LANCE R. LEFLEUR
DIRECTOR

KAY IVEY
GOVERNOR

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

December 22, 2022

Mr. Heath McKee
General Manager
Alabama Stone Inc.
3835 Hwy 36
Russellville, AL 35653

RE: Draft Permit
Alabama Stone Company, Inc.
NPDES Permit Number AL0079201
Franklin County (059)

Dear Mr. McKee:

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

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

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

This permit requires Discharge Monitoring Reports (DMR) to be submitted utilizing the Department's web-based electronic reporting system. Please read Part I.D of the permit carefully and visit https://aepacs.adem.alabama.gov/nviro/ncore/external/home.

Should you have any questions concerning this matter, please contact Jasmine White at (334) 270-5622 or jasmine.white@adem.alabama.gov.

Sincerely,

William D. McClimans, Chief
Mining and Natural Resource Section
Stormwater Management Branch
Water Division

WDM/jlw File: DPER/41857

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

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

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

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

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

ADEM
Alabama Department of Environmental Management

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

PERMITTEE:	Alabama Stone Company, Inc. Post Office Box 38 Kasota, MN 56050
FACILITY LOCATION:	Alabama Stone Company, Inc. 3835 Highway 36 Russellville, AL 35653 Franklin County T7S, R12W, Sections 9 and 10
PERMIT NUMBER:	AL0079201
DSN & RECEIVING STREAM:	001-1 Unnamed Tributary to Hamilton Creek

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

ISSUANCE DATE:

EFFECTIVE DATE:

EXPIRATION DATE:

Draft

Alabama Department of Environmental Management

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

TABLE OF CONTENTS

PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this Permit and lasting through the expiration date of this Permit, the Permittee is authorized to discharge from 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	-------	25.0 mg/L	45.0 mg/L	Grab	2/Month
Flow, In Conduit or Thru Treatment Plant[2] 50050	-------	Report MGD	Report MGD	Instantaneous	2/Month

B. REQUIREMENTS TO ACTIVATE A PROPOSED MINING OUTFALL

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

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

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

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

C. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS

1. Sampling Schedule and Frequency

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

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

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

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

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

2. Measurement Frequency

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

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

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

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

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

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

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

3. Monitoring Schedule

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

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

b. QUARTERLY MONITORING shall be conducted at least once during each calendar quarter. Calendar quarters are the periods of January through March, April through June, July through September, and October through December. The Permittee shall conduct the quarterly monitoring during the first complete calendar quarter following the effective date of this Permit and is then required to monitor once during each quarter thereafter. Quarterly monitoring may be done anytime during the quarter, unless restricted elsewhere in this

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

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

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

4. Sampling Location

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

5. Representative Sampling

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

6. Test Procedures

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

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

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

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

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

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

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

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

7. Recording of Results

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

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

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

c. The dates and times the analyses were performed;

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

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

f. The results of all required analyses.

8. Routine Inspection by Permittee

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

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

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

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

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

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

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

9. **Records Retention and Production**

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

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

10. **Monitoring Equipment and Instrumentation**

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

D. DISCHARGE REPORTING REQUIREMENTS

1. **Requirements for Reporting of Monitoring**

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

b. The Department utilizes a web-based electronic 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 Department's current electronic reporting system.** The Department's current reporting system, Alabama Environmental Permitting and Compliance System (AEPACS), can be found online at https://aepacs.adem.alabama.gov/nviro/ncore/external/home.

c. If the electronic 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 electronic reporting 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 electronic reporting system resuming operation, the Permittee shall enter the data into the reporting system unless an alternate timeframe is approved by the Department. An attachment should be included with the electronic 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.i.

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. 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.

h. 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."

i. All DMRs, reports, and forms required to be submitted by this Permit, the AWPCA and the Department's rules and regulations, shall be submitted through the Department's electronic reporting system, AEPACS, or, if in hardcopy, 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

j. 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.

k. 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.

3. 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 provided by ADEM Admin. Code r. 335-6-6-.08(j)5. The Plan shall describe and the Permittee shall implement appropriate structural and/or non-structural spill prevention, control, and/or management pursuant to

ADEM Admin. Code r. 335-6-6-.12 (r) 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. The Plan shall include at a minimum, the engineering requirements provided in 40 C.F.R. §§112.1. 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 Plan shall list any materials which the Permittee may utilize to contain and to absorb fuel and chemical spills and leaks. The Permittee shall maintain sufficient amounts of such materials onsite or have sufficient amounts of such materials readily available to contain and/or 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 a manner consistent with all State and federal regulations.

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. The Permittee may seek to demonstrate that noncompliance with technology-based effluent limits occurred as a result of an upset if the conditions of Part II.B.2.b are met and if the Permittee complies with the conditions provided in Part II.B.2.c.

b. If the Permittee wishes to establish the affirmative defense of an upset for technology-based effluent limit noncompliance, the Permittee must demonstrate through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the Permittee can identify the specific cause(s) of the upset;

(2) The wastewater treatment facility was at the time being properly operated in accordance with Part II.B.d.

(3) The Permittee submitted notice of the noncompliance during the upset as required by Part II.B.2.c; and

(4) The Permittee complied with any remedial measures required under Part II.A.7. of this Permit.

c. If the Permittee wishes to establish the affirmative defense of an upset for technology-based effluent limit noncompliance, the Permittee shall:

(1) No later than 24-hours after becoming aware of the occurrence of the upset, orally report the occurrence and circumstances of the upset to the Director in accordance with Part I.G.2.; and

(2) No later than five (5) days after becoming aware of the occurrence of the upset, furnish 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.

d. 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 eligible to be considered as a result of an upset 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.

e. The Permittee has the burden of proof in defense of any enforcement action as a result of noncompliance of technology-based effluent limits the Permittee proposes to attribute to an upset.

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. **Applications must be submitted electronically via the Department's current electronic permitting system. The Department's current online permitting system, Alabama Environmental Permitting and Compliance System (AEPACS), can be found online at https://aepacs.adem.alabama.gov/nviro/ncore/external/home.**

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

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

PART III ADDITIONAL REQUIREMENTS, CONDITIONS, AND LIMITATIONS

A. CIVIL AND CRIMINAL LIABILITY

1. Tampering

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

2. False Statements

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

3. Permit Enforcement

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

4. Relief From Liability

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

B. OIL AND HAZARDOUS SUBSTANCE LIABILITY

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

C. AVAILABILITY OF REPORTS

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

D. DEFINITIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18. DO - means dissolved oxygen.

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

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

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

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

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

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

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

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

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

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

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

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

29. MGD - means million gallons per day.

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

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

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

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

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

32. New Source - means:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

49. TRC - means Total Residual Chlorine.

50. TSS – means the pollutant parameter Total Suspended Solids

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

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

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

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

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

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

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

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

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

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

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

E. SEVERABILITY

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

F. PROHIBITIONS AND ACTIVIES NOT AUTHORIZED

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

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

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

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

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

G. DISCHARGES TO IMPAIRED WATERS

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

2. Facilities that discharge into a receiving stream which is listed on the State of Alabama's §303(d) list of impaired waters, and with discharges that contain the pollutant(s) for which the waters are impaired, must within six (6) months of the Final §303(d) list approval, document in its BMP plan how the BMPs will control the discharge of the pollutant(s) of concern, and must ensure that there will be no increase of the pollutants of concern. A monitoring plan to assess the effectiveness of the BMPs in achieving the allocations must also be included in the BMP plan.

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

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION

NPDES INDIVIDUAL PERMIT RATIONALE

Company Name:	Alabama Stone Company, Inc.
Facility Name:	Alabama Stone Company, Inc.
County:	Franklin
Permit Number:	AL0079201
Prepared by:	Jasmine White
Date:	December 19, 2022
Receiving Waters:	Unnamed Tributary to Hamilton Creek
Permit Coverage:	Crushed Stone Mine, Wet Processing, Mineral Loading, Mineral Storing, Mineral Transportation
SIC Code:	1411

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

This proposed permit covers an underground limestone mine, wet processing, mineral loading and associated areas which discharge to surface waters of the state.

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

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

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

The instream WQS for pH, for streams classified as F&W, are 6.0 - 8.5 s.u per ADEM Admin Code r. 335-6-10-.09; however, because discharges from Outfall 001-1 are expected only in response to rain events, it is the opinion of the Department that discharges with an allowable pH daily maximum of 9.0 will not adversely affect the instream pH based on the low discharge/stream flow ratio. The discharge limitations for pH of 6.0 – 9.0 s.u. for Outfall 001-1 are identical to the existing point source TBELs found in 40 CFR 436 Subpart B.

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

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

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

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

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

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

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

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

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

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

NPDES Individual Permit - Modification/Reissuance - Mining (Form 315)

version 4.1

(Submission #: HPN-1HFF-CSRAR, version 1)

Details

Submission ID HPN-1HFF-CSRAR

Form Input

General Instructions

NPDES Individual Application - Mining and Coalbed Methane Operations - Mod/Reissuance (Form 315/549)

PLEASE CONTACT YOUR ASSIGNED PERMIT CONTACT TO DISCUSS THE TYPE OF MODIFICATION YOU SHOULD APPLY FOR BEFORE COMPLETING THIS FORM.

This form should be used to submit the following permit requests for individually permitted Mining and Coalbed Methane Operations:

Modifications/Reissuances that include Permit Transfers and/or Permittee/Facility Name Changes
Minor Modifications
Major Modifications
Reissuances
Reissuance of a permit on or after the current permit's expiration date
Revocation and Reissuance before the current permit's expiration date

Please complete all questions and attach all necessary documentation as prompted throughout the application process. Incomplete or incorrect information will delay processing.

Applicable Fees:
Minor Modifications
$3,400 (Mineral/Resource Extraction Mining, Storage Transloading, Dry Processing)
$3,940 (Wet Preparation, Processing, Beneficiation)
$3,940 (Coalbed Methane Operations)
Major Modifications
$5,820 (Mineral/Resource Extraction Mining, Storage Transloading, Dry Processing)
$6,860 (Wet Preparation, Processing, Beneficiation)
$6,860 (Coalbed Methane Operations)
Reissuances
$5,820 (Mineral/Resource Extraction Mining, Storage Transloading, Dry Processing)
$6,860 (Wet Preparation, Processing, Beneficiation)
$6,860 (Coalbed Methane Operations)
Potential Add-on Fees for Major Modifications and Reissuances
$1,015 (Biomonitoring & Toxicity Limits)
$2,705 (Review of Model Performed by Others)
$4,855 (Modeling - desktop)
For assistance, please click here to determine the permit staff responsible for the site or call (334) 394-4372.

Processing Information

Purpose of Application
Reissuance of Permit Due to Approaching Expiration

Please indicate if the Permittee is applying for a permit transfer and/or name change in addition to permit modification or reissuance:
None

Action Type
Reissuance

Briefly describe any planned changes at the facility that are included in this reissuance application:
No changes to be made.

Is this a coalbed methane operation?
No

Permit Information

Permit Number
AL0079201

Current Permittee Name
Alabama Stone Company, Inc.

Permittee

Permittee Name
Alabama Stone Company, Inc.

Mailing Address

Post Office Box 38

Kasota, MN 56050

Responsible Official

Prefix
Mr.

First Name	Last Name
Heath	*McKee*

Title
General Manager

Organization Name
Alabama Stone Inc

Phone Type	Number	Extension
Business	2563323700	

Email
heath@alabamastone.com

Mailing Address

3835 Hwy 36

Russellville, AL 35653

Existing Permit Contacts

Affiliation Type	Contact Information	Remove?
Permittee	Alabama Stone Company, Inc.	Keep
Notification Recipient,Responsible Official	Ben Kaus	Keep
DMR Contact,Environmental Contact	Heath McKee	Keep

Facility/Operations Information

Facility/Operations Name
Alabama Stone Company, Inc.

Permittee Organization Type
Corporation

Parent Corporation and Subsidiary Corporations of Applicant, if any:
Vetter Stone Inc

Landowner(s) Name, Address and Phone Number:
Alabama Stone Company, Inc.

Sub-contractor(s)/Operator(s), if known:
NA

Is the ⊡Company/Permittee⊡ properly registered and in good standing with the Alabama Secretary of State⊡s office?
Yes

Facility/Operations Address or Location Description

3835 Highway 36
Russellville, AL 35653

Facility/Operations County (Front Gate)
Franklin

Do the operations span multiple counties?
No

Detailed Directions to the Facility/Operations
Take Highway 24 to Highway 43 South. Turn right onto Highway 36. Site will be three miles on left.

Please refer to the link below for Lat/Long map instruction help:
Map Instruction Help

Facility/Operations Front Gate Latitude and Longitude
34.45987173065284,-87.78981855952455

Township(s), Range(s), Section(s) (Note: If you are submitting multiple TRSs, please separate each TRS by a semicolon. Example: T19S,R1E,S15; T20S,R2E,S16)
T7S, R12W, S9 & S10

SIC Code(s) [Please select your primary SIC code first]:
1411-Dimension Stone

NAICS Code(s) [Please select your primary NAICS code first]:
212311-Dimension Stone Mining and Quarrying

Facility/Operations Contact

Prefix
Mr.

First Name	Last Name
Heath	*McKee*

Title
General Manager

Organization Name
Alabama Stone Inc

Phone Type	Number	Extension
Business	2563323700	

Email
heath@alabamastone.com

Member Information

Identify the name, title/position, and unless waived in writing by the Department, the resident address of every officer (a PO Box is not acceptable), 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/operations (if this does not apply, then enter N/A after selecting "Manually Enter in Table"):

List of Names/Titles/Addresses will be entered by:
Manually Entering in Table

Name	Title/Position	Physical Address of Residence
Ronald Vetter	CEO	6108 Shamrock Drive Madison Lake, MN 56063
Robert Vetter	Senior Drafting and Engineer	6100 Conner Road Madison Lake MN 56063
Donn Vetter	Vice President	111 Pheasant Run Mankato, MN 56001
Mary Vetter Benedict	Estimating	1077 Sibley Memorial Highway Apt 404 Lilydale, MN 55118
Ben Kaus	President	2027 Roe Crest Drive North Mankato, MN 56003

Other than the ◆Company/Permittee", identify the name of each corporation, partnership, association, and single proprietorship for which any individual identified above 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 (if this does not apply, then enter N/A after selecting "Manually Enter in Table"):

List of Corporations/Partnerships/etc, Names and Titles will be entered by:
Manually Entering in Table

Name of Corporation, Partnership, Association, or Single Proprietorship	Name of Individual	Title/Position in Corporation, Partnership, Association, or Single Proprietorship
n/a	n/a	n/a

Additional Contacts (1 of 1)

ADDITIONAL CONTACTS: Plant Manager

Contact Type
Plant Manager

Contact

First Name Heath **Last Name** *McKee*

Title
General Manager

Organization Name
Alabama Stone Inc

Phone Type	Number	Extension
Business	2563323700	

Email
heath@alabamastone.com

Address
3835 Hwy 36
Russellville, AL 35653

Compliance History

Has the applicant ever had any of the following:

Event	Apply?
An Alabama NPDES, SID, or UIC permit suspended or terminated	No
An Alabama or federal environmental permit suspended/terminated	No
An Alabama State Oil Gas Board permit or other approval suspended or terminated	No
An Alabama or federal performance/environmental bond, or similar security deposited in lieu of a bond, or portion thereof, forfeited	No

Has the applicant, parent corporation, subsidiary, general partner, LLP partner, or LLC Member had any Warning Letters, Notice of Violations (NOVs), Administrative Actions, or litigation filed by ADEM or EPA during the three year (36 month) period preceding the date on which this form is signed?
No

For this facility, 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 Department of Labor (ADOL), US Army Corp of Engineers (USACE), or other agency, to the applicant, parent corporation, subsidiary, or LLC member whether presently effective, expired, suspended, revoked, or terminated:
Mining ID # 01-00010 Rockwood Mine

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

Anti-Degradation Evaluation

Pursuant to ADEM Admin. Code ch. 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. Does this modification/reissuance include a new outfall?
No

Activity Description & Information

Narrative description of activity(s):
Limestone is cut from the mining area where it is staged on site for the stone to dry out prior to being processed.

Total Facility/Operations Area (acres)
660.00

Total Disturbed Area (acres)
87.00

Anticipated Commencement Date
01/01/1900

Anticipated Completion Date
01/01/2300

Please identify which of the following apply to this operation:

Activity/Condition	Appy?
An existing facility/operation which currently results in discharges to State waters?	Yes
A proposed facility/operation which will result in a discharge to State waters?	No
Be located within any 100-year flood plain?	No
Discharge to Municipal Separate Storm Sewer?	No
Discharge to waters of or be located in the Coastal Zone?	No

Activity/Condition	Appy?
Need/have ADEM UIC permit coverage?	No
Be located on Indian/historically significant lands?	No
Need/have ADEM SID permit coverage?	No
Need/have ASMC permit coverage?	No
Need/have State Oil & Gas Board permit coverage?	No
Need/have ADOL permit coverage?	No
Generate, treat, store, or dispose of hazardous or toxic waste?	No
Be located in or discharge to a Public Water Supply (PWS) watershed or be located within ◆ mile of any PWS well?	No
Incised pit	No

Does your facility/operation use cooling water?
Yes

Please identify the source of the cooling water:
Recycled from series of holding ponds. Additional water added as needed from surface water.

Material to be Removed, Processed, or Transloaded

Material To Be Removed, Processed, Or Transloaded (Note: Sum must equal 100.)

Mineral(s)/Mineral product(s)	%
Limestone, crushed limestone and dolomite	100
	Sum: 100

Proposed Activity To Be Conducted

Type(s) of activity presently conducted at applicant's existing facility or proposed to be conducted at facility (Select Yes or No)):

Activity	Apply?
Adjacent/associated asphalt/concrete plant(s)	No
Alternative fuels operation	No
Auger mining	No
Cement production	No
Chemical processing or leaching	No
Chemicals used in process or wastewater treatment (coagulant, biocide, etc.)	No
Construction related temporary borrow pits/areas	No
Creek/stream crossings	Yes
Excavation	No
Grading, clearing, grubbing, etc.	No
Hydraulic mining	No
Hydraulic mining, dredging, instream or between stream-bank mining	No
Lime production	No
Low volume sewage treatment package plant	No
Mineral dry processing (crushing & screening)	No
Mineral loading	Yes
Mineral storing	Yes
Mineral transportation	Yes
Mineral wet preparation	No

Activity	Apply?
Onsite construction debris or equipment storage/disposal	No
Onsite mining debris or equipment storage/disposal	Yes
Other beneficiation & manufacturing operations	No
Pre-construction ponded water removal	No
Pre-mining logging or land clearing	No
Preparation plant waste recovery	No
Quarrying	No
Reclamation of disturbed areas	No
Solution mining	No
Surface mining	No
Synthetic fuel production	No
Underground mining	Yes
Waterbody relocation or other alteration	No
Within-bank mining	No

If the operation will include activities other than those listed above, please describe them below:
Limestone is cut from the subsurface mining area and staged onsite to dry prior to being processed. The Facility handles the block limestone as it is removed from the mine, from the drying area to the processing area, then to trucks for transport

If the type of activity presently conducted or proposed is Mineral Transportation, please indicate which of the following apply:

Barge	Apply?
Barge	No
Rail	No
Truck	Yes

Fuel - Chemical Handling, Storage, & Spill Prevention Control & Countermeasures (SPCC) Plan

Will fuels, chemicals, compounds, or liquid waste be used or stored onsite?
Yes

Please identify the fuel, chemicals, compounds, or liquid waste and indicate the volume of each:

Volume (gallons)	Contents
2,000	Diesel
1,000	Diesel
300	Diesel

SPCC Plan
2017 SPCC Plan.pdf - 10/25/2022 12:21 PM
Comment
The SPCC Plan is currently under the five year review by a Professional Engineer.

ASMC Regulated Entities

Is this a coal mining operation regulated by ASMC?
No

Topographic Map Submittal

Topographic Map

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 are 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 intake and 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) Contour lines, township-range-section lines (l) Drainage patterns, swales, washes (m) All drainage conveyance/treatment structures (ditches, berms, etc.) (n) Any other pertinent or significant feature.

Topographic Map
ALABAMA STONE 2022.pdf - 10/27/2022 09:44 AM
Comment
NONE PROVIDED

Detailed Facility Map Submittal

Detailed Facility Map
Alabama Stone-Detail.pdf - 10/25/2022 12:25 PM
Comment
NONE PROVIDED

Outfalls (1 of 1)

Outfall Identifier: 001

Feature Type
Outfall (External)

Outfall Identifier
001

Outfall Status
Existing

ⓘ Please be aware that you should only mark an outfall status as existing if (1) the Department has been previously notified that it was constructed as proposed or (2) it began discharge prior to this application. A proposed outfall is one that is being newly added to the permit OR one that has never discharged or has never been authorized by the Department to discharge. Should you have any questions about which status to select, please contact the Department's permit engineer for this site.

Permit Action
Reissue

Receiving Water
Hamilton Creek

Check below if the discharge enters the receiving water via an unnamed tributary.
Unnamed Tributary

Location of Outfall
34.46289400000000, -87.79401900000001

Are the location coordinates above still correct for this outfall?
Yes

Distance to Receiving Water (ft)
1,200

Disturbed Area (acres)
87

Drainage Area (acres)
72

303(d) Segment?
No

TMDL Segment?
No

Please do not add a new outfall unless you are requesting a modification that includes a new outfall. All of the currently permitted outfalls are already included in this form. If you add an outfall in error, please choose ♦Delete♦ under ♦Permit Action♦ for the outfall. If you have any questions, please contact your permit engineer BEFORE proceeding.

Discharge Characterization

EPA Form 2C, EPA Form 2D, and/or ADEM Form 567 Submittal
Yes, pursuant to 40 CFR 122.21, the applicant requests a waiver for completion of EPA Form 2C, EPA Form 2D, and ADEM Form 567 and certifies that the operating facility will discharge treated stormwater only; that chemical/compound additives are not used (unless waived in writing by the Department on a programmatic, categorical, or individual compound/chemical basis); that there are no process, manufacturing, or other industrial operations or wastewaters, including but not limited to lime or cement production and synfuel operations; and that coal and coal products are not mined nor stored onsite.

Please download the following Excel file to enter your information. Once complete, please attach to the below control.
Download spreadsheet here.

Required attachment:
Form315TableB.xlsx - 11/09/2022 12:41 PM
Comment
The facility does not discharge any water; therefore the sample was collected from the final basin

Please download the following Excel file to enter your information. Once complete, please attach to the below control.
Download spreadsheet here.

Required attachment:
Form315TableC (1).xlsx - 11/09/2022 12:42 PM
Comment
There is no expected pollutants to be present.

Discharge Structure Description & Pollutant Source

Please download the following Excel file to enter your information. Once complete, please attach to the below control.
Download spreadsheet here.

Required attachment:
Form315DischargeStructure (1).xlsx - 11/09/2022 12:47 PM
Comment
The Facility does not discharge.

Variance Request

Do you intend to request or renew one or more of the CWA technology variances authorized at 40 CFR 122.21(m)?
No

Pollution Abatement & Prevention (PAP) Plan Summary (1 of 1)

Outfall(s):
001

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

Identify and provide detailed explanation for any ◆N◆ or ◆N/A◆ response(s):
Due to the size and topographic nature of this site, the drainage from the limestone staging areas are not directed toward the on site ponds. However, stormwater drainage from the site will flow through a vegetative buffer by sheet flow. The Facility does not have a dam, cutoff trench, embankments, spill pipes, emergency spillway or overflow; therefore, the comments applying to these structures are not applicable.

Pollution Abatement & Prevention (PAP) Plan Review Checklist

General Information:	Please select one:
PE Seal with License #	Yes
Name and Address of Operator	Yes
Legal Description of Facility	Yes
Name of Company	Yes
Number of Employees	Yes
Products to be Mined	Yes
Hours of Operation	Yes
Water Supply and Disposition	Yes

Maps:	Please select one:
Topographic Map including Information from Part XIII (a) ◆ (o) of this Application	Yes
1◆ ◆ 500◆ or Equivalent Facility Map including Information from Part XIV of this Application	Yes

Detailed Design Diagrams:	Please select one:
Plan Views	N/A
Cross-section Views	N/A
Method of Diverting Runoff to Treatment Basins	N/A
Line Drawing of Water Flow through Facility with Water Balance or Pictorial Description of Water Flow	Yes

Identify and provide detailed explanation for any ◆N◆ or ◆N/A◆ response(s):
The Facility does not have any methods for diverting water to treatment basins.

Narrative of Operations:	Please select one:
Raw Materials Defined	Yes
Processes Defined	Yes
Products Defined	Yes

Schematic Diagram:	Please select one:
Points of Waste Origin	Yes
Collection System	N/A
Disposal System	N/A

Identify and provide detailed explanation for any ◆N◆ or ◆N/A◆ response(s):
The Facility does not have a collection system for waste. All products are used or reused on the property. The only waste from the is crushed or chunk limestone; which is staged onsite for resale or used for haul roads.

Post Treatment Quantity and Quality of Effluent:	Please select one:
Flow	Yes
Suspended Solids	Yes
Iron Concentration	Yes
pH	Yes

Description of Waste Treatment Facility:	Please select one:
Pre-Treatment Measures	N/A
Recovery System	No
Expected Life of Treatment Basin	N/A
Measures for Ensuring Access to All Treatment Structures and Related Appurtenances including Outfall Locations	Yes

Description of Waste Treatment Facility:	Please select one:
Schedule of Cleaning and/or Abandonment	Yes

Identify and provide detailed explanation for any ◆N◆ or ◆N/A◆ response(s):
The Facility does not have any pre treatment measures or recovery system; therefore, these are not discussed in the plan.

Other:	Please select one:
Precipitation/Volume Calculations/Diagram Attached	Yes
BMP Plan for Haul Roads	Yes
Measures for Minimizing Impacts to Adjacent Stream (e.g., Buffer Strips, Berms)	Yes
Measures for Ensuring Appropriate Setbacks are Maintained at All Times	Yes
Methods for Minimizing Nonpoint Source Discharges	Yes
If Chemical Treatment Used, Methods for Ensuring Appropriate Dosage	N/A
Facility Closure Plans	No
PE Rationale(s) For Alternate Standards, Designs or Plans	Yes

Identify and provide detailed explanation for any ◆N◆ or ◆N/A◆ response(s):
The Facility does not use any chemicals for treatment at the site. The mine is estimated to have 200-300 year of production remaining; therefore, no closure plans have been developed.

Pollution Abatement & Prevention (PAP) Plan

Is this a coal mining operation regulated by ASMC?
No

PAP Plan (non-coal mining facilities)
Final Pollution Abatement Plan rev 11.22.pdf - 11/10/2022 12:37 PM
Comment
NONE PROVIDED

Professional Engineer (PE)

Registration License Number
31618

Professional Engineer

Prefix
Mrs.

First Name **Last Name**
Britney *Green*

Title
President

Organization Name
Mid-South Testing, Inc

Phone Type **Number** **Extension**
Business 256-351-7900

Email
Bgreen@mst-inc.com

Address
2220 BELTLINE RD SW
DECATUR, AL 35601

Information for the Applicant

Please read the following information and acknowledge below:
Contact the Department prior to submittal with any questions or to request acceptable alternate content/format.

Be advised that you are not authorized to commence regulated activity until this application can be processed, publicly noticed, and approval to proceed is received in writing from the Department.

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

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

The applicant is advised to contact:
(1) The Alabama Surface Mining Commission (ASMC) if coal, coal fines, coal refuse, or other coal related materials are mined, transloaded, processed, etc.;
(2) The Alabama Department of Labor (ADOL) if conducting non-coal mining operations;
(3) The Alabama Historical Commission for requirements related to any potential historic or culturally significant sites;
(4) The Alabama Department of Conservation and Natural Resources (ADCNR) for requirements related to potential presence of threatened/endangered species;
(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.

Acknowledgement
I acknowledge I have read and understand the information above.

Additional Attachments

Additional Attachments
Letter of Delegation.pdf - 11/14/2022 07:49 AM
Comment
NONE PROVIDED

Application Preparer

Application Preparer

Prefix
Mrs.

First Name	Last Name
Britney	*Green*

Title
President

Organization Name
Mid-South Testing, Inc

Phone Type	Number	Extension
Business	256-351-7900	

Email
Bgreen@mst-inc.com

Address
2220 BELTLINE RD SW
DECATUR, AL 35601

Fees Assessed

The following itemized fees have been assessed in accordance with Fee Schedule D and 335-1-6-.04(a) of ADEM Admin. Code Division 1 regulations based on the information provided in this application.

If the correct fees are not displayed, please contact your permit engineer PRIOR to submitting the form. Do NOT answer questions erroneously in order to have the correct fee assessed.

Mineral/Resource Extraction Mining, Storage Transloading, Dry Processing:
5820

Fee

Fee
5820

Agreements and Signature(s)

SUBMISSION AGREEMENTS

- ☑ I am the owner of the account used to perform the electronic submission and signature.
- ☑ I have the authority to submit the data on behalf of the facility I am representing.
- ☑ I agree that providing the account credentials to sign the submission document constitutes an electronic signature equivalent to my written signature.
- ☑ I have reviewed the electronic form being submitted in its entirety, and agree to the validity and accuracy of the information contained within it to the best of my knowledge.

Professional Engineer (PE)

A detailed, comprehensive Pollution Abatement & Prevention (PAP) Plan must be prepared, signed, and certified by a professional engineer (PE), registered in the State of Alabama, and the PE must certify as follows: I certify under penalty of lawthat the technical information and data contained in this application, and a comprehensive Pollution Abatement & Prevention (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 this Permit, and 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.

Signed By Britney Green on 11/14/2022 at 7:51 AM

Responsible Official

This application must be signed and initialed 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 lawthat 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. I acknowledge my understanding that I may be required to obtain a permit from the ADOL. I acknowledge my understanding that if the proposed activities will be conducted in or potentially impact waters of the state or waters of the US (including wetlands), that I may be required to obtain a permit from the USACE.

Signed By Heath McKee on 11/14/2022 at 8:53 AM

The applicant is required to supply outfall number(s) as it appears on the map(s) required by thi
change the numbering sequence of the permitted outfalls], describe each, (e.g., pipe, spillway
origin of pollutants. The response must be precise for each outfall. If the discharge of pollutar
origins, each origin must be completely described.

Description of Origin of Pollutants – typical examples: (1) Discharge of drainage from the unde
coal surface mine, (3) Discharge of drainage from a coal preparation plant and associated areas
of wastewater from an existing source coal preparation plant, (6) Discharge of drainage from a s
surface mine drainage (pumped or siphoned), (9) Discharge of drainage from mine reclamation,

Outfall	Discharge structure Description	Description of Origin of pollutants	Surface Discharge
001	Spillway	10-Discharge from Limestone cooling water ponds	yes

is application [if this application is for a modification to an existing permit do not
, channel, tunnel, conduit, well, discrete fissure, or container), and identify the
nts from any outfall is the result of commingling of waste streams from different

rground workings of an underground coal mine, (2) Discharge of drainage from a
, (4) Discharge of process wastewater from a gravel-washing plant, (5) Discharge
sand and gravel pit, (7) Pumped discharge from a limestone quarry, (8) Controlled
(10) Other (please describe):

Groundwater Discharge	Wet Prep -Other Production Plant	Pumped or Controlled Discharge	Low Volume STP
No	No	No Discharge	No

The applicant is required to supply the following information separately for every prc
and gpd; frequency of discharge in hours per day and days per month; average s
standard units; and average daily discharges in pounds per day of BOD5, Total Susp
clay or if otherwise believed present):

Outfall E/P	Information Source - # of Samples	Flow (cfs)	Flow (gpd)	Frequency (hours/day)	Frequency (days/month)
001E	1	-	-	-	-

›posed (P) or existing (E) outfall. List expected average daily discharge flow rate in cfs ummer and winter temperature of discharge(s) in degrees centigrade; average pH in ended Solids, Total Iron, Total Manganese, and Total Aluminum (if bauxite or bauxitic

Sum/Win Temp, (°C)	pH (s.u.)	BOD5 (lbs/day)	TSS (lbs/day)	Tot Fe (lbs/day)	Tot Mn (lbs/day)	Tot Al (lbs/day)
-	8.27	<2.00 mg/L	<2.50 mg/L	0.0705 mg/L	0.0102 mg/L	0.0107 mg/L

The applicant is required to supply the following information separately for every proposed
of any other pollutant(s) listed in EPA Form 2C Tables A, B, C, D, and E that are not refere
is present or have reason to believe could be present in the discharge(s) at levels of concern:

Outfall E/P	Reason Believed Present	Information Source - # of Samples		
			lbs/day	mg/L
001	None believe to be present	0		

or existing outfall. Identify and list expected average daily discharge
nced in Part XVI.B. or otherwise submitted elsewhere, that you know

lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L

Vetter Stone
23894 Third Avenue
Mankato, Minnesota 56001

Pollution Abatement Plan

Alabama Stone Company, Inc
3835 Highway 36
Russellville, Alabama

Prepared By:
Mid-South Testing, Inc.
2220 Beltline Road SW
Decatur, AL 35601
(256) 351-7900

Prepared: October 2012
Revised: November 9, 2022

Table of Contents

1.0 Introduction

The Alabama Department of Environmental Management (ADEM) Administrative Code R. 335-6-9 requires the inclusion of a Pollution Abatement/Prevention (PAP) Plan as part of the NPDES permit application process. The PAP must meet the requirements set forth in ADEM Administrative Code R. 335-6-9. The PAP is designed to minimize impact on water quality and to coincide with applicable existing water quality standards. This Pollution Abatement Plan has been prepared in accordance with the rules and regulations set forth by the Alabama Department of Environmental Management and includes a narrative description of the operation and treatment requirements.

2.0 General Information

2.1 Facility Information

The Alabama Stone Company, Inc in Russellville, Alabama operates from the hours of 8:30 a.m. to 4:30 p.m., approximately eight hours per day. There are approximately thirty employees. The facility operates as a dimension limestone mine. This limestone is removed from the mine in large blocks. Following the mining process, the materials are then loaded via loaders and hauled to a staging area in direct sunlight to start the curing process. Once the stone has cured, the raw material is transported to the processing facility. The limestone is cut to size as per request by the consumer. This facility consists of closed circulating systems in which processed water is recycled through a series of holding ponds. There will be no overflow from settling ponds unless an upset condition occurs. An upset condition includes, but not limited, to hurricanes, vandalism, and tornados.

2.2 Operator Information

The Alabama Stone Company Inc. operates and maintains a limestone mining operation located on Highway 36, Russellville, Alabama. The Facility operates approximately eight hours per day, five days per week. This facility is not within the watershed of an impoundment classified as a public water supply or direct tributary thereon.

The Facility is legally described and located in Sections 9-10, Township 7 south, Range 12 west, in Franklin County, Alabama. A map detailing the facility layout is included in Appendix A of this Plan.

Owner and Operator Contact Information:
Ronald Vetter, President
P.O. Box 38
Kasota, MN 56050
(507) 345-4568

2.3 Maps

A site map detailing topography, location of the limestone mine, staging areas, drainage diversionary structures, settling ponds, fuel tanks and discharge points is provided as part of this plan and is included in Appendix A of this report.

2.4 Brief Legal Description

The Facility is situated on three parcels. Franklin County list the following legal descriptions for each of the parcels.

Parcel Number 10 02 10 0 000 006.000
148 Acres
PT. OF W1/2 OF SEC.10 T7S R12W SW1/4 SW1/4 OF SW1/4 OF NW1/4 LYING SOUTH OF CO. HWY. 36 AND SW OF SOUTHERN RAILROAD.

Parcel Number 10 02 09 0 000 011.000
97.5 Acres
PT OF E1/2 OF SEC9 T7S R12W BEG AT SE CORNER OF SE1/4 OF SE1/4; TH N 2970'(S) TO S ROW OF CO HWY 36; TH SWLY ALONG SAID ROW 760'(S); TH SW 575'; TH SWLY 1461.5'; TH W 50'(S); TH SWLY 1090'(S); TH E 2245'(S) TO P.O.B.

Parcel Number 10 05 16 0 000 004.000
309 Acres
PT. OF SEC.16 T7S R12W NW1/4 N1/2 OF NE1/4 SW1/4 OF NE1/4 NW1/4 OF SE1/4 LESS & EXCEPT: BEG. AT INT. OF N LINE OF NE1/4 OF NW1/4 AND ELY ROW OF CO. HWY. 55; TH SWLY ALONG SAID ROW 670'(S); TH E 980'(S) TH NELY 548'; TH W 740'(S) TO P.O.B L ESS & EXCEPT: BEG. AT SW CORNER OF NW1/4 OF SE1/4; TH E 490'(S) TO POUNDERS HOLLOW BRANCH; TH NWLY ALONG SAID BRANCH 725'(S); TH S 485'(S) TO P.O.B. LESS & EXCEPT: ROAD ROW

3.0 Raw Materials, Processes and Products

The Alabama Stone Company, Inc. mining facility operates in the underground mining of dimension stone for distribution to worldwide consumers. Primary product from the operation includes limestone. Raw mineral is removed from the underground mine and transported onsite to the processing facility. The stone is then placed in a staging area before being processed. The stone is cut per consumer request with saws using water only as a cooling mechanism. The cut stone is then transported to the shipping area to be packaged for shipment.

The only waste from the process is powder, crushed or chunk limestone. These materials are reused on the site for haul roads or place for resale.

4.0 Quantity and Quality of Effluent Discharge

Water characteristics for the outfall discharge point have been included in this plan. This site will not have any discharge unless an upset condition was to occur. An upset condition can include but not limited to catastrophic events such as a hurricane, vandalism, or other events. The settling ponds have been designed to allow adequate settling time for the expected particle sizes in an effort to reduce suspended solids concentrations and to meet effluent regulatory limits. The settling ponds will be cleaned out when the sediment reaches 60% of the design capacity. The settling ponds are 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 from the discharge point will be between 6.0 standard units and 8.5 standard units or the permit requirements. The most recent characteristic of the outfall is depicted in the following Table 4-1. This sample was collected in the final pond. No discharge will occur.

Table 4-1

Outfall E/P	Information Source - # of Samples	Flow cfs	Flow gpd	Frequency hours/day	Frequency days/month	pH s.u.	BOD_5 mg/l	Sum/Win Temp, C.	TSS mg/l	Tot Fe mg/l	Tot Mn mg/l	Tot Al mg/l
001E	1	0	0	0	0	8.27	<2.00	24.4	<2.50	0.0705	0.0102	0.0107

Note: The facility has ability to store twice the rainfall from a 100-year storm.

5.0 Processing Facility

The Processing facility pumps recycled water from the settling ponds where the water is used as contact cooling water and then sent back to the settling ponds. This recycling line can be seen on Appendix A. Ponds will be maintained until mining has ceased, the site has been completely reclaimed and the operator has received written permission from the Alabama Department of Environmental Management to remove the ponds. It is estimated that the mine will produce for an additional 200-300 years.

Settling ponds at the facility will provide storage for stormwater for twice a 100-year storm event.

6.0 Pollution Abatement and Prevention Measures

6.1 Haul Roads

Haul Roads within the site vary with the topography of the area and have been constructed to minimize sediment. New haul roads shall have a sustained grade of no greater than ten percent, with a maximum grade no greater than fifteen percent for 300 feet. The outer slope shall be no steeper than 2:1 and shall maintain eighty percent coverage of annual and perennial grasses. The roads shall be crowned and properly ditched, with the installation of water bars and wing ditches where appropriate.

6.2 Streams Adjacent to Mining Areas

The site map provided in Appendix A depicts all water bodies adjacent to the mining facility. The facility shall provide a constructed buffer, such as, silt fencing or they will provide a natural buffer, such as, vegetation around streams where practical.

6.2.1 Stream Crossings

The Facility has one location where crossing the stream is possible. The Facility does not actively cross any streams on site. Should the facility need to cross the stream; BMPs will be placed prior to crossing the stream.

6.3 Public Water Supply Impoundment

This operation is not within the watershed of an impoundment classified as a public water supply or direct tributary thereon.

6.4 Spill Prevention, Control and Countermeasures Plan

The Alabama Stone Company, Inc facility is committed to preventing oil discharges from occurring at this site and has adopted a Spill Prevention, Control and Countermeasures (SPCC) Plan. The facility is prepared to respond in a safe and timely manner to mitigate the impacts of a discharge should one occur. The SPCC Plan has been prepared in accordance with the SPCC requirements contained in 40 CFR part 112. A copy of this plan is kept on-site in the main office.

6.5 Method of Diverting Surface Water Runoff

The map included in Appendix A of this report depicts the topography and diversionary structures located at the facility. Buffers will be constructed around the adjacent water bodies to prevent the entry of runoff. Buffers can include silt fencing and vegetation.

8.0 Review and Certification by Professional Engineer

The undersigned Registered Professional Engineer is familiar with the provisions of ADEM Admin. Code Division 335-6, including Chapter 335-6-9 and Appendices A & B and has visited and examined the facility, or has supervised examination of the facility by appropriately qualified personnel. The undersigned Registered Professional Engineer attests that this Pollution Abatement/Prevention Plan has been prepared in accordance with good engineering and pollution control practices and in accordance with the above mentioned ADEM provisions. If the PAP 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 to ensure groundwater and surface water quality.

This certification in no way relieves the owner or operator of the facility of the duty to prepare and implement this PAP plan in accordance with the requirements of ADEM Admin. Code 335-6.

Britney Green
Signature

11/10/2022
Date

Britney Green, P.E.
Name of Professional Engineer

31618
Registration Number

Alabama
Issuing State

9.0 Management Approval

We are committed to the ensuring the protection of groundwater and surface water quality. This plan has the full approval of management at a level of authority to commit the necessary resources to fully implement it.

Authorized Facility Representative: Heath McKee

Title: General Manager

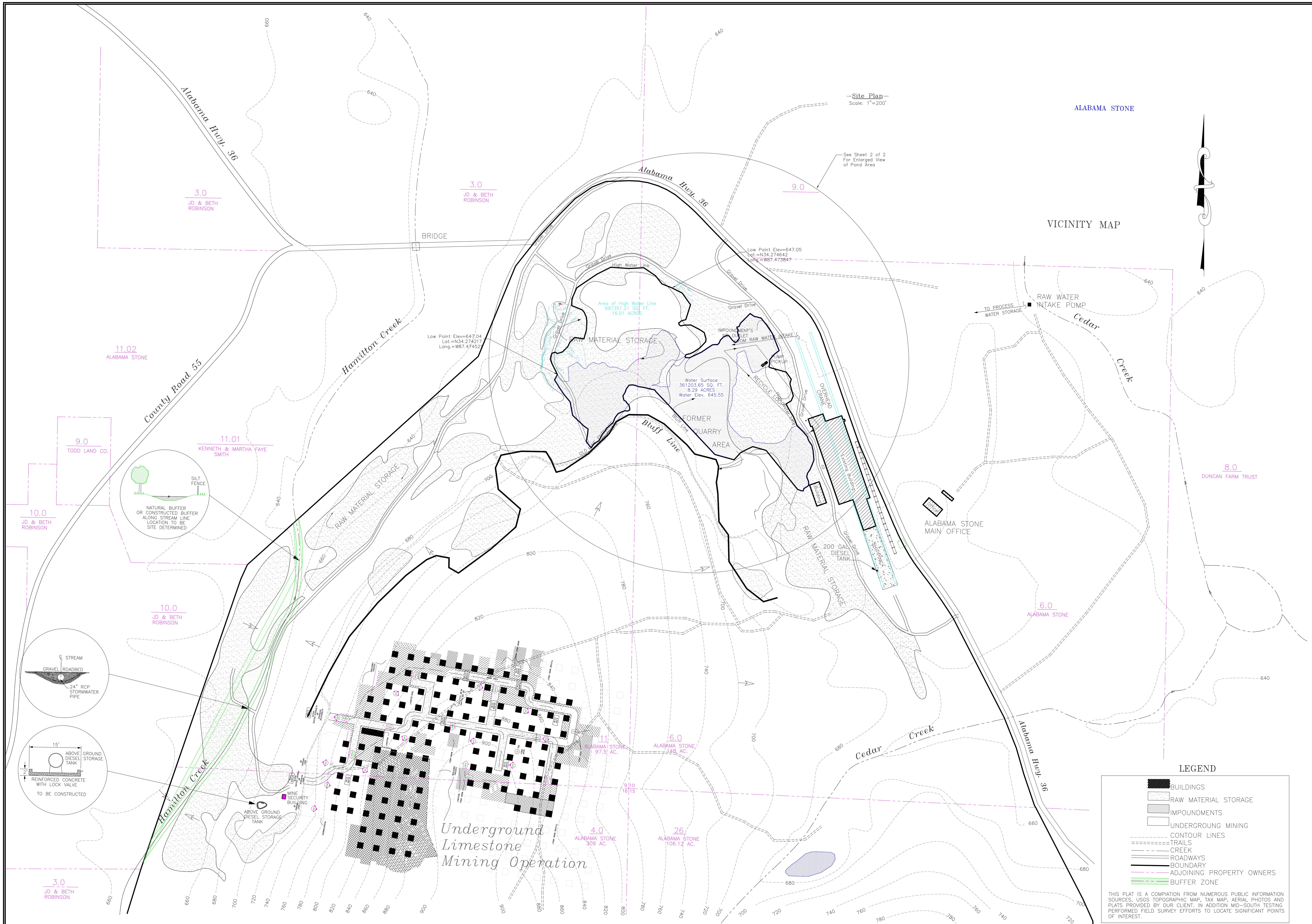
Signature: Heath McKee

Date: 11/10/2022

7.0 Location of the Pollution Abatement/Prevention Plan

A complete copy of the PAP plan shall be kept on-site at all times located in the main office.

Appendix A- Facility Plot



Site Plan
Scale: 1"=200'
See Sheet 2 of 2 For Enlarged View of Pond Area
ALABAMA STONE
VICINITY MAP
Alabama Hwy. 36
County Road 55
Hamilton Creek
Cedar Creek
BRIDGE
3.0 JD & BETH ROBINSON
11.02 ALABAMA STONE
9.0 TODD LAND CO.
11.01 KENNETH & MARTHA FAYE SMITH
10.0 JD & BETH ROBINSON
9.0
8.0 DUNCAN FARM TRUST
6.0 ALABAMA STONE
11 ALABAMA STONE 97.5 AC.
6.0 ALABAMA STONE 148 AC.
4.0 ALABAMA STONE 309 AC.
26 ALABAMA STONE 106.12 AC.
Low Point Elev=647.04 Lat.=N34.274217 Long.=W87.474521
Low Point Elev=647.05 Lat.=N34.274642 Long.=W87.473847
Area of High Water Line 697351.21 SQ. FT. 16.01 ACRES
Water Surface 361203.65 SQ. FT. 8.29 ACRES Water Elev. 645.55
High Water Line
Gravel Drive
RAW MATERIAL STORAGE
IMPOUNDMENT'S NO OUTLET FROM RAW WATER INTAKE
PUMP PICKUP
RECYCLE LOOP
OVERHEAD CRANE
Existing Building
Building
SHIPPING
FORMER QUARRY AREA
Bluff Line
OLD MINE ENTRANCE
200 GAL DIESEL TANK
ALABAMA STONE MAIN OFFICE
Office
RAW WATER INTAKE PUMP
TO PROCESS WATER STORAGE
SILT FENCE
NATURAL BUFFER OR CONSTRUCTED BUFFER ALONG STREAM LINE LOCATION TO BE SITE DETERMINED
STREAM
GRAVEL ROADBED
24" RCP STORMWATER PIPE
15'
2'
ABOVE GROUND DIESEL STORAGE TANK
REINFORCED CONCRETE WITH LOCK VALVE
TO BE CONSTRUCTED
MINE SECURITY BUILDING
ABOVE GROUND DIESEL STORAGE TANK
Underground Limestone Mining Operation
LEGEND
BUILDINGS
RAW MATERIAL STORAGE
IMPOUNDMENTS
UNDERGROUNG MINING
CONTOUR LINES
TRAILS
CREEK
ROADWAYS
BOUNDARY
ADJOINING PROPERTY OWNERS
BUFFER ZONE
THIS PLAT IS A COMPIATION FROM NUMEROUS PUBLIC INFORMATION SOURCES, USGS TOPOGRAPHIC MAP, TAX MAP, AERIAL PHOTOS AND PLATS PROVIDED BY OUR CLIENT. IN ADDITION MID-SOUTH TESTING PERFORMED FIELD SURVEY EFFORTS TO LOCATE SIGNIFICANT POINTS OF INTEREST.

REVISIONS

NO.	DATE	BY

MUST HAVE ORIGINAL SEAL TO BE VALID

TITLE: Alabama Stone

PROJECT: Stormwater Pond Locations

MID-SOUTH TESTING, INC.®
2220 BELTLINE ROAD SW, DECATUR, ALABAMA 35601

CLIENT: Alabama Stone
SURVEY TYPE: Topographic
SOURCE OF INFORMATION:
OFFICE DATE: 10-12-12
FIELD DATE: 10-12
DRAWN BY: RJW
SCALE: 1"=200'
FILE LOCATION: \dwg2012\Alabama Stone
CAD NAME: Topo.dwg
PROJECT NO.: 11301
SHEET NO.: 1 of 2

Appendix B- Peak Discharge Calculations

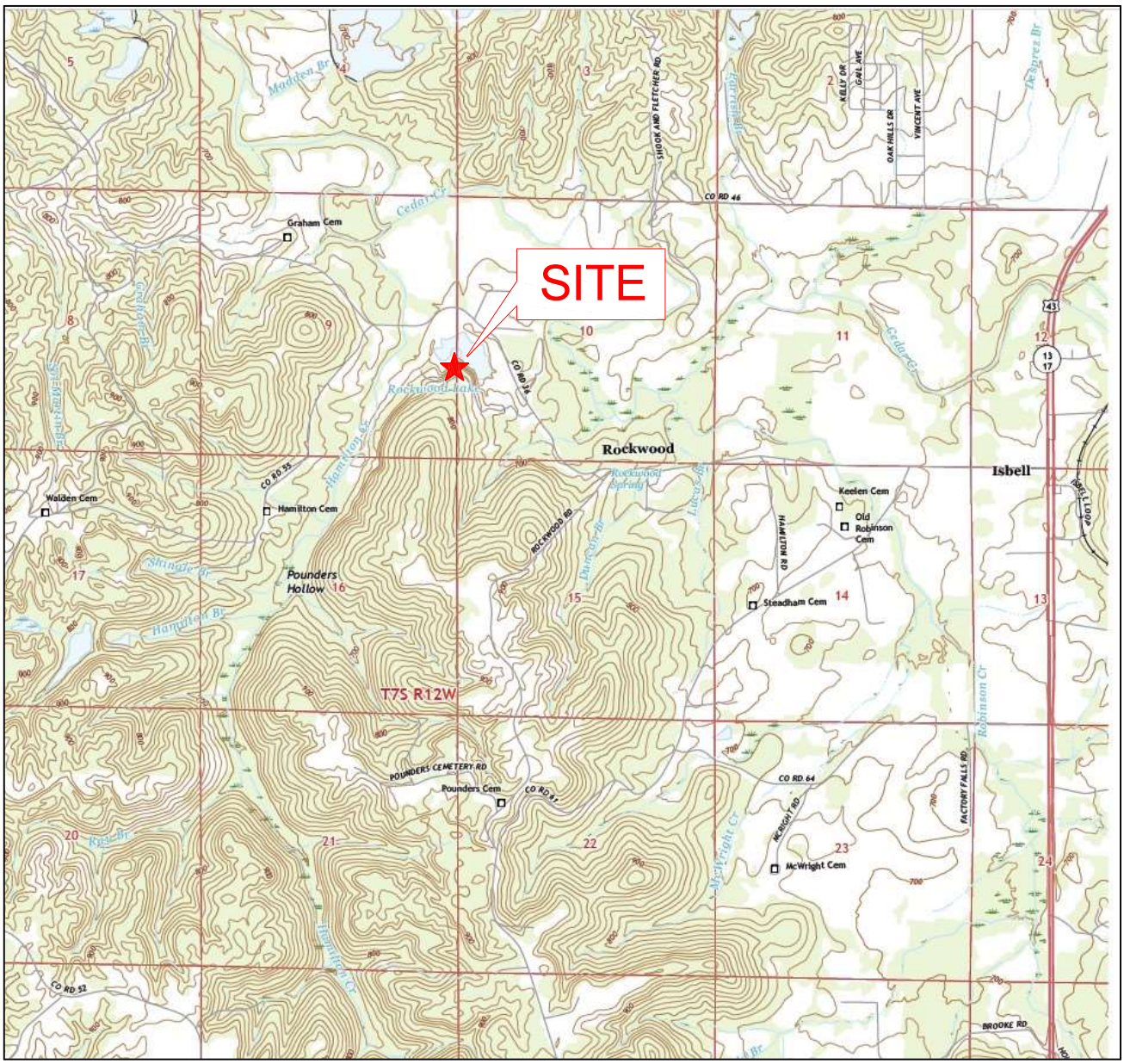
Alabama Stone
Russellville, Alabama Facility

Rational Method:

Q= CiA
Q= Runoff
C = Runoff Coefficient
i = intensity (in/hour)
A = Drainage Area (acres)

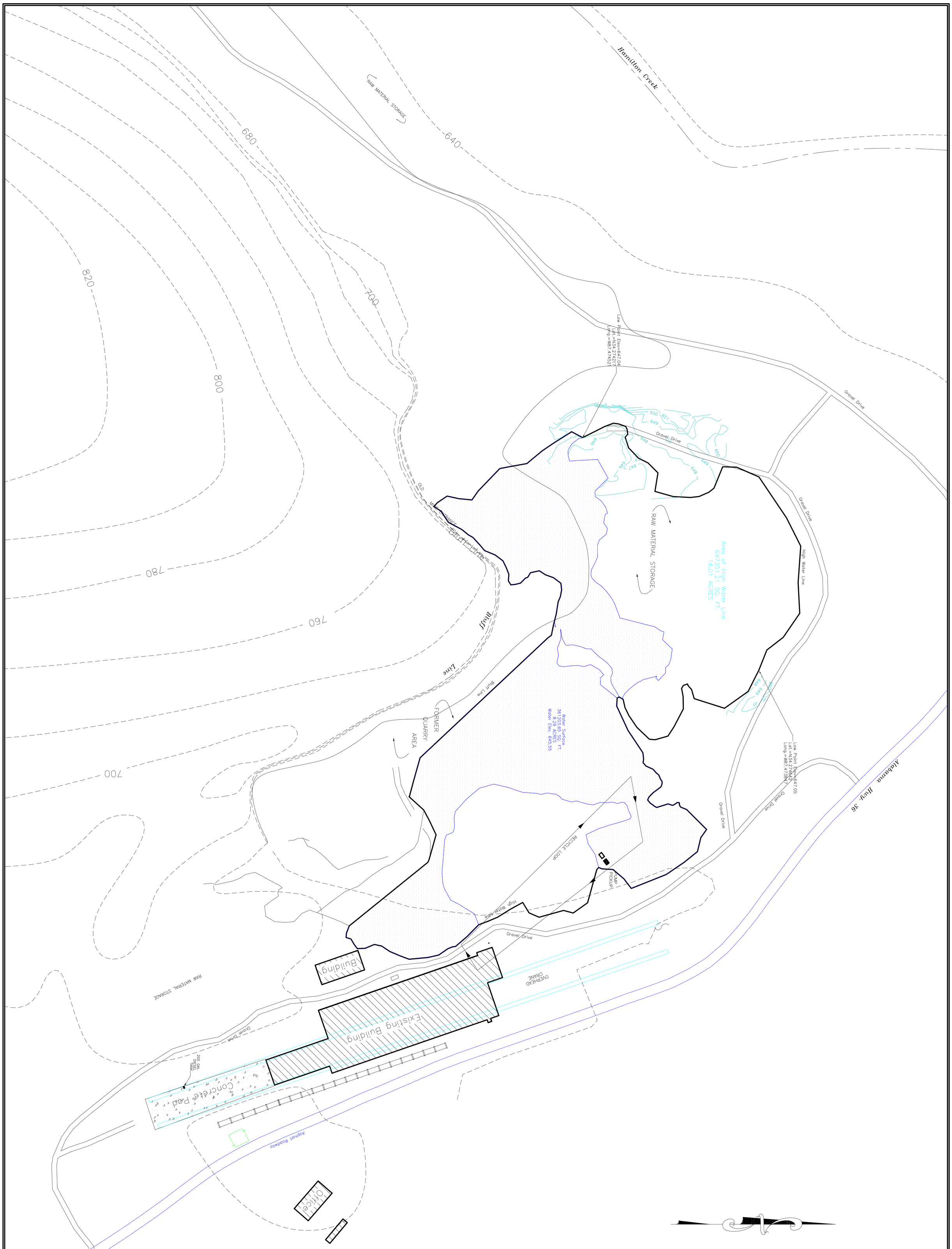
Peak Discharge							
Outfall	**Rainfall**	**Drainage Area A (acres)**	**Runoff Coefficient C**	**Intensity I (in/hour)**	**Q ft^3/sec**	**Q ft^3/hour**	**Q MG/hour**
DSN001	10 Year Event	72	0.40	2.5	72.00	259200	1.94
DSN001	20 Year Event	72	0.40	3.0	86.40	311040	2.33
DSN001	50 Year Event	72	0.40	3.5	100.80	362880	2.71
DSN001	100 Year Event	72	0.40	4	115.20	414720	3.10

Pond Storage				
Pond Area (acres)	**Area (ft^2)**	**Elevation Difference (ft)**	**Volume of Ponds (ft^3)**	**Volume of Ponds MG**
16.01	697395.6	1.5	1046093.40	7.82



ALABAMA STONE
3835 HWY 36
RUSSELLVILLE, AL 35653
ISBELL, AL 2020 - USGS TOPOGRAPHIC MAP

MID-SOUTH TESTING INC. 2220 BELTLINE ROAD SW, DECATUR ALABAMA, 35601				
Sheet	Title	USGS TOPOGRAPHIC MAP	Scale: N.T.S.	Project No: 22-01-0386
of	Project	ALABAMA STONE	Date: 27 OCT 22	Cad name: ALABAMASTONE
			Drawn By: SMR	File: W-DRIVE-22



CLIENT:	Alabama Stone
SURVEY TYPE:	Topographic
SOURCE OF INFORMATION:	
OFFICE DATE:	10-12-12
FIELD DATE:	10-12
DRAWN BY:	RJW
SCALE:	1"=100'
FILE LOCATION:	\dwg2012\Alabama Stone
CAD NAME:	Topo.dwg
PROJECT NO.:	11301
SHEET NO.:	2 of 2

MID-SOUTH TESTING, INC.

2220 BELTLINE ROAD SW, DECATUR, ALABAMA 35601

TITLE

Alabama Stone

PROJECT

Stormwater Pond Locations

MUST HAVE ORIGINAL SEAL TO BE VALID

REVISIONS

NO.	DATE		BY

ALABAMASTONE
A DIVISION OF VETTERSTONE

November 11, 2022

Alabama Department of Environmental Management
1400 Coliseum Blvd
Montgomery, AL 36110

RE: Delegation of Authority Letter
Alabama Stone
3835 Highway 36 | Russellville, AL 35653

To Whom It May Concern:

I, Ben Kaus, President, delegate Heath McKee, General Manager, the authority to sign on behalf of Alabama Stone at 3835 Highway 36 | Russellville, AL 35653 all environmental permits, compliance documents, and other environmental forms effective from the date of this letter. Should you have any questions regarding this matter, please contact me via email at ben@vetterstone.com

Sincerely,

Ben Kaus

President

Vetter Stone | Alabama Stone

Spill Prevention, Control, and Countermeasures Plan (SPCC)

ALABAMA STONE COMPANY, INC.
3835 Highway 36
Russellville, Alabama
General NPDES Permit Number: AL0079201

Prepared By:

Mid-South Testing, Inc.
2220 Beltline Road SW
Decatur, Alabama 35601
(256) 351-7900

PE Certified: December 28, 2022

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2.0 INTRODUCTION

The purpose of the Spill Prevention, Control and Countermeasures Plan **(SPCC, The Plan)** is to describe measures implemented by Alabama Stone **(Alabama Stone or the Facility)** located in Russellville, Alabama to prevent oil discharges from occurring. The Plan will also be a useful tool and guideline to help prepare any employee or contractor to respond in a safe, effective, and timely manner to mitigate the impacts of a discharge from this Facility. This Plan includes information on controls, containment, diversionary structures, monitoring equipment, personnel training programs, inspections and record keeping, security, and spill cleanup procedures for the site. The management of the Facility acknowledges the responsibility to its neighbors, employees, and community to take all reasonable steps to prevent spills from occurring for the protection of human health and the environment. However, in the event a spill or release was to occur, this plan outlines the necessary steps to take in order to minimize the impact of the spill or release to the environment. This SPCC Plan has been prepared and implemented in accordance with the SPCC requirements contained in 40 CFR part 112. This plan will specify the discharge prevention and containment procedures listed in 112.8.

The Plan will also serve as an information resource when regulatory agency personnel visit the site for Facility inspections. SPCC Plan Inspection form can be seen in Appendix D.

This plan includes the following information:

- Descriptions of facility processes and routine handling procedures;
- Description of potential spill sources and equipment failure analysis;
- Specific facility spill prevention controls and procedures that include good engineering practices and other measures such as routine training, maintenance and inspection programs;
- Designated persons responsible for oil spill prevention;
- Notification and response procedures for spill response efforts;
- A discussion of deviations from the General requirements for Spill Prevention, Control, and Countermeasure Plans requirements and description of measures that provide equivalent protection; and
- Commitment by management to provide adequate resources to implement the plan.

Alabama Stone complies with all requirements of 40 CFR Part 112, Oil Pollution Prevention. The Facility's plan does not deviate from any applicable requirement and does not rely on equivalent environmental protection to demonstrate compliance. The Facility is in conformance with the applicable requirements and other effective discharge prevention and containment procedures listed in 40 CFR 112 and/or any applicable more stringent state rules, regulations and guidelines.

3.0 APPLICABILITY

Facilities that are required to have a SPCC Plan on site should meet the following requirements:

1) Have an aboveground storage capacity in excess of 1,320 gallons; and
2) Can reasonably expect a discharge to reach navigable waters of the United States; or
3) Have underground storage capacity in excess of 42,000 gallons of oil and are not subject to all the technical requirements of 40 CFR part 280 or approved by the State program.

The Facility contains a tank and multiple containers that exceed an above-ground storage capacity of 1,320 gallons. Under certain conditions, it is possible for a discharge to reach navigable waters of the United States; therefore, this site is subject to the SPCC Rules of 40 CFR 112.

The Facility includes tanks and containers that exceed an above-ground capacity of 1,320 gallons of petroleum products. The Facility also has oil filled operational equipment throughout the facility. Under certain conditions, it is possible for a discharge to reach navigable waters of the United States; therefore, this site is subject to the SPCC Rules of 40 CFR 112.

Based on an added rule language in 40 CFR 112, a facility is considered to be Qualified Facility if the following criteria are met:

1) The site has an aggregate aboveground storage capacity of 10,000 gallons or less; and
2) The site has no single discharge exceeding 1,000 gallons or no two discharges each exceeding 42 gallons within any 12-month period in the three years prior to SPCC plan self-certification.

As summarized in this SPCC plan, the Facility has less than 10,000 gallons of aboveground oil storage capacity. The Facility has not had a single discharge exceeding 1,000 gallons and no two discharges exceeding 42 gallons withing any 12-month period during the past 3 years. Therefore, the Facility could be considered a Qualified Facility.

Per 40 CFR 112.6(c), this Plan does not include any alternative methods which provide environmental equivalence unless those methods have been reviewed and certified by a Professional Engineer. In addition, this Plan does not include any determinations that secondary containment is impracticable unless that determination and an alternative provision has been reviewed and certified by a Professional Engineer.

3.1 Regulatory Authority

The Environmental Protection Agency (EPA) was given authority by section 311 of the Federal Water Pollution Act/Clean Water Act and has issued regulations entitled Oil Pollution Prevention (40 CFR 112).

3.2 40 CFR 112

The Regulations presented in 40 Code of Federal Regulations (CFR) part 112 requires that non-transportation related onshore and offshore facilities that could possibly be expected to discharge oil into navigable waters or adjoining shorelines, prepare and implement a Spill Prevention, Control, and Countermeasures Plan designed to prevent the release of oil in quantities that may be harmful to human health or the environment.

3.3 Conformance with State and Local Applicable Requirements

The SPCC regulation at 40 CFR part 112 is more stringent than requirements from the state of Alabama for this type of facility. This SPCC Plan was written to conform with 40 CFR part 112 requirements. The Facility thereby conforms to general requirements for oil pollution facilities in Alabama. All discharge notifications are made in compliance with local, state, and federal requirements.

4.0 GENERAL FACILITY INFORMATION

4.1 Company Information

Name and Location of Facility:	Alabama Stone Company, Inc. 3835 Highway 36 Russellville, Alabama
Type:	Limestone Quarry
Date of Initial Operation:	1884
Owner Name and Address:	Vetter Stone 23894 3rd Avenue Mankato, MN 56001

4.2 Facility Location and Operation

The Facility is located at 3835 Highway 36 in Franklin County, Russellville, Alabama. The operation is located in Sections 9, and 10, Townships 7 South, and Range 12 West. A USGS Topographic Map can be seen in Appendix B.

4.3 Facility Description

Alabama Stone is a limestone rock quarry. The Facility utilizes heavy equipment to cut the limestone from an underground mine. The limestone blocks are placed on the Facility's property to allow the limestone to "bleed" the natural water out of the stone. The stone can then be cut into smaller sizes for transport or cut onsite into individual architectural details.

Alabama Stone utilizes petroleum products for the daily operations including, but not limited to, motor fuels, hydraulic systems, and lubrication.

4.4 Contact Information

The designated person accountable for overall oil spill prevention and response at the Facility is the Plant Manager which is also referred to as the Response Coordinator (RC). Twenty-four hour contact information for the Response Team is provided in Appendix L.

4.5 Facility Layout Diagram

The Facility location map can be seen in Appendix A. The Site Plan Map in Appendix C depicts the locations of all oil storage containers that are 55-gallons or greater in capacity at the Facility. The Topographic Map in Appendix B shows the location of the Facility relative to waterways, roads, and inhabited areas.

4.6 Security

4.6.1 Fencing & Controlled Access

The Facility is not fully fenced, however, access to the site is limited based upon topography and location.

4.6.2 Flow Valves

Flow valves and drain valves permitting direct outward flow of a container's contents to the surface on site need to be in the closed and locked position when not in use to prevent any unwarranted discharge. These valves should be accessible and operated by authorized personnel only.

4.6.3 Starter Controls

The starter controls on each oil pump should be in the off position and locked, when practical. Access should only include authorized personnel when the pump is in a non-operational or non-standby status. Only authorized personnel should operate these pumps.

4.6.4 Loading/Unloading Connections

A secure cap or blank-flange should be placed on the loading/unloading connections of oil pipelines or Facility piping when they are not in service or when in standby for extended period of time. This measure should also be applied to piping that is emptied of liquid content either by draining or by inert gas pressure. All aboveground oil valves and oil transfer pipelines should be subjected to regular examinations by operating personnel at which time the general condition of items, such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces should be assessed. In addition, periodic pressure testing may be warranted for piping in areas where Facility drainage is such that a failure might lead to a spill event.

4.6.5 Lighting

Alabama Stone maintains adequate lighting for the discovery of spills occurring during hours of darkness, both by operating personnel, if present, and non-operating personnel (the general public, local police, local fire department, etc.) to prevent spills occurring through the acts of vandalism.

4.6.6 Transfer Operations

Alabama Stone transfers petroleum products from delivery trucks to bulk storage tanks. The Facility also transfers petroleum products from the bulk storage tanks to the heavy equipment.

The Facility does not currently have any buried petroleum pipelines. If the Facility installs buried pipelines, they will be provided with a protective wrapping/coating and will be leak and integrity tested at the time of installation. The new underground piping will have cathodic protection.

All pipe supports should be designed to minimize abrasion and corrosion, along with allowing for expansion and contraction. At this time the Facility does not have any above ground petroleum pipelines.

4.7 Facility Tank Car and Tank Truck Loading/Unloading Rack

Loading/Unloading drainage area should flow into a catchment basin or treatment Facility designed to handle discharge. If this is not available, a quick drainage system for the tank car or tank truck loading/unloading racks should be implemented. The containment system should be designed to hold at least the maximum capacity of any single compartment of a tank car or tank truck loaded/unloaded at the Facility.

Interlocked warning lights, physical barrier system, warning signs, wheel chocks, or vehicle break interlock system are to be used in the loading and unloading areas to prevent vehicles from departing before complete disconnection of flexible or fixed oil transfer lines.

Closely inspect for discharges in the lowermost drain and all outlets of the tank car or tank trucks prior to filling and departure. Also, verify all outlets are tightened, adjusted, or replaced to prevent liquid discharge while in transit.

The Facility does not currently have a containment system for the petroleum loading unloading areas. There are two locations where petroleum products are stored. The

first is at the entrance to the mine and the second is at the process area. Both locations would either drain into the mine where it would be captured prior to leaving the confines of the property or to a retention basin where the product would be contained.

4.8 Proximity to Navigable Waters

The Facility is situated where the stormwater from the facility will drain into one of the retention basins located onsite. Sheet flow may occur in certain locations of the property. The Facility is bound by two creeks, Hamilton Creek and Cedar Creek.

4.9 Spill History

The Facility understands the importance of reporting spills to the necessary agencies; however, no reportable spill has occurred in the previous three years.

5.0 OIL STORAGE AND HANDLING

There are several locations at this facility where measurable quantities of petroleum products are stored. A list of petroleum products at the Facility is provided in Appendix E. Where practical, oil storage areas are covered from precipitation and other natural weather conditions.

5.1 Qualified Oil-filled Operational Equipment

Qualified oil-filled operational equipment means equipment that includes an oil storage container in which the oil is present solely to support the function of the apparatus or the device. Oil-filled operational equipment is not considered a bulk storage container and does not include oil-filled manufacturing equipment. Examples of oil filled operation equipment includes, but not limited to, hydraulic systems, lubricating systems for pumps, compressors, and other rotating equipment, gear boxes, machining coolant systems, heat transfer systems, transformers, circuit breakers, electrical switches, and other systems containing oil solely to enable the operation of the device.

In lieu of general secondary containment, alternate requirements may be chosen by the Facility for qualified oil-filled operational equipment if the Facility has had no single discharge from any oil filled operation equipment exceeding 1,000 gallons or no two discharges each exceeding 42 gallons within any twelve-month period in the previous three years.

The alternate requirements include:

1) establishing and documenting the facilities procedures for inspecting or monitoring the equipment to detect failures and/or discharge, and
2) Provide in this plan the following:
    a. An oil spill contingency plan following the provision of 40 CFR 109 and
    b. A written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharge that may be harmful.

In lieu of providing secondary containment for all oil-filled operating equipment, the facility includes the oil filled operational equipment on the routine inspection. Alabama Stone commits to provide all manpower, equipment, and materials necessary to expeditiously control and remove any quantity of oil discharged at the facility that may be harmful. In order to adequately respond to complete spillage of an equipment oil reservoir, Alabama Stone will maintain the spill response supplies listed in Section 7.3 of this Plan, including sufficient sorbent materials to completely encircle one leaking piece

of oil-filled operating equipment, and will ensure that a minimum of two people are present at the facility during use of or oil transfers involving oil-filled operating equipment.

6.0 FACILITY RESPONSIBILITY

The Responsible Official (RO) at the Facility is responsible for this plan and for making sure that the plan is available to the Environmental Protection Agency (EPA) Regional Administrator and/or officials with the Alabama Department of Environmental Management (ADEM) for on-site review during normal business hours. The Responsible Official(s) or his/her representative is required to update the plan if any changes occur within six months of changes occurring. Changes can include, but not limited to, change in Facility design, construction, operations, or maintenance, which materially affects the Facility's potential for discharge of petroleum products into navigable waters of the United States. This plan must be reviewed at least once every five years and be certified by a Professional Engineer. The written plan is located in the Environmental Files onsite.

The Responsible Official for the Facility is responsible for developing and maintaining the Plan. The Responsible Official for Alabama Stone is the President whose name, address, and contact information is:

Ben Kaus
President, Responsible Official
Alabama Stone, Inc. a Division of Vetter Stone
23894 Third Avenue
Mankato, MN 56001
(507) 345-4568 (Office)
Ben@vetterstone.com

7.0 SPILL RESPONSE AND REPORTING

7.1 Discharge Discovery and Reporting

There are designated individuals and organizations that must be notified in the event of an oil discharge. The Responsible Official, or designated representative, is responsible for ensuring that all required discharge notifications have been made. All discharges should be reported to the Responsible Official or the Response Coordinator. The Responsible Official, Response Coordinator, or an alternate will respond to the site to determine the corrective actions necessary. A small spill will be handled on site with available absorbent material. A contractor will be utilized if a spill is larger than can be handled by the Facility personnel.

7.2 Agency Notification

Should a spill occur that cannot be contained or is a threat to human health or the environment, the General Manager or an alternate is responsible for making the appropriate notifications. Table 7-1 lists the Agency Names and Telephone Numbers. When contacting these agencies, have the following information ready to provide:

- Name, address, and telephone number of person reporting the discharge
- Exact location of the Facility and the discharge
- Company name, telephone number and location
- Date and time of discharge
- Type of Material
- Estimated Quantity
- Description of all affected media
- Source of discharge
- Cause of discharge
- Damages or injuries
- Actions being used to stop, remove, and mitigate the effects
- Whether an evacuation may be needed
- Names of individuals and organizations who have also been contacted
- Nearest Down-Stream body of water to receive spill
- Request actions to take for containment and clean-up

Table 7-1
Agency Names and Telephone Numbers

Agency	Telephone Number
National Response Center	1-800-424-8802
Alabama Department of Environmental Management Montgomery Central Office	Office:(334) 271-7700 Fax: (334) 271-7950
Alabama Department of Environmental Management Birmingham Field Office	Office: (205) 942-6168
Alabama Department of Environmental Management Decatur Field Office	Office: (256) 353-1713
Alabama Department of Public Safety	(334) 242-4371
City of Russellville Fire Department	**911** or (256) 332-8761
City of Russellville Police Department	**911** or (256) 332-2230
Hospital Emergency Room (Russellville Hospital)	(256) 332-1611
Emergency Management Agency (Franklin County)	(256) 332-8890
Mid-South Testing, Inc (Emergency Response)	(256) 351-7900

7.3 Common Spill Response Materials

The following is a list of commonly used spill response materials that some or all should be available throughout the Facility.

Fire extinguishers
Personal Protective Equipment
Barricade Tape
Rolls Duct Tape
Rubber Squeegees
Over pack Barrels
Long Handled brushes
17-e Plastic Drums
Push Broom
Face Shield
Nitrile Gloves
Drum Patch Kit
Rolls Plastic Sheeting
Absorbent Material
Spill Kits
Sweeping Brooms
Tarps
Metal Squeegees

These are some common Spill Response Materials and should be available where petroleum is utilized at the Facility.

7.4 Emergency Spill Procedures

1. Make sure all employees are safe as they exit the area. If an employee is injured contact the Facility's Response Coordinator for further information.
2. Trained qualified personnel should attempt to stop the spill at the source in they can complete the task without harm to themselves or others. Such as, closing a valve or plugging a leak.
3. Identify the spilled material
4. Notify the Facility's Response Coordinator
5. Trained qualified personnel should attempt to contain the spill if they can complete the task without harm to themselves or others.
6. Begin the Notification Procedures
7. Trained qualified personnel or outside contractor should clean up spilled materials and dispose of material properly
8. Prepare a spill incident report which should include the details of the incident
9. Evaluate the SPCC Plan and amend the plan if necessary.

Small Spills: Trained/qualified operator and/or maintenance personnel shall contain the spill immediately. Report spill to the department supervisor and/or the responsible maintenance supervisor. The department supervisor will call the Facility's Response Coordinator or the alternate to organize the clean-up in accordance with state and federal requirements.

Large Spills: The Response Coordinator and the emergency team should be contacted when a spill is larger than an operator and/or area maintenance personnel can contain. An outside source maybe required to assist with the clean-up in accordance with state and federal requirements. The contractor will package and prepare recovered materials for shipment in accordance with applicable state and federal regulation.

8.0 INSPECTIONS AND RECORD KEEPING

To ensure best management practices and prevent accidental release to the environment, inspections are made. The Response Coordinator maintains the primary inspection responsibilities for the Facility. Designated personnel perform inspections of petroleum storage areas within the Facility minimally on a monthly basis. The Facility will maintain an inspection notebook with the Environmental Files. Written inspection procedures and checklist are included in this SPCC Plan. All records pertaining to the SPCC Plan (e.g. drainage discharges, tank integrity testing, training records, etc.) must be maintained for a period of three years and kept with the SPCC Plan. This plan must be reviewed and certified by a Professional Engineer licensed in the State of Alabama every five years from the date of certification.

9.0 Training

The Responsible Official or designee is responsible for conducting Facility training on the SPCC Plan. Training at the Facility should include but is not limited to the operation and maintenance of equipment to prevent spills, safe handling of potentially hazardous materials, discharge procedure protocols, applicable pollution control laws, rules, and regulations, general Facility operations, and the contents of this SPCC Plan. Additional training sessions for emergency response personnel maybe warranted.

Annual spill prevention briefings are provided by management for all operating personnel to ensure adequate understanding of the SPCC Plan and the Facility guidelines for reporting spills to the Responsible Official. These briefings highlight any past spill events or failures and recently developed precautionary measures. Training includes oil spill prevention, containment, and retrieval methods. Sign-in sheets, which include the topic of discussion at each meeting, are maintained for documentation. Employee feedback and recommendations are encouraged in spill prevention and operation. New employees are trained on the SPCC Plan as soon as practical. Example sign-in sheets are located in Appendix K.

Oil handling personnel, who are in charge of the operation and maintenance of equipment, should be trained on ways to prevent discharge, discharge procedure protocols, applicable pollution control laws, rules, regulations, general Facility operations, and the contents of the SPCC Plan.

10.0 SPILL PREVENTION, CONTROL, AND COUNTERMEASURE PROVISIONS

10.1 Potential Discharge Volume and Direction of Flow

Discharge from bulk storage tanks, containers, drums, or oil containing equipment can occur as a result of tank overflow, leaking valves, vandalism, electrical faults, structural failure, and transfer activities. Facility personnel should inspect equipment on a regular basis in accordance with the facilities procedures. If a discharge was discovered, it would be immediately collected, contained, and/or pumped into temporary containers on site and labeled until the appropriate disposal measures are implemented.

If a discharge were to occur, the product would most likely travel to one of the site's stormwater ponds where it would be contained. The potential direction of flow can be seen in Appendix E.

10.2 Description of Containment and Diversionary Structures

The Facility should maintain implemented secondary containment on all locations where petroleum product is located within the Facility. These locations, where practical, should be sheltered from the weather.

At a minimum the Facility should maintain one of the following prevention systems or its equivalent on all petroleum storage locations:

- Dikes, berms, retaining walls sufficiently impervious to contain oil;
- Curbing or drip pans;
- Sumps and collection systems;
- Culverts, Gutters, or other drainage systems;
- Weirs, booms, or other barriers;
- Spill diversion ponds;
- Retention ponds; or
- Sorbent materials

Spill control equipment should be located near petroleum storage areas. The Facility will maintain, at minimum, of sorbent materials at all locations where petroleum products 55 gallons or greater is located outside. The Facility should implement secondary containment at all areas that have petroleum storage or petroleum containing equipment. Appendix E indicates the type of secondary containment for all bulk storage tanks and applicable oil filled operational equipment located at the Facility.

10.2.1 Drainage from Diked Storage Areas

All storm water drainage within a diked storage area must be restrained by valves to prevent a discharge into the drainage system. These valves must be manually operated to prevent a discharge. Storm water within the containment area must be inspected for signs of petroleum and contamination prior to discharging to the surface. All drainage inspections must be documented with date, time, observations, and the name of the person conducting the inspection. All diked areas need to be sufficiently impervious to contain discharged oil.

Diked areas can be emptied by pumps; however, you must manually activate these pumps and must inspect the condition of the accumulation before you start to ensure no oil will be discharged.

Uncontaminated storm water from the diked areas should not be allowed to drain into storm drains or discharge into an open watercourse, lake, or pond unless you:

- Keep the bypass valve sealed closed
- Inspect the retained rainwater to ensure that its presence will not cause a discharge that is harmful to human or the environment
- Open the bypass valve and reseal it following drainage under a responsible supervision
- Keep adequate records of such event

Alabama Stone utilizes a dike drainage log to document when diked areas are drained. This log is maintained in with the environmental files. All records are kept for a minimum of three years. The dike drainage log can be seen in Appendix I.

10.3 Bulk Storage Tanks/Secondary Containment

10.3.1 Tank Compatibility with Its Contents

Bulk storage tanks are all constructed with materials compatible with the stored fluid. Storage tanks need to be stored in conditions that are compatible with the material stored, such as pressure and temperature. Non-compatible materials will not be stored near each other. All petroleum products at the Facility are stored in containers which are compatible with its contents.

10.3.2 Diked Area Construction and Containment Volume for Storage Tanks

Bulk storage tanks must be designed with secondary containment which will hold the entire capacity of the largest single container and sufficient freeboard to contain precipitation. Alabama Stone stores their products in containers which have sufficient containment volume. Should any diked secondary containment be added to the site, it must be able to contain 110% of the largest container within the diked area.

10.3.3 Underground Storage Tanks

Underground Storage Tanks (UST) constructed of a metallic material installed after January 10, 1974 must be protected with cathodic protection compatible with local soil conditions. The UST must regularly be leak tested. Partially buried or bunkered metallic tanks must not be used for the storage of oil, unless the buried section of the tank is protected from corrosion. The Facility currently does not have any USTs onsite. If a UST is installed in the future, it should be protected with cathodic protection prior to being put into service.

10.3.4 Tank Integrity

Above ground storage tanks should be tested on a regular schedule to verify the integrity of the tank. The frequency and type of testing is determined by the container size and design. Typically, tank testing is performed every five years or as recommended by the tank manufacturer. A combination of visual inspections with another testing technique such as, hydrostatic test, radiographic testing, ultrasonic testing, acoustic emissions testing, or another nondestructive shell test is sufficient. Visual inspections should note if there are any deterioration, discharges, or accumulation of oil inside the diked areas. Records of these inspections must be kept with the SPCC Plan for a period of three years.

Recommendations by the AST manufacturer for inspection frequencies must be checked and maintained by Facility personnel. If such records are not available, the baseline condition of the tank should be established immediately. A nondestructive shell test will be used to evaluate the condition of the tank and establish a schedule for tank integrity testing in the form of a formal report for documentation purposes.

10.3.5 Tank Installation/Overfill Prevention

New and old tank installations should, as far as practical, be fail-safe engineered or updated into a fail-safe engineered installation to avoid spills. An overfill prevention procedure may be appropriate for a small container when the filling procedure is documented in this Plan. One of the following should be implemented:

- High liquid alarms with audible or visual signal at constantly attended operation or surveillance station.
- High liquid level pump cutoff device set to stop flow at a predetermined container content level
- Direct audible or code signal communication between the container gauge and the pumping station.
- Fast response for determining the liquid level of each bulk storage container.
- The liquid level sensing device should be tested regularly to ensure proper operation.

Note: In order to provide adequate fail-safe engineering, redundancy should be employed. Inventory control and "sticking" are not adequate methods unless a second form of overfill prevention is utilized.

The Facility currently does not have level sensing devices on their AST. The facility manually transfers contents to the AST. If the level in the AST is elevated, the personnel will discontinue transfer operations until the tank levels are lowered. Once the tank level is adequate, transfer operations can resume.

Based upon EPA's SPCC Guidance for Regional Inspectors dated December 16, 2013, an audible/visual alarm or fast-response system may be appropriate for a large, stationary storage tank, a simpler overfill prevention procedure may be appropriate for a small container (e.g., relatively small containers that can be readily monitored) when the filling procedure is documented in the SPCC Plan.

Filling Procedure for all containers at the Facility:

1. Open Container
2. Verifying that the container has sufficient free capacity (i.e., ullage of the container) for the transfer,
3. Visually monitoring the product level throughout the transfer operation, and

4. Once transfer is complete, ensure container is property closed.
5. Clean up any residual materials, if needed.

10.3.6 Visible Oil Leak Correction

Visible oil leaks which result in a loss of oil from tank seams, gaskets, rivets, piping, pumps, valves, and bolts sufficiently large enough to cause the accumulation of oil in storage areas should be promptly corrected. Visible oil leaks are recorded and reported on the inspection forms. The Response Coordinator should be advised of any needed corrective actions. A copy of the inspection form is located in Appendix D. Measures should be taken to minimize and mitigate any leaks, while awaiting repair. Trained qualified Facility personnel should attempt to clean up any spilled oil immediately if they can complete the task without harm to themselves or others. The Facility should inspect any tanks, drums, and totes for leaks on a routine basis and correct any leaks immediately. The Facility does not utilize internal heating coils therefore, monitoring of heating coils is not applicable.

10.3.7 Appropriate Position of Mobile or Portable Oil Storage Tanks

Mobile or portable oil storage tanks should be positioned or located so as to prevent spilled oil from reaching navigable waters. A secondary means of containment, such as dikes or catchment basins should be furnished for the largest single compartment or tank that are located outside or in an area that may result in a release to the environment. These tanks should be located where they will not be subject to periodic flooding or washout. At this time, the Facility has several containers which could be considered mobile petroleum storage tanks. These containers will not be placed in low lying areas for the potential of being washed out. All containers will be placed in secondary containment when not being utilized.

10.3.8 Facility Transfer Operations, Pumping, and Facility Process

Buried piping that was installed or replaced on or after August 16, 2002, must be protected with protective wrapping or coating and must also cathodically protect such buried piping installations or otherwise satisfy the corrosion protection standards for piping in 40 CFR 280.

The Facility must cap or blank-flange the terminal connection at the transfer point and mark it as to origin when piping is not in service or is in standby service for an extended time.

Above ground piping should be designed so that the pipe supports minimize abrasion and corrosion and allows for expansion and contraction. All aboveground valves, piping and appurtenances must be inspected regularly.

The Facility does not currently utilize above ground piping or below ground piping for petroleum products. If the Facility adds above ground piping, a warning for all vehicles entering the area will be posted.

10.3.9 Treatment Facilities

The Facility does not currently utilize a treatment facility that discharges to either waters of the state or a local wastewater treatment plant, therefore, no inspections are required for treatment facilities.

10.4 Installation of Structures or Equipment to Prevent Discharge

The installation of structures and equipment to prevent oil spills from leaving the site is practical and being implemented.

11.0 AMENDMENTS OF THE SPCC PLAN

11.1 Amendments by Owner/Operators

A Facility can amend the Spill Prevention, Control, and Countermeasures Plan whenever a change in the Facility design, construction, operation, or maintenance, which materially affects the Facility's potential for discharge of oil into navigable waters of the United States. All amendments should be made within six months after the change has occurred. In accordance with 40 CFR 112.3 (d), technical amendments made to this plan must be certified by a Professional Engineer. The Professional Engineer Certification page can be seen in Appendix G. All changes that are made need to be noted on the Review and Amendment Log. The information needed when making an entry into the Review and Amendment Log is as follows:

- Date of change
- Description of change
- Page number of change
- Signature of the person responsible for the amending
- Notation as to whether the changes were significant enough to warrant recertification by a Professional Engineer.

Examples of changes that require a certification by a Professional Engineer are:

- Commissioning or decommissioning containers, replacement, reconstruction, or movement of containers
- Reconstruction, replacement, or installation of piping systems
- Construction or demolition that might alter secondary containment structures
- Changes of product or service
- Revision of standard operation or maintenance procedures at a Facility

The SPCC Plan must be reviewed, evaluated, and re-certified at least once every five years from the date your Facility becomes subject to 40 CFR 112.

11.2 Amendment by Regional Administrator

A written report must be sent to the Environmental Protection Agency within sixty days of a discharge of 1000 gallons of petroleum product or more into the navigable waters of the United States. If the Facility discharges 42-gallons or more, per event, into navigable waters on two separate events in a twelve-month period, a written report must also be sent to the EPA. The report should include:

- The name of the Facility

- The name of owners/operators of the Facility
- Location of the Facility
- Date and year of the initial Facility operation
- The maximum storage or handling capacity of the Facility and the normal daily through put
- Description of Facility, including maps, flow diagrams, and topographic map
- A complete copy of the SPCC Plan with any amendments
- The cause of the spill, including a failure analysis of the system or subsystem in which failure occurred
- The corrective action and/or countermeasures taken including an adequate description of equipment and repairs and/or replacement
- Additional preventive measures taken to contemplated to minimize the possibility of recurrences
- Such other information as the Regional Administrator may reasonably require pertinent to the plan or discharge event

The Regional Administrator Address:

Regional Administrator
U.S. EPA –Region IV
Sam Nunn Atlanta Federal Center
Atlanta, Georgia 30303-3104
(404) 562-9900

The Alabama Department of Environmental Management Address:

ADEM
Land Division
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2059
(334) 271-7700
(800) 843-0699 (24 hour emergency)

12.0 CERTIFICATION OF SUBSTANTIAL HARM DETERMINATION

The Facility must complete a Certification of Substantial Harm Determination form and maintain this form as a part of the Facility's SPCC Plan. This form must be reviewed every five years and updated, completed form shall be included in the inspection forms. This form can be seen in Appendix H.

13.0 DEFINITIONS

- Bulk Storage Container – any container used to store oil. These containers are used for purposes including, but not limited to, the storage of oil prior to use, while being used, or prior to further distribution in commerce. Oil filled electrical, operating, or manufacturing equipment is not a bulk storage container.
- Discharge – any spilling, leaking, pumping, pouring, emitting, emptying, or dumping of oil, but excludes discharges in compliance with a permit under section 402 of the CWA.
- Facility – any mobile or fixed, onshore, offshore building, structure, installation, equipment, pipe, or pipeline used in oil well drilling operations, oil production, oil refining, oil storage, oil gathering, oil processing, oil transfer, oil distribution, and waste treatment, or in which oil is used. The boundary of a Facility depends on several site-specific factors, including, but not limited to, the ownership or operation of buildings, structures, and equipment on the same site and the types of activity at the site.
- Injury – a measurable adverse change, either long- or short-term, in the chemical or physical quality or the viability of a natural resource resulting either directly or indirectly from exposure to a discharge, or exposure to a product of reactions resulting from a discharge.
- Loading/Unloading Rack - a fixed structure (such as a platform, gangway) necessary for loading or unloading a tank truck or tank car, which is located at a facility
- Mobile refueler - a bulk storage container onboard a vehicle or towed, that is designed or used solely to store and transport fuel for transfer into or from an aircraft, motor vehicle, locomotive, vessel, ground service equipment, or other oil storage container.
- Navigable Waters – water of the United States, including the territorial seas. Also included are waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including wetlands, intrastate lakes, rivers, streams, mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds.
- Offshore Facility – any Facility of any kind located in, on, or under any navigable waters of the United States, and any Facility of any kind that is subject to the jurisdiction of the United States and is located in, on, or under any other waters.
- Oil – any kind or in any form, including, but not limited to: fats, oils, or greases of animals, fish, or marine mammal origin, vegetable oils, petroleum oil, fuel oil, sludge, synthetic oils, mineral oils, oil refuse, or oil mixed with wastes other than dredged spoil.
- Oil-filled Operational Equipment – equipment that includes an oil storage container in which the oil is present solely to support the function of the apparatus or the device.
- Onshore Facility – any Facility of any kind located in, on, or under any land within the United States, other than submerged land.

- Owner or Operator – any person owning or operating an onshore Facility or an offshore Facility, and in the case of any abandoned offshore Facility, the person who owned or operated or maintained the Facility immediately prior to such abandonment.
- Permanently Closed – any container of the Facility for which:
    - All liquid and sludge has been removed from each container and connecting lines
    - All connecting lines and piping have been disconnected from the container and blanked off, all valves have been closed and locked, and conspicuous signs have been posted on each container stating that it is permanently closed container and noting the date of closure.
- Person – includes an individual, firm, corporation, association, or partnership
- Petroleum Oil – petroleum in any form, including but not limited to crude oil, fuel oil, mineral oil, sludge, oil refuse, and refined products
- Regional Administrator – means the Regional Administrator of the Environmental Protection Agency (EPA), in and for the Region in which the Facility is located.
- Repair – any work necessary to maintain or restore a container to a condition suitable for safe operation.
- Storage Capacity – the shell capacity of the container.

14.0 REFERENCES AND RELATED WEBSITES

14.1 References

CONCAWE. 1982. Methodologies for Hazard Analysis and Risk Assessment in the Petroleum Refining and Storage Industry. Prepared by CONCAWE's Risk Assessment Ad-hoc Group.

U.S. Department of Housing and Urban Development. 1987. Siting of HUD-Assisted Projects Near Hazardous Facilities: Acceptable Separation Distances from Explosive and Flammable Hazards. Prepared by the Office of Environment and Energy, Environmental Planning Division, Department of Housing and Urban Development. Washington, DC.

U.S. DOT, FEMA and U.S. EPA. Handbook of Chemical Hazard Analysis Procedures.

U.S. DOT, FEMA and U.S. EPA. Technical Guidance for Hazards Analysis: Emergency Planning for Extremely Hazardous Substances.

The National Response Team. 1987. Hazardous Materials Emergency Planning Guide. Washington, DC.

The National Response Team. 1990. Oil Spill Contingency Planning, National Status: A Report to the President. Washington, DC. U.S. Government Printing Office.

Offshore Inspection and Enforcement Division. 1988. Minerals Management Service, Offshore Inspection Program: National Potential Incident of Noncompliance (PINC) List. Reston, VA.

14.2 Related Websites

Environmental Protection Agency www.epa.gov

Alabama Department of Environmental Management www.adem.alabama.gov

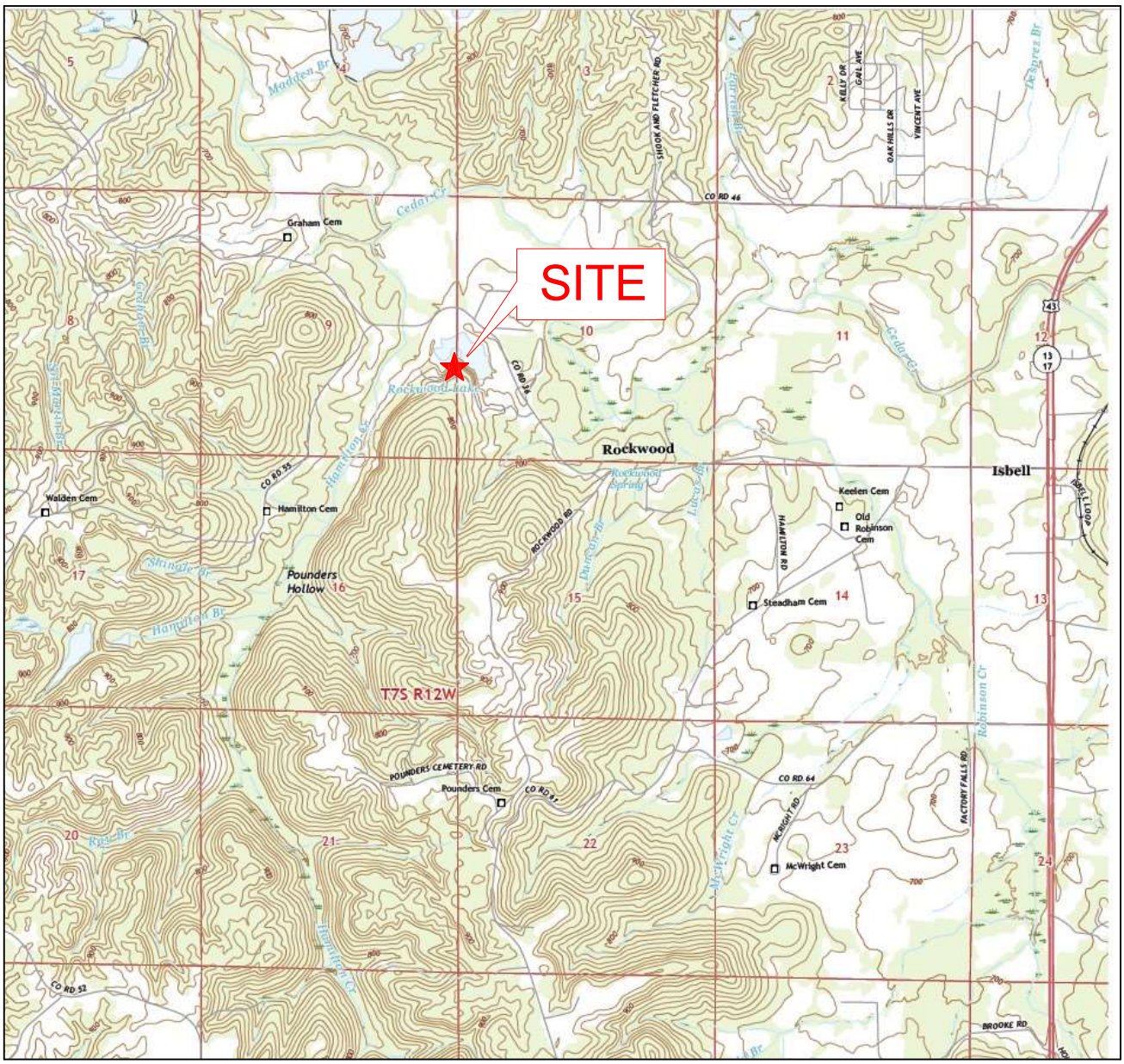
Electronic Code of Federal Regulations www.ecfr.gov

Appendix A- Facility Location Map

ALABAMA STONE
3835 HWY 36
RUSSELLVILLE, AL

MST	MID-SOUTH TESTING INC. 2220 BELTLINE ROAD SW, DECATUR ALABAMA, 35601			
Sheet of	Title: SITE LOCATION MAP		Scale: N.T.S.	Project No: 22-01-0405
			Date: 28 DEC 2022	Cad name: ALA-STONE
	Project: ALABAMA STONE		Drawn By: SMR	File: W-DRIVE-22

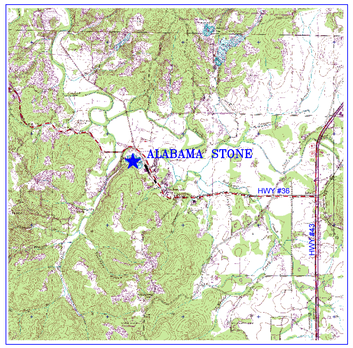
Appendix B- USGS Topographic Map



ALABAMA STONE
3835 HWY 36
RUSSELLVILLE, AL 35653
ISBELL, AL 2020 - USGS TOPOGRAPHIC MAP

MID-SOUTH TESTING INC. 2220 BELTLINE ROAD SW, DECATUR ALABAMA, 35601				
Sheet of	Title	USGS TOPOGRAPHIC MAP	Scale: N.T.S.	Project No: 22-01-0386
			Date: 27 OCT 22	Cad name: ALABAMASTONE
	Project	ALABAMA STONE	Drawn By: SMR	File: W-DRIVE-22

Appendix C- Site Plan Map



VICINITY MAP

Alabama Hwy. 36

County Road 55

Hamilton Creek

Cedar Creek

BRIDGE

3.0
JD & BETH ROBINSON

11.02
ALABAMA STONE

9.0
TODD LAND CO.

11.01
KENNETH & MARTHA FAYE SMITH

10.0
JD & BETH ROBINSON

RAW MATERIAL STORAGE

POTENTIAL DISCHARGE POINT IN AN EXTREME STORMWATER EVENT

TWO IMPOUNDMENTS NO OUTLET

FROM RAW WATER INTAKE

PUMP PICKUP

RECYCLE LINE

OLD MINE ENTRANCE

Bluff Line

FORMER QUARRY AREA

OVERHEAD CRANE

STONE PROCESSING FACILITY

FACILITY STORAGE

RAW MATERIAL STORAGE

Oil Filled Operational Equipment

RAW WATER INTAKE PUMP

TO PROCESS WATER STORAGE

ALABAMA STONE MAIN OFFICE

8.0
DUNCAN FARM TRUST

6.0
ALABAMA STONE

SILT FENCE

NATURAL BUFFER OR CONSTRUCTED BUFFER ALONG STREAM LINE LOCATION TO BE SITE DETERMINED

℄ STREAM

GRAVEL ROADBED

24" RCP STORMWATER PIPE

15'

2'

ABOVE GROUND DIESEL STORAGE TANK

REINFORCED CONCRETE WITH LOCK VALVE

2000 Gal.

MINE SECURITY BUILDING

ABOVE GROUND DIESEL STORAGE TANK

Underground Limestone Mining Operation

11
ALABAMA STONE
97.5 AC.

6.0
ALABAMA STONE
148 AC.

4.0
ALABAMA STONE
309 AC.

26
ALABAMA STONE
106.12 AC.

9 10 16 15

LEGEND

- BUILDINGS
- RAW MATERIAL STORAGE
- IMPOUNDMENTS
- UNDERGROUNG MINING
- CONTOUR LINES
- TRAILS
- CREEK
- ROADWAYS
- BOUNDARY
- ADJOINING PROPERTY OWNERS
- BUFFER ZONE

THIS PLAT IS A COMPIATION FROM NUMEROUS PUBLIC INFORMATION SOURCES, USGS TOPOGRAPHIC MAP, TAX MAP, AERIAL PHOTOS AND PLATS PROVIDED BY OUR CLIENT. IN ADDITION MID-SOUTH TESTING PERFORMED FIELD SURVEY EFFORTS TO LOCATE SIGNIFICANT POINTS OF INTEREST.

NO.	DATE	REVISIONS	BY

MUST HAVE ORIGINAL SEAL TO BE VALID

TITLE: SITE PLAN
SPCC PLAN

PROJECT: ALABAMA STONE

MID-SOUTH TESTING, INC.
2220 BELTLINE ROAD S.W., DECATUR, ALABAMA 35601

CLIENT:	ALABAMA STONE
SURVEY TYPE:	SPECIFIC PURPOSE
SOURCE OF INFORMATION:	MULTIPLE SOURCES
OFFICE DATE:	20 SEPT. 07
UPDATED:	28 DEC. 22
DRAWN BY:	SMR
SCALE:	1" = 200±
FILE LOCATION:	W-DRIVE-22
CAD NAME:	ALA-STONE
PROJECT NO.:	22-01-0405
SHEET NO.:	1 OF 1

Appendix D – SPCC Plan Inspection Form

SPCC Plan Inspection Form

Further description and comments, if needed, should be provided on a separate sheet of paper and attached to this sheet. Any item answered "Yes" needs to be promptly reported, repaired, and/or replaced, as it may result in non-compliance with regulatory requirements. Records are maintained with the SPCC Plan at the Alabama Stone Facility in Russellville, Alabama.

Printed Name	Signature	Date

Storage Area Location	Description	Observations			Corrective Action	
		Inspection Criteria	Yes	No	Yes	No
Mine Entrance	Diesel Storage Tank (2,000 gallon)	Compromised Containment, Container in Poor Condition, Leaks or Stains				
Shipping and Receiving Area	Diesel Storage Tank (1,000 Gallon)	Compromised Containment, Container in Poor Condition, Leaks or Stains				
Processing Area	Oil Filled Operational Equipment	Equipment Leaking, Not working properly, Needs Repair				
Other						

Comments: _____

Appendix E - Petroleum Storage and Containment Calculations

Potential Spills, Overfill Protection, Secondary Containment Measures

Storage Area Location	Product	Capacity (gallons)	Direction of Flow	Secondary Containment	Other Controls	Overfill Protection
Mine Entrance	Diesel Storage Tank	2000	Spill would be confined to the surrounding concrete containment. Should it escape containment, it would flow into entrance of Mine.	Concrete secondary containment capable of holding approximately 2200 gallons.	Spill cleanup supplies located near tank. Drainage valve handle is removed to lock.	Direct Communication between the container gauger and the transfer operator.
Shipping and Receiving	Diesel Storage Tank	1000	Spill would be confined to the surrounding concrete containment. Should it escape containment, it would flow to a stormwater pond where it would be captured.	Concrete secondary containment capable of holding approximately 1100 gallons.	Spill cleanup supplies located near tank. There is no drainage valve in this area. The material would be collected and placed in a drum for disposal.	Direct Communication between the container gauger and the transfer operator.
Processing Building	Oil Filled Operational Equipment	NA	Spill would be confined indoors where the equipment is situated.	The equipment is located indoors.	Spill cleanup equipment located inside near the equipment.	Direct Communication between the container gauger and the transfer operator.

Appendix F- Management Approval

We are committed to the prevention of discharges of oil to navigable waters and the environment. This plan has the full approval of management at a level of authority to commit the necessary resources to fully implement it.

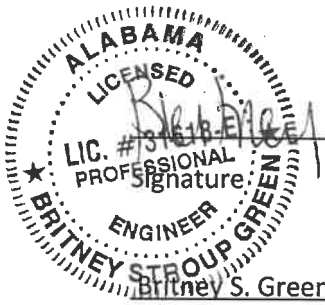
Management Approval
Owner/Operator responsible for Facility: Alabama Stone Inc. Facility Name and Location Alabama Stone Inc. 3835 Hwy 36 Russellville, AL 35653
Designated person accountable for oil spill prevention at the Facility: Name and Title: Heath McKee, General Manager I certify that this SPCC Plan will be implemented as herein described: Name: HEATH MCKEE Title: GENERAL MANAGER Signature: [signature] Date: 12/28/2022

Appendix G-Professional Engineer Certification

Plan Review and Certification by Professional Engineer

The undersigned Registered Professional Engineer is familiar with the requirements of Part 112 of Title 40 of the Code of Federal Regulations (40 CFR part 112) and has visited and examined the Facility, or has supervised examination of the Facility by appropriately qualified personnel. The undersigned Registered Professional Engineer attests that this Spill Prevention, Control, and Countermeasure Plan has been prepared in accordance with good engineering practice, including consideration of applicable industry standards and the requirements of 40 CFR part 112; that procedures for required inspections and testing have been established; and that this Plan is adequate for the Facility. [112.3(d)]

This certification in no way relieves the owner or operator of the Facility of the duty to prepare and implement this SPCC Plan in accordance with the requirements of 40 CFR part 112. This Certification includes all information as the five-year update.



Signature

12/28/2022
Date

Britney S. Green
Name of Professional Engineer

31618
Registration Number

Alabama
Issuing State

Appendix H- Certification of the Applicability of the Substantial Harm Criteria Checklist

Certification of the Applicability of the Substantial Harm Criteria Checklist

Alabama Stone
3835 Highway 36
Russellville, Alabama 35653

*Red indicates answer

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

Yes **No**

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

Yes **No**

3. Does the Facility have a total oil storage capacity greater than or equal to 1 million gallons and is the Facility located at a distance (as calculated using the formula in Attachment C-III, Appendix C, 40 CFR 112 or a comparable formula) such that a discharge from the Facility could cause injury to fish and wildlife and sensitive environments? For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Environments" (Section 13, Appendix E, 40 CFR 112 for availability) and the applicable Area Contingency Plan.

Yes **No**

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

Yes **No**

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

Yes **No**

ALABAMA LICENSED PROFESSIONAL ENGINEER BRITNEY S. GREEN LIC. # 31618-E

The undersigned Registered Professional Engineer attests that this Certification of Applicability of Substantial Harm Checklist has been prepared in accordance with good engineering practice.

Signature, Britney S. Green, P.E — 31618 Alabama Registration Number — 12/28/2022 Date

Management Approval — 12/28/22 Date

Appendix I – Dike Drainage Log

Alabama Stone

Dike Discharge Log

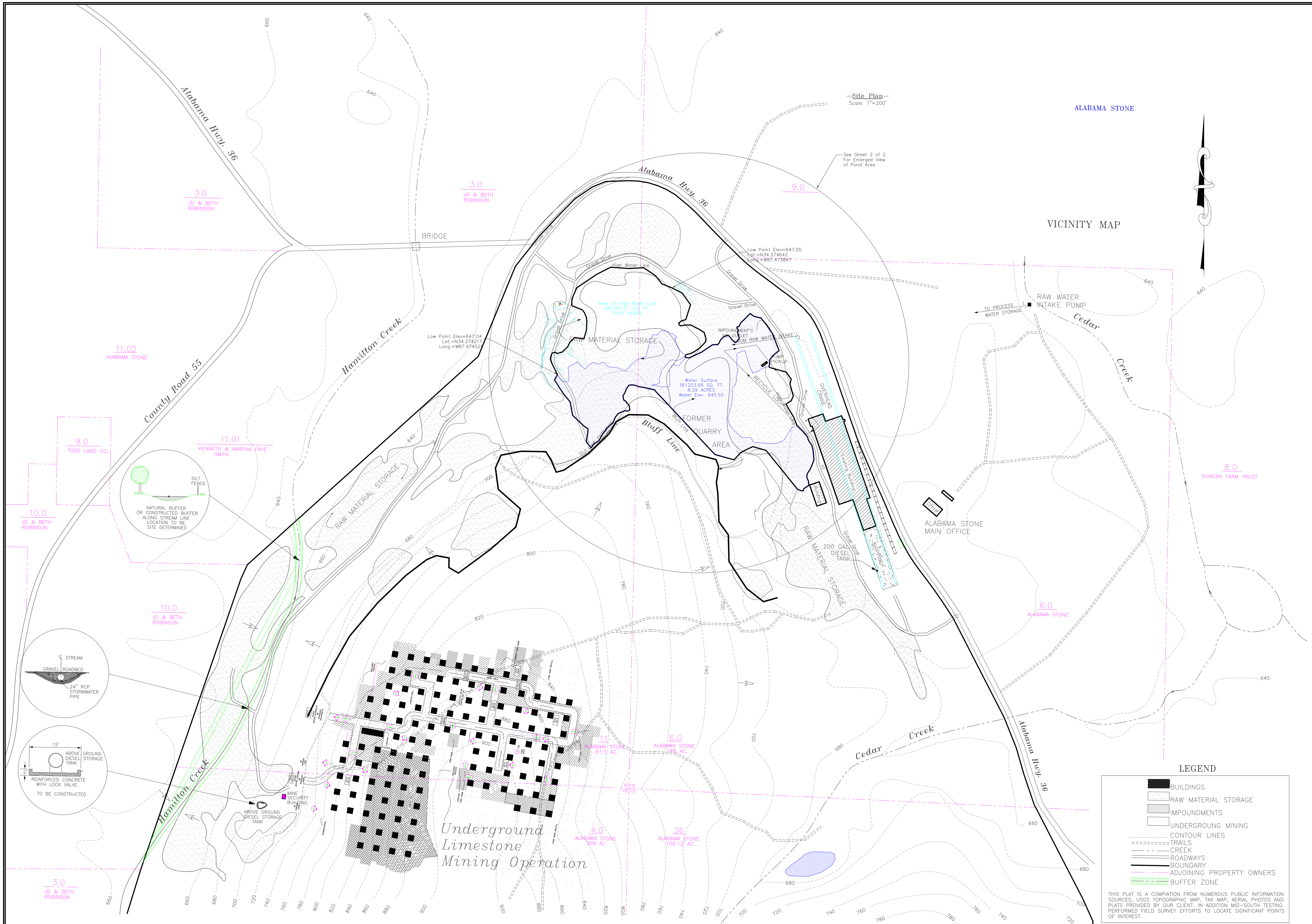
Date	Time	Location (Tank)	Description (Oil sheen present, discharge to surface, drummed, etc)	Signature of Person Responsible	Require Other Disposal	
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No

Appendix J-Plan Review and Amendment Log

Alabama Stone

Plan Review and Amendment Log

Date	Revision	Page Number	Description	Signature	PE Review & Certification Required?	
28-Dec-22	1.0	All	Five Year Update	Brittney Green	☑ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No


Site Plan
Scale: 1"=200'
VICINITY MAP
ALABAMA STONE
See Sheet 2 of 2 For Enlarged View of Pond Area
Alabama Hwy. 36
County Road 55
Hamilton Creek
Cedar Creek
BRIDGE
3.0 JD & BETH ROBINSON
9.0
11.02 ALABAMA STONE
9.0 TODD LAND CO.
11.01 KENNETH & MARTHA FAYE SMITH
10.0 JD & BETH ROBINSON
8.0 DUNCAN FARM TRUST
6.0 ALABAMA STONE
11 ALABAMA STONE 97.5 AC.
6.0 ALABAMA STONE 148 AC.
4.0 ALABAMA STONE 309 AC.
26 ALABAMA STONE 106.12 AC.
9 10
16 15
Low Point Elev=647.04 Lat.=N34.274217 Long.=W87.474521
Low Point Elev=647.05 Lat.=N34.274642 Long.=W87.473847
High Water Line
Gravel Drive
Area of High Water Line 697351.21 SQ. FT. 16.01 ACRES
RAW MATERIAL STORAGE
Water Surface 361203.65 SQ. FT. 8.29 ACRES Water Elev. 645.55
IMPOUNDMENT'S NO OUTLET FROM RAW WATER INTAKE
PUMP PICKUP
RECYCLE LOOP
OVERHEAD CRANE
Existing Building
Building
Office
SHIPPING
FORMER QUARRY AREA
Bluff Line
OLD MINE ENTRANCE
ALABAMA STONE MAIN OFFICE
200 GAL DIESEL TANK
RAW WATER INTAKE PUMP
TO PROCESS WATER STORAGE
SILT FENCE
NATURAL BUFFER OR CONSTRUCTED BUFFER ALONG STREAM LINE LOCATION TO BE SITE DETERMINED
STREAM
GRAVEL ROADBED
24" RCP STORMWATER PIPE
15'
2'
ABOVE GROUND DIESEL STORAGE TANK
REINFORCED CONCRETE WITH LOCK VALVE
TO BE CONSTRUCTED
MINE SECURITY BUILDING
ABOVE GROUND DIESEL STORAGE TANK
Underground Limestone Mining Operation
LEGEND
BUILDINGS
RAW MATERIAL STORAGE
IMPOUNDMENTS
UNDERGROUNG MINING
CONTOUR LINES
TRAILS
CREEK
ROADWAYS
BOUNDARY
ADJOINING PROPERTY OWNERS
BUFFER ZONE
THIS PLAT IS A COMPIATION FROM NUMEROUS PUBLIC INFORMATION SOURCES, USGS TOPOGRAPHIC MAP, TAX MAP, AERIAL PHOTOS AND PLATS PROVIDED BY OUR CLIENT. IN ADDITION MID-SOUTH TESTING PERFORMED FIELD SURVEY EFFORTS TO LOCATE SIGNIFICANT POINTS OF INTEREST.

REVISIONS

NO.	DATE	BY

MUST HAVE ORIGINAL SEAL TO BE VALID

TITLE: Alabama Stone

PROJECT: Stormwater Pond Locations

MID-SOUTH TESTING, INC.®
2220 BELTLINE ROAD SW, DECATUR, ALABAMA 35601

CLIENT: Alabama Stone
SURVEY TYPE: Topographic
SOURCE OF INFORMATION:
OFFICE DATE: 10-12-12
FIELD DATE: 10-12
DRAWN BY: RJW
SCALE: 1"=200'
FILE LOCATION: \dwg2012\Alabama Stone
CAD NAME: Topo.dwg
PROJECT NO.: 11301
SHEET NO.: 1 of 2

Appendix I-Plan Review and Amendment Log

Alabama Stone

Plan Review and Amendment Log

Date	Revision	Page Number	Description	Signature	PE Review & Certification Required?	
8-Dec-17	1.0	All	Five Year Update	Britney Green	☑ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No
					☐ Yes	☐ No

Appendix J- Spill Response 24 Hour Contact Information