



Alabama Department of Environmental Management
adem.alabama.gov

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August 05, 2020

Paul Manning
Chairman
St. Clair County Commission
165 5th Ave Suite 100
Ashville, AL 35953

RE: Draft Permit
St. Clair County Road Department Shop Chert Pit
NPDES Permit No. AL0083623
St Clair County (115)

Dear Mr. Manning:

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

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

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

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

Should you have any questions concerning this matter, please contact Ange Boatwright by email at maboatwright@adem.alabama.gov or by phone at (334) 274-4208.

Sincerely,

Catherine McNeill

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

CAM/mab File: DPER/11622

Enclosure

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





NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM INDIVIDUAL PERMIT

PERMITTEE: St. Clair County Commission
165 5TH Ave
Suite 100
Ashville, AL 35953

FACILITY LOCATION: St. Clair County Road Department Shop Chert Pit
31588 Hwy 231
Ashville, AL 35953
St Clair County
T14S, R4E, S19, 30

PERMIT NUMBER: AL0083623

DSN & RECEIVING STREAM: 001-1 Unnamed Tributary to North Fork Dry Creek/Groundwater

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

ISSUANCE DATE:

EFFECTIVE DATE:

EXPIRATION DATE:

**** DRAFT ****

Alabama Department of Environmental Management

MINING AND NATURAL RESOURCE SECTION
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

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PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

Parameter	Discharge Limitations			Monitoring Requirements	
	Daily Minimum	Monthly Average	Daily Maximum	Sample Type	Measurement Frequency ¹
pH 00400	6.0 s.u.	-----	9.0 s.u.	Grab	2/Month
Solids, Total Suspended 00530	-----	35.0 mg/L	70.0 mg/L	Grab	2/Month
Flow, In Conduit or Thru Treatment Plant ² 50050	-----	Report MGD	Report MGD	Instantaneous	2/Month

B. REQUIREMENTS TO ACTIVATE A PROPOSED MINING OUTFALL

1. Discharge from any point source identified on Page 1 of this Permit which is a proposed outfall is not authorized by this Permit until the outfall has been constructed and certification received by the Department from a professional engineer, registered in the State of Alabama, certifying that such facility has been constructed according to good engineering practices and in accordance with the Pollution Abatement and/or Prevention (PAP) Plan.
2. Certification required by Part I.B.1. shall be submitted on a completed ADEM Form 432. The certification shall include the latitude and longitude of the constructed and certified outfall.
3. Discharge monitoring and Discharge Monitoring Report (DMR) reporting requirements described in Part I.C. of this Permit do not apply to point sources that have not been constructed and certified.
4. Upon submittal of the certification required by Part I.B.1. to the Department, all monitoring and DMR submittal requirements shall apply to the constructed and certified outfall.

C. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS

1. Sampling Schedule and Frequency

- a. The Permittee shall collect at least one grab sample of the discharge to surface waters from each constructed and certified point source identified on Page 1 of this Permit and described more fully in the Permittee's application twice per month at a rate of at least every other week if a discharge occurs at any time during the two week period, but need not collect more than two samples per calendar month. Each sample collected shall be analyzed for each parameter specified in Part I.A. of this Permit.

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

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

- b. If the final effluent is pumped in order to discharge (e.g. from incised ponds, old highwall cuts, old pit areas or depressions, etc.), the Permittee shall collect at least one grab sample of the discharge from each point source identified on Page 1 of this Permit and described more fully in the Permittee's application each quarterly (three month) monitoring period if a discharge occurs at any time during the quarterly monitoring period which results from direct pumped drainage. Each sample collected shall be analyzed for each parameter specified in Part I.A. of this Permit.
- c. The Permittee may increase the frequency of sampling listed in Parts I.C.1.a and I.C.1.b; however, all sampling results must be reported to the Department and included in any calculated results submitted to the Department in accordance with this Permit.

2. Measurement Frequency

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

- a. A measurement frequency of one day per week shall mean sample collection on any day of discharge which occurs every calendar week.
- b. A measurement frequency of two days per month shall mean sample collection on any day of discharge which occurs every other week, but need not exceed two sample days per month.
- c. A measurement frequency of one day per month shall mean sample collection on any day of discharge which occurs during each calendar month.
- d. A measurement frequency of one day per quarter shall mean sample collection on any day of discharge which occurs during each calendar quarter.
- e. A measurement frequency of one day per six months shall mean sample collection on any day of discharge which occurs during the period of January through June and during the period of July through December.
- f. A measurement frequency of one day per year shall mean sample collection on any day of discharge which occurs during each calendar year.

3. Monitoring Schedule

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

- a. MONITORING REQUIRED MORE FREQUENTLY THAN MONTHLY AND MONTHLY shall be conducted during the first full month following the effective date of coverage under this Permit and every month thereafter. More frequently than monthly and monthly monitoring may be done anytime during the month, unless restricted elsewhere in this Permit, but the results should be reported on the last Discharge Monitoring Report (DMR) due for the quarter (i.e., with the March, June, September, and December DMRs).
- b. QUARTERLY MONITORING shall be conducted at least once during each calendar quarter. Calendar quarters are the periods of January through March, April through June, July through September, and October through December. The Permittee shall conduct the quarterly monitoring during the first complete calendar quarter following the effective date of this Permit and is then required to monitor once during each quarter thereafter. Quarterly monitoring may be done anytime during the quarter, unless restricted elsewhere

in this Permit, but the results should be reported on the last DMR due for the quarter (i.e., with the March, June, September, and December DMRs).

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

4. Sampling Location

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

5. Representative Sampling

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

6. Test Procedures

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

- a. For parameters with an EPA established Minimum Level (ML), report the measured value if the analytical result is at or above the ML and report "0" for values below the ML. Test procedures for the analysis of pollutants shall conform to 40 CFR Part 136, guidelines published pursuant to Section 304(h) of the FWPCA, 33 U.S.C. Section 1314(h), and ADEM Standard Operating Procedures. If more than one method for analysis of a substance is approved for use, a method having a minimum level lower than the permit limit shall be used. If the minimum level of all methods is higher than the permit limit, the method having the lowest minimum level shall be used and a report of less than the minimum level shall be reported as zero and will constitute compliance, however should EPA approve a method with a lower minimum level during the term of this Permit the Permittee shall use the newly approved method.
- b. For pollutant parameters without an established ML, an interim ML may be utilized. The interim ML shall be calculated as 3.18 times the Method Detection Level (MDL) calculated pursuant to 40 CFR Part 136, Appendix B.

Permittees may develop an effluent matrix-specific ML, where an effluent matrix prevents attainment of the established ML. However, a matrix specific ML shall be based upon proper laboratory method and technique. Matrix-specific MLs must be approved by

the Department, and may be developed by the Permittee during permit issuance, reissuance, modification, or during compliance schedule.

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

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

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

7. Recording of Results

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

- a. The facility name and location, point source number, date, time, and exact place of sampling or measurements;
- b. The name(s) of person(s) who obtained the samples or measurements;
- c. The dates and times the analyses were performed;
- d. The name(s) of the person(s) who performed the analyses;
- e. The analytical techniques or methods used including source of method and method number; and
- f. The results of all required analyses.

8. Routine Inspection by Permittee

- a. The Permittee shall inspect all point sources identified on Page 1 of this Permit and described more fully in the Permittee's application and all treatment or control facilities or systems used by the Permittee to achieve compliance with the terms and conditions of this Permit at least as often as the applicable sampling frequency specified in Part I.C.1 of this Permit.
- b. The Permittee shall maintain a written log for each point source identified on Page 1 of this Permit and described more fully in the Permittee's application in which the Permittee shall record the following information:
 - (1) The date and time the point source and any associated treatment or control facilities or systems were inspected by the Permittee;
 - (2) Whether there was a discharge from the point source at the time of inspection by the Permittee;
 - (3) Whether a sample of the discharge from the point source was collected at the time of inspection by the Permittee;

- (4) Whether all associated treatment or control facilities or systems appeared to be in good working order and operating as efficiently as possible, and if not, a description of the problems or deficiencies; and
- (5) The name and signature of the person performing the inspection of the point source and associated treatment or control facilities or systems.

9. Records Retention and Production

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

10. Monitoring Equipment and Instrumentation

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

D. DISCHARGE REPORTING REQUIREMENTS

1. Requirements for Reporting of Monitoring

- a. Monitoring results obtained during the previous three (3) months shall be summarized for each month on a Discharge Monitoring Report (DMR) Form approved by the Department, and submitted to the Department so that it is received by the Director no later than the 28th day of the month following the quarterly reporting period (i.e., on the 28th day of January, April, July, and October of each year).
- b. The Department utilizes a web-based electronic environmental (E2) reporting system for submittal of DMRs. Except as allowed by Part I.D.1.c. or d., the Permittee shall submit all DMRs required by Part I.D.1.a. by utilizing the E2 reporting system. The E2 reporting system Permittee Participation Package may be downloaded online at <https://e2.adem.alabama.gov/npdes>.

- c. If the electronic environmental (E2) reporting system is down (i.e. electronic submittal of DMR data is unable to be completed due to technical problems originating with the Department's system; this could include entry/submittal issues with an entire set of DMRs or individual parameters), permittees are not relieved of their obligation to submit DMR data to the Department by the required submittal date. However, if the E2 system is down on the 28th day of the month or is down for an extended period of time as determined by the Department when a DMR is required to be submitted, the facility may submit the data in an alternate manner and format acceptable to the Department. Preapproved alternate acceptable methods include faxing, e-mailing, mailing, or hand-delivery of data such that they are received by the required reporting date. Within five calendar days of the E2 system resuming operation, the Permittee shall enter the data into the E2 reporting system unless an alternate timeframe is approved by the Department. An attachment should be included with the E2 DMR submittal verifying the original submittal date (date of the fax, copy of dated e-mail, or hand-delivery stamped date).
- d. The permittee may submit a request to the Department for a temporary electronic reporting waiver for DMR submittals. The waiver request should include the permit number; permittee name; facility/site name; facility address; name, address, and contact information for the responsible official or duly authorized representative; a detailed statement regarding the basis for requesting such a waiver; and the duration for which the waiver is requested. Approved electronic reporting waivers are not transferrable. Permittees with an approved electronic reporting waiver for DMRs may submit hard copy DMRs for the period that the approved electronic reporting waiver request is effective. The Permittee shall submit the Department-approved DMR forms to the address listed in Part I.D.1.j.
- e. If the Permittee, using approved analytical methods as specified in Part I.C.6., monitors any discharge from a point source identified on Page 1 of this Permit and describe more fully in the Permittee's application more frequently than required by this Permit; the results of such monitoring shall be included in the calculation and reporting of values on the DMR Form, and the increased frequency shall be indicated on the DMR Form.
- f. In the event no discharge from a point source identified on Page 1 of this Permit and described more fully in the Permittee's application occurs during a monitoring period, the Permittee shall report "No Discharge" for such period on the appropriate DMR Form.
- g. The Permittee shall report "No Discharge During Quarterly Monitoring Period" on the appropriate DMR Form for each point source receiving pumped discharges pursuant to Part I.C.1.b. provided that no discharge has occurred at any time during the entire quarterly (three month) monitoring period.
- h. Each DMR Form submitted by the Permittee to the Department in accordance with Part I.D.1. must be legible and bear an original signature or electronic signature. Photo and electronic copies of the signature are not acceptable and shall not satisfy the reporting requirements of this Permit.
- i. All reports and forms required to be submitted by this Permit, the AWPCA, and the Department's rules and regulations, shall be signed by a "responsible official" of the Permittee as defined in ADEM Admin. Code r. 335-6-6-.09 or a "duly authorized representative" of such official as defined in ADEM Admin. Code r. 335-6-6-.09 and shall bear the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who

manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

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

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

Certified and Registered Mail shall be addressed to:

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

- k. Unless authorized in writing by the Department, approved reporting forms required by this Permit or the Department are not to be altered, and if copied or reproduced, must be consistent in format and identical in content to the ADEM approved form. Unauthorized alteration, falsification, or use of incorrectly reproduced forms constitutes noncompliance with the requirements of this Permit and may significantly delay processing of any request, result in denial of the request, result in permit termination, revocation, suspension, modification, or denial of a permit renewal application, or result in other enforcement action.
- l. If this Permit is a reissuance, then the Permittee shall continue to submit DMRs in accordance with the requirements of their previous permit until such time as DMRs are due as discussed in Part I.D.1.

2. Noncompliance Notification

- a. The Permittee must notify the Department if, for any reason, the Permittee's discharge:
- (1) Potentially threatens human health or welfare;
 - (2) Potentially threatens fish or aquatic life;
 - (3) Causes an in-stream water quality criterion to be exceeded;
 - (4) Does not comply with an applicable toxic pollutant effluent standard or prohibition established under Section 307(a) of the FWPCA, 33 U.S.C. §1317(a);
 - (5) Contains a quantity of a hazardous substance which has been determined may be harmful to the public health or welfare under Section 311(b)(4) of the FWPCA, 33 U.S.C. §1321(b)(4); or
 - (6) Exceeds any discharge limitation for an effluent parameter as a result of an unanticipated bypass or upset.

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

- b. If for any reason, the Permittee's discharge does not comply with any limitation of this Permit, the Permittee shall submit a written report to the Director as provided in Part I.D.2.c. This report must be submitted with the next Discharge Monitoring Report required to be submitted by Part I.D.1. of this Permit after becoming aware of the occurrence of such noncompliance.
- c. Any written report required to be submitted to the Director in accordance with Parts I.D.2.a. and b. shall be submitted using a Noncompliance Notification Form (ADEM Form 421) available on the Department's website (<http://adem.alabama.gov/DeptForms/Form421.pdf>) and include the following information:
 - (1) A description of the discharge and cause of noncompliance;
 - (2) The period of noncompliance, including exact dates and times, or if not corrected, the anticipated time the noncompliance is expected to continue; and
 - (3) A description of the steps taken and/or being taken to reduce or eliminate the noncomplying discharge and to prevent its recurrence.

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

- a. The Director may, with respect to any point source identified on Page 1 of this Permit and described more fully in the Permittee's application, authorize the Permittee to reduce, suspend, or terminate the monitoring and/or reporting required by this Permit upon the submission of a written request for such reduction, suspension, or termination by the Permittee provided:
 - (1) All mining, processing, or disturbance in the drainage basin(s) associated with the discharge has ceased and site access is adequately restricted or controlled to preclude unpermitted and unauthorized mining, processing, transportation, or associated operations/activity;
 - (2) Permanent, perennial vegetation has been re-established on all areas mined or disturbed for at least one year since mining has ceased in the drainage basin(s) associated with the surface discharge, or all areas have been permanently graded such that all drainage is directed back into the mined pit to preclude all surface discharges;
 - (3) Unless waived in writing by the Department, the Permittee has been granted, in writing, a 100% Bond Release, if applicable, by the Alabama Department of Industrial Relations and, if applicable, by the Surface Mining Commission for all areas mined or disturbed in the drainage basin(s) associated with the discharge;
 - (4) Unless waived in writing by the Department, the Permittee has submitted inspection reports prepared and certified by a Professional Engineer (PE) registered in the State of Alabama or a qualified professional under the PE's direction which certify that the facility has been fully reclaimed or that water

quality remediation has been achieved. The first inspection must be conducted approximately one year prior to and the second inspection must be conducted within thirty days of the Permittee's request for termination of monitoring and reporting requirements;

- (5) All surface effects of the mining activity such as fuel or chemical tanks, preparation plants or equipment, old tools or equipment, junk or debris, etc., must be removed and disposed of according to applicable state and federal regulations;
 - (6) The Permittee's request for termination of monitoring and reporting requirements contained in this Permit has been supported by monitoring data covering a period of at least six consecutive months or such longer period as is necessary to assure that the data reflect discharges occurring during varying seasonal climatological conditions;
 - (7) The Permittee has stated in its request that the samples collected and reported in the monitoring data submitted in support of the Permittee's request for monitoring termination or suspension are representative of the discharge and were collected in accordance with all Permit terms and conditions respecting sampling times (e.g., rainfall events) and methods and were analyzed in accordance with all Permit terms and conditions respecting analytical methods and procedures;
 - (8) The Permittee has certified that during the entire period covered by the monitoring data submitted, no chemical treatment of the discharge was provided;
 - (9) The Permittee's request has included the certification required by Part I.D.1.e. of this Permit; and
 - (10) The Permittee has certified to the Director in writing as part of the request, its compliance with (1) through (9) above.
- b. It remains the responsibility of the Permittee to comply with the monitoring and reporting requirements of this Permit until written authorization to reduce, suspend, or terminate such monitoring and/or reporting is received by the Permittee from the Director.

E. OTHER REPORTING AND NOTIFICATION REQUIREMENTS

1. Anticipated Noncompliance

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

2. Termination of Discharge

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

3. Updating Information

- a. The Permittee shall inform the Director of any change in the Permittee's mailing address or telephone number or in the Permittee's designation of a facility contact or officer(s)

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

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

4. Duty to Provide Information

- a. The Permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, suspending, terminating, or revoking and reissuing this Permit, in whole or in part, or to determine compliance with this Permit. The Permittee shall also furnish to the Director upon request, copies of records required to be maintained by this Permit.
- b. The Permittee shall furnish to the Director upon request, within a reasonable time, available information (name, phone number, address, and site location) which identifies offsite sources of material or natural resources (mineral, ore, or other material such as iron, coal, coke, dirt, chert, shale, clay, sand, gravel, bauxite, rock, stone, etc.) used in its operation or stored at the facility.

F. SCHEDULE OF COMPLIANCE

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

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

PART II OTHER REQUIREMENTS, RESPONSIBILITIES, AND DUTIES

A. OPERATIONAL AND MANAGEMENT REQUIREMENTS

1. Facilities Operation and Management

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

2. Pollution Abatement and/or Prevention Plan

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

3. Best Management Practices (BMPs)

- a. Unless otherwise authorized in writing by the Director, the Permittee shall provide a means of subsurface withdrawal for any discharge from each point source identified on Page 1 of this Permit and described more fully in the Permittee's application. Notwithstanding the above provision, a means of subsurface withdrawal need not be provided for any discharge caused by a 24-hour precipitation event greater than a 10-year, 24-hour precipitation event.
- b. Dilution water shall not be added to achieve compliance with discharge limitations except when the Director has granted prior written authorization for dilution to meet water quality requirements.
- c. The Permittee shall minimize the contact of water with overburden, including but not limited to stabilizing disturbed areas through grading, diverting runoff, achieving quick growing stands of temporary vegetation, sealing acid-forming and toxic-forming materials, and maximizing placement of waste materials in back-fill areas.
- d. The Permittee shall prepare, submit to the Department for approval, and implement a Best Management Practices (BMPs) Plan for containment of any or all process liquids or solids, in a manner such that these materials do not present a potential for discharge, if so required by the Director. When submitted and approved, the BMP Plan shall become a part of this Permit and all requirements of the BMP Plan shall become requirements of this Permit.
- e. Spill Prevention, Control, and Management

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

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

- f. All surface drainage and storm water runoff which originate within or enters the Permittee's premises and which contains any pollutants or other wastes shall be discharged, if at all, from a point source identified on Page 1 of this Permit and described more fully in the Permittee's application.
- g. The Permittee shall take all reasonable precautions to prevent any surface drainage or storm water runoff which originates outside the Permittee's premises and which contains any pollutants or other wastes from entering the Permittee's premises. At no time shall the Permittee discharge any such surface drainage or storm water runoff which enters the Permittee's premises if, either alone or in combination with the Permittee's effluent, the discharge would exceed any applicable discharge limitation specified in Part I.A. of this Permit.

4. Biocide Additives

- a. The Permittee shall notify the Director in writing not later than sixty (60) days prior to instituting the use of any biocide corrosion inhibitor or chemical additive in any cooling or boiler system(s) regulated by this Permit. Notification is not required for additives that should not reasonably be expected to cause the cooling water or boiler water to exhibit toxicity as determined by analysis of manufacturer's data or testing by the Permittee. Such notification shall include:
 - (a) Name and general composition of biocide or chemical;
 - (b) 96-hour median tolerance limit data for organisms representative of the biota of the water(s) which the discharge(s) enter(s);
 - (c) Quantities to be used;
 - (d) Frequencies of use;
 - (e) Proposed discharge concentrations; and
 - (f) EPA registration number, if applicable.
- b. The use of any biocide or chemical additive containing tributyl tin, tributyl tin oxide, zinc, chromium, or related compounds in any cooling or boiler system(s) regulated by the Permit is prohibited except as exempted below. The use of a biocide or additive containing zinc, chromium or related compounds may be used in special circumstances if (1) the permit contains limits for these substances, or (2) the applicant demonstrates

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

5. Facility Identification

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

6. Removed Substances

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

7. Loss or Failure of Treatment Facilities

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

8. Duty to Mitigate

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

B. BYPASS AND UPSET

1. Bypass

- a. Any bypass is prohibited except as provided in Parts II.B.1.b. and c.
- b. A bypass is not prohibited if:
 - (1) It does not cause any applicable discharge limitation specified in Part I.A. of this Permit to be exceeded;
 - (2) The discharge resulting from such bypass enters the same receiving water as the discharge from the permitted outfall;

- (3) It is necessary for essential maintenance of a treatment or control facility or system to assure efficient operation of such facility or system; and
 - (4) The Permittee monitors the discharge resulting from such bypass at a frequency, at least daily, sufficient to prove compliance with the discharge limitations specified in Part I.A. of this Permit.
- c. A bypass is not prohibited and need not meet the discharge limitations specified in Part I.A. of this Permit if:
 - (1) It is unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the Permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (3) The Permittee submits a written request for authorization to bypass to the Director at least ten (10) days, if possible, prior to the anticipated bypass or within 24 hours of an unanticipated bypass, the Permittee is granted such authorization, and Permittee complies with any conditions imposed by the Director to minimize any adverse impact to waters resulting from the bypass.
- d. The Permittee has the burden of establishing that each of the conditions of Parts II.B.1.b. or c. have been met to qualify for an exception to the general prohibition against bypassing contained in Part II.B.1.a. and an exemption, where applicable, from the discharge limitations specified in Part I.A. of this Permit.

2. Upset

- a. Except as provided in Parts II.B.2.b. and c., a discharge which results from an upset need not meet the applicable discharge limitations specified in Part I.A. of this Permit if:
 - (1) No later than 24-hours after becoming aware of the occurrence of the upset, the Permittee orally reports the occurrence and circumstances of the upset to the Director; and
 - (2) No later than five (5) days after becoming aware of the occurrence of the upset, the Permittee furnishes the Director with evidence, including properly signed, contemporaneous operating logs, design drawings, construction certification, maintenance records, weir flow measurements, dated photographs, rain gauge measurements, or other relevant evidence, demonstrating that:
 - (i) An upset occurred;
 - (ii) The Permittee can identify the specific cause(s) of the upset;
 - (iii) The Permittee's treatment facility was being properly operated at the time of the upset; and
 - (iv) The Permittee promptly took all reasonable steps to minimize any adverse impact to waters resulting from the upset.

- b. Notwithstanding the provisions of Part II.B.2.a., a discharge which is an overflow from a treatment facility or system, or an excess discharge from a point source associated with a treatment facility or system and which results from a 24-hour precipitation event larger than a 10-year, 24-hour precipitation event is not exempted from the discharge limitations specified in Part I.A. of this Permit unless:
 - (1) The treatment facility or system is designed, constructed, and maintained to contain the maximum volume of wastewater which would be generated by the facility during a 24-hour period without an increase in volume from precipitation and the maximum volume of wastewater resulting from a 10-year, 24-hour precipitation event or to treat the maximum flow associated with these volumes.

In computing the maximum volume of wastewater which would result from a 10-year, 24-hour precipitation event, the volume which would result from all areas contributing runoff to the individual treatment facility must be included (i.e., all runoff that is not diverted from the mining area and runoff which is not diverted from the preparation plant area); and
 - (2) The Permittee takes all reasonable steps to maintain treatment of the wastewater and minimize the amount of overflow or excess discharge.
- c. The Permittee has the burden of establishing that each of the conditions of Parts II.B.2.a. and b. have been met to qualify for an exemption from the discharge limitations specified in Part I.A. of this Permit.

C. PERMIT CONDITIONS AND RESTRICTIONS

1. Prohibition against Discharge from Facilities Not Certified

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

2. Permit Modification, Suspension, Termination, and Revocation

- a. This Permit may be modified, suspended, terminated, or revoked and reissued, in whole or in part, during its term for cause, including but not limited to, the following:
- (1) The violation of any term or condition of this Permit;
 - (2) The obtaining of this Permit by misrepresentation or the failure to disclose fully all relevant facts;
 - (3) The submission of materially false or inaccurate statements or information in the permit application or reports required by the Permit;
 - (4) The need for a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
 - (5) The existence of any typographical or clerical errors or of any errors in the calculation of discharge limitations;
 - (6) The existence of material and substantial alterations or additions to the facility or activity generating wastewater which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit;
 - (7) The threat of the Permittee's discharge on human health or welfare; or
 - (8) Any other cause allowed by ADEM Admin. Code ch. 335-6-6.
- b. The filing of a request by the Permittee for modification, suspension, termination, or revocation and reissuance of this Permit, in whole or in part, does not stay any Permit term or condition of this Permit.

3. Automatic Expiration of Permits for New or Increased Discharges

- a. Except as provided by ADEM Admin. Code r. 335-6-6-.02(h) and 335-6-6-.05, if this Permit was issued for a new discharger or new source, it shall expire eighteen months after the issuance date if construction has not begun during that eighteen month period.
- b. Except as provided by ADEM Admin. Code r. 335-6-6-.02(h) and 335-6-6-.05, if any portion of this Permit was issued or modified to authorize the discharge of increased quantities of pollutants to accommodate the modification of an existing facility, that portion of this Permit shall expire eighteen months after this Permit's issuance if construction of the modification has not begun within eighteen month period.
- c. Construction has begun when the owner or operator has:
- (1) Begun, or caused to begin as part of a continuous on-site construction program:
 - (i) Any placement, assembly, or installation of facilities or equipment; or
 - (ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

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

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

4. Transfer of Permit

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

5. Groundwater

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

6. Property and Other Rights

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

D. RESPONSIBILITIES

1. Duty to Comply

- a. The Permittee must comply with all terms and conditions of this Permit. Any permit noncompliance constitutes a violation of the AWPCA, AEMA, and the FWPCA and is grounds for enforcement action, for permit termination, revocation and reissuance, suspension, modification, or denial of a permit renewal application.
- b. The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the FWPCA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Permit has not yet been modified to incorporate the effluent standard, prohibition or requirement.

- c. For any violation(s) of this Permit, the Permittee is subject to a civil penalty as authorized by the AWPCA, the AEMA, the FWPCA, and Code of Alabama 1975, §§22-22A-1 et. seq., as amended, and/or a criminal penalty as authorized by Code of Alabama 1975, §22-22-1 et. seq., as amended.
- d. The necessity to halt or reduce production or other activities in order to maintain compliance with the conditions of this Permit shall not be a defense for a Permittee in an enforcement action.
- e. Nothing in this Permit shall be construed to preclude or negate the Permittee's responsibility or liability to apply for, obtain, or comply with other ADEM, federal, state, or local government permits, certifications, licenses, or other approvals.
- f. The discharge of a pollutant from a source not specifically identified in the permit application for this Permit and not specifically included in the description of an outfall in this Permit is not authorized and shall constitute noncompliance with this Permit.
- g. The Permittee shall take all reasonable steps, including cessation of production or other activities, to minimize or prevent any violation of this Permit or to minimize or prevent any adverse impact of any permit violation.

2. Change in Discharge

- a. The Permittee shall apply for a permit modification at least 180 days in advance of any facility expansion, production increase, process change, or other action that could result in the discharge of additional pollutants, increase the quantity of a discharged pollutant, or that could result in an additional discharge point. This requirement also applies to pollutants that are not subject to discharge limitations in this Permit. No new or increased discharge may begin until the Director has authorized it by issuance of a permit modification or a reissued permit.
- b. The Permittee shall notify the Director as soon as it knows or has reason to believe that it has begun or expects to begin to discharge any pollutant listed as a toxic pollutant pursuant to Section 307(a) of the FWPCA, 33 U.S.C. §1317(a), any substance designated as a hazardous substance pursuant to Section 311(b)(2) of the FWPCA, 33 U.S.C. §1321(b)(2), any waste listed as a hazardous waste pursuant to Code of Alabama 1975, §22-30-10, or any other pollutants or other wastes which is not subject to any discharge limitations specified in Part I.A. of this Permit and was not reported in the Permittee's application, was reported in the Permittee's application in concentrations or mass rates lower than that which the Permittee expects to begin to be discharged, or has reason to believe has begun to be discharged.

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

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

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

4. Compliance with Water Quality Standards and Other Provisions

- a. On the basis of the Permittee's application, plans, or other available information, the Department has determined that compliance with the terms and conditions of this Permit will assure compliance with applicable water quality standards. However, this Permit does not relieve the Permittee from compliance with applicable State water quality standards established in ADEM Admin. Code ch. 335-6-10, and does not preclude the Department from taking action as appropriate to address the potential for contravention of applicable State water quality standards which could result from discharges of pollutants from the permitted facility.
- b. Compliance with Permit terms and conditions notwithstanding, if the Permittee's discharge(s) from point source(s) identified on Page 1 of this Permit cause(s) or contribute(s) to a condition in contravention of State water quality standards, the Department may require abatement action to be taken by the Permittee, modify the Permit pursuant to the Department's rules and regulations, or both.
- c. If the Department determines, on the basis of a notice provided pursuant to Part II.C.2. of this Permit or any investigation, inspection, or sampling, that a modification of this Permit is necessary to assure maintenance of water quality standards or compliance with other provisions of the AWPCA or FWPCA, the Department may require such modification and, in cases of emergency, the Director may prohibit the noticed act until the Permit has been modified.

5. Compliance with Statutes and Rules

- a. This Permit has been issued under ADEM Admin. Code div. 335-6. All provisions of this division, that are applicable to this Permit, are hereby made a part of this Permit. A copy of this division may be obtained for a small charge from the Office of General Counsel, Alabama Department of Environmental Management, 1400 Coliseum Blvd., Montgomery, AL 36110-2059.
- b. This Permit does not authorize the noncompliance with or violation of any Laws of the State of Alabama or the United States of America or any regulations or rules implementing such laws. FWPCA, 33 U.S.C. Section 1319, and Code of Alabama 1975, Section 22-22-14.

6. Right of Entry and Inspection

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

- a. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the Permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by the AWPCA, any substances or parameters at any location.

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

- a. If the Permittee intends to continue to discharge beyond the expiration date of this Permit, the Permittee shall file with the Department a complete permit application for reissuance of this Permit at least 180 days prior to its expiration.
- b. If the Permittee does not desire to continue the discharge(s) allowed by this Permit, the Permittee shall notify the Department at least 180 days prior to expiration of this Permit of the Permittee's intention not to request reissuance of this Permit. This notification must include the information required in Part I.D.4.a. and be signed by an individual meeting the signatory requirements for a permit application as set forth in ADEM Admin. Code r. 335-6-6-.09.
- c. Failure of the Permittee to submit to the Department a complete application for reissuance of this Permit at least 180 days prior to the expiration date of this Permit will void the automatic continuation of this Permit provided by ADEM Admin. Code r. 335-6-6-.06; and should this Permit not be reissued for any reason, any discharge after the expiration of this Permit will be an unpermitted discharge.

PART III ADDITIONAL REQUIREMENTS, CONDITIONS, AND LIMITATIONS

A. CIVIL AND CRIMINAL LIABILITY

1. Tampering

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

2. False Statements

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

3. Permit Enforcement

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

4. Relief From Liability

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

B. OIL AND HAZARDOUS SUBSTANCE LIABILITY

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

C. AVAILABILITY OF REPORTS

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

D. DEFINITIONS

1. Alabama Environmental Management Act (AEMA) - means Code of Alabama 1975, §§22-22A-1 et. seq., as amended.
2. Alabama Water Pollution Control Act (AWPCA) - means Code of Alabama 1975, §§22-22-1 et. seq., as amended.
3. Average monthly discharge limitation, means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar

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

4. Arithmetic Mean - means the summation of the individual values of any set of values divided by the number of individual values.
5. BOD - means the five-day measure of the pollutant parameter biochemical oxygen demand
6. Bypass - means the intentional diversion of waste streams from any portion of a treatment facility.
7. CBOD - means the five-day measure of the pollutant parameter carbonaceous biochemical oxygen demand.
8. Controlled Surface Mine Drainage – means any surface mine drainage that is pumped or siphoned from the active mining area.
9. Crushed stone mine - means an area on or beneath land which is mined, quarried, or otherwise disturbed in activity related to the extraction, removal, or recovery of stone from natural or artificial deposits, including active mining, reclamation, and mineral storage areas, for production of crushed stone.
10. Daily discharge - means the discharge of a pollutant measured during any consecutive 24-hour period in accordance with the sample type and analytical methodology specified by the discharge permit.
11. Daily maximum - means the highest value of any individual sample result obtained during a day.
12. Daily minimum - means the lowest value of any individual sample result obtained during a day.
13. Day - means any consecutive 24-hour period.
14. Department - means the Alabama Department of Environmental Management.
15. Director - means the Director of the Department or his authorized representative or designee.
16. Discharge - means "[t]he addition, introduction, leaking, spilling or emitting of any sewage, industrial waste, pollutant or other waste into waters of the state." Code of Alabama 1975, §22-22-1(b)(8).
17. Discharge monitoring report (DMR) - means the form approved by the Director to accomplish monitoring report requirements of an NPDES Permit.
18. DO - means dissolved oxygen.
19. E. coli – means the pollutant parameter *Escherichia coli*.
20. 8HC - means 8-hour composite sample, including any of the following:
 - a. The mixing of at least 5 equal volume samples collected at constant time intervals of not more than 2 hours over a period of not less than 8 hours between the hours of 6:00 a.m. and 6:00 p.m. If the sampling period exceeds 8 hours, sampling may be conducted beyond the 6:00 a.m. to 6:00 p.m. period.

- b. A sample continuously collected at a constant rate over period of not less than 8 hours between the hours of 6:00 a.m. and 6:00 p.m. If the sampling period exceeds 8 hours, sampling may be conducted beyond the 6:00 a.m. to 6:00 p.m. period.
- 21. EPA - means the United States Environmental Protection Agency.
 - 22. Federal Water Pollution Control Act (FWPCA) - means 33 U.S.C. §§1251 et. seq., as amended.
 - 23. Flow – means the total volume of discharge in a 24-hour period.
 - 24. Geometric Mean - means the Nth root of the product of the individual values of any set of values where N is equal to the number of individual values. The geometric mean is equivalent to the antilog of the arithmetic mean of the logarithms of the individual values. For purposes of calculating the geometric mean, values of zero (0) shall be considered one (1).
 - 25. Grab Sample - means a single influent or effluent portion which is not a composite sample. The sample(s) shall be collected at the period(s) most representative of the discharge.
 - 26. Indirect Discharger - means a nondomestic discharger who discharges pollutants to a publicly owned treatment works or a privately owned treatment facility operated by another person.
 - 27. Industrial User - means those industries identified in the Standard Industrial Classification manual, Bureau of the Budget 1967, as amended and supplemented, under the category “Division D – Manufacturing” and such other classes of significant waste producers as, by regulation, the Director deems appropriate.
 - 28. mg/L - means milligrams per liter of discharge.
 - 29. MGD - means million gallons per day.
 - 30. Monthly Average - means, other than for E. coli bacteria, the arithmetic mean of all the composite or grab samples taken for the daily discharges collected in one month period. The monthly average for E. coli bacteria is the geometric mean of daily discharge samples collected in a one month period. The monthly average for flow is the arithmetic mean of all flow measurements taken in a one month period. (Zero discharges shall not be included in the calculation of monthly averages.)
 - 31. New Discharger - means a person owning or operating any building, structure, facility or installation:
 - a. From which there is or may be a discharge of pollutants;
 - b. From which the discharge of pollutants did not commence prior to August 13, 1979, and which is not a new source; and
 - c. Which has never received a final effective NPDES Permit for dischargers at that site.
 - 32. New Source - means:
 - a. A new source as defined for coal mines by 40 CFR Part 434.11 (1994); and
 - b. Any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:
 - (1) After promulgation of standards of performance under Section 306 of FWPCA which are applicable to such source; or

- (2) After proposal of standards of performance in accordance with Section 306 of the FWPCA which are applicable to such source, but only if the standards are promulgated in accordance with Section 206 within 120 days of their proposal.
33. NH₃-N - means the pollutant parameter ammonia, measured as nitrogen.
34. 1-year, 24-hour precipitation event - means the maximum 24-hour precipitation event with a probable recurrence interval of once in one year as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, or equivalent regional or rainfall probability information developed therefrom.
35. Permit application - means forms and additional information that are required by ADEM Admin. Code r. 335-6-6-.08 and applicable permit fees.
36. Point Source - means "any discernible, confined and discrete conveyance, including but not limited to any pipe, channel, ditch, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft from which pollutants are or may be discharged." Section 502(14) of the FWPCA, 33 U.S.C. §1362(14).
37. Pollutant - includes for purposes of this Permit, but is not limited to, those pollutants specified in Code of Alabama 1975, §22-22-1(b)(3) and those effluent characteristics, excluding flow, specified in Part I.A. of this Permit.
38. Pollutant of Concern - means those pollutants for which a water body is listed as impaired or which contribute to the listed impairment.
39. Pollution Abatement and/or Prevention Plan (PAP Plan) – mining operations plan developed to minimize impacts on water quality to avoid a contravention of the applicable water quality standards as defined in ADEM Admin. Code r. 335-6-9-.03
40. Preparation, Dry - means a dry preparation facility within which the mineral/material is cleaned, separated, or otherwise processed without use of water or chemical additives before it is shipped to the customer or otherwise utilized. A dry preparation plant includes all ancillary operations and structures necessary to clean, separate, or otherwise process the mineral/material, such as storage areas and loading facilities. Dry preparation also includes minor water spray(s) used solely for dust suppression on equipment and roads to minimize dust emissions.
41. Preparation, Wet - means a wet preparation facility within which the mineral/material is cleaned, separated, or otherwise processed using water or chemical additives before it is shipped to the customer or otherwise utilized. A wet preparation plant includes all ancillary operations and structures necessary to clean, separate, or otherwise process the mineral/material, such as storage areas and loading facilities. Wet preparation also includes mineral extraction/processing by dredging, slurry pumping, etc.
42. Privately Owned Treatment Works - means any devices or system which is used to treat wastes from any facility whose operator is not the operator of the treatment works, and which is not a "POTW".
43. Publicly Owned Treatment Works (POTW) - means a wastewater collection and treatment facility owned by the State, municipality, regional entity composed of two or more municipalities, or another entity created by the State or local authority for the purpose of collecting and treating municipal wastewater.
44. Receiving Stream - means the "waters" receiving a "discharge" from a "point source".

45. Severe property damage - means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
46. 10-year, 24-hour precipitation event - means that amount of precipitation which occurs during the maximum 24-hour precipitation event with a probable recurrence interval of once in ten years as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, or equivalent regional or rainfall probability information developed therefrom.
47. TKN - means the pollutant parameter Total Kjeldahl Nitrogen.
48. TON - means the pollutant parameter Total Organic Nitrogen.
49. TRC - means Total Residual Chlorine.
50. TSS - means the pollutant parameter Total Suspended Solids
51. Treatment facility and treatment system - means all structures which contain, convey, and as necessary, chemically or physically treat mine and/or associated preparation plant drainage, which remove pollutants limited by this Permit from such drainage or wastewater. This includes all pipes, channels, ponds, tanks, and all other equipment serving such structures.
52. 24HC - means 24-hour composite sample, including any of the following:
 - a. The mixing of at least 12 equal volume samples collected at constant time intervals of not more than 2 hours over a period of 24 hours;
 - b. A sample collected over a consecutive 24-hour period using an automatic sampler composite to one sample. As a minimum, samples shall be collected hourly and each shall be no more than one twenty-fourth (1/24) of the total sample volume collected; or
 - c. A sample collected over a consecutive 24-hour period using an automatic composite sampler composited proportional to flow.
53. 24-hour precipitation event - means that amount of precipitation which occurs within any 24-hour period.
54. 2-year, 24-hour precipitation event - means the maximum 24-hour precipitation event with a probable recurrence interval of once in two years as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, or equivalent regional or rainfall probability information developed therefrom.
55. Upset - means an exceptional incident in which there is an unintentional and temporary noncompliance with technology-based permit discharge limitations because of factors beyond the control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate facilities, lack of preventive maintenance, or careless or improper operation.
56. Waters - means "[a]ll waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the State, natural or artificial. This does not include waters which are entirely confined and retained completely upon the property of a single individual, partnership, or corporation unless such waters are used in interstate commerce." Code of Alabama 1975, §22-22-1(b)(2). "Waters" include all "navigable waters" as defined in §502(7) of the FWPCA, 33 U.S.C. §1362(7), which are within the State of Alabama.

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

E. SEVERABILITY

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

F. PROHIBITIONS AND ACTIVITIES NOT AUTHORIZED

1. Discharges from disposal or landfill activities as described in ADEM Admin. Code div. 335-13 are not authorized by this Permit unless specifically approved by the Department.
2. Relocation, diversion, or other alteration of a water of the State is not authorized by this Permit unless specifically approved by the Department.
3. Lime or cement manufacturing or production and discharge of process waters from such manufacturing or production is not authorized by this Permit unless specifically approved by the Department.
4. Concrete or asphalt manufacturing or production and discharge of process waters from such manufacturing or production is not authorized by this Permit unless specifically approved by the Department.
5. The discharge of wastewater, generated by any process, facility, or by any other means not under the operational control of the Permittee or not identified in the application for this Permit or not identified specifically in the description of an outfall in this Permit is not authorized by this Permit.

G. DISCHARGES TO IMPAIRED WATERS

1. This Permit does not authorize new sources or new discharges of pollutants of concern to impaired waters unless consistent with an EPA-approved or EPA-established Total Maximum Daily Load (TMDL) and applicable State law, or unless compliance with the limitations and requirements of the Permit ensure that the discharge will not contribute to further degradation of the receiving stream. Impaired waters are those that do not meet applicable water quality standards and are identified on the State of Alabama's §303(d) list or on an EPA-approved or EPA-established TMDL. Pollutants of concern are those pollutants for which the receiving water is listed as impaired or contribute to the listed impairment.
2. Facilities that discharge into a receiving stream which is listed on the State of Alabama's §303(d) list of impaired waters, and with discharges that contain the pollutant(s) for which the waters are impaired, must within six (6) months of the Final §303(d) list approval, document in its BMP plan how the BMPs will control the discharge of the pollutant(s) of concern, and must ensure that there

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

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

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION**

NPDES INDIVIDUAL PERMIT RATIONALE

Company Name: St. Clair County Commission
Facility Name: St. Clair County Road Department Shop Chert Pit
County: St. Clair
Permit Number: AL0083624
Prepared by: Ange Boatwright
Date: July 15, 2020
Receiving Waters: Unnamed Tributary to North Fork Dry Creek/Groundwater
Permit Coverage: Dirt and/or Chert Mine, Transportation and Storage, and Associated Areas
SIC Code: 1794

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

This proposed permit covers a dirt and/or chert mine, transportation and storage, and associated areas which discharge to surface and ground waters of the state.

The proposed permit authorizes treated discharges into an unnamed tributary to North Fork Dry Creek which is classified as Fish and Wildlife (F&W) per ADEM Admin. Code ch. 335-6-11. If the requirements of the proposed permit are fully implemented, the facility will not discharge pollutants at levels that will cause or contribute to a violation of the F&W classification.

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

Technology Based Effluent Limits (TBELs) for dirt and/or chert mines have not yet been developed by the EPA. The pollutants expected to be discharged from the facility, and therefore limited in the proposed permit, are pH and Total Suspended Solids (TSS) (40CFR401.16). The limits in the proposed permit were developed using Best Professional Judgment (BPJ) with consideration given to New Source Performance Standards (NSPS) for TSS in 40 CFR 434.35 and Best Practicable Control Technology Available (BPT) for pH in 40 CFR 436.32. They are also based on proper implementation of best management practices at the facility.

The proposed permit includes discharges to Groundwater. Monitoring for discharges to groundwater is not required because of the natural treatment provided by the chert formation; however, discharges to surface waters must be monitored twice per month.

40 CFR 436.32 includes the TBEL of 6.0 – 9.0 s.u. for pH. The applicable State water quality criteria for pH in streams classified as F&W is 6.0 – 8.5 s.u. per ADEM Admin. Code r. 335-6-10-.09. However, a pH of 6.0 – 9.0 s.u. is allowed by the Department for discharges that occur as a result of rain events due to the low discharge/stream flow ratio. This is the case for Outfall 001-1. Furthermore, under no circumstances may the discharge from any outfall cause the in-stream pH to deviate more than 1.0 s.u. from the normal or natural pH, nor be less than 6.0 s.u. nor greater than 8.5 s.u.

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

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

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

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

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

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

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

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

The proposed permit action authorizes new discharges of pollutants to receiving waters determined by the Department to be waters where the quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water (Tier II). Pursuant to ADEM Admin. Code r. 335-6-10 (Antidegradation Policy and Implementation of the Antidegradation Policy), the applicant has submitted and the Department has reviewed and considered information regarding (1) demonstration of necessity/importance, (2) alternatives analysis, and (3) calculations of total annualized costs for technically feasible treatment alternatives regarding the proposed new discharges to Tier II waters. The Department has determined, based on the applicant's demonstration, that the proposed new discharges to the Tier II waters are necessary for important economic or social development in the area in which the waters are located.

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION**

ANTIDEGRADATION RATIONALE

Company Name: St. Clair County Commission

Facility Name: St. Clair County Road Department Shop Chert Pit

County: St. Clair

Permit Number: AL0083623

Prepared by: Ange Boatwright

Date: July 15, 2020

Receiving Waters: Unnamed Tributary to North Fork Dry Creek

Stream Category: Tier II as defined by ADEM Admin. Code 335-6-10-.12

Discharge Description: This proposed permit covers a dirt and/or chert mine, transportation and storage, and associated areas which discharge to surface waters.

The following preliminary determination was prepared in accordance with ADEM Admin. Code 335-6-10-.12(7)(c):

The Department has reviewed the information submitted by applicant in accordance with ADEM Admin. Code 335-6-10-.12(9). The applicant has demonstrated that there are no technically or economically viable treatment options in its alternatives analysis that would completely eliminate a direct discharge.

The permit applicant has indicated that the following economic and social benefits will result from this project:

1. The Permittee submits they will be able to continue to employ 40 employees if the proposed permit is issued.
2. The Permittee expects to use the mined material to build and repair county-maintained roads for public use.
3. The Permittee submits that local residents will be able to travel to and from work on county-maintained roads which will generate employment and sales taxes.

The Department has determined that the discharge proposed by the permit applicant is necessary for important economic and social development in the area of the outfall location in the receiving water.

Reviewed By: Catherine McNeill *CM*

Date: 8-3-2020

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

**SURFACE & UNDERGROUND MINERAL & ORE OR MINERAL PRODUCT MINING, QUARRYING, EXCAVATION,
BORROWING, HYDRAULIC MINING, STORAGE, PROCESSING, PREPARATION, RECOVERY, HANDLING,
LOADING, STORING, OR DISPOSING ACTIVITIES AND ASSOCIATED AREAS INCLUDING PRE-MINING SITE
DEVELOPMENT, CONSTRUCTION, EXCAVATION, CLEARING, DISTURBANCE, RECLAMATION, AND
ASSOCIATED AREAS**

R# 18-45200

INSTRUCTIONS: COMPLETE ALL QUESTIONS. RESPOND WITH "N/A" AS APPROPRIATE. INCOMPLETE OR INCORRECT ANSWERS OR MISSING SIGNATURES WILL DELAY PROCESSING. ATTACH ADDITIONAL COMMENTS OR INFORMATION AS NEEDED. IF SPACE IS INSUFFICIENT, CONTINUE ON AN ATTACHED SHEET(S) AS NECESSARY. COMMENCEMENT OF ACTIVITIES APPLIED FOR AS DETAILED IN THIS APPLICATION ARE NOT AUTHORIZED UNTIL PERMIT COVERAGE HAS BEEN ISSUED BY THE DEPARTMENT.

PLEASE TYPE OR PRINT IN INK ONLY.

\$ 5820.00

PURPOSE OF THIS APPLICATION

- | | |
|---|--|
| <input checked="" type="checkbox"/> Initial Permit Application for New Facility | <input type="checkbox"/> Initial Permit Application for Existing Facility (e.g. facility previously permitted less than 5 acres) |
| <input type="checkbox"/> Modification of Existing Permit | <input type="checkbox"/> Reissuance of Existing Permit |
| <input type="checkbox"/> Reissuance & Transfer of Existing Permit | <input type="checkbox"/> Reissuance & Modification Existing Permit |
| <input type="checkbox"/> Revocation and Reissuance of Existing Permit | <input type="checkbox"/> Other _____ |

I. GENERAL INFORMATION

RECEIVED

NPDES Permit Number (Not applicable if initial permit application): <i>AL 0083623</i>	County(s) in which Facility is Located: ST. CLAIR	JAN 31 2018
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Company/Permittee Name: ST. CLAIR COUNTY COMMISSION			Facility Name (e.g., Mine Name, Pit Name, etc.): ST. CLAIR COUNTY ROAD DEPARTMENT SHOP CHERT PIT		
Mailing Address of Company/Permittee: 165 5TH AVENUE, SUITE 100			Physical Address of Facility (as near as possible to entrance): 31588 US HWY 231		
City: ASHVILLE	State: AL	Zip: 35953	City: ASHVILLE	State: AL	Zip: 35953
Permittee Phone Number: 205-594-2100		Permittee Fax Number: 205-594-2110		Latitude and Longitude of entrance: 33.7939 N, 86.2703 W	

Responsible Official (as described on page 13 of this application): PAUL MANNING			Responsible Official Title: COMMISSION CHAIRMAN		
Mailing Address of Responsible Official: 165 5TH AVENUE, SUITE 100			Physical Address of Responsible Official: 165 5TH AVENUE, SUITE 100		
City: ASHVILLE	State: AL	Zip: 35953	City: ASHVILLE	State: AL	Zip: 35953
Phone Number of Responsible Official: 205-594-2100		Fax Number of Responsible Official: 205-594-2110		Email Address of Responsible Official: llawley@stclairco.com	

Facility Contact: DAN DAHLKE			Facility Contact Title: COUNTY ENGINEER		
Physical Address of Facility Contact: 31588 US HWY 231			Phone Number of Facility Contact: 205-594-2190		Fax Number of Facility Contact: 205-594-2193
City: ASHVILLE	State: AL	Zip: 35953	Email Address of Facility Contact: jddahlke@stclairco.com		

II. MEMBER INFORMATION

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

Name:	Title/Position:	Physical Address of Residence (P.O. Box is Not Acceptable)
PAUL MANNING	CHAIRMAN	

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

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

III. LEGAL STRUCTURE OF APPLICANT

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

☐ Corporation ☐ Association ☐ Individual ☐ Single Proprietorship ☐ Partnership ☐ LLP ☐ LLC
☒ Government Agency: ST. CLAIR COUNTY ☐ Other: _____

- B. If not an individual or single proprietorship, is the "Company/Permittee" listed in Part I. properly registered and in good standing with the Alabama Secretary of State's Office? (If the answer is "No," attach a letter of explanation.) ☒ Yes ☐ No
- C. Parent Corporation and Subsidiary Corporations of Applicant, if any: NA
- D. Land Owner(s): ST. CLAIR COUNTY
- E. Mining Sub-contractor(s)/Operator(s), if known: NA

IV. COMPLIANCE HISTORY

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

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

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

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

SEE ATTACHED SHEET 'APPENDIX A - IV. COMPLIANCE HISTORY'

V. OTHER PERMITS/AUTHORIZATIONS

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

ALG890182; ALR164924

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

ALR109077; ALR10AAP6; ALR16EEUF

VI. PROPOSED SCHEDULE

Anticipated Activity Commencement Date: MAY 1, 2018 Anticipated Activity Completion Date: APRIL 30, 2022

VII. ACTIVITY DESCRIPTION & INFORMATION

A. Proposed Total Area of the Permitted Site: 16.15 +/- acres Proposed Total Disturbed Area of the Permitted Site: 13.28 acres

B. Township(s), Range(s), Section(s): T14S, R4E, S30 & T14S, R4E, S19

C. Detailed Directions to Site: PELL CITY EXIT I-20, NORTH US-231 GO APPROX. 14.5 M. TO ST. CLAIR COUNTY ROAD DEPT.

D. Is/ will this facility:

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

VIII. MATERIAL TO BE REMOVED, PROCESSED, OR TRANSLOADED

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

100% <input checked="" type="checkbox"/> Dirt &/or Chert	<input type="checkbox"/> Sand &/or Gravel	<input type="checkbox"/> Chalk	<input type="checkbox"/> Talc	<input type="checkbox"/> Crushed rock (other)
<input type="checkbox"/> Bentonite	<input type="checkbox"/> Industrial Sand	<input type="checkbox"/> Marble	<input type="checkbox"/> Shale &/or Common Clay	<input type="checkbox"/> Sandstone
<input type="checkbox"/> Coal	<input type="checkbox"/> Kaolin	<input type="checkbox"/> Coal fines/refuse recovery	<input type="checkbox"/> Coal product, coke	<input type="checkbox"/> Slag, Red Rock
<input type="checkbox"/> Fire clay	<input type="checkbox"/> Iron ore	<input type="checkbox"/> Dimension stone	<input type="checkbox"/> Phosphate rock	<input type="checkbox"/> Granite
<input type="checkbox"/> Bauxitic Clay	<input type="checkbox"/> Bauxite Ore	<input type="checkbox"/> Limestone, crushed limestone and dolomite		
<input type="checkbox"/> Gold, other trace minerals:		<input type="checkbox"/> Other:		
<input type="checkbox"/> Other:		<input type="checkbox"/> Other:		
<input type="checkbox"/> Other:		<input type="checkbox"/> Other:		

IX. PROPOSED ACTIVITY TO BE CONDUCTED

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

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

B. Primary SIC Code: 1794 Description: EXCAVATION OF CHERT FOR ROAD BED MATERIAL

Secondary SIC Code(s): _____ Description: _____

C. Narrative Description of the Activity: CHERT PIT FOR THE EXCAVATION OF CHERT FOR ROAD BED CONSTRUCTION MATERIAL

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

A. Will fuels, chemicals, compounds, or liquid waste be used or stored onsite? ☐ Yes ☒ No

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

Volume	Contents	Volume	Contents	Volume	Contents
_____ gallons	_____	_____ gallons	_____	_____ gallons	_____
_____ gallons	_____	_____ gallons	_____	_____ gallons	_____

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

XI. POLLUTION ABATEMENT & PREVENTION (PAP) PLAN

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

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

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

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

XII. ASMC REGULATED ENTITIES

A. Is this coal mining operation regulated by ASMC? ☐ Yes ☒ No

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

XIII. TOPOGRAPHIC MAP SUBMITTAL

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

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

XIV. DETAILED FACILITY MAP SUBMITTAL

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

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

XV. RECEIVING WATERS

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

Action	Outfall E/P	Receiving Water	Latitude	Longitude	Distance to Rec. Water	Disturbed Acres	Drainage Acres	ADEM WUC	303(d) Segment (Y/N)	TMDL Segment* (Y/N)
ISSUE	001E	UT N. FORK DRY CRK	33.7949	-86.2703	1100 FT.	13.28	15.15	F&W	N	N

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

XVI. DISCHARGE CHARACTERIZATION

A. Modified EPA Form 2C Submittal

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

B. The applicant is required to supply the following information separately for every P or E outfall. If necessary, attach extra sheets. List expected average daily discharge flow rate in cfs and gpd, frequency of discharge in hours per day and days per month, average summer and winter temperature of discharge(s) in degrees centigrade (C), average pH in standard units, average daily discharge in pounds per day of BOD₅, Total Suspended Solids, Total Iron, Total Manganese, and Total Aluminum (if bauxite or bauxitic clay):

[illegible]

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

[illegible]

XVII. DISCHARGE STRUCTURE DESCRIPTION & POLLUTANT SOURCE

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

[illegible]

Origin of Pollutants – typical examples: (1) Discharge of drainage from the underground workings of an underground coal mine, (2) Discharge of drainage from a coal surface mine, (3) Discharge of drainage from a coal preparation plant and associated areas, (4) Discharge of process wastewater from a gravel-washing plant, (5) Discharge of wastewater from an existing source coal preparation plant, (6) Discharge of drainage from a sand and gravel pit, (7) Pumped discharge from a limestone quarry, (8) Controlled surface mine drainage (pumped or siphoned), (9) Discharge of drainage from mine reclamation, (10) Other: DISCHARGE OF STORM WATER DRAINAGE FROM A CHERT PIT

XVIII. PROPOSED NEW OR INCREASED DISCHARGES

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

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

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

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

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

Non Applicable

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

St. Clair County Highway Department employs forty (40) full time employees. No increase in jobs is anticipated at the time from the current forty (40) full time employees.

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

No reduction in employees is anticipated.

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

St. Clair County Highway Department does not pay any state or local taxes due to chert mining at this site.

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

St. Clair County Highway Department uses the chert mined from this site to build/repair county maintained roads. Residents travel these county roads to/from work and to/from retail centers. Also, all types of commerce is transported on our county maintained road system.

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

St. Clair County's road infrastructure provides a means for county/region residents to travel to/from work; thereby, generating employment taxes and sales taxes. Also, commerce to/from local areas and other states is transported on St. Clair County's road infrastructure.

Attachment 1 to Supplementary Form ADEM Form 311

Alternatives Analysis

Applicant/Project: ST. CLAIR CO. COMMISSION/SHOP CHERT PIT

All new or expanded discharges (except discharges eligible for coverage under general permits) covered by the NPDES permitting program are subject to the provisions of ADEM's antidegradation policy. Applicants for such discharges to Tier 2 waters are required to demonstrate "... that the proposed discharge is necessary for important economic or social development." As a part of this demonstration, the applicant must complete an evaluation of the discharge alternatives listed below, including a calculation of the total annualized project costs for each technically feasible alternative (using ADEM Form 312 for public-sector projects and ADEM Form 313 for private-sector projects). Alternatives with total annualized project costs that are less than 110% of the total annualized project costs for the Tier 2 discharge proposal are considered viable alternatives.

Alternative	Viable	Non-Viable	Comment
1 Land Application		N	SEE ATTACHED
2 Pretreatment/Discharge to POTW		N	SEE ATTACHED
3 Relocation of Discharge		N	SEE ATTACHED
4 Reuse/Recycle		N	SEE ATTACHED
5 Process/Treatment Alternatives		N	SEE ATTACHED
6 On-site/Sub-surface Disposal		Y	
<i>(other project-specific alternatives considered by the applicant; attach additional sheets if necessary)</i>			
7			
8			
9			

Pursuant to ADEM Administrative Code Rule 335-6-3-.04, I certify on behalf of the applicant that I have completed an evaluation of the discharge alternatives identified above, and reached the conclusions indicated.

Signature: 
(Professional Engineer)

Date: 7/10/2020

(Supporting documentation to be attached, referenced, or otherwise handled as appropriate.)

**Calculation of Total Annualized Project Costs
for Public-Sector Projects**

A. Capital Costs

Capital Cost of Project	\$ 0	
Other One-Time Costs of Project (Please List, if any)		
	\$	
	\$	
	\$	
Total Capital Costs (Sum column)	\$	(1)
Portion of Capital Costs to be Paid for with Grant Monies	\$ 0	(2)
Capital Costs to be Financed [Calculate: (1) - (2)]	\$ 0	(3)
Type of Financing (e.g., G.O. bond, revenue bond, bank loan)	NA	
Interest Rate for Financing (expressed as decimal)	NA	(i)
Time Period of Financing (in years)	NA	(n)
Annualization Factor = $\frac{i}{(1+i)^n - 1} + i$	NA	(4)
Annualized Capital Cost [Calculate: (3) x (4)]	NA	(5)

B. Operating and Maintenance Costs

Annual Costs of Operation and Maintenance (including but not limited to: monitoring, inspection, permitting fees, waste disposal charges, repair, administration and replacement.) (Please list below.)

PERMITTING FEE - \$5,820.00/5 YRS	\$ 1,164.00	
MONITORING	\$ 300.00	
MAINTENANCE	\$ 500.00	
	\$	
Total Annual O & M Costs (Sum column)	\$ 1,964.00	(6)

C. Total Annual Cost of Pollution Control Project

Total Annual Cost of Pollution Control Project [(5) + (6)]	\$ 1964.00	(7)
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ALTERNATIVE ANALYSIS ATTACHMENT

ADEM FORM 312 – ST. CLAIR SHOP CHERT PIT

1) Land Application Non-Viable

St. Clair County does not have an open pasture field, nor does St. Clair County have the equipment to pump water to an open pasture field. The best water quality will be achieved using the sediment settling basin.

2) Pretreatment/Discharge to POTW Non-Viable

A POTW is not in close proximity to the site. Also, a Public Treatment system is not applicable for removing silt from stormwater runoff.

3) Relocation of Discharge Non-Viable

Sediment settling basins are located in low lying areas. Relocating would require pumping over terrain which is not feasible.

4) Reuse/Recycle Non-Viable

Discharge outfalls are located so stormwater runoff will flow into natural biosystems. Therefore, a reuse/recycle treatment plan would bypass these biosystems thereby potentially harming them.

5) Process/Treatment Alternatives Non-Viable

Alternative processes/treatments are not feasible to collect silt and fine clays. Stormwater runoff directed to sediment settling basins is the best management practice.

6) On-site/Sub-surface Viable

Y	N	N/A
✓		
✓		
✓		
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		✓
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		✓

Outfall(s):

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



The applicant has completed the surface water discharge alternatives analysis and has supporting documentation, including annualized costs for each technically feasible alternative available for review upon request

Anti-seep Collar (NA) - one joint of 20' long spill pipe;
Emer. Spillway not sized for 50-yr 24-hr event because not discharging into PWS classified stream;
Only one detention pond; No stream crossings; Entire disturbed area will be active with no anticipated completion date at this time.

XX. POLLUTION ABATEMENT PLAN (PAP) REVIEW CHECKLIST

Y	N	N/A
✓		
✓		

PE Seal with License #

Name and Address of Operator

Legal Description of Facility

General Information:

✓		
✓		

Name of Company

Number of Employees

Products to be Mined

Hours of Operation

Water Supply and Disposition

Topographic Map:

✓		
		✓
✓		
✓		
✓		

Mine Location

Location of Prep Plant

Location of Treatment Basins

Location of Discharge Points

Location of Adjacent Streams

1"- 500' or Equivalent Facility Map:

✓		
✓		
✓		
✓		

Drainage Patterns

Mining Details

All Roads, Structures Detailed

All Treatment Structures Detailed

Detailed Design Diagrams:

✓		
✓		

Plan Views

Cross-section Views

Method of Diverting Runoff to Treatment Basins

Narrative of Operations:

✓		
✓		
✓		

Raw Materials Defined

Processes Defined

Products Defined

Schematic Diagram:

		✓
		✓
		✓

Points of Waste Origin

Collection System

Disposal System

Post Treatment Quantity and Quality of Effluent:

		✓
		✓
		✓
		✓

Flow

Suspended Solids

Iron Concentration

pH

Description of Waste Treatment Facility:

		✓
		✓

Pre-Treatment Measures

Recovery System

Expected Life of Treatment Basin

Schedule of Cleaning and/or abandonment

Other:

✓		
		✓
		✓
		✓

Precipitation/Volume Calculations/Diagram Attached

BMP Plan for Haul Roads

Measures for Minimizing Impacts to Adjacent Stream i.e., Buffer Strips, Berms, etc.

Methods for Minimizing Nonpoint Source Discharges

Facility Closure Plans

PE Rationale(s) For Alternate Standards, Designs or Plans

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

XXI. INFORMATION

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

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

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

The applicant is advised to contact:

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

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

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

XXII. PROFESSIONAL ENGINEER (PE) CERTIFICATION

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

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

Address PO BOX 100, 31588 US HWY 231, ASHVILLE, AL 35952

PE Registration # AL#25385

Name and Title (type or print) DAN DAHLKE, COUNTY ENGINEER

Phone Number 205-594-2190

Signature 

Date Signed 1/29/18

XXIII. RESPONSIBLE OFFICIAL SIGNATURE*

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

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

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

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

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

Name (type or print) PAUL MANNING

Official Title COMMISSION CHAIRMAN

Signature 

Date Signed 1/29/18

*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.

APPENDIX A – IV. COMPLIANCE HISTORY

1. Warning Letter – Need to Re-Register, Permit No. **ALR164924**, Dated February 8, 2011,
 - Appropriate, effective BMPs have not been fully implemented and regularly maintained;
 - The facility identification was not displayed;
 - A rain gauge was not observed;
 - The NOR on file does not correctly identify the site boundaries and area of disturbance;
 - Current disturbed areas seem to exceed the five (5) acres in size, contrary to ADEM Admin. Code Ch. 335-6-12.

St. Clair County re-established effective BMPs, placed another rain gauge onsite, and is filing the Form 315 permit application.

2. Warning Letter – Permit No. **ALR16EE23**, Dated December 14, 2010,
 - Appropriate, effective BMPs have not been fully implemented and regularly maintained;
 - Sediment accumulation in the sediment basin appears to be excessive;
 - Debris, trash onsite;
 - A rain gauge was not observed onsite.

St. Clair County re-established effective BMPs, placed another rain gauge onsite, removed debris and trash, removed the excessive sediment from the basin.

3. Warning Letter – Need to Register, Permit No. **ALR16EE23**, Dated May 13, 2010,
 - Appropriate, effective BMPs have not been fully implemented and regularly maintained;
 - The facility identification was not displayed;
 - A rain gauge was not observed onsite;
 - Site was not registered with the Department.

St. Clair County received a 'Notice of Registration (NOR) Received' letter dated April 9, 2010, re-established effective BMPs, placed another rain gauge onsite, placed the facility ID onsite.



St. Clair County
ALABAMA



Paul Manning
Chairman

Laura Lawley
Administrator/Treasurer

St. Clair County Commission

165 5th Avenue, Suite 100
Ashville, Alabama 35958
(205) 594-2100
Fax (205) 594-2110

Jeff Brown
Ken Crowe
Tommy Bowers
Jimmy Roberts
Associate Members

January 18, 2018

Delegation of Authority

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

<u>DAN DAHLKE</u>	(name of person or position)
<u>ST. CLAIR CO. HWY DEPT</u>	(company)
<u>13588 US HWY 231/ PO BOX 100</u>	(address)
<u>ASHVILLE, AL 35953</u>	(city, state, zip)
<u>205-594-2190</u>	(phone)

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

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

Name: PAUL MANNING

Company: ST. CLAIR CO. COMMISSION

Title: CHAIRMAN

Signature: Paul Manning

Date: 1/29/18

POLLUTION ABATEMENT &/OR PREVENTION PLAN (PAP)

for:

St. Clair County Road Department Shop Chert Pit
31588 US HWY 231
Ashville, AL 35953
205-594-2190

Owner/Operator:

St. Clair County Commission
Paul Manning – Commission Chairman
165 5th Avenue, Suite 100
Ashville, AL 35953
205-594-2400
205-594-2110

PAP Contact(s)

St. Clair County Department of Transportation
Dan Dahlke
P.O. Box 100
Ashville, AL 35953
205-594-2190
jddahlke@stclairco.com

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I. INTRODUCTION

This Pollution Abatement and Prevention Plan (PAP) plan has been prepared as part of the application for the issuance of an Individual Mining Permit which would cover surface mining of construction base (chert) from St. Clair County Road Department Maintenance Chert Pit. The proposed area of 16.155 acres are located in Section 30, T-14-S, R-4-E, and Section 19, T-14-S, R-4-E on the Ashville quadrangle, St. Clair County, Alabama. This plan has been prepared in accordance with the rules and regulations of the Alabama Department of Environmental Management (ADEM). The information contained herein is intended to address applicable provisions of ADEM Administrative Code R.335-6-9.

No chemicals or fuels are stored on the site; therefore, no SPCC is required for this site by the regulations.

II. OWNER/OPERATOR

The owner/operator of the St. Clair County Road Department Maintenance Chert Pit is:

St. Clair County Commission

165 5th Avenue, Suite 100

Ashville, AL 35953

III. LEGAL DESCRIPTION

The proposed facility is located within the following legal description.

LEGAL DESCRIPTION: N1/2 OF NW1/4 OF NW1/4 30-14-4 AND THE SW1/4-SW1/4 19-14-4.

The existing facility has a total area of 16.155 acres including the detention pond and access/haul road. The chert pit has a proposed area of 13.28 acres. The proposed facility is depicted on the attached site map, aerial photograph map and site plan map (Appendix A).

IV. GENERAL INFORMATION

The pit is operated as a borrow pit for construction fill, base material (dirt/chert) by St. Clair County Road Department. The product to be mined from the pit is dirt/chert which is excavated with conventional earthmoving equipment (e.g. front end loaders, trackhoes and backhoes) and loaded onto haul trucks. The pit is operated intermittently depending on construction projects. When in use, the pit normally operates Monday through Friday, early morning until late afternoon. The pit has no full-time employees. During borrow operations; there is generally one to three people working at the pit (not counting truck drivers). Surface water, as a result of rain events, is the only type of water at the facility all of which is diverted to a detention pond.

V. TOPOGRAPHIC MAP

A 7.5 minute series USGS (Ashville, AL) topographic map of the project site (Site Map) at a 1":2000' scale is included in this plan (Appendix A). A map with an aerial photograph of the project site showing the surrounding areas is also included in this plan (Appendix A).

VI. METHOD OF DIVERTING SURFACE WATER RUNOFF

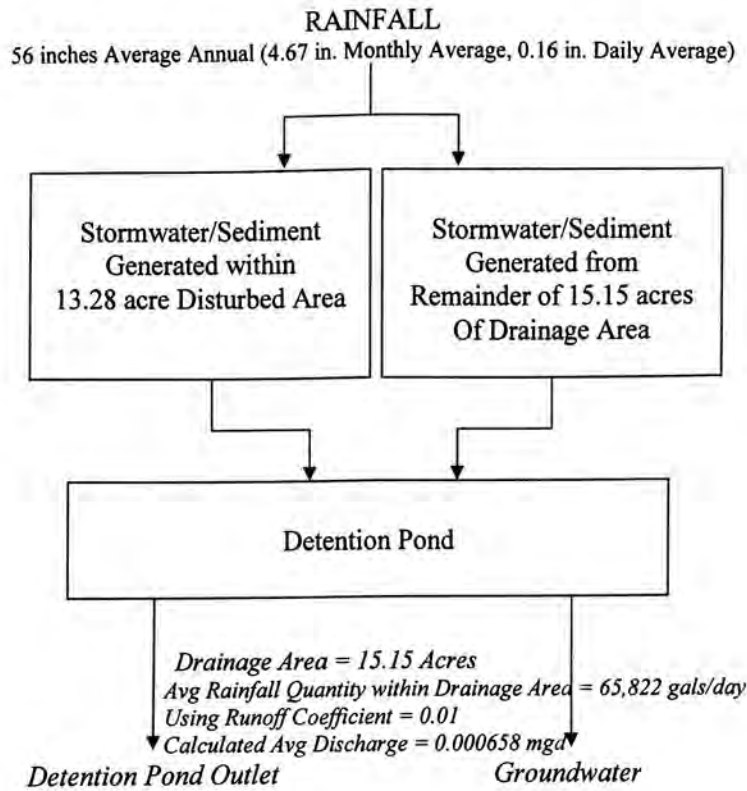
The excavation area is sloped to divert all surface water toward drainage conveyances. The drainage conveyances direct all surface water to the detention pond as depicted on the 'Drainage Pattern' map (Appendix A). The slope of the excavation area will be maintained to divert the surface water into the previously stated drainage conveyances and detention pond.

VII. RAW MATERIALS, PROCESSES AND PRODUCTS

The material to be mined is dirt/chert for road construction and construction base. There will not be any washing of material at the facility. There will not be any other operations which would produce wastewater or contaminants other than sediment from stormwater runoff. Typically, materials will be loaded directly (at time of excavation) onto trucks with a front-end loader or trackhoe and then transported off-site. All sediment at the loading site from any bare stockpiles is directed to the detention pond.

VIII. SCHEMATIC DIAGRAM

The only "process" which results in regulated discharge is rainfall which generates stormwater within the pit mining area. The total drainage area that produces stormwater runoff is 15.15 acres. The 13.28 acres of disturbed area is included in the 15.15 acres. The disturbed area is the only area that produces sediment and/or silt. Also, field examination indicates no trace of sediment at the outlet end of the detention pond outfall pipe.



IX. POST TREATMENT QUANTITY AND QUALITY OF EFFLUENT

The detention/treatment pond is designed to accommodate 3.37 ac-ft storage volume, and the storage volume required for a maximum disturbed acreage of 13.28 acres is 3.32 ac-ft. The treatment pond is designed to provide adequate oxidation for the removal of iron and other metals to a concentration within the permit requirements. The pH of the effluent will be between 6.0 su and 9.0 su as allowed by the permit. Sediment removal shall be performed as needed and conditions warrant to maintain the TSS within the permitted limits.

X. DESCRIPTION OF WASTE TREATMENT FACILITY

As previously stated, the detention pond in designed to accommodate 3.37 ac-ft storage volume. The detention pond is an earthen sedimentation basin and was constructed to meet the requirements stated in ADEM Administrative Code Rule 335-6-9-Appendix A. All stormwater runoff is directed to the detention pond. As previously stated, sediment removal shall be performed as needed and conditions warrant.

At such time as the chert mining activities is terminated and reclaimed, the detention pond will be reclaimed with trees and vegetation.

XI. SEDIMENT CONTROL FOR HAUL ROADS

Stormwater from the haul road is directed to the detention pond. There is not a stream crossing associated with the haul road. The haul road will be maintained in accordance with ADEM Administrative Code Rule 335-6-9-Appendix B.

XII. LOCATION OF ALL STREAMS ADJACENT TO MINING AREA

There is no "blue line" stream (as shown on the site map in Appendix A) that passes through, or drains into the detention pond.

XIII. NON-POINT SOURCE POLLUTION

All disturbed areas will drain into the detention pond. Surface water discharge is anticipated on rare occasions from the permitted site, but due to BMPs including the detention pond any non-point source pollution should not occur as a result of the operation of this facility.

IVX. PUBLIC WATER SUPPLY IMPOUNDMENT

Stormwater from this facility will not discharge to a stream segment classified as a Public Water Supply.

XV. SPILL PREVENTION CONTROL & COUNTERMEASURES PLAN (SPCC)

No fueling facilities or storage are located at this pit. As such, no SPCC plan will be needed.

XVI. RECLAMATION PROCEDURES

As mining is completed in an area, surfaces will be graded, with terraces if necessary, to facilitate erosion control and to continue drainage to the detention pond until reclamation is completed. Final reclamation will include establishment of permanent vegetation as needed for erosion and sediment control.

The reclamation procedures will meet requirements of the Alabama Surface Mining Act of 1969, as amended by Act 99-579, and as regulated under permits reviewed and renewed annually by the Alabama Department of Industrial Relations (ADIR).

During reclamation, all disturbed areas will be re-vegetated by applying top soil, lime and/or fertilizer, as recommended by a comprehensive soil analysis, then mulched and seeded with permanent native grasses.

XVII. CERTIFICATION

It is required that this detailed, comprehensive Pollution Abatement/Prevention Plan (PAP) be prepared, signed, and certified by a Professional Engineer (PE), registered in the State of Alabama as follows:

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

Name James Daniel Dahlke AL P.E. Reg.# 25385

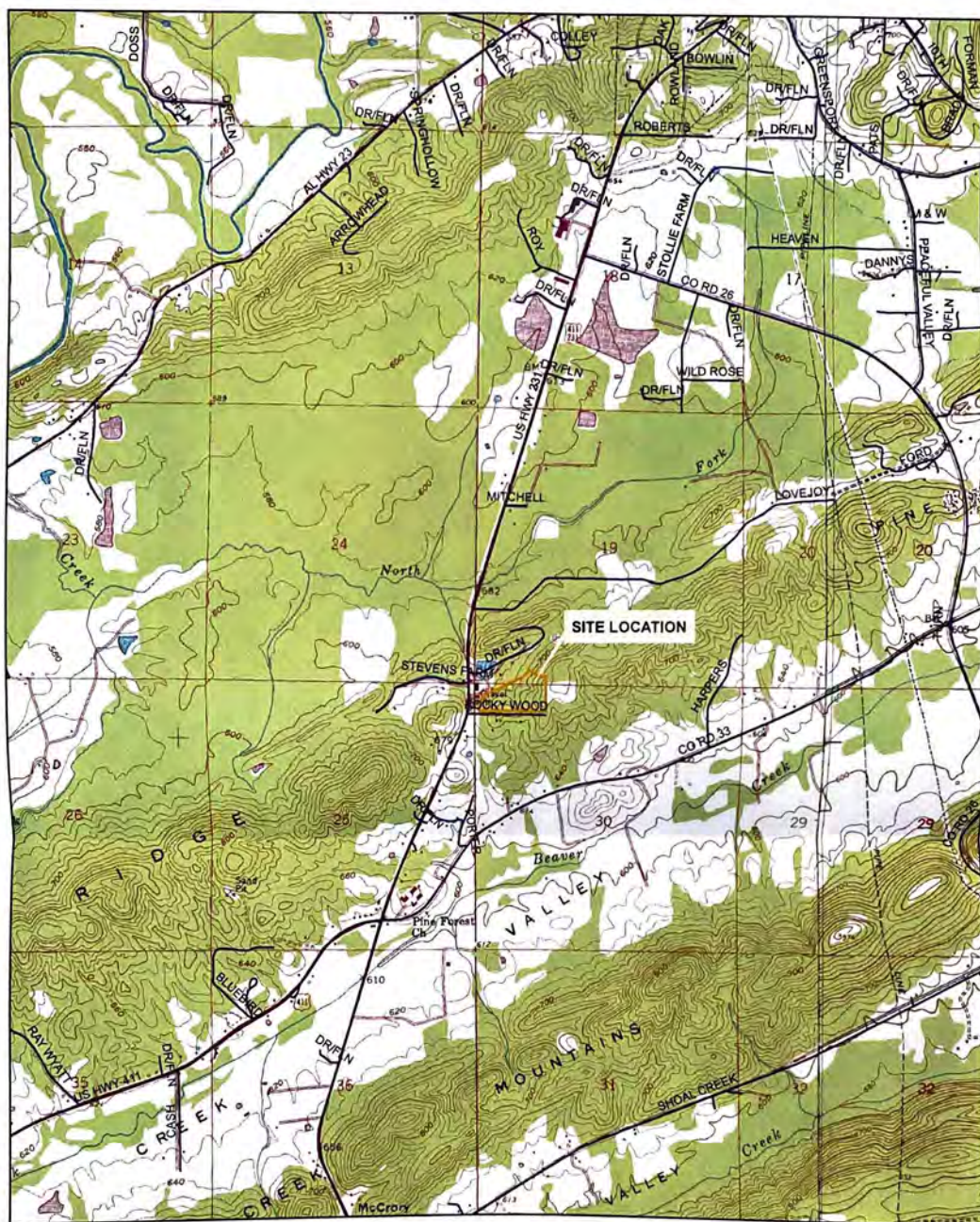
Signature  Date Signed 1/29/18

APPENDIX A

MAPS

- Site Map
- Aerial Photo – 300 Foot Scale
- Aerial Photography & BMPs
- Drainage Patterns

WinTR55 Reports



2,000 1,000 0 2,000 Feet

 $\frac{1}{2}$

ST. CLAIR COUNTY ROAD DEPARTMENT SHOP CHERT PIT

SITE MAP

MAP TAKEN FROM ASHVILLE, AL
QUADRANGLE 7.5 MINUTE SERIES (TOPOGRAPHIC)

33° 47' 38.07" N, 86° 16' 13.32" W

ST. CLAIR COUNTY ENGINEERING DEPARTMENT

31588 HWY 231 S.
ASHVILLE, AL 35953
PHONE: 205-594-2190 FAX: 205-594-2193

DWG/CHKD BY: RBG/DD	SCALE 1" = 2000'	SOURCE OF TITLE N/A	
FILE NAME ST. CLAIR COUNTY ROAD DEPARTMENT CHERT PIT	FIELD BOOK N/A	DATE 10/27/2017	DATE SURVEYED N/A
LOCATION S30 T14S R4E & S19 T14S R4E	<div style="text-align: center;"> REPLACE PERMIT #: ALG890182 </div>		
PREPARED FOR ST. CLAIR CO. COMM.			

REPLACE
PERMIT #: ALG890182

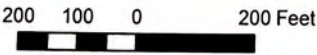


300 150 0 300 Feet

33° 47' 38.07" N, 86° 16' 13.32" W

ST. CLAIR COUNTY ROAD DEPARTMENT SHOP CHERT PIT

AERIAL PHOTOGRAPHY & BMPs MAP		ST. CLAIR COUNTY ENGINEERING DEPARTMENT 31588 HWY 231 S. ASHVILLE, AL 35953 PHONE: 205-594-2190 FAX: 205-594-2193		
Legend <div><div></div> MaintenanceShop_ChertPit_MiningBoundary</div>	DWG/CHKD BY: RBG/DD	SCALE 1" = 300'	SOURCE OF TITLE N/A	
	FILE NAME ST. CLAIR COUNTY ROAD DEPARTMENT CHERT PIT	FIELD BOOK N/A	DATE 12/18/2017	DATE SURVEYED N/A
	LOCATION S30 T14S R4E & S19 T14S R4E	REPLACE PERMIT #: ALG890182		
	PREPARED FOR: ST. CLAIR CO. COMM.			



33° 47' 38.07" N, 86° 16' 13.32" W



ST. CLAIR COUNTY ROAD DEPARTMENT SHOP CHERT PIT

AERIAL PHOTOGRAPHY
& BMPs MAP

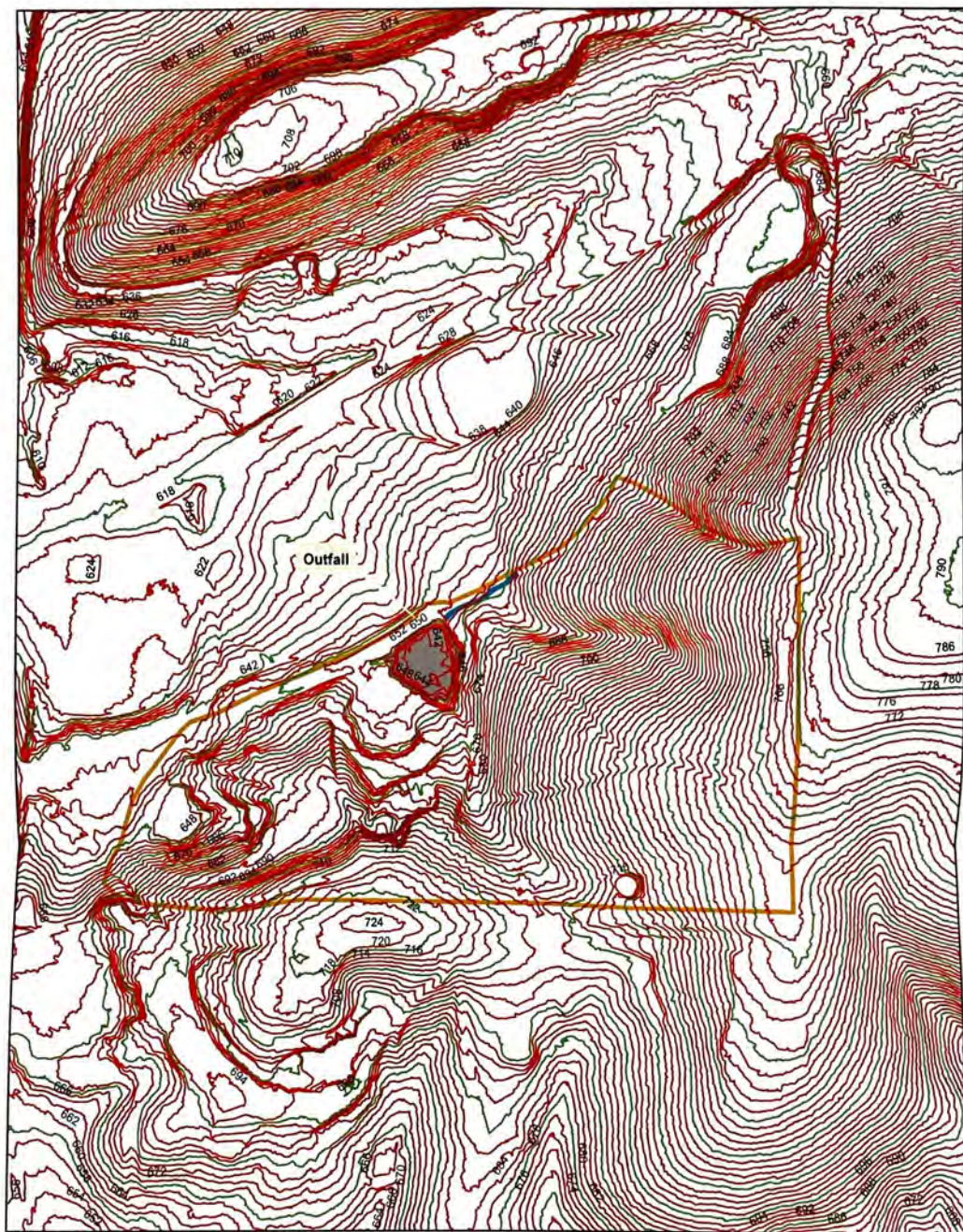
Legend

- Shop_Detention_Pond
- Shop_Pit_Burn
- MaintenanceShop_ChertPit_MiningBoundary

ST. CLAIR COUNTY ENGINEERING DEPARTMENT

31588 HWY 231 S.
ASHVILLE, AL 35953
PHONE 205-594-2190 FAX: 205-594-2193

DWG/CHKD BY RBG/DD	SCALE 1" = 200'	SOURCE OF TITLE N/A	
FILE NAME ST. CLAIR COUNTY ROAD DEPARTMENT CHERT PIT	FIELD BOOK N/A	DATE 12/18/2017	DATE SURVEYED N/A
LOCATION S30 T14S R4E & S19 T14S R4E	REPLACE PERMIT #: ALG890182		
PREPARED FOR ST. CLAIR CO. COMM.			



200 100 0 200 Feet

33° 47' 38.07" N, 86° 16' 13.32" W



ST. CLAIR COUNTY ROAD DEPARTMENT SHOP CHERT PIT

DRAINAGE PATTERNS 2 FT CONTOURS

Legend

- 10 FT
- 2 FT
- Shop_Detention_Pond
- Shop_Pit_Burn
- MaintenanceShop_ChertPit_MiningBoundary

ST. CLAIR COUNTY ENGINEERING DEPARTMENT

31588 HWY 231 S.
ASHVILLE, AL 35953
PHONE: 205-594-2190 FAX: 205-594-2193

DWG/CHKD BY: RBG/DD	SCALE 1" = 200'	SOURCE OF TITLE N/A	
FILE NAME ST. CLAIR COUNTY ROAD DEPARTMENT CHERT PIT	FIELD BOOK: N/A	DATE 12/18/2017	DATE SURVEYED N/A
LOCATION S30 T14S R4E & S19 T14S R4E	REPLACE PERMIT #: ALG890182		
PREPARED FOR: ST. CLAIR CO. COMM.			

WinTR-55 Current Data Description

--- Identification Data ---

User: St. Clair Date: 1/30/2018
 Project: Shop Chert Pit Units: English
 SubTitle: Areal Units: Acres
 State: Alabama
 County: St. Clair
 Filename: X:\ADEM_NORs\StClairShop_ChertPit\2017_NonCoalMining\Shop Pit.w55

--- Sub-Area Data ---

Name	Description	Reach	Area(ac)	RCN	Tc
Area_1		Pond 1	9.84	64	.302
Area_2		Pond 1	5.31	60	.593

Total area: 15.15 (ac)

--- Storm Data ---

Rainfall Depth by Rainfall Return Period

2-Yr (in)	5-Yr (in)	10-Yr (in)	25-Yr (in)	50-Yr (in)	100-Yr (in)	1-Yr (in)
4.0	5.1	5.9	6.7	7.4	8.2	3.4

Storm Data Source: User-provided custom storm data
 Rainfall Distribution Type: Type III
 Dimensionless Unit Hydrograph: <standard>

St. Clair

Shop Chert Pit

St. Clair County, Alabama

Storm Data

Rainfall Depth by Rainfall Return Period

2-Yr (in)	5-Yr (in)	10-Yr (in)	25-Yr (in)	50-Yr (in)	100-Yr (in)	1-Yr (in)
4.0	5.1	5.9	6.7	7.4	8.2	3.4

Storm Data Source: User-provided custom storm data
Rainfall Distribution Type: Type III
Dimensionless Unit Hydrograph: <standard>

St. Clair

Shop Chert Pit

St. Clair County, Alabama

Watershed Peak Table (Trial #1)

Sub-Area or Reach Identifier	ANALYSIS: (cfs)	Peak Flow by Rainfall 25-Yr (cfs)	Return Period 1-Yr (cfs)

SUBAREAS			
Area_1	6.88	21.95	4.23
Area_2	2.04	7.64	1.14
REACHES			
Pond 1	8.18	27.62	4.89
Down	7.69	25.87	4.62
OUTLET	7.69	25.87	4.62

St. Clair

Shop Chert Pit

St. Clair County, Alabama

Watershed Peak Table (Trial #2)

Sub-Area or Reach Identifier	Peak Flow by Rainfall Return Period		
	2-Yr (cfs)	25-Yr (cfs)	1-Yr (cfs)

SUBAREAS			
Area_1	6.88	21.95	4.23
Area_2	2.04	7.64	1.14
REACHES			
Pond 1	8.18	27.62	4.89
Down	7.88	26.53	4.73
OUTLET	7.88	26.53	4.73

St. Clair

Shop Chert Pit

St. Clair County, Alabama

Watershed Peak Table (Trial #3)

Sub-Area or Reach Identifier	Peak Flow by Rainfall Return Period		
	2-Yr (cfs)	25-Yr (cfs)	1-Yr (cfs)

SUBAREAS			
Area_1	6.88	21.95	4.23
Area_2	2.04	7.64	1.14
REACHES			
Pond 1	8.18	27.62	4.89
Down	7.99	26.92	4.79
OUTLET	7.99	26.92	4.79

St. Clair

Shop Chert Pit

St. Clair County, Alabama

Hydrograph Peak/Peak Time Table (Trial #1)

Sub-Area or Reach Identifier	Peak Flow and Peak Time (hr) by Rainfall Return Period		
	ANALYSIS: (cfs) (hr)	25-Yr (cfs) (hr)	1-Yr (cfs) (hr)

SUBAREAS			
Area_1	6.88	21.95	4.23
	12.25	12.22	12.28
Area_2	2.04	7.64	1.14
	12.50	12.44	12.56
REACHES			
Pond 1	8.18	27.62	4.89
	12.28	12.25	12.31
Down	7.69	25.87	4.62
	12.40	12.35	12.43
OUTLET	7.69	25.87	4.62

St. Clair

Shop Chert Pit

St. Clair County, Alabama

Hydrograph Peak/Peak Time Table (Trial #2)

Sub-Area or Reach Identifier	Peak Flow (cfs) (hr)	25-Yr (cfs) (hr)	Peak Time (hr) by Rainfall Return Period 1-Yr (cfs) (hr)
------------------------------------	----------------------------	------------------------	---

SUBAREAS

Area_1	6.88	21.95	4.23
	12.25	12.22	12.28

Area_2	2.04	7.64	1.14
	12.50	12.44	12.56

REACHES

Pond 1	8.18	27.62	4.89
	12.28	12.25	12.31
Down	7.88	26.53	4.73
	12.36	12.33	12.39

OUTLET	7.88	26.53	4.73
--------	------	-------	------

St. Clair

Shop Chert Pit

St. Clair County, Alabama

Hydrograph Peak/Peak Time Table (Trial #3)

Sub-Area or Reach Identifier	Peak 2-Yr (cfs) (hr)	Flow and 25-Yr (cfs) (hr)	Peak Time (hr) by Rainfall Return Period 1-Yr (cfs) (hr)
------------------------------------	-------------------------------	------------------------------------	---

SUBAREAS

Area_1	6.88	21.95	4.23
	12.25	12.22	12.28

Area_2	2.04	7.64	1.14
	12.50	12.44	12.56

REACHES

Pond 1	8.18	27.62	4.89
	12.28	12.25	12.31
Down	7.99	26.92	4.79
	12.34	12.31	12.37

OUTLET	7.99	26.92	4.79
--------	------	-------	------

St. Clair

Shop Chert Pit

St. Clair County, Alabama

Structure Output Table

Reach Peak Flow (PF), Storage Volume (SV), Stage (STG)
Identifier by Rainfall Return Period

Structure

Identifier ANALYSIS: 25-Yr 1-Yr

Reach: Pond 1

Pipe : Pond 1

18(in)

PF (cfs)	7.69	25.87	4.62
SV (ac ft)	.05	.18	.03
STG (ft)	.18	.61	.11

21(in)

PF (cfs)	7.88	26.53	4.73
SV (ac ft)	.04	.14	.02
STG (ft)	.14	.46	.08

24(in)

PF (cfs)	7.99	26.92	4.79
SV (ac ft)	.03	.11	.02
STG (ft)	.11	.36	.06

St. Clair

Shop Chert Pit

St. Clair County, Alabama

Sub-Area Summary Table

Sub-Area Identifier	Drainage Area (ac)	Time of Concentration (hr)	Curve Number	Receiving Reach	Sub-Area Description
Area_1	9.84	0.302	64	Pond 1	
Area_2	5.31	0.593	60	Pond 1	
Total Area: 15.15 (ac)					

St. Clair

Shop Chert Pit

St. Clair County, Alabama

Reach Summary Table

Reach Identifier	Receiving Reach Identifier	Reach Length (ft)	Routing Method
Pond 1	Outlet		STRUCTURE(Pond 1)

Shop Chert Pit

Sub-Area Time of Concentration Details

1/30/2018 8:30:07 AM

St. Clair

Shop Chert Pit

St. Clair County, Alabama

Sub-Area Land Use and Curve Number Details

Sub-Area Identifier	Land Use		Hydrologic Soil Group	Sub-Area Area (ac)	Curve Number
Area_1	Newly graded area (pervious only)		B	2.75	86
	Woods	(good)	B	7.09	55
	Total Area / Weighted Curve Number			9.84	64
				====	==
Area_2	Woods	(fair)	B	5.31	60
	Total Area / Weighted Curve Number			5.31	60
				====	==

St. Clair

Shop Chert Pit

St. Clair County, Alabama

Reach Channel Rating Details

Reach Identifier	Reach Length (ft)	Reach Manning's n	Friction Slope (ft/ft)	Bottom Width (ft)	Side Slope
Pond 1	(This reach is a structure: Pond 1)				
Reach Identifier	Stage (ft)	Flow (cfs)	End Area (sq ft)	Top Width (ft)	Friction Slope (ft/ft)
Pond 1	(This reach is a structure: Pond 1)				

St. Clair

Shop Chert Pit

St. Clair County, Alabama

Structure Description - User Entered

Reach Identifier	Surface Area @ Crest (ac)	Height Above Crest (ft)	Surface Area @ Ht Above (ac)	Pipe Diameter (in)	Head on Pipe (ft)	Weir Length (ft)
Pond 1	0.29	2.5	0.33	18 21 24	14	

St. Clair

Shop Chert Pit

St. Clair County, Alabama

Structure Rating Details - Computed

Reach Identifier	Stage (ft)	Pool Storage (ac ft)	Flows (cfs) @ Pipe Diameter		
			Dia #1 18in	Dia #2 21in	Dia #3 24in
Pond 1	0	0.00	0.000	0.000	0.000
	0.75	0.22	31.738	43.005	55.917
	1.5	0.45	32.577	44.152	57.422
	3	0.94	34.193	46.361	60.319
	7.5	2.63	38.639	52.433	68.276
	15	6.15	45.084	61.228	79.794

APPENDIX B

FORM 432

WATER DIVISION
MINING AND NATURAL RESOURCES SECTION
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

**POLLUTION ABATEMENT/TREATMENT MEASURES AND SEDIMENT CONTROL STRUCTURES
CERTIFICATION REPORT**

Please type or print in ink. Use one form per outfall. Please complete all questions. Use "N/A" where appropriate.
Incorrect/Incomplete Forms will be returned and may delay approval.

Name of Permittee: St. Clair County Commission

Postal Address of Permittee: 165 5th Avenue, Suite 100, Ashville, AL 35953

Facility Name: Odenville Chert Pit

NPDES Permit Number: INITIAL PERMIT

Point Source (Outfall) Number: 1

Location of Outfall:

County: St. Clair Township: 14S Range: 4E Section: 30

Latitude: 33deg, 47' 38.07" N Longitude: 86deg, 16' 13.32" W (In degrees, minutes, & seconds)

Consulting Firm Name & Address: N/A

N/A

Consulting Firm Phone: () N/A Fax: () N/A Email Address: N/A

Based upon the post-construction inspection of the above-referenced facility on (date) 01/18/2018

which I or personnel under my supervision (Print name: Dan Dahlke) conducted, I certify that all pollution abatement/treatment structures/measures, including each basin and its associated structures, have been designed and properly constructed according to good engineering practices, and in accordance with the requirements of the above-referenced NPDES permit and: (check one)

ASMC PERMITTED OR BONDED FACILITIES

- ☐ In accordance with ASMC Administrative Code 880-X-8F and 880-X-10C and/or the detailed design plans approved by ASMC.

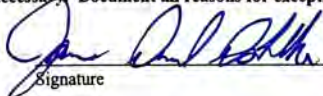
NON-ASMC PERMITTED OR BONDED FACILITIES

ADEM Administrative Code r. 335-6-9, including Appendix A and B, and applicable sections of Chapters 335-6-3, 335-6-6, and are built:

- ☒ In accordance with good engineering practices, and in strict agreement with the above-referenced NPDES permit, ADEM regulations, and the construction plans or revision accepted for the above-referenced NPDES permit application.
- ☐ In accordance with good engineering practices, and in strict agreement with the above-referenced NPDES permit, ADEM regulations, and substantial agreement with the construction plans or revision accepted for the above-referenced NPDES permit application with minor exceptions. **Detail these minor exceptions below or on back of form and submit revised construction plans if necessary. Document all reasons for exceptions.**

James Daniel Dahlke

PE Name (Please Type or Print)


Signature

01/18/2018

Date

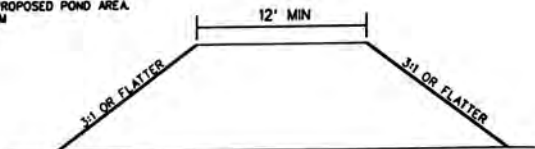
AL 25385

PE Registration # and Affix Seal

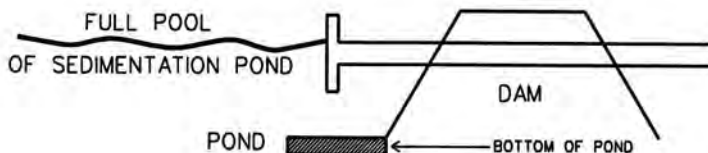
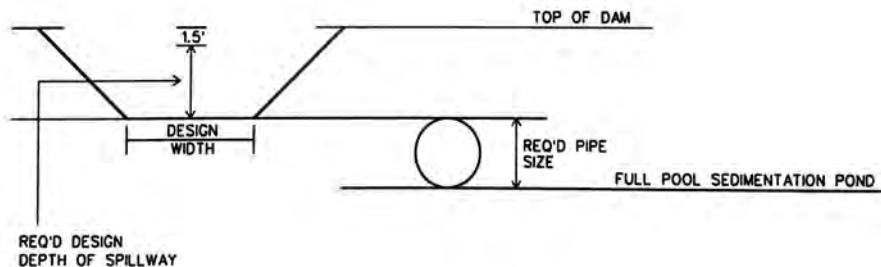
TYPICAL SECTION FOR DAM CONSTRUCTION

CONSTRUCTION REQUIREMENTS FOR DAM

1. ALL TREES, BOULDERS AND OTHER OBSTRUCTIONS TO BE REMOVED FROM PROPOSED POND AREA.
2. ALL MATERIALS EXCAVATED FROM POND SHALL BE PLACED UP STREAM FROM THE POND SO ANY SILT FROM THE EXCAVATED MATERIAL WILL GO BACK INTO THE POND.
3. ALL EMBANKMENT SHALL BE COMPACTED TO 95 PERCENT DENSITY.
4. SPILL PIPE SHALL BE EQUIPPED WITH ANTI-SEEP COLLARS AT EACH JOINT TO RADIATE AT LEAST 2 FEET FROM THE PIPE IN ALL DIRECTIONS. ALL CONNECTIONS SHALL BE WATERTIGHT.
5. THE SPILL PIPE SHALL BE LAID AS SHOWN IN DETAIL TO PREVENT ANY FLOATING SOLIDS FROM BEING DISCHARGED.
6. FINAL ELEVATION OF ALL DAMS, PIPES AND EMERGENCY SPILLWAYS TO BE DETERMINED IN FIELD, DEPENDING UPON SIZE OF POND.



TYPICAL SECTION FOR SPILLWAY & SURFACE WITHDRAWAL CONSTRUCTION



ST. CLAIR COUNTY ENGINEERING DEPT.
DAN DAHLKE
P.O. BOX 100
ASHVILLE, AL 35953
205-594-2190

APPENDIX C

A PHASE 1 CULTURAL RESOURCE ASSESSMENT

MRS CONSULTANTS, LLC.

Cultural Resource Specialists Archaeologists NHPA Section 106 Consultants

**A Phase I Cultural Resources Survey of the St. Clair County Road
Department Maintenance Shop Chert Pit, St. Clair County, Alabama**

by
Beth A. Ryba
Principal Investigator

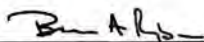


PERFORMED FOR:
St. Clair County Engineering Department
P.O. Box 100
Ashville, AL 35953

August 19, 2017

PERFORMED BY:
MRS Consultants, LLC.
P.O. Box 3146
Tuscaloosa, Alabama 35403

**A Phase I Cultural Resources Survey of the
St. Clair County Road Department Maintenance
Shop Chert Pit, St. Clair County, Alabama**



Beth A. Ryba
Principal Investigator

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Tuscaloosa, Alabama 35403

August 19, 2017

A Phase I Cultural Resources Survey of the St. Clair County Road Department Maintenance Shop Chert Pit, St. Clair County, Alabama

Beth A. Ryba

Project Information:

Project Name: N/A

Project Type: Chert pit

Survey Area Size: 16.2 acres (6.5 hectares)

Date of Survey: August 16, 2017

Locational Data:

County/State: St. Clair County, AL

Topographic Map: Ashville, AL

Township: 14S **Range:** 4E

Sections: 19 & 30

INTRODUCTION

MRS Consultants, LLC. was contracted by the St. Clair County Engineering Department to perform a Phase I cultural resources assessment for a proposed chert pit in St. Clair County, Alabama. All phases of research comply with requirements of the Section 106 of the National Historic Preservation Act, as well as guidelines established by the Alabama Historical Commission (AHC). A pedestrian reconnaissance survey was conducted at the project area to determine the existence of archaeological sites, cemeteries, and historic structures. Beth A. Ryba, Principal Investigator for the project, and Marla J. Spry, Cultural Resource Specialist, conducted the field survey on August 16, 2017.

Located in northwestern St. Clair County, approximately three miles to the south-southwest of the small town of Ashville, the proposed chert pit can be found in T14S, R4E, Sections 19 and 30 on the USGS 7.5' Ashville, Alabama topographic quadrangle (Figure 1). The boundaries of the irregularly shaped tract of land encompasses 16.2 acres that is characterized as the upper side slope of Pine Ridge, a narrow northeast-southwest trending ridge that extends across the county. Approximately half of the survey area is an existing borrow pit and the remainder is sloping terrain that has been timbered in the past and is highly disturbed and eroded. The survey area occupies the southeastern corner of the St. Clair County Road Department compound and several well maintained utility roads would provide access to the property. The landscape surrounding the project area is sparsely populated and is characterized by large tracts of forest, smaller parcels of agricultural lands, the road department complex, and single family homes.

This report details the cultural resource studies conducted for the proposed chert pit. Specific data for the project area is provided throughout the report, including general project and locational data, information pertaining to the background research, and archaeological field data for the survey area. Recommendations concerning the proposed project conclude the report.

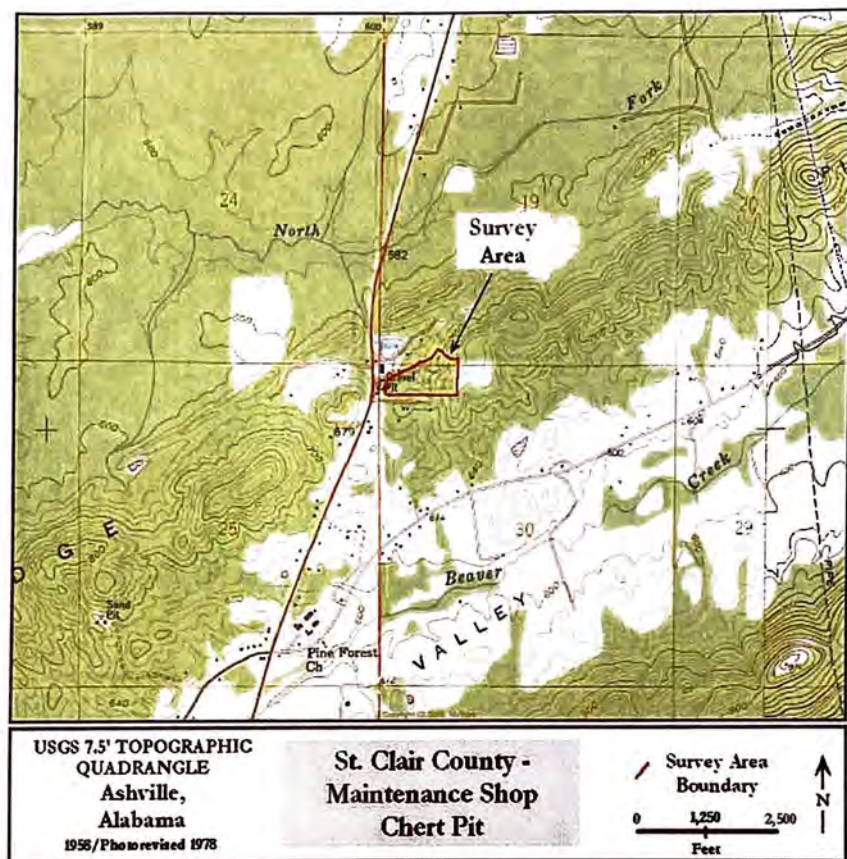


Figure 1. USGS 7.5' Ashville, AL Topographic Quadrangle Showing the Survey Area.

BACKGROUND RESEARCH

Background research was conducted prior to the survey to identify any known cultural resources, especially archaeological sites. This research also served to identify the potential for such resources. Several sources were referenced during the research, including the Alabama Online Cultural Resource Database (AOCRD), the Alabama Phase I Surveys, the National Register of Places (NRHP), the National Historic Landmarks (NHL), the Alabama Register of Landmarks and Heritage (ARLH), the Alabama Historic Cemetery Register (AHCR), historic maps at the University of Alabama's W.S. Hoole Special Collections Library, and Google Earth.

Alabama Online Cultural Resource Database: The AOCRD was referenced for previously recorded archaeological sites within a one mile radius of the project area. No sites are located at or near the study area, however, one site is found a little more than one-half mile to the northwest. Site 1SC307 is a small, light density lithic scatter that is situated on an upland crest

near the confluence of North Fork Creek and a first order stream. The site was recorded in 2002 by Catherine Labadia, New Orleans. The site is not considered eligible for the NRHP.

Alabama Phase I Surveys: The online GIS module was referenced for previous archaeological surveys conducted in the vicinity of the project area. One survey was identified within a one mile radius of the study area, but did not include the current survey area. In 2004, MRS Consultants conducted a survey for a proposed cellular tower that included less than one acre of land (Spry 2004). As a result of the survey, no archaeological sites were discovered and eight historic structures were recorded, two of which are considered to be potentially eligible for the NRHP. Neither structure is located near the current project area.

National Register of Historic Places: No NRHP properties are listed within in or near the survey area. Four properties, including a historic district, are located in the small town of Ashville which is approximately three miles away from the project area.

National Historic Landmarks: No landmarks are located in or near the survey area.

Alabama Register of Landmarks and Heritage: No properties are listed within in or near the survey area.

Alabama Historic Cemetery Register: No historic cemeteries are listed in or near the project area.

Historical Map Archive: Several maps were referenced at the University of Alabama's on-line map library; including the 1892 Springville 30' quadrangle, the 1917 St. Clair County soil map, and the 1945 St. Clair County Highway Department map. No structures are depicted in, or near, the survey area.

Google Earth: The historical imagery of Google Earth was referenced to understand the development of the property. The earliest available aerial photograph, taken in 1997, shows the survey area as largely undeveloped and wooded. A small borrow pit extends into the westernmost edge of the tract. The next available image, taken in 2005, shows that the borrow pit has been expanded to cover the west half of the survey area while the east half remains wooded (Figure 2). Subsequent images through October 2015 show little change to the property other than the slow growth of secondary vegetation within the borrow pit.

ENVIRONMENTAL SETTING

Ecoregion: The study area lies within the Ridge and Valley (Level III) ecoregion. More specifically, it falls within the Level IV Southern Limestone/Dolomite Valleys and Low Rolling Hills that is "composed predominantly of limestone and cherty dolomite. Landforms are mostly undulating valleys and rounded ridges and hills, with many caves and springs." (Chapman et al. 2004). Elevations range from 640 ft to 760 ft AMSL.

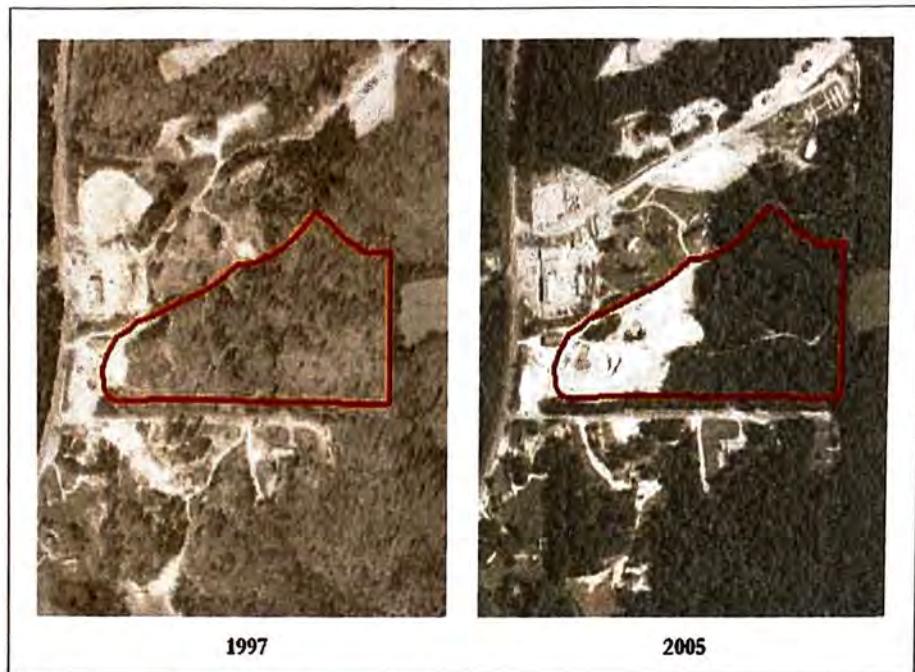


Figure 2. Google Earth Images Showing Changes to the Survey Area.

Soil Data: The Web Soil Survey (WSS) provides soil data and information produced by the National Cooperative Soil Survey, which is operated by the USDA Natural Resources Conservation Service (NRCS 2016). One soil type is present at the survey area and information is provided below.

Soil Classification: Minvale-Bodine association, steep

Map Unit Components: Minvale soils 69 %; Bodine soils 25 %; Minor soils 1 %

Landform/Characteristics: Mountains – back and side slopes/Well drained

Minvale Typical Profile: 0 to 12 inches gravelly loam; 12 to 60 inches gravelly silty clay

Bodine Typical Profile: 0 to 12 inches gravelly loam; 12 to 60 inches very gravelly clay loam

FIELD METHODS

The field survey conducted for the proposed chert pit implemented standard archaeological survey techniques. The survey area boundaries encompass the upper side slope of Pine Ridge, a narrow northeast-southwest trending ridge that extends across the county. Approximately eight acres of the tract is an existing borrow pit and the remainder is characterized by moderately steep to steep slopes with only a few small areas of level to gently sloping terrain. The majority of the eastern half of the survey area has been subject to past logging activities, as evidenced by

several logging roads, exposed subsoil, and push piles. Within the existing borrow pit, up to 20 ft of the upper soils have been removed. Vegetation within the western portion of the tract (borrow pit area) consists of immature pines and secondary growth while, within the eastern half, vegetation is generally characterized as stands of submature pines or mixed pines and hardwoods with light secondary growth (Figure 3). A pedestrian reconnaissance using visual inspection of exposed ground surfaces, i.e. road cuts, erosional gullies, and push-piles was conducted. Surface visibility ranged from poor to very good, with the most surface exposure occurring primarily along logging roads and within the disturbed borrow pit. This method was supplemented by shovel tests measuring 30-40 cm in diameter that were excavated to subsoil. Soils were then sifted through a 6 mm wire mesh screen in order to check for cultural materials. For each shovel test, the soil types and stratigraphic profile were recorded. Because of the disturbances within the project area (i.e. soil removal, timbering, and severe erosion), and considering the sloping terrain, interval shovel testing was not practical. Subsurface testing was limited to a few areas that were level to gently sloping and appeared to be relatively undisturbed. A total of six shovel tests were excavated during the survey, all of which showed little to no topsoil and none of which were positive for cultural materials.



Figure 3. Google Earth Aerial Photograph Showing the Survey Area (October 2015)

In regard to prehistoric occupation, the project area is considered to have a low probability for the occurrence of archaeological sites. The study area is dominated by moderately steep to steep sloping terrain that is not typically conducive prior occupation and only a few areas characterized as level to gently sloping exist within the project area boundaries. The property has been subject to soil/rock removal and extensive logging activities and is highly disturbed and

severely eroded, thus significantly reducing the potential for evidence of prior occupation to remain.

In addition to the archaeological survey, the project area and adjacent property was inspected for historic structures and cemeteries. The topographic quadrangle was reviewed and no cemeteries are shown in or in close proximity to the survey area. During the course of the survey, no historic structures were located within or adjacent to the proposed chert pit.

RESEARCH FINDINGS

No archaeological sites were discovered during the investigation of the proposed chert pit. The western half of the property is an existing borrow pit wherein up to 20 ft of soil and rock has been removed while the east half is dominated by moderately steep to steep slope that is not conducive to prior occupation and/or has been impacted by logging activities and is disturbed and severely eroded. Little to no topsoil was noted during the surface investigations and subsurface testing and there is little potential for intact cultural deposits to exist.

The following section summarizes the environmental conditions observed and recorded during the archaeological survey. A following section details the architectural landscape. Maps and aerial images of the survey area are provided throughout the report (Figures 1-4) and photographs of the survey area are located at the end of the report (Figures 5-21). No historic properties or cemeteries were found within the view-shed of the proposed chert pit. The following tabulation summarizes the environmental conditions observed and recorded during the archaeological survey. Photographs of the survey area are provided at the end of the report.

Archaeological Data:

Setting/Ground Cover: 50% existing chert/borrow pit with up to 20 ft of material removed: open and eroded, immature pines and secondary growth/40% moderately steep to steep slope – accessible areas previously logged and disturbed: juvenile pines and immature mixed forest with secondary vegetation/10% level to gently sloping terrain - logged and disturbed: immature mixed forest and secondary growth (Figures 3-4)

Previous Impacts: Soil and rock removal/logging activities/severe erosion

Degree of Surface Visibility: 70-100 % along road beds, clearings, and other open areas/ 0-35% on upland slope with stands of pines and mixed forest

Nearest Water Source: Head of first order stream

Distance to Water: 120- 400 m

Probability of Archaeological Sites: Low

Soil Type: Minvale-Bodine association, steep

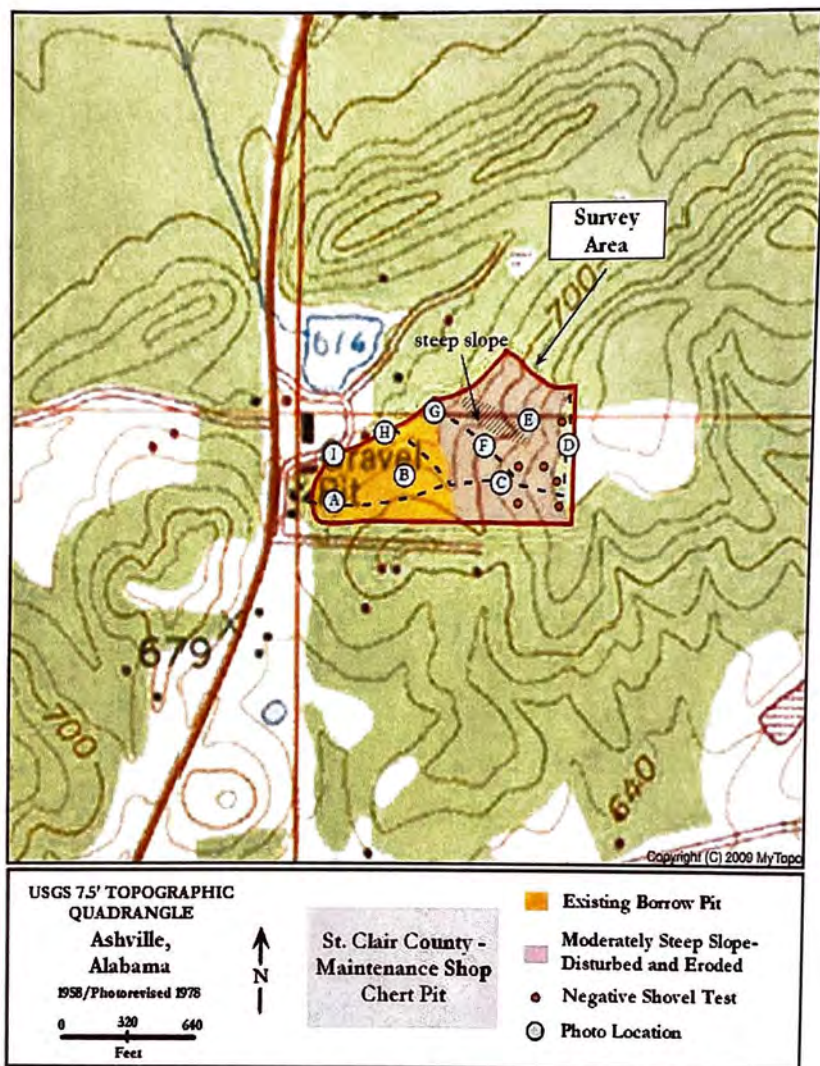


Figure 4. Survey Area Map Showing the Locations of Shovel Tests, the General Condition of the Property, and Photograph Locations.

Number of Shovel Tests: 6

Depth of Topsoil: 0 - 5 cm

Number of Archaeological Sites: None

Findings: Located in northwest St. Clair County, the proposed 16.2 acre chert pit is found in a sparsely populated rural area approximately three miles to the south-southwest of the small town of Ashville. The irregularly shaped tract of land is characterized by upland terrain that is covered by immature pines, mixed forest, and secondary growth. The property is in the southeastern corner of the St. Clair County Road Department compound and several well maintained unimproved roads provide access to the property from both the west and the north and two smaller, less used logging roads cross through the eastern portion of the tract. The western portion of the the survey area has been subject to extensive soil/rock removal while the eastern portion has been timbered; as evidenced by the logging roads and numerous push piles noted throughout the area. Surface exposure at the survey area was generally good to excellent within the borrow pit and along logging roads while, within forested areas, vegetation and leaf litter typically obscured the ground surface. During the pedestrian reconnaissance of the property, open and eroded ground surfaces, erosional gullies, cutbanks, and push-piles were visually inspected for cultural materials, aboveground features, notable depressions, etc., none of which were found. In addition, no rock outcrops suitable for bluff shelters were noted.

Due to the moderately steep to steeply sloping upland terrain and otherwise disturbed nature of the survey area, systematic shovel testing was not practical. Subsurface testing was instead focused on those areas with level to gently sloping terrain, poor surface visibility, and most likely to have relatively intact soils. As such, only 6 shovel tests were excavated during the field investigations, two of which showed an absence of topsoil and only yellowish red rocky silty clay was encountered. The remaining four tests revealed 3-5 cm of medium brown rocky silty loam that is underlain by yellowish red rocky silty clay subsoil. Tests were excavated from 20 cm to 27 cm below the ground surface. No cultural materials were recovered during the subsurface testing of the survey area. In addition to shovel tests that were plotted on a map and recorded, the field investigators periodically checked the underlying soils in areas wherein surface visibility was poor and signs of disturbance were observed. In general, these 'no-dig' tests were placed in areas that have been timbered in the past or on upper side slopes. In each case these informal tests confirmed that no topsoil remains in the area. In general the property was found to be disturbed and severely eroded and the potential for intact cultural deposits to exist is low.

Architectural Landscape:

Estimated Area of Potential Effect (APE): Adjacent areas (300 ft)

General Characterization of the APE: The survey area is situated on upland terrain approximately three miles to the south-southwest of Ashville in a sparsely populated rural area. U.S. Highway 231 is to the west of the study area and the St. Clair County Road Department maintenance complex with scattered offices, sheds, and miscellaneous outbuildings is to the north. Undeveloped land is to the east and several residential properties are located along Rocky Wood Drive which parallels the southern boundary line. The single family homes

consist of one trailer and three modern ranch style structures. No historic structures or cemeteries are located within the APE.

SUMMARY AND RECOMMENDATIONS

MRS Consultants, LLC. was contracted by St. Clair County Engineering Department to perform a Phase I cultural resources assessment for a proposed chert pit in St. Clair County, Alabama. A pedestrian reconnaissance survey was conducted at the study area in order to identify any archaeological sites, cemeteries, and historic standing structures that may be affected by the project. Approximately half of the survey area is an existing borrow pit and the remainder is dominated by sloping terrain that has been subject to extensive timbering activities. In general, the property is largely disturbed and is severely eroded. No evidence of prior occupation was found during the surface and subsurface investigations at the project area and it is highly unlikely that any significant, intact archaeological deposits exist. In addition, no NRHP or NRHP-eligible historic structures or cemeteries lie within the view-shed of the project area. Based on these findings, MRS Consultants, LLC. recommends that the proposed St. Clair County Road Department maintenance shop chert pit be cleared in regards to cultural resources. No significant cultural resources will be affected.

All materials and documentation related to projects conducted by MRS Consultants will be periodically curated at a curational facility that meets Department of Interior 36 CFR Part 79 standards. A curation statement is attached to this report.

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Spry, Marla J.

2004 *A Phase I Cultural Resources Assessment of the Proposed Beaver Creek Cellular Tower in St. Clair County, Alabama*. MRS Consultants, LLC., Tuscaloosa.

U.S. Department of Agriculture, Natural Resources Conservation Service

2017 *Web Soil Survey*. Electronic document, <http://websoilsurvey.nrcs.usda.gov/>.



Figure 5. View to the East of the Survey Area (See “A” on Figure 4).



Figure 6. View to the South of the Survey Area (See “B” on Figure 4).



Figure 7. View to the North of the Survey Area (See “B” on Figure 4).



Figure 8. View to the East of Steep Slope within the Project Area (See “B” on Figure 4).



Figure 9. View to the East of the Edge of the Existing Borrow Pit (See “B” on Figure 4).



Figure 10. View to the West of Old Logging Road and Sloping Terrain (See “C” on Figure 4).



Figure 11. View to the North of Moderately Steep Slope within the Survey Area (See “C” on Figure 4).



Figure 12. View to the North of the Project Area (See “D” on Figure 4).



Figure 13. View to the Southwest of the Survey Area (See “D” on Figure 4).



Figure 14. View to the North of the Survey Area (See “E” on Figure 4).