 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, 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 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 on human health or the environment resulting from the upset.

b. The permittee has the burden of establishing that each of the conditions of Provision II. C.2.a. of this permit have been met to qualify for an exemption from the discharge limitations specified in Provision I.A. of this permit.

D. DUTY TO COMPLY WITH PERMIT, RULES, AND STATUTES

1. Duty to Comply

a. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the AWPCA 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 necessity to halt or reduce production or other activities in order to maintain compliance with the conditions of the permit shall not be a defense for a permittee in an enforcement action.

c. 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.

d. 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.

e. Nothing in this permit shall be construed to preclude and 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.

2. Removed Substances

Solids, sludges, filter backwash, or any other pollutant or other waste removed in the course of treatment or control of wastewaters shall be disposed of in a manner that complies with all applicable Department Rules.

3. Loss or Failure of Treatment Facilities

Upon the loss or failure of any treatment facilities, 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 Provision I. A. of this permit, or any other terms or conditions of this permit, cease, reduce, or otherwise control production and/or all discharges until treatment is restored. If control of discharge during loss or failure of the primary source of power is to be accomplished by means of alternate power sources, standby generators, or retention of inadequately treated effluent, the permittee must furnish to the Director within six months a certification that such control mechanisms have been installed.

4. Compliance with Statutes and Rules

a. This permit has been issued under ADEM Administrative Code, Chapter 335-6-6. All provisions of this chapter, that are applicable to this permit, are hereby made a part of this permit. A copy of this chapter may be obtained for a small charge from the Office of General Counsel, Alabama Department of Environmental Management, 1400 Coliseum Blvd., Montgomery, AL 36130.

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.

E. PERMIT TRANSFER, MODIFICATION, SUSPENSION, REVOCATION, AND REISSUANCE

1. 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 a complete permit application for reissuance of this permit at least 180 days prior to its expiration. If the permittee does not intend to continue discharge beyond the expiration of this permit, the permittee shall submit written notification of this intent which shall be signed by an individual meeting the signatory requirements for a permit application as set forth in ADEM Administrative Code Rule 335-6-6-.09.

b. Failure of the permittee to apply for reissuance at least 180 days prior to permit expiration will void the automatic continuation of the expiring permit provided by ADEM Administrative Code Rule 335-6-6-.06 and should the permit not be reissued for any reason any discharge after expiration of this permit will be an unpermitted discharge.

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 or increase the quantity of a discharged pollutant such that existing permit limitations would be exceeded or that could result in an additional discharge point. This requirement applies to pollutants that are or 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 is known or there is reason to believe:

(1) That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:

(a) one hundred micrograms per liter;

(b) two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dini-trophenol; and one milligram per liter for antimony;

(c) five times the maximum concentration value reported for that pollutant in the permit application; or

(2) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:

(a) five hundred micrograms per liter;

(b) one milligram per liter for antimony;

(c) ten times the maximum concentration value reported for that pollutant in the permit application.

3. 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 the 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.

4. Permit Modification and Revocation

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

(1) If cause for termination under Provision II. E. 5. of this permit exists, the Director may choose to revoke and reissue this permit instead of terminating the permit;

(2) If a request to transfer this permit has been received, the Director may decide to revoke and reissue or to modify the permit; or

(3) If modification or revocation and reissuance is requested by the permittee and cause exists, the Director may grant the request.

b. This permit may be modified during its term for cause, including but not limited to, the following:

(1) If cause for termination under Provision II. E. 5. of this permit exists, the Director may choose to modify this permit instead of terminating this permit;

(2) There are 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;

(3) The Director has received new information that was not available at the time of permit issuance and that would have justified the application of different permit conditions at the time of issuance;

(4) A new or revised requirement(s) of any applicable standard or limitation is promulgated under Sections 301(b)(2)(C), (D), (E), and (F), and 307(a)(2) of the FWPCA;

(5) Errors in calculation of discharge limitations or typographical or clerical errors were made;

(6) To the extent allowed by ADEM Administrative Code, Rule 335-6-6-.17, when the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued;

(7) To the extent allowed by ADEM Administrative Code, Rule 335-6-6-.17, permits may be modified to change compliance schedules;

(8) To agree with a granted variance under 30l(c), 30l(g), 30l(h), 30l(k), or 316(a) of the FWPCA or for fundamentally different factors;

(9) To incorporate an applicable 307(a) FWPCA toxic effluent standard or prohibition;

(10) When required by the reopener conditions in this permit;

(11) When required under 40 CFR 403.8(e) (compliance schedule for development of pretreatment program);

(12) Upon failure of the state to notify, as required by Section 402(b)(3) of the FWPCA, another state whose waters may be affected by a discharge permitted by this permit;

(13) When required to correct technical mistakes, such as errors in calculation, or mistaken interpretations of law made in determining permit conditions; or

(14) When requested by the permittee and the Director determines that the modification has cause and will not result in a violation of federal or state law, regulations or rules.

5. Permit Termination

This permit may be terminated during its term for cause, including but not limited to, the following:

a. Violation of any term or condition of this permit;

b. The permittee's misrepresentation or failure to disclose fully all relevant facts in the permit application or during the permit issuance process or the permittee's misrepresentation of any relevant facts at any time;

c. Materially false or inaccurate statements or information in the permit application or the permit;

d. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;

e. The permittee's discharge threatens human life or welfare or the maintenance of water quality standards;

f. Permanent closure of the facility generating the wastewater permitted to be discharged by this permit or permanent cessation of wastewater discharge;

g. New or revised requirements of any applicable standard or limitation that is promulgated under Sections 301(b)(2)(C), (D), (E), and (F), and 307(a)(2) of the FWPCA that the Director determines cannot be complied with by the permittee; or

h. Any other cause allowed by the ADEM Administrative Code, Chapter 335-6-6.

6. Permit Suspension

This permit may be suspended during its term for noncompliance until the permittee has taken action(s) necessary to achieve compliance.

7. Request for Permit Action Does Not Stay Any Permit Requirement

The filing of a request by the permittee for modification, suspension or revocation of this permit, in whole or in part, does not stay any permit term or condition.

F. COMPLIANCE WITH TOXIC POLLUTANT 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 Section 307(a) of the FWPCA, 33 U.S.C. Section 1317(a), for a toxic pollutant discharged by the permittee and such standard or prohibition is more stringent than any discharge limitation on the pollutant specified in Provision I. A. of this permit, or controls a pollutant not limited in Provision I. A. of this permit, this permit shall be modified to conform to the toxic 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 pollutant effluent standard or prohibition before the effective date of such standard or prohibition, the permittee shall attain compliance with the requirements of the standard or prohibition within the time period required by the standard or prohibition and shall continue to comply with the standard or prohibition until this permit is modified or reissued.

G. DISCHARGE OF WASTEWATER GENERATED BY OTHERS

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.

PART III OTHER PERMIT CONDITIONS

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 the permit shall, upon conviction, be subject to penalties as provided by the AWPCA.

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 subject to penalties as provided by the AWPCA.

3. Permit Enforcement

a. Any NPDES permit issued or reissued by the Department is a permit for the purpose of the AWPCA and the FWPCA and as such any terms, conditions, or limitations of the permit are enforceable under state and federal law.

b. Any person required to have a NPDES permit pursuant to ADEM Administrative Code Chapter 335-6-6 and who discharges pollutants without said permit, who violates the conditions of said permit, who discharges pollutants in a manner not authorized by the permit, or who violates applicable orders of the Department or any applicable rule or standard of the Department, is subject to any one or combination of the following enforcement actions under applicable state statutes.

(1) An administrative order requiring abatement, compliance, mitigation, cessation, clean-up, and/or penalties;

(2) An action for damages;

(3) An action for injunctive relief; or

(4) An action for penalties.

c. If the permittee is not in compliance with the conditions of an expiring or expired permit the Director may choose to do any or all of the following provided the permittee has made a timely and complete application for reissuance of the permit:

(1) initiate enforcement action based upon the permit which has been continued;

(2) issue a notice of intent to deny the permit reissuance. If the permit is denied, the owner or operator would then be required to cease the activities authorized by the continued permit or be subject to enforcement action for operating without a permit;

(3) reissue the new permit with appropriate conditions; or

(4) take other actions authorized by these rules and AWPCA.

4. Relief from Liability

Except as provided in Provision II.C.1 (Bypass) and Provision II.C.2 (Upset), nothing in this permit shall be construed to relieve the permittee of civil or criminal liability under the AWPCA 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 under Section 311 of the FWPCA, 33 U.S.C. Section 1321.

C. 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. AVAILABILITY OF REPORTS

Except for data determined to be confidential under Code of Alabama 1975, Section 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.

E. EXPIRATION OF PERMITS FOR NEW OR INCREASED DISCHARGES

1. If this permit was issued for a new discharger or new source, this permit shall expire eighteen months after the issuance date if construction of the facility has not begun during the eighteen-month period.

2. If this permit was issued or modified to allow the discharge of increased quantities of pollutants to accommodate the modification of an existing facility and if construction of this modification has not begun during the eighteen month period after issuance of this permit or permit modification, this permit shall be modified to reduce the quantities of pollutants allowed to be discharged to those levels that would have been allowed if the modification of the facility had not been planned.

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

   a. begun, or caused to begin as part of a continuous on-site construction program:

      (1) any placement, assembly, or installation of facilities or equipment; or

      (2) 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

   b. 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.

F. COMPLIANCE WITH WATER QUALITY STANDARDS

1. 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 should assure compliance with the applicable water quality standards.

2. Compliance with permit terms and conditions notwithstanding, if the permittee's discharge(s) from point sources identified in Provision I. A. of this permit cause or contribute to a condition in contravention of state water quality standards, the Department may require abatement action to be taken by the permittee in emergency situations or modify the permit pursuant to the Department's Rules, or both.

3. If the Department determines, on the basis of a notice provided pursuant to 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 discharge until the permit has been modified.

G. GROUNDWATER

Unless specifically authorized under this permit, this permit does not authorize the discharge of pollutants 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.

H. DEFINITIONS

1. 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).

2. Average weekly discharge limitation - means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week (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).

3. Arithmetic Mean – means the summation of the individual values of any set of values divided by the number of individual values.

4. AWPCA - means the Alabama Water Pollution Control Act.

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. 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.

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

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

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

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

13. Director - means the Director of the Department.

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

15. Discharge Monitoring Report (DMR) - means the form approved by the Director to accomplish reporting requirements of an NPDES permit.

16. DO – means dissolved oxygen.

17. 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.

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

19. FC – means the pollutant parameter fecal coliform.

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

21. FWPCA - means the Federal Water Pollution Control Act.

22. 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).

23. 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.

24. 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.

25. 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.

26. MGD – means million gallons per day.

27. Monthly Average – means, other than for fecal coliform bacteria, the arithmetic mean of the entire composite or grab samples taken for the daily discharges collected in one month period. The monthly average for fecal coliform 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.

28. 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. that did not commence the discharge of pollutants 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.

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

30. Permit application - means forms and additional information that is required by ADEM Administrative Code Rule 335-6-6-.08 and applicable permit fees.

31. 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. Section 1362(14).

32. Pollutant - includes for purposes of this permit, but is not limited to, those pollutants specified in Code of Alabama 1975, Section 22-22-1(b)(3) and those effluent characteristics specified in Provision I. A. of this permit.

33. 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".

34. Publicly Owned Treatment Works – 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.

35. Receiving Stream – means the "waters" receiving a "discharge" from a "point source".

36. 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.

37. Significant Source – means a source which discharges 0.025 MGD or more to a POTW or greater than five percent of the treatment work's capacity, or a source which is a primary industry as defined by the U.S. EPA or which discharges a priority or toxic pollutant.

38. Solvent – means any virgin, used or spent organic solvent(s) identified in the F-Listed wastes (F001 through F005) specified in 40 CFR 261.31 that is used for the purpose of solubilizing other materials.

39. TKN – means the pollutant parameter Total Kjeldahl Nitrogen.

40. TON – means the pollutant parameter Total Organic Nitrogen.

41. TRC – means Total Residual Chlorine.

42. TSS – means the pollutant parameter Total Suspended Solids.

43. 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.

44. 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 reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

45. 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, Section 22-22-1(b)(2). Waters "include all navigable waters" as defined in Section 502(7) of the FWPCA, 22 U.S.C. Section 1362(7), which are within the State of Alabama.

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

47. 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.

I. 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.

PART IV ADDITIONAL REQUIREMENTS, CONDITIONS, AND LIMITATIONS

A. BEST MANAGEMENT PRACTICES (BMP) PLAN REQUIREMENTS

1. BMP Plan

The permittee shall develop and implement a Best Management Practices (BMP) Plan which prevents, or minimizes the potential for, the release of pollutants from ancillary activities, including material storage areas; plant site runoff; in-plant transfer, process and material handling areas; loading and unloading operations, and sludge and waste disposal areas, to the waters of the State through plant site runoff; spillage or leaks; sludge or waste disposal; or drainage from raw material storage.

2. Plan Content

The permittee shall prepare and implement a best management practices (BMP) plan, which shall:

a. Establish specific objectives for the control of pollutants:

(1) Each facility component or system shall be examined for its potential for causing a release of significant amounts of pollutants to waters of the State due to equipment failure, improper operation, natural phenomena such as rain or snowfall, etc.

(2) Where experience indicates a reasonable potential for equipment failure (e.g., a tank overflow or leakage), natural condition (e.g. precipitation), or circumstances to result in significant amounts of pollutants reaching surface waters, the plan should include a prediction of the direction, rate of flow, and total quantity of pollutants which could be discharged from the facility as a result of each condition or circumstance.

b. Establish specific best management practices to meet the objectives identified under paragraph a. of this section, addressing each component or system capable of causing a release of significant amounts of pollutants to the waters of the State, and identifying specific preventative or remedial measures to be implemented;

c. Establish a program to identify and repair leaking equipment items and damaged containment structures, which may contribute to contaminated stormwater runoff. This program must include regular visual inspections of equipment, containment structures and of the facility in general to ensure that the BMP is continually implemented and effective;

d. Prevent the spillage or loss of fluids, oil, grease, gasoline, etc. from vehicle and equipment maintenance activities and thereby prevent the contamination of stormwater from these substances;

e. Prevent or minimize stormwater contact with material stored on site;

f. Designate by position or name the person or persons responsible for the day to day implementation of the BMP;

g. Provide for routine inspections, on days during which the facility is manned, of any structures that function to prevent stormwater pollution or to remove pollutants from stormwater and of the facility in general to ensure that the BMP is continually implemented and effective;

h. Provide for the use and disposal of any material used to absorb spilled fluids that could contaminate stormwater;

i. Develop a solvent management plan, if solvents are used on site. The solvent management plan shall include as a minimum lists of the solvents on site; the disposal method of solvents used instead of dumping, such as reclamation, contract hauling; and the procedures for assuring that solvents do not routinely spill or leak into the stormwater;

j. Provide for the disposal of all used oils, hydraulic fluids, solvent degreasing material, etc. in accordance with good management practices and any applicable state or federal regulations;

k. Include a diagram of the facility showing the locations where stormwater exits the facility, the locations of any structure or other mechanisms intended to prevent pollution of stormwater or to remove pollutants from stormwater, the locations of any collection and handling systems;

l. Provide control sufficient to prevent or control pollution of stormwater by soil particles to the degree required to maintain compliance with the water quality standard for turbidity applicable to the waterbody(s) receiving discharge(s) under this permit;

m. Provide spill prevention, control, and/or management sufficient to prevent or minimize contaminated stormwater runoff. 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. The containment system shall also be capable of retaining a volume equal to 110 percent of the capacity of the largest tank for which containment is provided;

n. Provide and maintain curbing, diking or other means of isolating process areas to the extent necessary to allow segregation and collection for treatment of contaminated stormwater from process areas;

o. Be reviewed by plant engineering staff and the plant manager; and

p. Bear the signature of the plant manager.

3. Compliance Schedule

The permittee shall have reviewed (and revised if necessary) and fully implemented the BMP plan as soon as practicable but no later than six months after the effective date of this permit.

4. Department Review

a. When requested by the Director or his designee, the permittee shall make the BMP available for Department review.

b. The Director or his designee may notify the permittce at any time that the BMP is deficient and require correction of the deficiency.

c. The permittee shall correct any BMP deficiency identified by the Director or his designee within 30 days of receipt of notification and shall certify to the Department that the correction has been made and implemented.

5. Administrative Procedures

a. A copy of the BMP shall be maintained at the facility and shall be available for inspection by representatives of the Department.

b. A log of the routine inspection required above shall be maintained at the facility and shall be available for inspection by representatives of the Department. The log shall contain records of all inspections performed for the last three years and each entry shall be signed by the person performing the inspection.

c. The permittee shall provide training for any personnel required to implement the BMP and shall retain documentation of such training at the facility. This documentation shall be available for inspection by representatives of the Department. Training shall be performed prior to the date that implementation of the BMP is required.

d. BMP Plan Modification. The permittee shall amend the BMP plan whenever there is a change in the facility or change in operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants.

e. BMP Plan Review. The permittee shall complete a review and evaluation of the BMP plan at least once every three years from the date of preparation of the BMP plan. Documentation of the BMP Plan review and evaluation shall be signed and dated by the Plant Manager.

ADEM PERMIT RATIONALE

PREPARED DATE: July 25, 2019
PREPARED BY: Brian Marshall

Permittee Name: Theodore Industrial Port, LLC

Facility Name: Theodore Industrial Port Yard 3

Permit Number: AL0079979

PERMIT IS REISSUANCE DUE TO EXPIRATION

DISCHARGE SERIAL NUMBERS & DESCRIPTIONS:

DSN001& DSN002: Stormwater runoff from the storage of Iron Ore, Coal, Sand and Gravel, and Industrial Grade Salt.

INDUSTRIAL CATEGORY: NON-CATEGORICAL

MAJOR: N

STREAM INFORMATION:

Receiving Stream:	Unnamed Tributary to South Fork Deer River (DSN001)
	South Fork Deer River (DSN002)
Classification:	Fish & Wildlife
River Basin:	Mobile River
7Q10:	0.0 cfs
303(d) List:	NO
Impairment:	N/A
TMDL:	NO

DISCUSSION:

Theodore Industrial Port stores iron ore, sand and gravel, coal and industrial grade salt on concrete slabs. The materials are covered by tarpaulinsThese materials are purchased for use in other industries.

ADEM Administrative Rule 335-6-10-.12 requires applicants to new or expanded discharges to Tier II waters demonstrate that the proposed discharge is necessary for important economic or social development in the area in which the waters are located. [The application submitted by the facility is not for a new or expanded discharge. Therefore, the applicant is not required to demonstrate that the discharge is necessary for economic and social development.

EPA has not promulgated specific guidelines for the discharges covered under the proposed permit. Proposed permit limits are based on Best Professional Judgment. The proposed frequencies are based on a review of site specific conditions and an evaluation of similar facilities.

DSN001Q & DSN002Q: Stormwater runoff from the storage of Iron Ore, Coal, Sand and Gravel, and Industrial Grade Salt.

Parameter	Monthly Avg Loading	Daily Max Loading	Daily Min Concentration	Monthly Avg Concentration	Daily Max Concentration	Sample Frequency	Sample Type	Basis*
pH	-	-	6.0 S.U.	-	9.0 S.U.	Quarterly	Grab	BPJ
Solids, Total Suspended	-	-	-	35.0 mg/l	70.0 mg/l	Quarterly	Grab	BPJ
Oil & Grease	-	-	-	-	15 mg/l	Quarterly	Grab	BPJ
Iron, Total (As Fe)	-	-	-	3.0 mg/l	6.0 mg/l	Quarterly	Grab	BPJ
Manganese, Total (As Mn)	-	-	-	2.0 mg/l	4.0 mg/l	Quarterly	Grab	BPJ
Flow, In Conduit or Thru Treatment Plant	REPORT MGD	REPORT MGD	-	-	-	Quarterly	Calculated	BPJ

*Basis for Permit Limitation

- BPJ – Best Professional Judgment
- WQBEL – Water Quality Based Effluent Limits
- EGL – Federal Effluent Guideline Limitations
- 303(d) – 303(d) List of Impaired Waters
- TMDL – Total Maximum Daily Load Requirements

Discussion

Best Professional Judgment (BPJ)
The parameters of concern for this facility are based on the parameters of concern listed in EPA form 2F and from the current permit. These parameters are consistent with similar facilities in the state and have been proven to be reflective of the operations at this facility. The parameters with specific limits are discussed below:

Flow
Flow monitoring will be continued to evaluate the volume of storm water being discharged.

Oil & Grease
The daily maximum limit for Oil and Grease should prevent the occurrence of a visible sheen in the stream and has been shown to be achievable through the use of proper BMPs.

Total Iron, Total Manganese, Total Suspended Solids
Based on the nature of the operations and the analytical data submitted with the application, the limitations for these parameters, which are based on 40 CFR 434 Subpart B(Coal Preparation Plants and Coal Preparation Plant Associated Areas), will be included in this permit issuance. This subpart is not applicable to the operations at the facility; however, the operations are similar enough that the limitations can still be applied.

pH
ADEM Administrative Code, Division 6 Regulations, specifically 335-6-10-.09(5)(e)2 – Specific Water Quality for Fish &Wildlife classified streams states: "Sewage, industrial waste or other wastes shall not cause the pH to deviate more than one unit from then normal or natural pH, nor be less than 6.0, nor greater than 8.5 standard units." Since a discharge is only expected to occur during a storm event, the discharge would be unlikely to impact the pH of the receiving stream; therefore, limitations of 6.0 S.U. and 9.0 S.U. (based on 40 CFR 434 Subpart B) shall be included.

Best Management Practices (BMPs) are believed to be the most effective way to control the contamination of stormwater from areas of industrial activities. This facility is required to maintain a BMP plan. The requirements of the BMP plan call for minimization of stormwater contact with waste materials, products and by-products, and for prevention of spills or loss of fluids from equipment maintenance activities. The effectiveness of the BMPs will be measured through the monitoring of the pollutants of concern.

TAYLOR ENGINEERING, LLC
Environmental Engineering & Consulting
P. O. Box 1875, Daphne, AL 36526
251-626-8005
wjtaylor1020@gmail.com

June 21, 2019

Brian Marshall
ADEM - Industrial Section
Permits & Services - Water Division
Post Office Box 301463
Montgomery, Alabama 36130-1463

334-271-7895

RE: Application For NPDES Permit AL0079979 Reissuance
Facility: Theodore Industrial Port Yard 3
Permittee: Theodore Industrial Port, LLC
2640 Claudia Lane, Theodore, AL 36582, Mobile County
Taylor Project: 02074-003

Dear Mr. Marshall:

On behalf of Theodore Industrial Port, LLC, please accept the attached application for reissuance of the above referenced NPDES individual permit. The attachments included in the submission are as follows:

1. Check made out to ADEM for $5,615
2. ADEM Form 187 10/17 m5 (signed)
3. EPA Form 3510-1 (Form 1 revised 03-19)
4. EPA Form 3510-2 (Form 2F revised 03-19)
5. Pollution Abatement Plan, including Best Management Practices (BMP) Plan
6. USGS Topographic Map, Facility Layout Map, Aerial Photograph, & Schematic

Thank you for your assistance in processing this application.

If you have any questions please feel free to call.

Best regards,
Taylor Engineering, LLC

W. Joe Taylor, PE
Senior Environmental Engineer
AL License No. 22783

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM)
NPDES INDIVIDUAL PERMIT APPLICATION
SUPPLEMENTARY INFORMATION FOR INDUSTRIAL FACILITIES

Instructions: This form should be used to submit the required supplementary information for an application for an NPDES individual permit for industrial facilities. The completed application should be submitted to ADEM in duplicate. If insufficient space is available to address any item, please continue on an attached sheet of paper. Please mark "N/A" in the appropriate box when an item is not applicable to the applicant. **Please type or print legibly in blue or black ink.** Mail the completed application to:

ADEM-Water Division
Industrial Section
P O Box 301463
Montgomery, AL 36130-1463

RECEIVED
JUL 09 2019
IND/MUN BRANCH

PURPOSE OF THIS APPLICATION

- ☐ Initial Permit Application for New Facility*
- ☐ Initial Permit Application for Existing Facility*
- ☐ Modification of Existing Permit
- ☒ Reissuance of Existing Permit
- ☐ Revocation & Reissuance of Existing Permit

* *An application for participation in the ADEM's Electronic Environmental (E2) Reporting must be submitted to allow permittee to electronically submit reports as required.*

SECTION A – GENERAL INFORMATION

1. Facility Name: Theodore Industrial Port, Yard 3
   a. Operator Name: Theodore Industrial Port, LLC
   b. Is the operator identified in A.1.a, the owner of the facility? ☒ Yes ☐ No
   If no, provide name and address of the operator and submit information indicating the operator's scope of responsibility for the facility.
2. NPDES Permit Number: AL 0079979 (not applicable if initial permit application)
3. SID Permit Number (if applicable): IU ___ ___ - ___ ___ - ___ ___ ___ ___ ___
4. NPDES General Permit Number (if applicable): ALG ___ ___ ___ ___ ___ ___
5. Facility Physical Location: **(Attach a map with location marked; street, route no. or other specific identifier)**
   Street: 2640 Claudia Lane
   City: Theodore County: Mobile State: AL Zip: 36582
   Facility Location (Front Gate): Latitude: 30.520756 Longitude: -88.107056
6. Facility Mailing Address: P. O. Box 190339
   City: Mobile County: Mobile State: AL Zip: 36619
7. Responsible Official (as described on the last page of this application):
   Name and Title: Morgan B. Myles, Managing Member
   Address: 3800 Sollie Road
   City: Mobile State: AL Zip: 36619
   Phone Number: 251-665-2417 Email Address: mbmyles@coreindustries.com
8. Designated Facility Contact:
   Name and Title: Morgan B. Myles, Managing Member
   Phone Number: 251-665-2417 Email Address: mbmyles@coreindustries.com

9. Designated Discharge Monitoring Report (DMR) Contact:

Name and Title: Mary Kathryn Brenner

Phone Number: 251.243.0858 Email Address: MaryKathryn.Brenner@pacelabs.com

10. Type of Business Entity:

☐ Corporation ☐ General Partnership ☐ Limited Partnership ☑ Limited Liability Company ☐ Sole Proprietorship

☐ Other (Please Specify)

11. Complete this section if the Applicant's business entity is a Corporation

a) Location of Incorporation:

Address:

City: County: State: Zip:

b) Parent Corporation of Applicant:

Name:

Address:

City: State: Zip:

c) Subsidiary Corporation(s) of Applicant:

Name: Core Industries, Inc. (sister Company)

Address: 3800 Sollie Road

City: Mobile State: AL Zip: 36619

d) Corporate Officers:

Name:

Address:

City: State: Zip:

Name:

Address:

City: State: Zip:

e) Agent designated by the corporation for purposes of service:

Name:

Address:

City: State: Zip:

12. If the Applicant's business entity is a Partnership, please list the general partners.

Name: Morgan B. Myles

Address: 5030 Nancy Lane

City: Grand Bay State: AL Zip: 36541

Name: Michael G. Myles

Address: 4945 Nancy Lane

City: Grand Bay State: AL Zip: 36541

13. If the Applicant's business entity is a Proprietorship, please enter the proprietor's information.

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

14. Permit numbers for Applicant's previously issued NPDES Permits and identification of any other State of Alabama Environmental Permits presently held by the Applicant, its parent corporation, or subsidiary corporations within the State of Alabama:

Permit Name	Permit Number	Held By
Theodore Industrial Port Dock	ALG140797	Theodore Industrial Port
Technip-MWCC Warehouse Construction Permit	ALR10A902	Core Industries

15. Identify all Administrative Complaints, Notices of Violation, Directives, Administrative Orders, or Litigation concerning water pollution, if any, against the Applicant, its parent corporation or subsidiary corporations within the State of Alabama within the past five years (attach additional sheets if necessary):

Facility Name	Permit Number	Type of Action	Date of Action
Theodore Industrial Port Yard 3	AL0079979	Warning Letter	06-16-2017

SECTION B – BUSINESS ACTIVITY

1. Indicate applicable Standard Industrial Classification (SIC) Codes for all processes. If more than one applies, list in order of importance:

a. 5052

b. 5032

c. 5169

d. _____

e. _____

f. _____

2. If your facility conducts or will be conducting any of the processes listed below (regardless of whether they generate wastewater, waste sludge, or hazardous waste), place a check beside the category of business activity (check all that apply):

Industrial Categories

- ☐ Aluminum Forming
- ☐ Asbestos Manufacturing
- ☐ Battery Manufacturing
- ☐ Can Making
- ☐ Canned and Preserved Fruit and Vegetables
- ☐ Canned and Preserved Seafood
- ☐ Cement Manufacturing
- ☐ Centralized Waste Treatment
- ☐ Carbon Black
- ☐ Coal Mining
- ☐ Coil Coating
- ☐ Copper Forming
- ☐ Electric and Electronic Components Manufacturing
- ☐ Electroplating
- ☐ Explosives Manufacturing
- ☐ Feedlots
- ☐ Ferroalloy Manufacturing
- ☐ Fertilizer Manufacturing
- ☐ Foundries (Metal Molding and Casting)
- ☐ Glass Manufacturing
- ☐ Grain Mills
- ☐ Gum and Wood Chemicals Manufacturing
- ☐ Inorganic Chemicals
- ☐ Iron and Steel
- ☐ Leather Tanning and Finishing
- ☐ Metal Finishing
- ☐ Meat Products
- ☐ Metal Molding and Casting
- ☐ Metal Products
- ☐ Nonferrous Metals Forming
- ☐ Nonferrous Metals Manufacturing
- ☐ Oil and Gas Extraction
- ☐ Organic Chemicals Manufacturing
- ☐ Paint and Ink Formulating
- ☐ Paving and Roofing Manufacturing
- ☐ Pesticides Manufacturing
- ☐ Petroleum Refining
- ☐ Phosphate Manufacturing
- ☐ Photographic
- ☐ Pharmaceutical
- ☐ Plastic & Synthetic Materials
- ☐ Plastics Processing Manufacturing
- ☐ Porcelain Enamel
- ☐ Pulp, Paper, and Fiberboard Manufacturing
- ☐ Rubber
- ☐ Soap and Detergent Manufacturing
- ☐ Steam and Electric
- ☐ Sugar Processing
- ☐ Textile Mills
- ☐ Timber Products
- ☐ Transportation Equipment Cleaning
- ☐ Waste Combustion
- ☐ Other (specify)_____

A facility with processes inclusive in these business areas may be covered by Environmental Protection (EPA) categorical standards. These facilities are termed "categorical users" and should skip to question 2 of Section C.

3. Give a brief description of all operations at this facility including primary products or services (attach additional sheets if necessary):

Iron ore & coal materials are stored on site for wholesale to customers. Materials are stored on concrete slabs.

Sand & gravel materials are stored on site for wholesale to customers. Materials are stored on concrete slabs.

Industrial grade salt materials are stored on site for wholesale to customers. Materials are stored on concrete slabs and covered with tarpaulins.

SECTION C – WASTEWATER DISCHARGE INFORMATION

Facilities that checked activities in B.2 and are considered Categorical Industrial Users should skip to C.2 of this section.

1. **For Non-Categorical Users Only:** Provide wastewater flows for each of the processes or proposed processes. Using the process flow schematic (Figure 1), enter the description that corresponds to each process. **(The flow schematic should include all treatment units as well as monitoring and discharge points).** [New facilities should provide estimates for each discharge.]

Process Description	Last 12 Months (gals/day) Highest Month Avg. Flow	Highest Flow Year of Last 5 (gals/day) Monthly Avg. Flow	Discharge Type (batch, continuous, intermittent)

If batch discharge occurs or will occur, indicate: [new facilities may estimate.]

a. Number of batch discharges: _____ per day

b. Average discharge per batch: _____ (GPD)

c. Time of batch discharges _____ (days of week) at _____ (hours of day)

d. Flow rate: _____ gallons/minute

e. Percent of total discharge: _____

Non-Process Discharges (e.g. non-contact cooling water)	Last 12 Months (gals/day) Highest Month Avg. Flow	Highest Flow Year of Last 5 (gals/day) Monthly Avg. Flow

2. **Complete this Section only if you are subject to Categorical Standards and plan to directly discharge the associated wastewater to a water of the State.** If Categorical wastewater is discharged exclusively via an indirect discharge to a public or privately-owned treatment works, check "Yes" in the appropriate space below and proceed directly to part 2.c .

☐ Yes

For Categorical Users: Provide the wastewater discharge flows or production (whichever is applicable by the effluent guidelines) for each of your processes or proposed processes. Using the process flow schematic (Figure 1, pg 14), enter the description that corresponds to each process. [New facilities should provide estimates for each discharge.]

2a.

Regulated Process	Applicable Category	Applicable Subpart	Type of Discharge Flow (batch, continuous, intermittent)

2b.

Process Description	Last 12 Months (gals/day), (lbs/day), etc. Highest Month Average*	Highest Flow Year of Last 5 (gals/day), (lbs/day), etc. Monthly Average*	Discharge Type (batch, continuous, intermittent)

*** Reported values should be expressed in units of the applicable Federal production-based standard. For example, flow (MGD), production (pounds per day), etc.**

If batch discharge occurs or will occur, indicate: [new facilities may estimate.]

a. Number of batch discharges: _____ per day

b. Average discharge per batch: _____ (GPD)

c. Time of batch discharges _____ (days of week) at _____ (hours of day)

d. Flow rate: _____ gallons/minute

e. Percent of total discharge: _____

2c.

Non categorical Process Description	Last 12 Months (gals/day) Highest Month Avg. Flow	Highest Flow Year of Last 5 (gals/day) Monthly Avg. Flow	Discharge Type (batch, continuous, intermittent)

If batch discharge occurs or will occur, indicate: [new facilities may estimate.]

a. Number of batch discharges: _____ per day

b. Average discharge per batch: _____ (GPD)

c. Time of batch discharges _____ (days of week) at _____ (hours of day)

d. Flow rate: _____ gallons/minute

e. Percent of total discharge: _____

2d.

Non-Process Discharges (e.g. non-contact cooling water)	Last 12 Months (gals/day) Highest Month Avg. Flow	Highest Flow Year of Last 5 (gals/day) Monthly Avg. Flow

All Applicants must complete C.3 – C.6.

3. Do you share an outfall with another facility? ☐ Yes ☐ No (If no, continue to C.4)

For each shared outfall, provide the following:

Applicant's Outfall No.	Name of Other Permittee/Facility	NPDES Permit No.	Where is sample collected by Applicant?

4. Do you have, or plan to have, automatic sampling equipment or continuous wastewater flow metering equipment at this facility?

Current:	Flow Metering	☐ Yes	☐ No	☐ N/A
	Sampling Equipment	☐ Yes	☐ No	☐ N/A
Planned:	Flow Metering	☐ Yes	☐ No	☐ N/A
	Sampling Equipment	☐ Yes	☐ No	☐ N/A

If so, please attach a schematic diagram of the sewer system indicating the present or future location of this equipment and describe the equipment below:

5. Are any process changes or expansions planned during the next three years that could alter wastewater volumes or characteristics?
☐ Yes ☐ No (If no, continue to C.6)

Briefly describe these changes and their anticipated effects on the wastewater volume and characteristics:

6. List the trade name and chemical composition of all biocides and corrosion inhibitors used:

Trade Name	Chemical Composition

For each biocide and/or corrosion inhibitor used, please include the following information:

(1) 96-hour median tolerance limit data for organisms representative of the biota of the waterway into which the discharge will ultimately reach,
(2) quantities to be used,
(3) frequencies of use,
(4) proposed discharge concentrations, and
(5) EPA registration number, if applicable

SECTION D – WATER SUPPLY

Water Sources (check as many as are applicable):

☐ Private Well ☐ Surface Water

☐ Municipal Water Utility (Specify City): ☐ Other (Specify): _____

IF MORE THAN ONE WELL OR SURFACE INTAKE, PROVIDE DATA FOR EACH ON AN ATTACHMENT

City:_____MGD* Well:_____MGD* Well Depth:_____Ft. Latitude:_____ Longitude:_____

Surface Intake Volume:_____MGD* Intake Elevation in Relation to Bottom:_____Ft.

Intake Elevation:_____Ft. Latitude:_____ Longitude:_____

Name of Surface Water Source:_____

*** MGD – Million Gallons per Day**

Cooling Water Intake Structure Information

Complete D.1 and D.2 if your water supply is provided by an outside source and not by an onsite water intake structure? (e.g., another industry, municipality, etc...)

1. Does the provider of your source water operate a surface water intake? Yes ☐ No ☐
   (If yes, continue, if no, go to Section E.)

   a) Name of Provider:_____ b) Location of Provider:_____

   c) Latitude:_____ Longitude:_____

2. Is the provider a public water system (defined as a system which provides water to the public for human consumption or which provides only treated water, not raw water)? ☐ Yes ☐ No (If yes, go to Section E, if no, continue.)

Only to be completed if you have a cooling water intake structure or the provider of your water supply uses an intake structure and does not treat the raw water.

3. Is any water withdrawn from the source water used for cooling? ☐ Yes ☐ No

4. Using the average monthly measurements over any 12-month period, approximately what percentage of water withdrawn is used exclusively for cooling purposes? _____%

5. Does the cooling water consist of treated effluent that would otherwise be discharged? ☐ Yes ☐ No
   (If yes, go to Section E, if no, complete D.6 – D.17)

6. a. Is the cooling water used in a once-through cooling system? ☐ Yes ☐ No

   b. Is the cooling water used in a closed cycle cooling system? ☐ Yes ☐ No

7. When was the intake installed? _____
(Please provide dates for all major construction/installation of intake components including screens)

8. What is the maximum intake volume? _____
(maximum pumping capacity in gallons per day)

9. What is the average intake volume? _____
(average intake pump rate in gallons per day average in any 30-day period)

10. What is the actual intake flow (AIF) as defined in 40 CFR §125.92(a)? _____MGD

11. How is the intake operated? (e.g., continuously, intermittently, batch) _____

12. What is the mesh size of the screen on your intake? _____

13. What is the intake screen flow-through area? _____

14. What is the through-screen design intake flow velocity? _____ft/sec

15. What is the through-screen actual velocity (in ft/sec)? _____ft/sec

16. What is the mechanism for cleaning the screen? (e.g., does it rotate for cleaning) _____

17. Do you have any additional fish detraction technology on your intake? ☐ Yes ☐ No

18. Have there been any studies to determine tha impact of the intake on aquatic organisms? ☐ Yes ☐ No (If yes, please provide.)

19. Attach a site map showing the location of the water intake in relation to the facility, shoreline, water depth, etc.

SECTION E – WASTE STORAGE AND DISPOSAL INFORMATION

Provide a description of the location of all sites involved in the storage of solids or liquids that could be accidentally discharged to a water of the state, either directly or indirectly via such avenues as storm water drainage, municipal wastewater systems, etc., which are located at the facility for which the NPDES application is being made. Where possible, the location should be noted on a map and included with this application:

Description of Waste	Description of Storage Location

Provide a description of the location of the ultimate disposal sites of solid or liquid waste by-products (such as sludges) from any wastewater treatment system located at the facility.

Description of Waste	Quantity (lbs/day)	Disposal Method*

***Indicate which wastes identified above are disposed of at an off-site treatment facility and which are disposed of on-site. If any wastes are sent to an off-site centralized waste treatment facility, identify the waste and the facility.**

SECTION F – COASTAL ZONE INFORMATION

Is the discharge(s) located within the 10-foot elevation contour and within the limits of Mobile or Baldwin County? ☒ Yes ☐ No
If yes, complete items F.1 – F.12:

		Yes	No
1.	Does the project require new construction?	☐	☒
2.	Will the project be a source of new air emissions?	☐	☒

		Yes	No
3.	Does the project involve dredging and/or filling of a wetland area or water way?	☐	☒
	If Yes, has the Corps of Engineers (COE) permit been received?	☐	☒
	COE Project No. _____		
4.	Does the project involve wetlands and/or submersed grassbeds?	☐	☒
5.	Are oyster reefs located near the project site?	☐	☒
	If Yes, include a map showing project and discharge location with respect to oyster reefs		
6.	Does the project involve the site development, construction and operation of an energy facility as defined in ADEM Admin. Code r. 335-8-1-.02(bb)?	☐	☒
7.	Does the project involve mitigation of shoreline or coastal area erosion?	☐	☒
8.	Does the project involve construction on beaches or dune areas?	☐	☒
9.	Will the project interfere with public access to coastal waters?	☐	☒
10.	Does the project lie within the 100-year floodplain?	☒	☐
11.	Does the project involve the registration, sale, use, or application of pesticides?	☐	☒
12.	Does the project propose or require construction of a new well or to alter an existing groundwater well to pump more than 50 gallons per day (GPD)?	☐	☒
	If yes, has the applicable permit for groundwater recovery or for groundwater well installation been obtained?	☐	☐

SECTION G – ANTI-DEGRADATION EVALUATION

In accordance with 40 CFR §131.12 and the ADEM Admin. Code r. 335-6-10-.04 for anti-degradation, the following information must be provided, if applicable. It is the applicant's responsibility to demonstrate the social and economic importance of the proposed activity. If further information is required to make this demonstration, attach additional sheets to the application.

1. Is this a new or increased discharge that began after April 3, 1991? ☐ Yes ■ No
   If yes, complete G.2 below. If no, go to Section H.

2. Has an Anti-Degradation Analysis been previously conducted and submitted to the Department for the new or increased discharge referenced in G.1? ☐ Yes ■ No

   If yes, do not complete this section. If no, and the discharge is to a Tier II waterbody as defined in ADEM Admin. Code r. 335-6-10-.12(4), complete G.2.A – G.2.F below and ADEM Forms 311 and 313 (attached). ADEM Form 313 must be provided for each alternative considered technically viable.

   Information required for new or increased discharges to high quality waters:

   A. What environmental or public health problem will the discharger be correcting?

   _____

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

   _____

   C. How much reduction in employment will the discharger be avoiding?

   _____

   D. How much additional state or local taxes will the discharger be paying?

   _____

   E. What public service to the community will the discharger be providing?

   _____

   F. What economic or social benefit will the discharger be providing to the community?

   _____

SECTION H – EPA Application Forms

All Applicants must submit EPA permit application forms. More than one application form may be required from a facility depending on the number and types of discharges or outfalls found. The EPA application forms are found on the Department's website at http://www.adem.alabama.gov/programs/water/waterforms.cnt . The EPA application forms must be submitted in duplicate as follows:

1. All applicants must submit Form 1.
2. Applicants for existing industrial facilities (including manufacturing facilities, commercial facilities, mining activities, and silvicultural activities) which discharge process wastewater must submit Form 2C.
3. Applicants for new industrial facilities which propose to discharge process wastewater must submit Form 2D.
4. Applicants for new and existing industrial facilities which discharge only non-process wastewater (i.e., non-contact cooling water and/or sanitary wastewater) must submit Form 2E.
5. Applicants for new and existing facilities whose discharge is composed entirely of storm water associated with industrial activity must submit Form 2F, unless exempted by § 122.26(c)(1)(ii). If the discharge is composed of storm water and non-storm water, the applicant must also submit Forms 2C, 2D, and/or 2E, as appropriate (in addition to Form 2F).

SECTION I – ENGINEERING REPORT/BMP PLAN REQUIREMENTS

See ADEM 335-6-6-.08(i) & (j)

SECTION J– RECEIVING WATERS

Outfall No.	Receiving Water(s)	303(d) Segment?		Included in TMDL?*	
OUTFALL 01	SOUTH FORK DEER RIVER	☐ Yes	■ No	☐ Yes	■ No
OUTFALL 02	SOUTH FORK DEER RIVER	☐ Yes	■ No	☐ Yes	■ No
		☐ Yes	☐ No	☐ Yes	☐ No
		☐ Yes	☐ No	☐ Yes	☐ No
		☐ Yes	☐ No	☐ Yes	☐ No

*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 submitted 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 requested compliance schedule.

SECTION K – APPLICATION CERTIFICATION

The information contained in this form must be certified by a responsible official as defined in ADEM Administrative Code r. 335-6-6-.09 "signatories to permit applications and reports" (see below).

"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."

Signature of Responsible Official: Morgan B Myles Date Signed: 6-21-19

Name and Title: Morgan B. Myles, Managing Member

If the Responsible Official signing this application is <u>not</u> identified in Section A.7, provide the following information:

Mailing Address: P O Box 190339

City: Mobile State: AL Zip: 36619

Phone Number: 251-665-2417 Email Address: mbmyles@coreindustries.com

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.

EPA Identification Number	NPDES Permit Number	Facility Name	Form Approved 03/05/19 OMB No. 2040-0004
	AL0079979	THEODORE INDUSTRIAL PORT	

Form 1 NPDES

EPA

U.S. Environmental Protection Agency
Application for NPDES Permit to Discharge Wastewater

GENERAL INFORMATION

SECTION 1. ACTIVITIES REQUIRING AN NPDES PERMIT (40 CFR 122.21(f) and (f)(1))

Activities Requiring an NPDES Permit

1.1 Applicants *Not Required* to Submit Form 1

1.1.1	Is the facility a new or existing **publicly owned treatment works**? If yes, STOP. Do NOT complete Form 1. Complete Form 2A. ☑ No	1.1.2	Is the facility a new or existing **treatment works treating domestic sewage**? If yes, STOP. Do NOT complete Form 1. Complete Form 2S. ☑ No

1.2 Applicants *Required* to Submit Form 1

1.2.1	Is the facility a **concentrated animal feeding operation** or a **concentrated aquatic animal production facility?** ☐ Yes → Complete Form 1 ***and*** Form 2B. ☑ No	1.2.2	Is the facility an **existing** manufacturing, commercial, mining, or silvicultural **facility** that **is currently discharging process wastewater?** ☐ Yes → Complete Form 1 ***and*** Form 2C. ☑ No
1.2.3	Is the facility a **new** manufacturing, commercial, mining, or silvicultural **facility** that has **not yet commenced to discharge**? ☐ Yes → Complete Form 1 ***and*** Form 2D. ☑ No	1.2.4	Is the facility a **new or existing** manufacturing, commercial, mining, or silvicultural **facility** that **discharges only nonprocess wastewater**? ☐ Yes → Complete Form 1 ***and*** Form 2E. ☑ No
1.2.5	Is the facility a **new or existing facility** whose discharge is composed entirely of **stormwater associated with industrial activity** or whose discharge is composed of **both stormwater and non-stormwater**? ☑ Yes → Complete Form 1 ***and*** Form 2F unless exempted by 40 CFR 122.26(b)(14)(x) or (b)(15). ☐ No		

SECTION 2. NAME, MAILING ADDRESS, AND LOCATION (40 CFR 122.21(f)(2))

Name, Mailing Address, and Location

2.1 Facility Name

Theodore Industrial Port, Yard 3

2.2 EPA Identification Number

2.3 Facility Contact

Name (first and last)	Title	Phone number
MORGAN B. MYLES	MANAGING MEMBER	(251) 660-6800

Email address
MBMYLES@COREINDUSTRIES.COM

2.4 Facility Mailing Address

Street or P.O. box
PO BOX 190339

City or town	State	ZIP code
MOBILE	AL	36619

RECEIVED
JUL 09 2019
IND/MUN BRANCH

EPA Identification Number	NPDES Permit Number	Facility Name	Form Approved 03/05/19 OMB No. 2040-0004
	AL0079979	THEODORE INDUSTRIAL PORT	

Name, Mailing Address, and Location Continued

2.5 Facility Location

Street, route number, or other specific identifier
2640 CLAUDIA LANE

County name	County code (if known)	
MOBILE	097	
City or town	State	ZIP code
THEODORE	AL	36582

SECTION 3. SIC AND NAICS CODES (40 CFR 122.21(f)(3))

SIC and NAICS Codes

3.1	SIC Code(s)	Description (optional)
	5052	Coal and Other Mineral and Ore Merchant Wholesalers
	5169	
	5032	

3.2	NAICS Code(s)	Description (optional)
	423520	Coal and Other Mineral and Ore Merchant Wholesalers
	424690	Other Chemical and Allied Products Merchant Wholesalers
	423320	Brick, Stone, and Related Construction Material Merchant Wholesalers

SECTION 4. OPERATOR INFORMATION (40 CFR 122.21(f)(4))

Operator Information

4.1 Name of Operator

tHEODORE mARINE pORT, llc

4.2 Is the name you listed in Item 4.1 also the owner?

☑ Yes ☐ No

4.3 Operator Status

☐ Public—federal ☐ Public—state ☐ Other public (specify)_____
☑ Private ☐ Other (specify)_____

4.4 Phone Number of Operator

(251) 660-6800

Operator Information Continued

4.5 Operator Address

Street or P.O. Box
PO BOX 190339

City or town	State	ZIP code
MOBILE	AL	36619

Email address of operator
MBMYLES@COREINDUSTRIES.COM

SECTION 5. INDIAN LAND (40 CFR 122.21(f)(5))

Indian Land

5.1 Is the facility located on Indian Land?

☐ Yes ☑ No

EPA Identification Number	NPDES Permit Number	Facility Name	Form Approved 03/05/19 OMB No. 2040-0004
	AL0079979	THEODORE INDUSTRIAL PORT	

SECTION 6. EXISTING ENVIRONMENTAL PERMITS (40 CFR 122.21(f)(6))

Existing Environmental Permits

6.1 **Existing Environmental Permits** (check all that apply and print or type the corresponding permit number for each)

☑ NPDES (discharges to surface water)	☐ RCRA (hazardous wastes)	☐ UIC (underground injection of fluids)
☐ PSD (air emissions)	☐ Nonattainment program (CAA)	☐ NESHAPs (CAA)
☐ Ocean dumping (MPRSA)	☐ Dredge or fill (CWA Section 404)	☐ Other (specify)

SECTION 7. MAP (40 CFR 122.21(f)(7))

Map

7.1 Have you attached a topographic map containing all required information to this application? (See instructions for specific requirements.)

☑ Yes ☐ No ☐ CAFO—Not Applicable (See requirements in Form 2B.)

SECTION 8. NATURE OF BUSINESS (40 CFR 122.21(f)(8))

Nature of Business

8.1 Describe the nature of your business.

THEODORE INDUSTRIAL PORT YARD 3 IS USED TO STOCKPILE (1) IRON ORE AND COAL, (2) STOCKPILE SAND AND GRAVEL AND (3) INDUSTRIAL GRADE SALT. THESE MATERIALS ARE STOCKPILED ON CONCRETE SLABS AND THE SALT PILS ARE COVERED WITH TARPAULINS. WHEN NEEDED THESE MATERIALS ARE LOADED INTO DUMP TRUCKS AND DELIVERED TO CUSTOMERS.

SECTION 9. COOLING WATER INTAKE STRUCTURES (40 CFR 122.21(f)(9))

Cooling Water Intake Structures

9.1 Does your facility use cooling water?

☐ Yes ☑ No → SKIP to Item 10.1.

9.2 Identify the source of cooling water. (Note that facilities that use a cooling water intake structure as described at 40 CFR 125, Subparts I and J may have additional application requirements at 40 CFR 122.21(r). Consult with your NPDES permitting authority to determine what specific information needs to be submitted and when.)

SECTION 10. VARIANCE REQUESTS (40 CFR 122.21(f)(10))

Variance Requests

10.1 Do you intend to request or renew one or more of the variances authorized at 40 CFR 122.21(m)? (Check all that apply. Consult with your NPDES permitting authority to determine what information needs to be submitted and when.)

- ☐ Fundamentally different factors (CWA Section 301(n))
- ☐ Water quality related effluent limitations (CWA Section 302(b)(2))
- ☐ Non-conventional pollutants (CWA Section 301(c) and (g))
- ☐ Thermal discharges (CWA Section 316(a))
- ☑ Not applicable

EPA Identification Number	NPDES Permit Number	Facility Name	Form Approved 03/05/19 OMB No. 2040-0004
	AL0079979	THEODORE INDUSTRIAL PORT	

SECTION 11. CHECKLIST AND CERTIFICATION STATEMENT (40 CFR 122.22(a) and (d))

Checklist and Certification Statement

11.1 In Column 1 below, mark the sections of Form 1 that you have completed and are submitting with your application. For each section, specify in Column 2 any attachments that you are enclosing to alert the permitting authority. Note that not all applicants are required to provide attachments.

Column 1	Column 2
☑ Section 1: Activities Requiring an NPDES Permit	☑ w/ attachments
☑ Section 2: Name, Mailing Address, and Location	☐ w/ attachments
☑ Section 3: SIC Codes	☐ w/ attachments
☑ Section 4: Operator Information	☐ w/ attachments
☑ Section 5: Indian Land	☐ w/ attachments
☑ Section 6: Existing Environmental Permits	☐ w/ attachments
☑ Section 7: Map	☑ w/ topographic map ☑ w/ additional attachments
☑ Section 8: Nature of Business	☐ w/ attachments
☑ Section 9: Cooling Water Intake Structures	☐ w/ attachments
☑ Section 10: Variance Requests	☐ w/ attachments
☑ Section 11: Checklist and Certification Statement	☐ w/ attachments

11.2 **Certification Statement**

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.

Name (print or type first and last name)	Official title
Morgan B. Myles	Managing Member
Signature	**Date signed**
Morgan B. Myles	6-21-19

Please print or type in the unshaded areas only.

EPA ID Number (copy from item 1 of Form 1)

Form Approved. OMB No. 2040-0086
Approval expires 5-31-92

FORM 2F NPDES

U.S. Environmental Protection Agency
Washington, DC 20460

Application for Permit to Discharge Storm Water Discharges Associated with Industrial Activity

Paperwork Reduction Act Notice

Public reporting burden for this application is estimated to average 28.6 hours per application, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate, any other aspect of this collection of information, or suggestions for improving this form, including suggestions which may increase or reduce this burden to: Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW, Washington, DC 20460, or Director, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

I. Outfall Location

For each outfall, list the latitude and longitude of its location to the nearest 15 seconds and the name of the receiving water.

A. Outfall Number (list)	B. Latitude			C. Longitude			D. Receiving Water (name)
01	30.00	31.00	18.26	88.00	6.00	51.96	UT to South Fork Deer River
02	30.00	31.00	18.26	88.00	6.00	27.23	South Fork Deer River

II. Improvements

A. Are you now required by any Federal, State, or local authority to meet any implementation schedule for the construction, upgrading or operation of wastewater treatment equipment or practices or any other environmental programs which may affect the discharges described in this application? This includes, but is not limited to, permit conditions, administrative or enforcement orders, enforcement compliance schedule letters, stipulations, court orders, and grant or loan conditions.

1. Identification of Conditions, Agreements, Etc.	2. Affected Outfalls		3. Brief Description of Project	4. Final Compliance Date	
	number	source of discharge		a. req.	b. proj.

B. You may attach additional sheets describing any additional water pollution (or other environmental projects which may affect your discharges) you now have under way or which you plan. Indicate whether each program is now under way or planned, and indicate your actual or planned schedules for construction.

III. Site Drainage Map

Attach a site map showing topography (or indicating the outline of drainage areas served by the outfalls(s) covered in the application if a topographic map is unavailable) depicting the facility including: each of its intake and discharge structures; the drainage area of each storm water outfall; paved areas and buildings within the drainage area of each storm water outfall, each known past or present areas used for outdoor storage of disposal of significant materials, each existing structural control measure to reduce pollutants in storm water runoff, materials loading and access areas, areas where pesticides, herbicides, soil conditioners and fertilizers are applied; each of its hazardous waste treatment, storage or disposal units (including each area not required to have a RCRA permit which is used for accumulating hazardous waste under 40 CFR 262.34); each well where fluids from the facility are injected underground; springs, and other surface water bodies which received storm water discharges from the facility.

Continued from the Front

IV. Narrative Description of Pollutant Sources

A. For each outfall, provide an estimate of the area (include units) of impervious surfaces (including paved areas and building roofs) drained to the outfall, and an estimate of the total surface area drained by the outfall.

Outfall Number	Area of Impervious Surface (provide units)	Total Area Drained (provide units)	Outfall Number	Area of Impervious Surface (provide units)	Total Area Drained (provide units)
01	2.3 Acres (Concrete Slabs)	13.2	02	1.2 Acres (Concrete Slabs)	14.2

B. Provide a narrative description of significant materials that are currently or in the past three years have been treated, stored or disposed in a manner to allow exposure to storm water; method of treatment, storage, or disposal; past and present materials management practices employed to minimize contact by these materials with storm water runoff; materials loading and access areas, and the location, manner, and frequency in which pesticides, herbicides, soil conditioners, and fertilizers are applied.

1) Iron Ore and coal have been stored on concrete slabs and were exposed to storm water.
2) Sand & Gravel have been stored on concrete slabs and were exposed to storm water.
3) Industrial Grade Salt will be stored on Concrete Slabs and covered with tarpaulines.

C. For each outfall, provide the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of the treatment the storm water receives, including the schedule and type of maintenance for control and treatment measures and the ultimate disposal of any solid or fluid wastes other than by discharge.

Outfall Number	Treatment	List Codes from Table 2F-1
01	Detention pond with spill pipes and subsurface withdrawal.	1-F 1-U
02	Detention pond with spill pipes and subsurface withdrawal.	1-F 1-U

V. Nonstormwater Discharges

A. I certify under penalty of law hat the outfall(s) covered by this application have been tested or evaluated for the presence of nonstormwater discharges, and that all nonstormwater discharged from these outfall(s) are identified in either an accompanying Form 2C or From 2E application for the outfall.

Name and Official Title (type or print)	Signature	Date Signed
Morgan B. Myles Managing Member		

B. Provide a description of the method used, the date of any testing, and the onsite drainage points that were directly observed during a test.

There are no Nonstormwater discharges associated with activities at this facility.

VI. Significant Leaks or Spills

Provide existing information regarding the history of significant leaks or spills of toxic or hazardous pollutants at the facility in the last three years, including the approximate date and location of the spill or leak, and the type and amount of material released.

There have not been any significant leaks or spills from this facility

EPA ID Number *(copy from Item 1 of Form 1)*

Continued from Page 2

VII. Discharge Information

A, B, C, & D: See instructions before proceeding. Complete one set of tables for each outfall. Annotate the outfall number in the space provided.
Table VII-A, VII-B, VII-C are included on separate sheets numbers VII-1 and VII-2.

E. Potential discharges not covered by analysis – is any toxic pollutant listed in table 2F-2, 2F-3, or 2F-4, a substance or a component of a substance which you currently use or manufacture as an intermediate or final product or byproduct?

☐ Yes *(list all such pollutants below)* ☑ No *(go to Section IX)*

VIII. Biological Toxicity Testing Data

Do you have any knowledge or reason to believe that any biological test for acute or chronic toxicity has been made on any of your discharges or on a receiving water in relation to your discharge within the last 3 years?

☐ Yes *(list all such pollutants below)* ☑ No *(go to Section IX)*

IX. Contract Analysis Information

Were any of the analyses reported in Item VII performed by a contract laboratory or consulting firm?

☑ Yes *(list the name, address, and telephone number of, and pollutants analyzed by, each such laboratory or firm below)* ☐ No *(go to Section X)*

A. Name	B. Address	C. Area Code & Phone No.	D. Pollutants Analyzed
EnviroChem Environmental Laboratories	4320 Midmost Dive Mobile, AL 36609	251-341-9492	Oil & Grease Biological Oxygen Demand Chemical Oxygen Demand Total Suspended Solids Total Nitrogen Total Phosphrous Manganese, Total Iron, Total Chloride

X. 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.

A. Name & Official Title *(Type Or Print)*	B. Area Code and Phone No.
Morgan B. Myles Managing Member	(251) 660-6800
C. Signature Morgan B. Myles	D. Date Signed 6-21-19

EPA ID Number (*copy from Item 1 of Form 1*)
Outfall 01

Form Approved. OMB No. 2040-0086
Approval expires 5-31-92

VII. Discharge Information *(Continued from page 3 of Form 2F)*

Part A – You must provide the results of at least one analysis for every pollutant in this table. Complete one table for each outfall. See instructions for additional details.

Pollutant and CAS Number *(if available)*	Maximum Values *(include units)*		Average Values *(include units)*		Number of Storm Events Sampled	Sources of Pollutants
	Grab Sample ~~Taken During First 20 Minutes~~	Flow-Weighted Composite	Grab Sample ~~Taken During First 20 Minutes~~	Flow-Weighted Composite		
Oil and Grease	< 2 mg/L	N/A	< 2 mg/L		1.00	
Biological Oxygen Demand (BOD5)	< 2 mg/L		< 2 mg/L		1.00	
Chemical Oxygen Demand (COD)	< 20 mg/L		< 20 mg/L		1.00	
Total Suspended Solids (TSS)	12 mg/L		12 mg/L		1.00	
Total Nitrogen	< 0.5 mg/L		< 0.5 mg/L		1.00	
Total Phosphorus	< 0.10 mg/L		< 0.10 mg/L		1.00	
pH	Minimum	Maximum	Minimum	Maximum		

Part B – List each pollutant that is limited in an effluent guideline which the facility is subject to or any pollutant listed in the facility's NPDES permit for its process wastewater (if the facility is operating under an existing NPDES permit). Complete one table for each outfall. See the instructions for additional details and requirements.

Pollutant and CAS Number *(if available)*	Maximum Values *(include units)*		Average Values *(include units)*		Number of Storm Events Sampled	Sources of Pollutants
	Grab Sample ~~Taken During First 20 Minutes~~	Flow-Weighted Composite	Grab Sample ~~Taken During First 20 Minutes~~	Flow-Weighted Composite		
Iron, Total	0.5 mg/L		0.5 mg/L		1.00	Iron Ore Stockpile
Manganese, Total	< 0.05 mg/L		< 0.05 mg/L		1.00	Iron Ore Stockpile

Continued from the Front

Part C - List each pollutant shown in Table 2F-2, 2F-3, and 2F-4 that you know or have reason to believe is present. See the instructions for additional details and requirements. Complete one table for each outfall.

Pollutant and CAS Number *(if available)*	Maximum Values *(include units)*		Average Values *(include units)*		Number of Storm Events Sampled	Sources of Pollutants
	Grab Sample ~~Taken During First 20 Minutes~~	Flow-Weighted Composite	Grab Sample ~~Taken During First 20 Minutes~~	Flow-Weighted Composite		
Chloride	<5 mg/L			<5 mg/L	1.00	Industrial Grade Salt

Part D – Provide data for the storm event(s) which resulted in the maximum values for the flow weighted composite sample.

1. Date of Storm Event	2. Duration of Storm Event *(in minutes)*	3. Total rainfall during storm event *(in inches)*	4. Number of hours between beginning of storm measured and end of previous measurable rain event	5. Maximum flow rate during rain event *(gallons/minute or specify units)*	6. Total flow from rain event *(gallons or specify units)*
04-15-2014	720	5.75	142	1,418 g/min	1,021,110 gallons

7. Provide a description of the method of flow measurement or estimate.

Rational Method

EPA ID Number (*copy from Item 1 of Form 1*)
Outfall 02

Form Approved. OMB No. 2040-0086
Approval expires 5-31-92

VII. Discharge Information *(Continued from page 3 of Form 2F)*

Part A – You must provide the results of at least one analysis for every pollutant in this table. Complete one table for each outfall. See instructions for additional details.

Pollutant and CAS Number *(if available)*	Maximum Values *(include units)*		Average Values *(include units)*		Number of Storm Events Sampled	Sources of Pollutants
	Grab Sample ~~Taken During First 20 Minutes~~	Flow-Weighted Composite	Grab Sample ~~Taken During First 20 Minutes~~	Flow-Weighted Composite		
Oil and Grease	< 2 mg/L	N/A	< 2 mg/L		1.00	
Biological Oxygen Demand (BOD5)	< 2 mg/L		< 2 mg/L		1.00	
Chemical Oxygen Demand (COD)	36 mg/L		36 mg/L		1.00	
Total Suspended Solids (TSS)	6 mg/L		6 mg/L		1.00	
Total Nitrogen	0.7 mg/L		0.7 mg/L		1.00	
Total Phosphorus	< 0.10 mg/L		< 0.10 mg/L		1.00	
pH	Minimum	Maximum	Minimum	Maximum		

Part B – List each pollutant that is limited in an effluent guideline which the facility is subject to or any pollutant listed in the facility's NPDES permit for its process wastewater (if the facility is operating under an existing NPDES permit). Complete one table for each outfall. See the instructions for additional details and requirements.

Pollutant and CAS Number *(if available)*	Maximum Values *(include units)*		Average Values *(include units)*		Number of Storm Events Sampled	Sources of Pollutants
	Grab Sample ~~Taken During First 20 Minutes~~	Flow-Weighted Composite	Grab Sample ~~Taken During First 20 Minutes~~	Flow-Weighted Composite		
Iron, Total	0.7 mg/L		0.7 mg/L		1.00	Iron Ore Stockpile
Manganese, Total	< 0.05 mg/L		< 0.05 mg/L		1.00	Iron Ore Stockpile

Continued from the Front

Part C - List each pollutant shown in Table 2F-2, 2F-3, and 2F-4 that you know or have reason to believe is present. See the instructions for additional details and requirements. Complete one table for each outfall.

Pollutant and CAS Number *(if available)*	Maximum Values *(include units)*		Average Values *(include units)*		Number of Storm Events Sampled	Sources of Pollutants
	Grab Sample ~~Taken During First 20 Minutes~~	Flow-Weighted Composite	Grab Sample ~~Taken During First 20 Minutes~~	Flow-Weighted Composite		
Chloride	13 mg/L		13 mg/L		1.00	Industrial Grade Salt

Part D – Provide data for the storm event(s) which resulted in the maximum values for the flow weighted composite sample.

1. Date of Storm Event	2. Duration of Storm Event *(in minutes)*	3. Total rainfall during storm event *(in inches)*	4. Number of hours between beginning of storm measured and end of previous measurable rain event	5. Maximum flow rate during rain event *(gallons/minute or specify units)*	6. Total flow from rain event *(gallons or specify units)*
04-15-2014	720	5.75	142	1,526 g/min	1,098,662 gallons

7. Provide a description of the method of flow measurement or estimate.

Rational Method

Pollution Abatement & Prevention (PAP) & Best Management Practices (BMP) Plan

ADEM General Permit AL0079979

Facility:

Chicago Deer River Property, LLC
Yard 3 Facility

Theodore, AL 36582
S18-T6S-R1W Hollingers Island Quadrangle

Permittee:

Theodore Industrial Port, LLC

P. O. Box 190339
Mobile, AL 36619
Facility: Morgan B. Myles, Managing Member
mbmyles@southerngroup.com
251-660-2672

Updated by:

Taylor Engineering, LLC.

W. Joe Taylor, P.E.
AL License No. 22783
P. O. Box 1875
Daphne, AL 36526

CERTIFICATION

PROFESSIONAL ENGINEER LICENSED IN THE STATE OF ALABAMA

*This is to certify that I, **W. Joe Taylor, P.E.**, a licensed Engineer in the State of Alabama, am familiar with the Theodore Marine Terminal, located in Mobile County, Alabama, and, to the best of my knowledge, all information herein is true and correct, and the Pollution Abatement Plan and the Best management Practices Plan have been prepared in accordance with good engineering practices.*

Signature: _____ Date: 06-21-19

The management of the Theodore Industrial Port, LLC has reviewed this plan and we hereby adopt this Pollution Abatement Plan (PAP) into the operation of our facility: Chicago Deer River Properties, LLC, in Mobile County, Alabama.

Signature: _____ Date: 6-21-19

Morgan B. Myles, Managing Member

Best Management Practices (BMP) Plan

ADEM General Permit AL0079979

Facility:

Chicago Deer River Property, LLC
Yard 3 Facility

Theodore, AL 36582
S18-T6S-R1W Hollingers Island Quadrangle

Permittee:

Theodore Industrial Port, LLC

P. O. Box 190339
Mobile, AL 36619
Facility: Morgan B. Myles, Managing Member
mbmyles@southerngroup.com
251-660-2672

Updated by:

Taylor Engineering, LLC.

W. Joe Taylor, P.E.
AL License No. 22783
P. O. Box 1875
Daphne, AL 36526

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1.0 INTRODUCTION

In response to the Water Quality Act of 1987, the U.S. Environmental Protection Agency has developed guidelines for creating a National Pollutant Discharge Elimination System (NPDES) for the discharge of storm water runoff associated with industrial activities. The NPDES permit will potentially require each permit holder to develop and implement a "Best Management Practices" plan to control storm water pollutants.

On November 16, 1990, the EPA published storm water regulations requiring certain construction sites having discharges of storm water to waters of the United States to apply for NPDES permits. It also states that facilities with a "storm water discharge associated with industrial activity" are required to apply for a storm water permit. "Waters of the United States" is generally defined as all surface waters, including lakes, rivers, streams, wetlands, and coastal waters. EPA has defined this phrase in terms of 11 categories of industrial activity that include: 1) facilities subject to storm water effluent limitations guidelines, new source performance standards or toxic pollutant effluent standards under 40 CFR Subchapter N; 2) "heavy" manufacturing facilities; 3) mining and oil and gas operations with "contaminated" storm water discharges; 4) hazardous waste treatment, storage, or disposal facilities; 5) landfills, land application sites, and open dumps; 6) recycling facilities; 7) steam electric generating facilities; 8) transportation facilities, including airports; 9) sewage treatment plants; 10) construction operations disturbing 5 or more acres; and 11) other industrial facilities where materials are exposed to storm water.

The State of Alabama, through the Alabama Department of Environmental Management (ADEM), has been delegated authority from EPA and the Federal Water Pollution Control Act (FWPCA) to develop and administer its own NPDES permit program. To comply with EPA's requirements ADEM has developed a comprehensive program for storm water management under the Field Operations Division of the Water Quality Program. This program is committed to promoting the concept and the practice of preventing pollution at the source, before it can cause environmental problems costing the public and private section in terms of lost resources and the funding it takes to remediate or correct environmental damage. It also allows the state to enforce the provisions of the Alabama Water Pollution Control Act (AWPCA) by establishing rules and procedures that the state can administer in the form of an NPDES-type permit.

1.1 Person Responsible for Implementation of BMP

This STORM WATER management plan has been developed in an effort to minimize the discharge of pollutants from the transportation by air activities. The person designated for the day-to-day implementation of the BMP is as follows:

Morgan B. Myles
Manager

1.2 Responsibilities of Designated Person

This person has the signatory/supervisory authority of the BMP plan for Chicago Deer River Properties, LLC (CDRP). This person shall maintain a log that contains information concerning inspections and records of any spill and subsequent cleanup.

1.3 Plan Update and/or Revisions

The Plan must be updated as necessary to ensure proper implementation of the BMP for its effectiveness. Because these plans are site specific, procedural and/or narrative modifications shall be made to address any ambiguities that may be discovered in the plan. Documentation of the BMP Plan revisions should reflect any additional or improved control measures used. The Plan shall include any information supporting the use of specific BMP and other information deemed appropriate, such as laboratory data and inspection reports.

1.4 Goal of the General NPDES Storm Water Permit

The goal of ADEM's storm water permit issued to CDRP is to limit the amount of pollutants exiting the site via the storm sewer system. The approach to this goal is twofold: 1) establish limits for, and monitor the volume of pollutants entering waters of the State by requiring storm water sampling, analysis, and submission of results by the permittee to ADEM, and 2) require the establishment and implementation of the BMP plan that eliminate, or at least reduce, the risk of pollutants coming into contact with storm water at sites of industrial activity.

1.0 INTRODUCTION

In response to the Water Quality Act of 1987, the U.S. Environmental Protection Agency has developed guidelines for creating a National Pollutant Discharge Elimination System (NPDES) for the discharge of storm water runoff associated with industrial activities. The NPDES permit will potentially require each permit holder to develop and implement a "Best Management Practices" plan to control storm water pollutants.

On November 16, 1990, the EPA published storm water regulations requiring certain construction sites having discharges of storm water to waters of the United States to apply for NPDES permits. It also states that facilities with a "storm water discharge associated with industrial activity" are required to apply for a storm water permit. "Waters of the United States" is generally defined as all surface waters, including lakes, rivers, streams, wetlands, and coastal waters. EPA has defined this phrase in terms of 11 categories of industrial activity that include: 1) facilities subject to storm water effluent limitations guidelines, new source performance standards or toxic pollutant effluent standards under 40 CFR Subchapter N; 2) "heavy" manufacturing facilities; 3) mining and oil and gas operations with "contaminated" storm water discharges; 4) hazardous waste treatment, storage, or disposal facilities; 5) landfills, land application sites, and open dumps; 6) recycling facilities; 7) steam electric generating facilities; 8) transportation facilities, including airports; 9) sewage treatment plants; 10) construction operations disturbing 5 or more acres; and 11) other industrial facilities where materials are exposed to storm water.

The State of Alabama, through the Alabama Department of Environmental Management (ADEM), has been delegated authority from EPA and the Federal Water Pollution Control Act (FWPCA) to develop and administer its own NPDES permit program. To comply with EPA's requirements ADEM has developed a comprehensive program for storm water management under the Field Operations Division of the Water Quality Program. This program is committed to promoting the concept and the practice of preventing pollution at the source, before it can cause environmental problems costing the public and private section in terms of lost resources and the funding it takes to remediate or correct environmental damage. It also allows the state to enforce the provisions of the Alabama Water Pollution Control Act (AWPCA) by establishing rules and procedures that the state can administer in the form of an NPDES-type permit.

is discharged into an UT of Middle Fork Deer River, located south of the property. This point is one of three monitored outfalls for the entire CDRP facility. It is properly identified on the Notice of Intent (NOI) and on the General NPDES Permit ALG140797 as Discharge Point #1, Middle Fork Deer River.

3.2 Potential Storm Water Pollutant Sources

Many vehicle and equipment storage and maintenance operations result in leaks or produce wastes that are harmful to humans and the environment. Storm water runoff from areas where these activities occur can become polluted by a variety of contaminants such as solvents and degreasing products, waste automotive and equipment fluids, fuel, oils and greases, acids, and caustic wastes. These and other harmful substances in storm water can enter water bodies through storm drains or through small streams where they can harm fish and wildlife. Potential pollutant sources Chicago Deer River Properties, LLC (CDRP) include:

- Spilled fuel, oil, or other materials;
- Dripped or leaked engine and automotive fluids from parked vehicles and equipment;
- Replacement of fluids such as oil, hydraulic fluid, brake fluid, transmission fluid, and radiator fluid;
- Improper disposal of materials such as engine and automotive fluids, oil filters, air filters, batteries, solvents, degreasers, greasy rags.

3.3 DSN001 Best Management Practices

CDRP vehicles and equipment are parked or stored outside. Personnel should be aware that such vehicles and equipment could develop leaks over time, especially if awaiting maintenance. Leaked oil, gasoline, hydraulic fluid, transmission fluid, brake fluid, antifreeze, and any material stored on or in equipment have the potential to enter the storm sewer system if these fluids come in contact with rain water or if disposed of improperly.

If vehicles that are parked onsite while awaiting repair, watch them closely for leaks. Put pans under leaks to collect fluids for proper recycling or disposal. Keeping leaks off the ground reduces the potential for storm water contamination and reduces cleanup time and costs. If the vehicle or equipment awaiting maintenance is to be stored onsite, oil and other fluids should be drained first.

Fluid residue build-up on vehicles and equipment is difficult to eliminate but can be controlled. Vehicle and equipment operators should be responsible for proper cleaning, maintenance, and storage (or should at least be responsible for promptly reporting leaks to the proper personnel). Tight

seals around gaskets and connections are the first things to check for. If you notice fluid residue on equipment you use, chances are that seals are not tight. Proper cleaning and washing means being careful not to simply wash fuel, coolants, lubricants, or other contaminants into the storm sewer. Using a rag to wipe off small residue build-ups can help. Dispose of the rags properly. If the equipment continues to have residue even after wiping off, then the equipment needs maintenance soon and should not be exposed to rainfall if at all possible. It is up to the equipment operator to notice these residue build-ups and to take the proper course of action.

4.0 Storm water from warehousing and storage of goods that are exposed to storm water (other than motorized equipment). DSN002

4.1 General

Goods (other than motorized equipment) and waste material are stored in numerous places around the site. The potential for storm water pollution from such materials varies widely depending on the nature of the material, packaging, and method of storage of the material. Good judgment must be practiced in determining whether outside storage of any material is appropriate.

4.2 Potential Storm Water Pollutant Sources

Raw materials, by-products, finished products, containers, and material storage areas exposed to rain and/or runoff can pollute storm water. Accidental releases of chemicals, solvents, cleaners, or paints from storage containers can contaminate storm water with many different pollutants. In addition, weather conditions in the Mobile area are not conducive for long term outdoor storage of many materials: ultraviolet radiation, high humidity, large amounts of rain, and rainfall pH (an average pH of 4.5 to 4.6 in southwest Alabama according to the January/February 1991 issue of the EPA Journal) can rapidly oxidize, dissolve, or disintegrate many metals, containers, and other material. Storm water can become contaminated by a wide range of contaminants when solid or liquid materials wash off or dissolve into water. Potential pollutant sources at Chicago Deer River Properties, LLC (CDRP):

- Dry goods and their storage containers, equipment, and accessories;
- Transfer operations involving liquids, solids, or raw materials;
- Waste receptacles or waste holding areas

4.3 DSN002 Best Management Practices

Activities discussed in this section include storage of all goods (except motorized equipment) or wastes. This includes material stored in containers such as drums, sacks, and smaller metal or plastic

containers. It includes methods of transferring goods and it includes waste storage and waste handling areas.

The best way to avoid contaminating storm water from outside material storage areas is to prevent storm water run on or rain from coming in contact with the materials. This can be done by covering the storage area with a roof, covering the material with a temporary covering, or minimizing storm water run on by enclosing the area or building a berm around the area.

Loading/unloading operations usually take place along the docks. Materials spilled, leaked, or lost during loading or unloading may collect in the soil or on other surfaces and be carried away by rainfall runoff or when the area is cleaned. Rainfall may wash off pollutants from machinery used to unload or load materials. Loading/unloading equipment and vehicles should be located so that leaks can be contained in existing containment and flow diversion systems.

Disposal of empty containers in dumpsters should be done carefully. Since the containers may still hold small amounts of fluid, the fluid may leak into and out of the dumpsters, which may have holes or small openings. Replacing caps or sealing used containers in plastic bags before disposal can help prevent leakage out of the dumpsters.

Another easy and useful practice is to keep the dumpster lids closed. Rainfall picks up contaminants inside open dumpsters and leaks onto the ground. If the dumpster lids are closed, rainfall cannot enter. Dumpsters should be checked regularly and employees be made aware of this practice. Posting signs nearby to remind employees can help if the lids are not kept closed.

5.0 General Sediment and Erosion Control Measures

A significant portion of the site has been designed to contain storm water runoff by utilizing a storm water detention system. Other areas that do not drain into the detention system should be managed by utilizing one or more of the structural controls identified in the following sections.

5.1 Filters and Sediment Traps

Filters and other sediment traps should be used as a final means of removing sediment from runoff before it enters waterways. Silt fences (Figure 1) are effective for preventing siltation in wetlands and waters, from earthen fills or embankments. Hay bale barriers should be used to filter runoff as well as to slow or divert flow, and should be staked to provide stability. Sand bag or hay bale sediment traps may be used to protect storm drains and other inlets from sedimentation. Sediment traps may also be built of sod or rock. Sediment filters can consist of natural or cultivated vegetative cover. Wherever possible, vegetation should be retained along waterways and wetlands, to reduce the amount of sediment that enters the waterways.

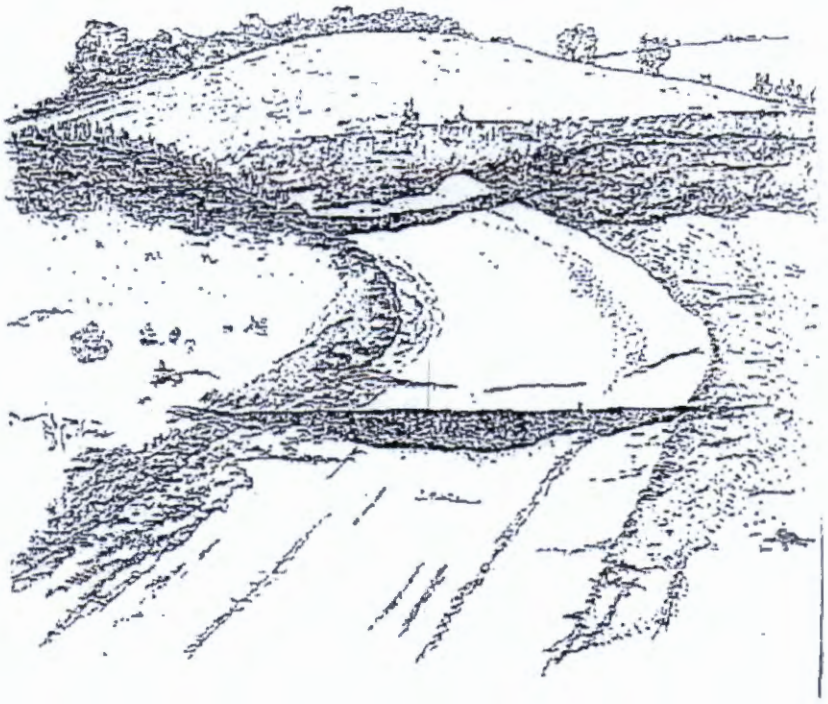


FIGURE 1

Silt fences installed to reduce sediment transport down a new drainage ditch

5.2 Grade Control Structures

Where strong gradients exist, stream channels or drainage ditches should be protected from erosion by reducing flow rates. This can be achieved through use of grade control structures such as check dams and weirs. Check dams create barriers to flow, decrease flow rates, increase sedimentation, and level channel/ditch gradients. Weirs or water level control gates allow some water to be released, but can be adjusted to improve sediment removal.

Erosion potential is increased at the grade control structure (spillway, weir, etc.), so the banks at that point should be protected. Rip-rap and/or hay bales are commonly used in this area. Concrete revetments or matting may also be used.

5.3 Drainage Ditches

Because runoff control measures often concentrate flow, natural drainage ways may require modification or be replaced with new drainage ditches. In general, the sites natural drainage system should be used whenever practical. The size of new or expanded drainage ditches should be determined on the basis of drainage basin size, runoff coefficients, slope, and peak storm water discharge rates. In the hilly northern parts of the counties, ditches may be smaller than those in

coastal flood plain areas. Ditches should be large enough to avoid erosion of their embankments. In flat areas with only slightly erodible soil, ditches can be bare channels. In areas susceptible to erosion (e.g., highway embankments, medians), the drainage ditch should be stabilized as a grassed swale, or protected by concrete, asphalt paving, or rip-rap. Figure 2 shows the schematic of drainage ditch stabilization methods, including sod and gravel/rock. Revetments made of concrete or stone may be used to protect sides of drainage ditches or streams.

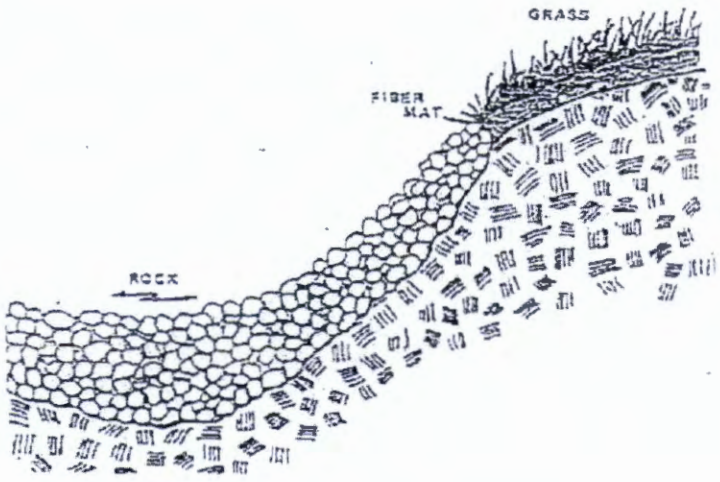


FIGURE 2
Schematic of drainage ditch stabilization methods

5.4 Deflectors and Baffles

A major objective of erosion control BMP's is to reduce the runoff velocity. In streams and ditches, this may be achieved through structures, which deflect the flow away from the bank or slope. Deflectors extend from the bank downstream at an angle based of the slope and amount of slowing required. Deflectors may be built of concrete, pilings, or rip-rap.

Baffles should be used in relatively flat areas such as settlement basins. Baffles generally are built as earthen berms or dikes, prior to construction. They should be arranged to increase the distance silt-laden runoff water must travel before it discharges into the waterways, in order to increase the sedimentation.

5.5 Sediment Basins

Sediment basins represent one of the most important BMPs for construction and development runoff control. These basins are most essential in high-erosion areas, such as road fills, land clearing, and earthmoving projects, large-scale paving and building sites, and industrial facilities. In drainage

basins where flood potential is high, sediment basins not only collect sediment, they also retain storm waters and reduce downstream flooding.

Sediment basins are generally surrounded by earthen dikes, but may be built as excavated pits. Area drainage enters the retention basin through a large culvert, which is screened by a waterfall. Water enters the basin through a natural drainage way or an improved drainage ditch or channel, and is released through a flow control weir, an emergency spillway, or a mechanical spillway with perforated riser pipe.

Sediment and storm water retention basins are required in certain parts of Alabama to prevent acceleration of runoff downstream due to runoff coefficient increases by development. Accumulated sediment in these basins should be removed periodically to maintain effective retention volume. Maintenance also should include regular inspection of outlet structures, dike embankments, and the runoff entrance point, to guard against erosion or blockages that could cause dike failure or damage during peak storm events.

5.6 Vegetative Cover

Vegetative cover is a very effective BMP measure for construction site erosion control. Areas to be exposed for some time should be stabilized with mulch or some type of vegetation as soon as possible. In Mobile and Baldwin Counties, various grasses are commonly used in conjunction with netting, fiber mats, or mulch. Sod is an effective vegetative cover, especially as a final stage of development landscaping and on steeper slopes. Other permanent plants, such as shrubs and trees, should also be planted as soon as practical after final grading. Non-vegetated areas should be covered with a layer of mulch, such as pine bark, shredded cypress, or straw.

Soils to be planted for erosion control may be prepared by tilling or roughening. In nutrient poor and erodible soils, a layer of cohesive organic compost may be sprayed or spread on the surface. This material provides runoff protection as well as essential nutrients, until the vegetative cover can become established. Vegetative measures are generally preferred over structural measures for runoff control. Vegetation is relatively inexpensive, required less maintenance, and is aesthetically pleasing. Maintenance of vegetative cover may include mowing, replanting, or seasonal replacement.

6.0 OTHER BMP CONTROLS

6.1 Housekeeping

The site shall be cleaned routinely as part of the general pollution prevention awareness and on a regular basis to minimize the possibility that runoff will carry pollutants into the storm water drainage system or the receiving water. Equipment, materials, drums, cans, solvents, waste materials, and other debris should be properly stored to minimize its contact with rainfall and storm

water. Solvents and other bulk liquids should be stored in closed containers in designated areas, preferably under a roof or protective cover and protected by appropriate containment devices (berms, drip pans, etc.) Scrap metal should be stored in designated areas until it can be sold or otherwise properly removed from the site (used or disposal). Trash and other debris should be disposed of in clearly marked receptacles that are routinely serviced for proper ultimate disposal. Trash receptacles should be provided at frequent intervals along the site.

6.2 Petroleum/Chemical Storage Tanks

According to EPA Regulations on Oil Pollution Prevention (40 CFR, Chapter I Subchapter D Part 112), facilities with storage tanks that meet the requirements of one of the following shall be required to implement a valid Spill Prevention Control and Countermeasure (SPCC) Plan.

1) The underground storage capacity of the facility is greater than 42,000 gallons of oil and,

2) The storage tank capacity, which is not buried, of the facility is greater than 1320 gallons, provided no single container has a capacity in excess of 660 gallons.

The regulation defines oil to mean oil of any kind or in any form, including, but not limited to petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil.

Since storage tanks located on the site contain less than 1320 gallons total, a SPCC plan will not be required. However, if additional fuel storage tanks are mobilized to the site and the accumulative capacity exceeds 1320 gallons or one tank has more than 660 gallons of fuel, a SPCC plan will need to be implemented.

7.0 Storm Water Sampling and Monitoring

Storm water sampling is a necessary part of the permit compliance for Chicago Deer River Properties, LLC. At least one representative storm event must be sampled and the test results submitted to ADEM for review. A representative storm event is defined as more than 0.1 inches of total rainfall and at least 72 hours since the last event. The following effluent characteristics and monitoring requirements are mandated by the permit at CDRP.

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS	
	DSN001	DSN002
Rainfall	1/6 months	1/6 months
pH	1/6 months	1/6 months
BETX	1/6 months	
Naphthalene	1/6 months	
Oil and Grease	1/6 months	1/6 months
Phosphate, total	1/6 months	
Orthophosphate, P		
Total Recoverable Lead	1/6 months	
Total Suspended Solids	1/6 months	1/6 months
Total Nitrogen		1/6 months
Total Organic Carbon		1/6 months

Quarterly monitoring shall be conducted at least once during a calendar quarter. Calendar quarters are defined as the periods of January-March, April-June, July-September, and October-December. Semi-annual monitoring shall be conducted at least once during the period of January-June and July-December.

Semi-annually reports shall be submitted to ADEM so they are received no later than the 28th day of July and January and each submittal shall report results of all testing performed during the previous monitoring period.

For any reason, the discharge does not comply with the discharge limitations outlined by the permit, the permittee shall verbally report the occurrence and circumstances of such discharge to ADEM within 24 hours after the permittee becomes aware of the discharge occurrence. The permittee is to follow the verbal report with a written report no later than five days after the occurrence of such discharges.

Summary of Operations:

SID: 4491 Marine Cargo Handling, Loading Material on Barges & Vessels

Entrance. 30°31'28.0"N 88°05'59.1"W, 30.524451, -88.099756

Discharges: DSN001 & DSN002 are combined at outfall.
DSN001 & DSN002-1: 30.523790, -88.100212, 30° 31' 25.28", 88° 06' 0.64"
DSN002-2: 30.525633, -88.099163, 30° 31' 28.16", 88° 05' 49.99"
DSN002-3: 30.524529, -88.097272, 30° 31' 32.43", 88° 05' 57.57"

Receiving Stream Theodore Industrial Canal

BMP NUMBER I House Keeping: General Yard Cleanup

TARGETED ACTIVITIES: ALL

TARGETED POLLUTANT(S): SPENT ABRASIVES, PAINT CHIPS, SOLVENTS, CLEANERS, SCRAP METAL, TRASH, PETROLEUM PRODUCTS, AND OTHER DEBRIS

DESCRIPTION:

The entire facility is paved with asphalt and office trash and waste is the only routine solid waste generated at the facility. In general the target pollutants for this BMP are not present at the facility except during maintenance of the conveyor system or dock facilities.

During periodic maintenance operations, the yard shall be cleaned as part of general pollution prevention awareness and on a regular basis to minimize the possibility that runoff will carry pollutants into the storm water drainage system or the receiving water. Also, during the occasional maintenance operations equipment, material, drums, cans, solvents, waste materials, and other debris will be properly stored to minimize contact with rainfall and storm water. Spent abrasives will be routinely collected for proper disposal (see BMP Number 10). Solvents and other bulk liquids should be stored in closed containers in designated areas, preferably under a roof or protective cover and protected by appropriate containment devices (berms, drip pans, etc.). Any scrap metal will be disposed in clearly marked receptacles that are routinely serviced for proper ultimate disposal. Trash receptacles should be provided in each yard and on each pier.

Cleanup of areas contributing to runoff shall consist of mechanical or manual methods to collect the debris. These methods may include the use of mechanical sweepers, front-end loaders, vacuum cleaners, shovels, and brooms. Personnel training and awareness are fundamental to the effectiveness of these general housekeeping practices.

BMP NUMBER 2 House Keeping: Storm Drainage System Maintenance

TARGETED ACTIVITY: ALL

TARGETED POLLUTANT (5): ALL

DESCRIPTION:

The sediment filter traps in the storm water drainage system for multi-use yard areas shall be inspected on a monthly basis and cleaned as necessary to insure the interception and retention of solids entering the drainage system. Inspection logs and cleaning records must be maintained.

Signs shall be painted on or near storm drain inlets to indicate that they are not to receive liquid or solid wastes.

BMP NUMBER 3 House Keeping: Dock Cleanup

TARGETED ACTIWTY: ALL DOCK ACTIVITIES

TARGETED POLLUTANT (5): SPENT ABRASIVES, PAINT CHIPS, SOLVENTS, CLEANERS, SCRAP METAL, TRASH, PETROLEUM PRODUCTS, ORE, COKE, LOW SILICA PELLETS AND OTHER DEBRIS.

DESCRIPTION:

As described in the general yard cleanup BMP (Number 1), the dock should be maintained and cleaned routinely as part of general pollution prevention awareness and on a regular basis to minimize the possibility that rainfall and runoff will carry pollutants into drains and receiving waters. Equipment, materials, paints, solvents, and other debris should be properly used, stored, and protected to minimize their contact with rainfall and storm water. Accessible areas of the dock are to be swept clean of debris. Debris present on the dock should be swept rather than hosed. When hosing is used as a removal method, the wash water must be collected and treated by settling to remove solids and potential metals.

Floatable wastes (wood, plastic, insulation, etc.) should be removed and properly disposed. After a vessel has left the dock, the dock should be cleaned. Docking time intervals should not be considered as a reason for not cleaning the docks. Docks should also be cleaned on a regular basis, whether a ship is present or not, so as to prevent rain washing material into receiving waters. Methods of debris removal can range from manual pickup to use of power equipment such as sweepers, front-end loaders, and vacuum trucks. Wastes should be disposed of appropriately as solid wastes (see BMP Number 10).

BMP NUMBER 4 Spill Control Practices

TARGETED ACTIWTY: ALL

TARGETED POLLUTANT(S): OIL, GREASE, FUEL, PAINT, SOLVENTS

DESCRIPTION:

Cleanup of any spills must begin immediately. Spills shall be contained until cleanup is complete. No emulsifier or dispersant is to be used. Oil containment booms shall be available for immediate usage.

If a spill occurs:

1) Stop the source of the spill
2) Contain the liquid
3) Deploy oil containment booms if the spill may reach the water.
4) Cover the spill with absorbent material.
5) Keep the area well ventilated.
6) Dispose of cleanup materials properly.

BMP NUMBER 5 Spent Abrasive, Dust, and Overspray Control

TARGETED ACTIVITY: BLASTING AND PAINTING

TARGETED POLLUTANT(S): SPENT ABRASIVES, PAINT CHIPS, PAINT

DESCRIPTION:

To the maximum extent practical, all activities are to be enclosed or covered to prevent contact with rainfall or stormwater. Blasting and painting areas shall be sufficiently contained to prevent abrasives, paint chips, and overspray from reaching storm sewers or waterways. Drains, trenches, and drainage channels shall be covered where feasible to prevent entry of blasting debris to the system. Drainage channels shall be cleaned to remove deposits of abrasive blasting debris. Blasting and painting are not to be performed during windy conditions likely to cause blast and overspray drift outside of containment.

Docks:	Deck drainage collection systems should be drained to a sump for settling and/or additional treatment.
Marine Railways:	Marine railways should be paved or tarped to contain and collect wash waters. Diagonal trenches or berms and sumps may suffice as collection systems.
Lift Platforms:	Lift platforms may require solid decking, gutters, and/or sumps.

BMP NUMBER 6 Containerized Material Storage and Management

TARGETED ACTIVITY: MATERIAL HANDLING

TARGETED POLLUTANT(S): PAINTS SOLVENTS, CLEANERS, SCRAP METAL, TRASH, PETROLLEUM PRODUCTS SPENT ABRASIVES, PAINT CHIPS, AND OTHER DEBRIS.

DESCRIPTION:

All stored and containerized materials (fuels, paints, solvents, etc.) shall be prevented from entering State waters through the use of proper storage facilities and procedures. Ideally, these material containers should be stored in a protected, secure location away from any drains. Storage of reactive, ignitable, or flammable liquids must comply with the local fire code.

The key to controlling and managing potential environmental and health hazards ultimately lies in developing and following a formal, comprehensive health and hazard control program. Key components of such a program include:

- Identification of the characteristics and use of potentially hazardous materials.
- Inventory Control prevents excessive purchasing, storage, and handling of potentially hazardous materials. Records should be kept to identify quantity, receipt date, service life, users, and disposal routes.
- Physical Storage of materials should be carefully controlled in designated areas. Hazardous materials should be secured and carefully monitored to prevent theft, vandalism, and misuse of materials.
- Education and Training of personnel for proper storage, use, cleanup, and disposal of materials

Outside storage areas should be paved, curbed, and have sufficient containment for the larger of 10 percent of the volume of all containers or 110 percent of the volume of the largest container. Temporary containment should be provided by portable drip pans. Spill troughs are recommended for drums with taps.

BMP NUMBER 7 Bulk Liquid Storage and Containment

TARGETED ACTIVITY: MATERIAL HANDLING

TARGETED POLLUTANT(S): FUELS, WASTE OILS, SOLVENTS

DESCRIPTION:

Aboveground storage tanks, drums, and barrels shall have appropriate containment to prevent leaks and spills from reaching state waters. Portable tanks, drums, and barrels shall be accompanied by an appropriately sized drip pan. Permanent tanks are to be stored in a paved area and surrounded by a dike system sufficient to provide a volume within the diked area equal to the larger of 10 percent of the total volume of the tanks or 110 percent of the volume of the largest tank. Designated areas should be covered to prevent contact with rainfall or storm water. Overfilling of the storage tanks should also be prevented by an appropriate system.

BMP NUMBER 8 Material Transfer Management

TARGETED ACTIVITY: MATERIAL HANDLING

TARGETED POLLUTANT (S): OILS, SOLVENTS, PAINTS, FUELS

DESCRIPTION:

Liquid material transfer activities should be performed so that spills, drips, and leaks are minimized and prohibited from entering receiving waters. A written operation plan which includes the transfer and spill procedures for oil, fuel, slop oil, solvents, and paints should be developed and followed.

Employees should be trained in these procedures and should be present during the entire transfer of material. The transfer should take place over a paved area, and drip pans, dikes, or other containment should be used in all cases.

Accidental damage to hoses and pipes can be minimized by proper placement. Hoses and pipes should be inspected regularly for leaks and damage.

BMP NUMBER 9 Designated Material Mixing Areas

TARGETED ACTIVITY: MATERIAL HANDLING

TARGETED POLLUTANT (S) SOLVENTS, PAINTS

DESCRIPTION:

Paints and solvents should be mixed in designated areas away from drains, ditches, piers, and surface waters. Paints should not be mixed on floats. Drip pans or other containment devices shall be used in the event of spills. It is preferable that mixing areas are indoors or under a shed, where there will be no possible contact with rainfall or storm water. Absorbents and other cleanup items should be available in this area for immediate cleanup.

BMP NUMBER 10 Waste Material Storage and Disposal

TARGETED ACTIVITY: MATERIAL HANDLING

TARGETED POLLUTANT(S): SPENT ABRASIVES, PAINT CHIPS, USED OIL, PAINTS, BRAKE FLUID, ANTIFREEZE, BATTERIES, USED FUELS, SOL VENTS.

DESCRIPTION:

ABRASIVES: Spent abrasives, which contain heavy metals and toxic paint chips, should not be exposed to storm water runoff. This material should be stored under a cover such as a shed or a plastic cover to await proper disposal. Spent abrasives may be classified as hazardous waste and appropriate disposal may be required. If not hazardous, spent abrasives may be recycled to cement manufacturing plants and other potential recyclers or disposers.

- WASTE OIL: Waste oil should be recycled. Waste oil is not to be mixed with solvents, antifreeze, degreasers, or engine fluids. These chemicals may contaminate the oil and make it unfit for recycling. Waste oil should be stored according to material storage procedures in designated, contained areas (see BMP Number 6). Used oil should not be poured on the ground, burned, placed in the dumpster, or pored into storm drains or receiving waters.

- PAINT: Excess paints can be properly stored for small jobs or touch ups or painted onto work surfaces. Empty cans shall be allowed to dry, crushed, and put into dumpster. Paint spills should be picked up with an absorbent material and treated appropriately as a waste material.

- BRAKE FLUID: Brake fluid should be collected and disposed of through a licensed disposal facility. Brake fluid should not be discharged to the ground, storm drain, receiving water, sanitary sewer, or septic tank or mixed with other wastes for disposal.

- ANTIFREEZE: Antifreeze is a toxic substance. It should not be discharged to the ground, the storm drains, or receiving waters. Check the local sewer municipality for sanitary sewer, or septic tank or mix with other wastes for disposal.

- BATTERIES: Lead and acid batteries should be stored in a designated, contained area and prevented from exposure to rainfall and storm water. Batteries can be recycled or traded in.

- FUELS: Waste fuels shall be stored in a designated contained area. Fuel shall not be poured onto the ground, the sanitary sewer, the storm drain, or receiving waters. Disposal should be through a licensed waste management firm.

- SOLVENTS: Solvents, in most cases, can be recycled or reused. Discharge to the ground, the sanitary sewer, the storm drain, or receiving waters is not permitted.

BMP NUMBER 11 Shipboard Process Water and Cooling Water Handling and Disposal

TARGETED ACTIVITY: MATERIAL HANDLING

TARGETED POLLUTANT(S): PROCESS AND COOLING WATER

DESCRIPTION:

Process and cooling water used aboard ships shall be kept separate from sanitary wastes to minimize disposal costs for the sanitary wastes. This water should be kept from contact with spent abrasives and paint to avoid pollution of receiving waters. Connecting hoses shall be visually inspected for leaks.

BMP NUMBER 12 Shipboard Sanitary Waste Disposal

TARGETED ACTIVITY: MATERIAL HANDLING

TARGETED POLLUTANT (S) SANITARY WASTES

DESRIPTION:

Ships that are loading and unloading will not be permitted to discharge sanitary wastes into the adjacent surface water. Sanitary wastes from the ship being loaded/unloaded will be discharged to the yard's sanitary system or disposed of by a commercial waste disposal company. The appropriate material transfer procedures, including spill prevention and containment activities, shall be observed.

BMP NUMBER 13 Bilge and Ballast Water Disposal

TARGETED ACTIVITY: MATERIAL HANDLING

TARGETED POLLUTANT(S): BILGE AND BALLAST WATER

DESCRIPTION:

Bilge and Ballast waters cannot be legally discharged to state waters if they contain oils, solvents, detergents, or other additives. If these materials are present, the waters should be properly treated or transferred, collected, stored, and disposed of properly using appropriate transfer, containment, storage, and disposal procedures (see BMP Number 8 and 9). Licensed waste disposal companies are available for disposal.

TMT will prevent spillage by placing a catch pan on the barge-loading conveyor. Spillage onto the pan shall not be allowed to pile up so as to spill over the sides of the pan nor to a peak depth greater than 30 inches onto the pan. The spillage onto the pan shall be removed as frequently as necessary to preclude the stated conditions from occurring.

The open area beneath the catch pan shall be inspected at least once a week for spilled material. If the inspector determines the spillage to be beyond reasonable and practicable by the nature of the bulk material industry and Best Management Practices, it shall immediately be collected and disposed of properly.

BMP NUMBER 14 Enclosed Activities

TARGETED ACTIVITY: ALL

TARGETED POLLUTANT (S): ALL

DESCRIPTION:

By performing activities in indoor, enclosed areas, pollutant contact with rainfall and storm water runoff is minimized. It is recommended that activities take place indoors to the extent feasible. Indoor drains leading to the sewer system should be covered to prevent contamination with pollutants until cleanup is complete. Hosing of the floors should be avoided as a cleanup method unless the water is collected and properly treated.

BMP NUMBER 15 Personnel Training and Awareness

TARGETED ACTIVITY: ALL

TARGETED POLLUTANT (5) ALL

DESCRIPTION:

Increased employee awareness of pollutant sources and pollution prevention should be implemented by conducting training programs for supervisors and foremen and, ideally, all employees. Waste Minimization/Pollution Prevention Programs, must emphasize the implementation of "good housekeeping" practices.

TMT employees, independent contractors, and customers will be informed about BMP's, and be required to perform in accordance with these practices. Copies of BMPs and any specific management plans, including emergency phone numbers, shall be posted in the work areas.

BMP NUMBER 16 Stormwater Collection System Maintenance

TARGETED ACTIVITY: STORMWATER CONTROL

TARGETED POLLUTANT (S) SEDIMENT

DESCRIPTION:

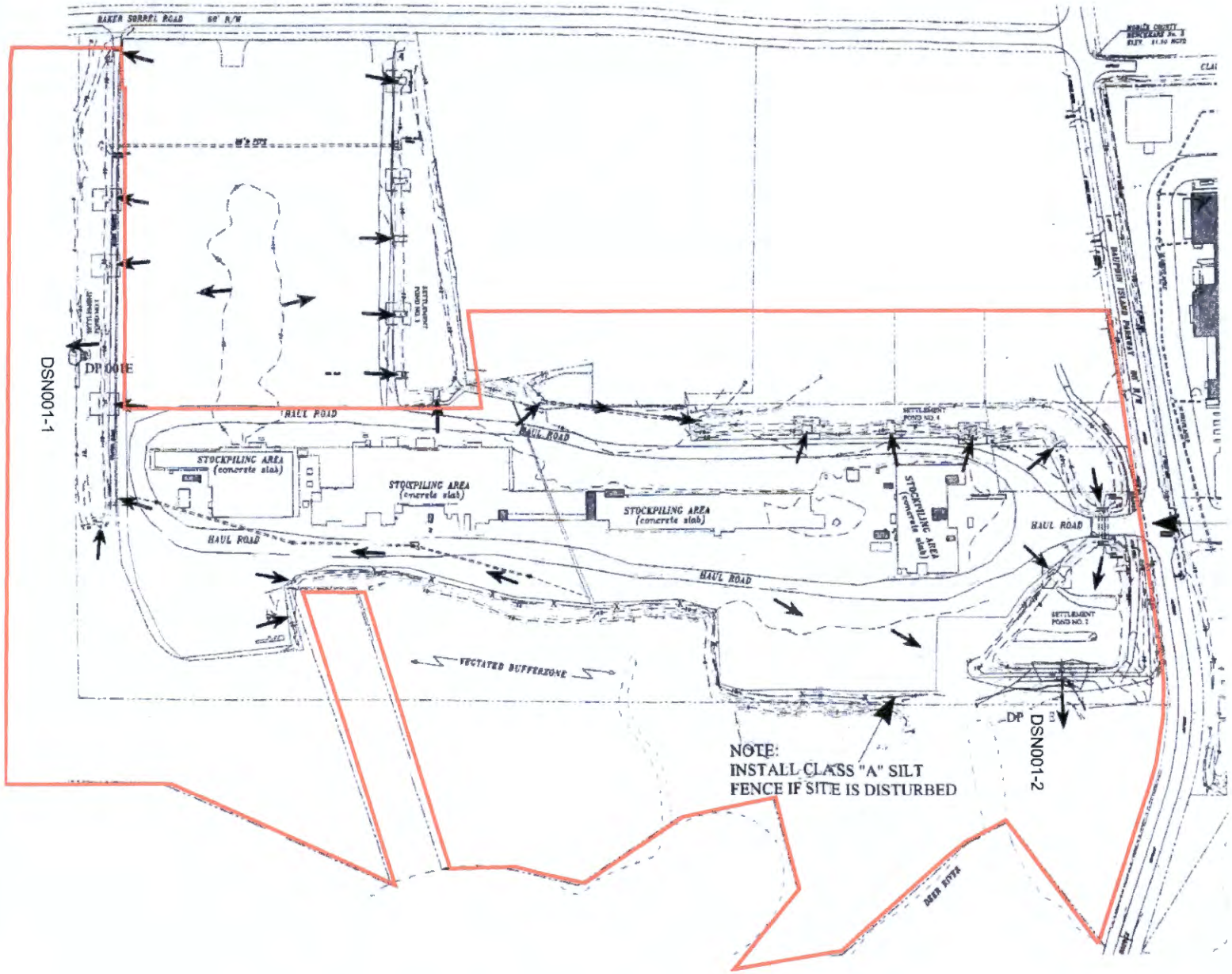
The sedimentation pond shall be routinely inspected (no less than once per week) for build-up of settled fines. The pond shall be cleaned-out when the settled fines are at a depth of approximately 12 inches. Care shall be taken to maintain the integrity of the impermeable clay liner.

Both pump basins shall be periodically inspected for settled fines at least once a week, and at least once during each 12 hours of operation. Settled material collected during clean-outs shall be disposed of properly. All ditches shall be inspected at least once a week, and cleaned out when necessary to allow unobstructed flow.

Figure 1 - USGS 7.5 Minute Series Topographic Map / Facility Map

Name: HOLLINGERS ISLAND
Date: 7/3/2019
Scale: 1 inch equals 2000 feet

Location: 030.5202584° N 088.1105917° W
Caption: Theodore Industrial Port, Yard 3, T6S-R1W-S18, Theodore Industrial Port, LLC, 2640 Claudia Ln, Mobile Co.



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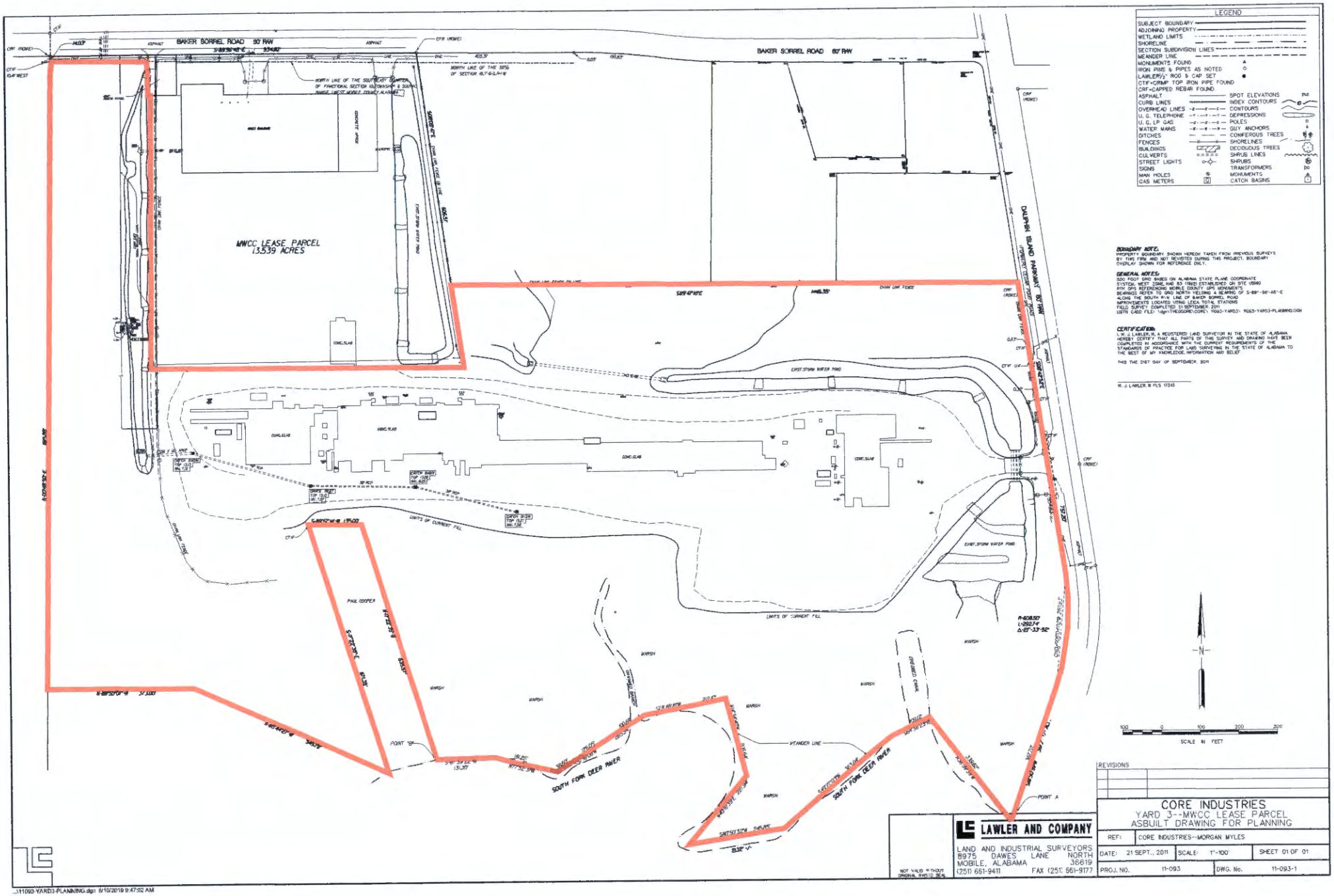
THEODORE INDUSTRIAL PORT, LLC.
THEODORE INDUSTRIAL PORT YARD III
THEODORE, MOBILE COUNTY, AL
T6S, R1W, SECTION 18

FIGURE 2
SITE MAP
SESI JOB #: M08-455

Figure 3 – Facility Layout Map



LEGEND

SUBJECT BOUNDARY
ADJOINING PROPERTY
WETLAND LIMITS
SHORELINE
SECTION SUBDIVISION LINES
MEANDER LINE
MONUMENTS FOUND
IRON PINS & PIPES AS NOTED
LAWLER⅝" ROD & CAP SET
CTF=CRIMP TOP IRON PIPE FOUND
CRF=CAPPED REBAR FOUND
ASPHALT
CURB LINES
OVERHEAD LINES
U. G. TELEPHONE
U. G. LP GAS
WATER MAINS
DITCHES
FENCES
BUILDINGS
CULVERTS
STREET LIGHTS
SIGNS
MAN HOLES
GAS METERS
SPOT ELEVATIONS
INDEX CONTOURS
CONTOURS
DEPRESSIONS
POLES
GUY ANCHORS
CONIFEROUS TREES
SHORELINES
DECIDUOUS TREES
SHRUB LINES
SHRUBS
TRANSFORMERS
MONUMENTS
CATCH BASINS

BOUNDARY NOTE:
PROPERTY BOUNDARY SHOWN HEREON TAKEN FROM PREVIOUS SURVEYS BY THIS FIRM AND NOT REVISITED DURING THIS PROJECT. BOUNDARY OVERLAY SHOWN FOR REFERENCE ONLY.

GENERAL NOTES:
5201 FOOT GRID BASED ON ALABAMA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NAD 83 (1983) ESTABLISHED ON SITE USING RTK GPS REFERENCING MOBILE COUNTY GPS BENCHMARKS. BEARINGS REFER TO GRID NORTH YIELDING A BEARING OF S-88°-56'-48"-E ALONG THE SOUTH R/W LINE OF BAKER BORREL ROAD. IMPROVEMENTS LOCATED USING LEICA TOTAL STATIONS. FIELD SURVEY COMPLETED 21 SEPTEMBER, 2011. USTN CADD FILE: \dgn\THEODORE\CORE\ 11063-YARD3\ 11063-YARD3-PLANNING.DGN

CERTIFICATION:
I, W. J. LAWLER, III, A REGISTERED LAND SURVEYOR IN THE STATE OF ALABAMA HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

THIS THE 21ST DAY OF SEPTEMBER, 2011

W. J. LAWLER, III PLS 17345

REVISIONS

CORE INDUSTRIES
YARD 3--MWCC LEASE PARCEL
ASBUILT DRAWING FOR PLANNING

REF:	CORE INDUSTRIES--MORGAN MYLES		
DATE: 21 SEPT., 2011	SCALE: 1"=100	SHEET 01 OF 01	
PROJ. NO. 11-093	DWG. No. 11-093-1		

LAWLER AND COMPANY
LAND AND INDUSTRIAL SURVEYORS
8975 DAWES LANE NORTH
MOBILE, ALABAMA 36619
(251) 661-9411 FAX (251) 661-9177

NOT VALID WITHOUT ORIGINAL RAISED SEAL

...\11093-YARD3-PLANNING.dgn 9/19/2019 9:47:02 AM