

**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 15, 2022

Jon Stevens  
Vice President  
Rogers Group, Inc.  
520 3 Mile Lane  
Tuscumbia, AL 35674

RE: Draft Permit  
Hollywood Quarry  
NPDES Permit Number AL0083071  
Jackson County (071)

Dear Mr. Stevens:

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 and modify 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 Clint Dear at (334) 274-4238 or [clint.dear@adem.alabama.gov](mailto:clint.dear@adem.alabama.gov).

Sincerely,

A handwritten signature in dark ink, appearing to read "W.D. McClimans", is written over a horizontal line.

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

WDM/cdd

File: DPER/26012

cc: Clint Dear, 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)



# NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

PERMITTEE: Rogers Group, Inc.  
421 Great Circle Road  
Nashville, TN 37228

FACILITY LOCATION: Hollywood Quarry  
9098 County Road 33  
Hollywood, AL 35752  
Jackson County  
T3S, R6E, S27

PERMIT NUMBER: AL0083071

DSN & RECEIVING STREAM: 001 - 1 Unnamed Tributary to Pegues Branch (Groundwater)  
002 - 1 Unnamed Tributary to Pegues Branch (Groundwater)  
003 - 1 Unnamed Tributary to Pegues Branch (Groundwater)

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

ISSUANCE DATE:

EFFECTIVE DATE:

EXPIRATION DATE:

**Draft**

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Alabama Department of Environmental Management

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

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## PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

### A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

Parameter	Discharge Limitations			Monitoring Requirements	
	Daily Minimum	Monthly Average	Daily Maximum	Sample Type	Measurement Frequency <sup>1</sup>
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 <sup>2</sup> 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.

<sup>1</sup> See Part I.C.2. for further measurement frequency requirements.

<sup>2</sup> 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 28<sup>th</sup> day of the month following the quarterly reporting period (i.e., on the 28<sup>th</sup> 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. I.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. NH<sub>3</sub>-N - means the pollutant parameter ammonia, measured as nitrogen.
34. 1-year, 24-hour precipitation event - means the maximum 24-hour precipitation event with a probable recurrence interval of once in one year as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, or equivalent regional or rainfall probability information developed therefrom.
35. Permit application - means forms and additional information that are required by ADEM Admin. Code r. 335-6-6-.08 and applicable permit fees.
36. Point Source - means "any discernible, confined and discrete conveyance, including but not limited to any pipe, channel, ditch, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft from which pollutants are or may be discharged." Section 502(14) of the FWPCA, 33 U.S.C. §1362(14).
37. Pollutant - includes for purposes of this Permit, but is not limited to, those pollutants specified in Code of Alabama 1975, §22-22-1(b)(3) and those effluent characteristics, excluding flow, specified in Part I.A. of this Permit.
38. Pollutant of Concern - means those pollutants for which a water body is listed as impaired or which contribute to the listed impairment.
39. Pollution Abatement and/or Prevention Plan (PAP Plan) – mining operations plan developed to minimize impacts on water quality to avoid a contravention of the applicable water quality standards as defined in ADEM Admin. Code r. 335-6-9-.03
40. Preparation, Dry - means a dry preparation facility within which the mineral/material is cleaned, separated, or otherwise processed without use of water or chemical additives before it is shipped to the customer or otherwise utilized. A dry preparation plant includes all ancillary operations and structures necessary to clean, separate, or otherwise process the mineral/material, such as storage areas and loading facilities. Dry preparation also includes minor water spray(s) used solely for dust suppression on equipment and roads to minimize dust emissions.
41. Preparation, Wet - means a wet preparation facility within which the mineral/material is cleaned, separated, or otherwise processed using water or chemical additives before it is shipped to the customer or otherwise utilized. A wet preparation plant includes all ancillary operations and structures necessary to clean, separate, or otherwise process the mineral/material, such as storage areas and loading facilities. Wet preparation also includes mineral extraction/processing by dredging, slurry pumping, etc.
42. Privately Owned Treatment Works - means any devices or system which is used to treat wastes from any facility whose operator is not the operator of the treatment works, and which is not a "POTW".
43. Publicly Owned Treatment Works (POTW) - means a wastewater collection and treatment facility owned by the State, municipality, regional entity composed of two or more municipalities, or another entity created by the State or local authority for the purpose of collecting and treating municipal wastewater.
44. Receiving Stream - means the "waters" receiving a "discharge" from a "point source".

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

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

## **E. SEVERABILITY**

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

## **F. PROHIBITIONS AND ACTIVITIES NOT AUTHORIZED**

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

## **G. DISCHARGES TO IMPAIRED WATERS**

1. This Permit does not authorize new sources or new discharges of pollutants of concern to impaired waters unless consistent with an EPA-approved or EPA-established Total Maximum Daily Load (TMDL) and applicable State law, or unless compliance with the limitations and requirements of the Permit ensure that the discharge will not contribute to further degradation of the receiving stream. Impaired waters are those that do not meet applicable water quality standards and are identified on the State of Alabama's §303(d) list or on an EPA-approved or EPA-established TMDL. Pollutants of concern are those pollutants for which the receiving water is listed as impaired or contribute to the listed impairment.
2. Facilities that discharge into a receiving stream which is listed on the State of Alabama's §303(d) list of impaired waters, and with discharges that contain the pollutant(s) for which the waters are impaired, must within six (6) months of the Final §303(d) list approval, document in its BMP plan how the BMPs will control the discharge of the pollutant(s) of concern, and must ensure that there will be no increase of the pollutants of concern. A monitoring plan to assess the effectiveness of the BMPs in achieving the allocations must also be included in the BMP plan.

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

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
WATER DIVISION**

**NPDES INDIVIDUAL PERMIT RATIONALE**

**Company Name:** Rogers Group, Inc.  
**Facility Name:** Hollywood Quarry  
**County:** Jackson  
**Permit Number:** AL0083071  
**Prepared by:** Clint Dear  
**Date:** November 21, 2022  
**Receiving Waters:** Unnamed Tributaries to Pegues Branch (Groundwater)  
**Permit Coverage:** Limestone Quarry, Wet Processing, Transportation and Storage, and Associated Areas  
**SIC Code:** 1422

The Department has made a tentative determination that the available information is adequate to support reissuance and modification of this permit. The modification covers the addition of Outfall 003.

This proposed permit covers a limestone quarry, wet processing, transportation and storage, and associated areas which discharge to surface and ground waters of the state.

The proposed permit authorizes treated discharges into a stream segment, other State waters, or local watersheds that currently have a water quality classification of 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.

1CSTechnology 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 all outfalls 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 all outfalls 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 Point Source Category* (July 1979).

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

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.

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

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

**Purpose of this Application**

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

**I. GENERAL INFORMATION**

NPDES Permit Number (Not applicable if initial permit application): <b>AL 0083071</b>	County(s) in which Facility is Located: Jackson
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**RECEIVED**

**OCT 15 2020**

Company/Permittee and Facility Information					
Company/Permittee Name Rogers Group, Inc.			Facility Name Hollywood Quarry		
Mailing Address of Company/Permittee: 421 Great Circle Road			Physical Address of Operation (as near as possible to main entrance): 9098 County Road		
City Nashville	State TN	Zip Code 37228	City Hollywood	State AL	Zip 35752
Permittee Phone Number 615-780-5781		Permittee Fax Number:		Latitude and Longitude of Main Entrance: 34.7522,-85.991742	

**WATER DIVISION**

Responsible Official (RO) Information					
RO Name (as described on Page 12 of this application): Jon Stevens			RO Official Title: NAL V.P.		
Mailing Address: 520 Three Mile Lane			Physical Address: Same as Mailing		
City Tuscumbia	State AL	Zip Code 35674	City	State	Zip Code
Phone Number: 256-383-1645		Fax Number:		Email Address: jon.stevens@rogersgroupinc.com	

Facility Contact Information					
Facility Contact Name: David Davis			Facility Contact Title: Plant Manager		
Physical Address: 9098 County Road			Phone Number: 256-783-2671		Fax Number:
City Hollywood	State AL	Zip Code 35752	Email Address: david.davis@rogersgroupinc.com		

**II. MEMBER INFORMATION**

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

Name:	Title/Position:	Physical Address of Residence (P.O. Box is Not Acceptable)
Richard Rechter	Owner	
Sam Rechter	Owner	
Ben R. Rechter	Owner	

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

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

**III. LEGAL STRUCTURE OF APPLICANT**

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

- Corporation  
  Association  
  Individual  
  Single Proprietorship  
  Partnership  
  LLP  
  LLC  
 Government Agency: \_\_\_\_\_  Other: \_\_\_\_\_

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

C. Parent Corporation and Subsidiary Corporations of Applicant, if any: N/A

D. Land Owner(s): None

E. Mining Sub-contractor(s)/Operator(s), if known: None

**IV. COMPLIANCE HISTORY**

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

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

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

None

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**V. OTHER PERMITS/AUTHORIZATIONS**

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

N/A

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

Moulton Quarry (AL0066991) Limestone Co. Quarry (AL0072338) Tuscombua Quarry (AL0024384) Laceys Spring Quarry (AL0077810) South Limestone Quarry (AL0079146)

**VI. PROPOSED SCHEDULE**

Anticipated Activity Commencement Date: January 2017 Anticipated Activity Completion Date: January 2050

**VII. ACTIVITY DESCRIPTION & INFORMATION**

A. Proposed Total Area of the Permitted Site: 152.5 acres Proposed Total Disturbed Area of the Permitted Site: 152.5 acres

B. Township(s), Range(s), Section(s): T3S, R6E, Section 27

C. Detailed Directions to Site: Take I-565 E through Huntsville and onto Hwy 72. Continue on 72 through Scottsboro and Hollywood. Turn left on County Road 33 and travel about 2.5 miles and project is located on the right or east of County Road 33.

D. Is/ will this facility:

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

**VIII. MATERIAL TO BE REMOVED, PROCESSED, OR TRANSLOADED**

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

___ Dirt &/or Chert	___ Sand &/or Gravel	___ Chalk	___ Talc	___ Crushed rock (other)
___ Bentonite	___ Industrial Sand	___ Marble	___ Shale &/or Common Clay	___ Sandstone
___ Coal	___ Kaolin	___ Coal fines/refuse recovery	___ Coal product, coke	___ Slag, Red Rock
___ Fire clay	___ Iron ore	___ Dimension stone	___ Phosphate rock	___ Granite
___ Bauxitic Clay	___ Bauxite Ore	80% Limestone, crushed limestone and dolomite		
___ Gold, other trace minerals: _____	Other: _____			
20% Other: <u>Waste</u>	Other: _____			
Other: _____	Other: _____			

**IX. PROPOSED ACTIVITY TO BE CONDUCTED**

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

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

B. Primary SIC Code: 1422 NAICS Code: 212312 Description: Crushed and Broken Limestone  
 Secondary SIC Code(s): \_\_\_\_\_ NAICS Code: \_\_\_\_\_ Description: \_\_\_\_\_

C. Narrative Description of the Activity: Operate and maintain equipment related to the processing and sizing of aggregate for sale to general public.

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

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

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

<i>Volume</i>	<i>Contents</i>	<i>Volume</i>	<i>Contents</i>	<i>Volume</i>	<i>Contents</i>
<u>10,000</u> gallons	<u>Diesel</u>	<u>550</u> gallons	<u>New Oil</u>	<u>550</u> gallons	<u>New Oil</u>
<u>550</u> gallons	<u>New Oil</u>	<u>550</u> gallons	<u>New Oil</u>	<u>550</u> gallons	<u>Waste Oil</u>

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

**XI. POLLUTION ABATEMENT & PREVENTION (PAP) PLAN**

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

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

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

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

**XII. ASMC REGULATED ENTITIES**

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

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









**XVIII. PROPOSED NEW OR INCREASED DISCHARGES**

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

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

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

(1) What environmental or public health problem will the discharge be correcting?  
None.

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(2) How much will the discharger be increasing employment (at its existing facility or as a result of locating a new facility)?  
No new employees but this expansion will protect 8-10 existing jobs.

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(3) How much reduction in employment will the discharger be avoiding?  
None.

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(4) How much additional state or local taxes will the discharger be paying?  
Approximately \$60,000 annually sales tax revenues.

Severance tax of 10 cents per ton will generate up to \$40,000 per year for Jackson County.

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(5) What public service to the community will the discharger be providing?  
This quarry will become part of this community by supplying crushed stone and aggregate products for the construction of businesses, roads, homes, and other infrastructure directly related to the building of this area.

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(6) What economic or social benefit will the discharger be providing to the community?  
In purchasing food, fuel, and other products in the local community we will be increasing revenue and stimulating the economy.  
This facility will provide jobs for the community as well as become good neighbors assisting in charitable activities.

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

Y	N	N/A
X		
X		
X		

PE Seal with License #  
 Name and Address of Operator  
 Legal Description of Facility

**General Information:**

X		
X		
X		
X		
X		

Name of Company  
 Number of Employees  
 Products to be Mined  
 Hours of Operation  
 Water Supply and Disposition

**Topographic Map:**

X		
X		
X		
X		
X		

Mine Location  
 Location of Prep Plant  
 Location of Treatment Basins  
 Location of Discharge Points  
 Location of Adjacent Streams

**1"- 500' or Equivalent Facility Map:**

X		
X		
X		
X		

Drainage Patterns  
 Mining Details  
 All Roads, Structures Detailed  
 All Treatment Structures Detailed

**Detailed Design Diagrams:**

X		
X		
X		

Plan Views  
 Cross-section Views  
 Method of Diverting Runoff to Treatment Basins

**Narrative of Operations:**

X		
X		
X		

Raw Materials Defined  
 Processes Defined  
 Products Defined

**Schematic Diagram:**

X		
X		
X		

Points of Waste Origin  
 Collection System  
 Disposal System

**Post Treatment Quantity and Quality of Effluent:**

X		
X		
X		
X		

Flow  
 Suspended Solids  
 Iron Concentration  
 pH

**Description of Waste Treatment Facility:**

X		
X		
X		
X		

Pre-Treatment Measures  
 Recovery System  
 Expected Life of Treatment Basin  
 Schedule of Cleaning and/or abandonment

**Other:**

X		
X		
X		
X		
X		
X		

Precipitation/Volume Calculations/Diagram Attached  
 BMP Plan for Haul Roads  
 Measures for Minimizing Impacts to Adjacent Stream i.e., Buffer Strips, Berms, etc.  
 Methods for Minimizing Nonpoint Source Discharges  
 Facility Closure Plans  
 PE Rationale(s) For Alternate Standards, Designs or Plans

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


XXI. INFORMATION

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

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

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

The applicant is advised to contact:

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

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

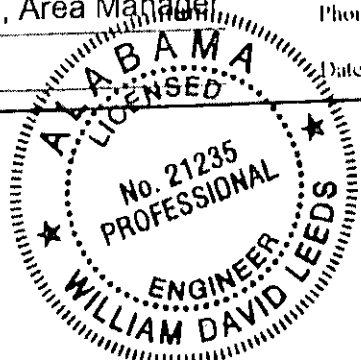
Water Division
Alabama Department of Environmental Management
Post Office Box 301463
Montgomery, Alabama 36130-1463
Phone: (334) 271-7823
Fax: (334) 279-3051
h2omail@adem.alabama.gov
www.adem.alabama.gov

XXII. PROFESSIONAL ENGINEER (PE) CERTIFICATION

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

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

Address 149 Parks Chapel Road Lacey's Spring, AL
Name and Title (type or print) W. David Leeds, Area Manager
Signature [Handwritten Signature]
PI Registration # 21235
Phone Number 256-275-6629
Date Signed 3/25/2021



**XXIII RESPONSIBLE OFFICIAL SIGNATURE\***

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

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

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

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

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

Name (type or print) Jon Stevens

Official Title VP M&L

Signature 

Date Signed 3-25-21

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

- (1) The application for an NPDES permit shall be signed by a responsible official, as indicated below:
  - (a) In the case of a corporation, by a principal executive officer of at least the level of vice president, or a manager assigned or delegated in accordance with corporate procedures, with such delegation submitted in writing if required by the Department, who is responsible for manufacturing, production, or operating facilities and is authorized to make management decisions which govern the operation of the regulated facility;
  - (b) In the case of a partnership, by a general partner;
  - (c) In the case of a sole proprietorship, by the proprietor, or
  - (d) In the case of a municipal, state, federal, or other public entity by either a principal executive officer, or ranking elected official.

**SPILL PREVENTION CONTROL AND  
COUNTERMEASURE PLAN  
(SPCC PLAN)**

**HOLLYWOOD QUARRY**

Hollywood, Jackson County, Alabama

FOR

**Rogers Group, Inc.**

February 2021(rev Mar 2021)

PREPARED BY

**Kelly EcoSource, LLC.**  
106 Alice Lane  
Athens, AL 35611  
[patti@kellyecosource.com](mailto:patti@kellyecosource.com)  
(256) 426-8699

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## EMERGENCY QUICK REFERENCE LIST

- |      |  |   |
|------|--|---|
| 1.   | U.S. Environmental Protection Agency (Region IV)           | (404) 347-4062                                |
| 2.   | U.S. Coast Guard National Response Center                  | (800) 424-8802                                |
| 3.   | ADEM - Decatur Field Office (8:00 am - 5:00 pm)            | (256) 353-1713                                |
| 4.   | Alabama Emergency response Commission                      | (800) 843-0699                                |
| 5.   | ADEM -Montgomery – Office (8:00 am - 5:00 pm)              | (334) 271-7700                                |
| 6.   | Department of Public Safety (After 5:00 pm)                | (334) 242-4378                                |
| 7.   | Jackson County - Emergency Management Agency               | (256) 574-9344                                |
| 8.   | Alabama Department of Natural Resources                    | (256) 535-4206                                |
| 9.   | Utilities (for spills into sanitary sewer)                 | N/A   |
| 10.  | Hollywood Fire Department (flammable liquid spills)        | (256) 259-4845 or 911                         |
| 11.. | Huntsville Police (for spills endangering human life)      | (256) 259-1295 or 911                         |
| 12.  | Spill Recovery or Clean-up Services:                       |   |
|      | Action Environmental (Hanceville, Alabama)<br>24-Hour Line | (256) 352-2350<br>(800) 228-8845 x7093 Rachel |
| 13.  | Jackson County Emergency Management Agency (EMA)           | 256-574-9344                                  |
| 14.  | Scottsboro Fire Department                                 | 256-574-2617                                  |
| 15.  | Hollywood Fire Department                                  | 256-574-3232                                  |
| 16.  | Jackson County Sheriff's Department                        | 256-574-2610                                  |
| 17.  | Erik Knowles, RGI Environmental Manager                    | 615-418-9474                                  |



## **I. ASSESSMENT AND PLANNING**

Rogers Group, Inc. has prepared this Spill Prevention Control and Countermeasure (SPCC) Plan for the Reed Contracting Services Hollywood Quarry located in Hollywood, Jackson County, Alabama. The purpose of this Spill Prevention Control and Countermeasure (SPCC) Plan is to describe measures implemented by Reed Contracting Services to prevent oil discharges from occurring, and to prepare Reed Contracting to respond in a safe, effective, and timely manner to mitigate the impacts of a potential discharge from the Hollywood Quarry. This SPCC Plan has been prepared and implemented in accordance with the SPCC requirements contained in 40 CFR part 112. This Plan was prepared at the request of Mr. Mike Reed of Reed Contracting Services, Inc.

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

## **II. LOCATION AND TYPE OF FACILITY**

Hollywood quarry encompasses approximately 147.2 acres of land and is located at 9098 County Road 33 in Hollywood, Jackson County, Alabama. This proposed facility will mine and process limestone. See Appendix A of this plan for a Site Location/Topographic Map and for the Site Plan Drawing prepared by Mr. William H. Black.

## **III. NAME AND ADDRESS OF OWNER/OPERATOR**

Rogers group, Inc.  
421 Great Circle Road  
Nashville, TN 37228

## **IV. DESIGNATED EMERGENCY COORDINATORS**

Dale Whisenant, Plant Manager  
187 Nick Fitchheard Road  
Huntsville, AL 35805  
Office # 256-424-2671

## **V. SPILL HISTORY**

Hollywood quarry is an existing limestone quarry facility and according to the facility records and personnel, there have been no spills of the facility since the start of operations.

## **VI. SURFACE WATER FEATURES**

Based on the topography and current conditions, the overall site slopes gently to the west and south. The topographic map depicts a blue line stream running through the west portion of the site. Due to past quarry use of this property, the blue line stream shown on the map is no longer present in that location and is assumed to flow northwest to southwest, outside of the project boundaries. A series of sediment basins were placed in or near the old channel location several

years ago. Two of these basins are used for the Hollywood Quarry, Basins 2 and 3. (Refer to Maps.)

Portions of the site surface water run-off drains along a Surface Water Control Structure/ earthen berm, located northwest portion of site that extends south and then southwest, directing flow into sediment basins 2 and 3. Specifically, the structure extends south along the east boundary of a pond (outside of construction limits/ to remain undisturbed) and then along the south of sediment basin 2. Drainage enters basin 2 and then overflow enters basin 3 (Outfall 001E). In the unlikely event that basin 3 discharges, another sediment basin is located southwest outside of the permitted area which flows into an Unnamed Tributary to Pegues Branch beyond the southwest boundary of the site. Sediment basin 1 (Outfall 002E) is located in the southwest portion of the site that captures sheet flow from the central and south portions of the site. An additional basin is proposed in the central west portion of the site (003P). This basin will be built as construction moves to the east portion of the site. Currently a haul road is constructed that contains a berm along the east boundary of the road that diverts stormwater drainage to a large depression area within the quarry. This depression is considered a large hole, therefore does not discharge offsite. See Appendix A of this plan for a Site Location/Topographic Map and for the Site Layout Drawings which depicts site drainage. Site drainage will consist of the runoff from general operations and material stockpiles.

## VII. DISCHARGE PREVENTION MEASURES

Petroleum products are stored and used in the aboveground storage tank area noted on the Plant Layout Drawing in Appendix A. The following petroleum products are used for the proposed facility:

- 1- 10,000 gallon diesel AST    1 – 550 gallon Waste oil tank
- 4 – 550 gallon oil tanks

### 1. AST SECONDARY CONTAINMENT

The purpose of the SPCC rule is to prevent discharges of oil into navigable waters of the United States and adjoining shorelines. One of the primary ways through which the rule sets out to do this is the secondary containment requirements. A secondary containment system provides an essential line of defense in the event of a failure of an oil container (primary containment), such as a bulk storage container, a mobile or portable container, pipes or flowlines, or other oil-filled operational equipment. The system provides temporary containment of spilled oil until the appropriate response actions are taken to abate the source of the discharge and remove oil from areas where it has accumulated before the oil reaches navigable waters and adjoining shorelines.

The AST located on site is double-walled and does not require secondary containment unless otherwise instructed by the engineer signing the SPCC, as per ADEM 40 CFR 112. The tank is considered to be sufficient to contain the diesel and a tertiary containment structure is not needed at this time.

The storage area of the oil products will be relocated from the Connex trailer to the new Shop. The oil and waste oil tanks will be placed on a concrete pad and will be double-walled tanks. Likewise, unless otherwise instructed by the engineer signing the SPCC, as per ADEM 40 CFR 112.

Hollywood Quarry is not located adjacent to navigable waters of the U.S. and in the unlikely event of the diesel leaking or overflowing, the flow would be directed into the diversion structure/ earthen berm located northwest that extends along the west boundary of the site and just south of the plant site that is directed into the sediment basins 1 and 2 (001E). The site is graded in a manner that precludes runoff from leaving the site without flowing through the sediment basin so that most solids and suspended solids are removed from the effluent. Therefore, these basins will catch the

site's drainage. As per EPA guidance for secondary containments: temporary dike and berms may be constructed after a discharge is discovered as an active containment measure (or a countermeasure) so long as they can be implemented in time to prevent the spilled oil from reaching surface waters. The sediment basins or spill diversion ponds are designed for long-term or permanent containment of storm water capable to capture and hold oil or runoff and prevent it from entering surface water bodies. Temporary spill diversion ponds and retention ponds may be constructed after a discharge is discovered as an active containment measure (or countermeasure) as long as they can be implemented in time to prevent the spilled oil from reaching navigable waters and adjoining shorelines. There are very limited applications for use of temporary spill diversion and retention ponds for land-based containment of discharged oil due to the timely availability of the appropriate excavation equipment required to rapidly construct the ponds.

The AST and oil tanks are shown on the Plant Layout Drawing in Appendix A. Possible indications for leakage in the area include tank leakage from corrosion or rupture and piping failure from corrosion, joint failure or rupture, equipment failure, and/or operations error.

Visual observations are used during refilling and fueling operations to prevent overfill of the tanks or Reed Contracting Services vehicles. Unloading of transport vehicles to fill the tanks meets the minimum requirements and regulations established by the Department of Transportation. In addition, fuel transfer operations are monitored in their entirety by Reed personnel. The operator ensures the transfer pumps are shut off and hoses are removed and secured prior to vehicle departure.

The AST and piping is coated and/or painted to inhibit rust. Facility personnel plan to conduct monthly inspections of the AST. The inspections include signs of leakage and/or physical deterioration. Facility personnel will use absorbent booms and/or material to absorb visibly free product.

## **2. PERSONNEL**

All personnel will be trained annually in the operation and maintenance of equipment to prevent the discharges of oil and fuel. Personnel will also be informed of the applicable pollution control laws, rules and regulations. Periodic briefings will be conducted to highlight and describe known spill events, failures, any malfunctioning components, and recently developed precautionary measures. These briefings will be conducted at a frequency determined by the emergency coordinator to assure adequate understanding of the SPCC Plan for the facility.

## **3. SECURITY**

The entrance to the facility has a gate that is closed and locked after normal business hours. Facility personnel will be present during business hours to control unauthorized personnel. In addition, all outflow hoses, valves, nozzles, and pump starter switches will be secured when not in use.

## **4. FACILITY INSPECTIONS**

Inspections of the facility will be conducted by trained personnel and conducted in accordance with written procedures developed for the facility under the PAP Plan. These monthly inspections include at a minimum

- date of inspection,
- name of inspector,
- storm system location and areas inspected,
- inspection results,
- descriptions of potential sources of storm water contaminants if discovered,
- corrective actions (time initiated and time completed), if any. Additionally, the corrective actions shall include description of the spillage, estimated volume of spill, name of person who observed spill and name of person cleaning up spill.

A written report, when required by the Director, of each inspection shall be made and signed by the inspector or the appropriate supervisor. Each signed report shall be kept on file and/or in Appendix C of the PAP plan prepared by RGI. Any deficiencies identified during inspections shall be reported to the Emergency Coordinator.

Dike or containment area drainage shall be monitored and maintained in the form of a log and shall contain the following information, at a minimum

- Date and time of discharge,
- Estimated volume of discharge.
- Initials of person making visual inspection and authorizing the discharge.

The discharge shall have no sheen, and there shall be no discharge of visible oil, floating solids or visible foam in other than trace amounts. Each signed report shall be kept on file in Appendix E of the PAP prepared by RGI.

#### **VIII. SPILL COUNTERMEASURE PROCEDURES**

This plan provides the following spill contingency plan to supplement the preventative systems that are in operation. Three objectives of the plan are:

- Prevent releases and spills from occurring or reaching navigable waters.
- Minimize the extent of harm or damage resulting from the spill or release.
- Properly clean up residues or contaminated materials resulting from spill or release.

##### **1. DISCOVERY AND NOTIFICATION**

- A. Anyone discovering a spill that could reach navigable waters or discovering an imminent or actual emergency situation that could threaten human health or the environment will immediately notify the Emergency Coordinator. The emergency coordinator will be in charge of containment and countermeasures
- B. The emergency coordinator will evaluate the potential release and imminent threat to human health and/or the environment. If required, the emergency coordinator will make the required notifications. An example Spill Notification Form is included in Appendix B. Completed Spill Notification Forms shall be kept on file in Appendix B.

- C. Spills of 25 gallons or more should be reported to the ADEM (334-271-7700) and the National Response Center (NRC) (800-424-8802). Should a written follow-up report be required the address is as follows:

Alabama Department of Environmental Management  
P.O. Box 301463  
1400 Coliseum Blvd.  
Montgomery, AL 36110

Please note that "on-site" releases must be a solid or liquid and contained in a cemented, diked area. Releases that enter the air or soil are automatically considered "off-site" release, regardless of where the accident occurs. Off-site releases require notice to the local emergency planning Commission (Huntsville/Madison County Emergency management agency, 256-532-7290) and the state emergency response center (Alabama Emergency Response Commission, 800-843-0699) as well as the NRC. Written follow up reports may also be required.

Notification should include the following information:

1. Name, address, and telephone # of person reporting spill
  2. Name and address of the facility
  3. Date and time of the incident
  4. Location of the incident
  5. Type of material released or spilled
  6. Estimated quantity of materials released or spilled
  7. Source of spill and cause, if known
  8. Nearest downstream body of water
  9. Weather conditions at the incident location
  10. NPDES Permit#
  11. Any other information that may help emergency personnel respond to the incident
  12. Request advice on clean-up measures to take
- D. Based on the above information, the emergency coordinator must determine the extent of possible hazards to human health or the environment inside and outside of the facility area. The emergency coordinator may, if considered necessary, evacuate employees or if such hazards exist outside of the facility area, evacuation of local areas may be needed and reports to governmental emergency centers may be required.

Federal regulations require the reporting of spills of harmful quantities of hazardous substances into navigable waters. Harmful quantities, as defined in 40 CFR 110-Discharge of Oil, include discharges of oil that

- a) violate applicable water quality standards, or
- b) cause a sheen upon or discoloration of the water surface or adjoining shoreline, or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines

Upon identification of the hazards or extent of the spill, the emergency coordinator may contact any of the following outside agencies if the situation requires:

National Response Center (NRC) 800-424-8802  
Alabama Emergency Management Agency 800-843-0699

The following agencies should also be contacted if the situation requires:

Spills Endangering Human Life 911  
Jackson County (EMA) 256-574-9344  
Hollywood Fire Department 256-574-3232  
U.S. EPA Region IV (24hr Spill) 404-562-8700  
U.S. EPA Region IV 404-562-9900  
ADEM Decatur Field office 256-353-1713  
AL Dept of Public Safety (Huntsville) 256-427-7138

## 2. CONTAINMENT AND COUNTERMEASURES

The person who discovers the spill or release should take immediate action that is necessary to control and contain the release. Should a spill escape the secondary containment, emergency action will constitute the application of absorbent material or the erection of suitable earthen dike to contain the spill on-site. The discharge valve at the detention pond should be closed immediately when a spill occurs. Any contaminated soil, water, or other material resulting from the incident must be treated, stored, or disposed of properly.

## 3. CLEAN UP AND DISPOSAL

Clean up of the spill or release should start as soon as possible, after it has been contained and is safe to handle.

- a. Large spills should be pumped to tank trucks, tanks, or drums. Clean up of residual product with absorbent material should take place.
- b. Product sheen or small product spills that are visible on rainwater in the containment area should be cleaned up using absorbent material or a portable oil skimmer.
- c. All absorbed liquids and sorbent materials should be placed in drums, covered, sealed, and appropriately labeled.
- d. Licensed waste haulers should be contacted for disposal of liquid and absorbent wastes. Manifest requirements must be met for shipments of spill residues.
- e. All equipment, pipes, and storage areas must be checked for proper operation and compliance with environmental and safety regulations prior to resuming normal operation.

## IX. SPILL EVENT REPORTS

### 1. OIL SPILLS

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Federal regulations require a facility which discharges into navigable waters more than 1,000 gallons of oil in a single event or harmful quantities of oil in two events in a twelve-month period to file a spill event report with the EPA Regional Administrator and the state water pollution control agency within sixty days. The following information is required

- a. Name of facility
- b. Name of owner
- c. Location of facility
- d. Date and year of initial information

- e. Maximum storage or handling capacity of the facility and normal daily operation.
- f. Description of the facility, including maps, flow diagrams and topographical maps.
- g. A complete copy of the SPCC Plan with any amendments
- h. The cause(s) of such spill, including a failure analysis of system or subsystem in which the failure occurred.
- i. The corrective action and/or countermeasure taken, including an adequate description of equipment repairs and/or replacement
- j. Additional preventive measures taken or contemplated to minimize the possibility of recurrence.
- k. Such other information as the Regional Administrator may reasonably require pertinent to the plan or spill event

## **2. SPILLS OF HAZARDOUS SUBSTANCES**

Federal regulations require the reporting of spills of hazardous substances into navigable waters if quantities equal to or exceeding the reportable quantity released in any 24hr period. Such notice should be given by telephoning the U.S. Coast Guard National Response Center (800-424-8802), the State Emergency Response Commission (800-843-0699), and the Local Emergency Management Agency (205-532-7290).

**X. CERTIFICATION OF QUALIFIED CREDENTIALLED PROFESSIONAL**

I certify under penalty of law that this SPCC Plan was prepared in accordance with good engineering practices 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 inquiring of the person or persons who directly gathered the enclosed 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.

*D. Leeds 3/24/2021*

David Leeds, P.E. # 21235  
Area Production Manager



**XI. ACKNOWLEDGEMENT**

Rogers Group, Inc. represents that the information provided in this Plan reflects the conditions reported, encountered, and discovered at the time of Plan preparation. Conclusions regarding the subject were based on observations of existing conditions available documentation, and our interpretation of the collected data.

*[Signature]*  
\_\_\_\_\_  
Director of Environmental Services

*3/29/2021*  
\_\_\_\_\_  
Date



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MANAGEMENT APPROVAL  
40 CFR 112.7

This SPCC Plan establishes preparedness, prevention, planning, spill response, and spill notification procedures as set forth in applicable state and federal regulations. This plan has been compiled by an agent of and reviewed and certified by a professional engineer following the sequence specified in 40 CFR 112. Any future updates that require the plan to deviate from that sequence will include a cross reference in the plan.

As specified in 40 CFR 112.3 (e), a copy of this plan will be maintained at the facility and made available upon request for on-site review.

This facility is committed to the prevention of discharges of oil to navigable waters and the environment and maintains the highest standards for spill prevention control and countermeasures through regular review, updating, and implementation of the SPCC Plan. This plan has the full approval of management at a level of authority to commit the necessary resources to fully implement the plan.

Facility Manager:



Date 12-23-21

Emergency Coordinator:



Date 12-23-21

# **POLLUTION ABATEMENT PLAN (PAP)**

## **HOLLYWOOD QUARRY**

Hollywood, Jackson County, Alabama  
KES Project # K15-10

FOR

**Rogers Group, Inc.**  
**Formerly Reed Contracting Services, Inc.**

February 2021

PREPARED BY

**Kelly EcoSource, LLC.**  
106 Alice Lane  
Athens, AL 35611  
[patti@kellyecosource.com](mailto:patti@kellyecosource.com)  
(256) 426-8699

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### APPENDIX A

Site Location/Topographic Map

Site Layout Drawings with Aerial Overlay Prepared by Mr. William H. Black

## 1.0 SITE EVALUATION, ASSESSMENT, AND PLANNING

### 1.1 Introduction

Kelly EcoSource, LLC. (KES) has prepared this Pollution Abatement Plan (PAP) for the Rogers Group, Inc. Hollywood Quarry located in Hollywood, Jackson County, Alabama. PAP Plans are required by the Alabama Department of Environmental Management (ADEM) National Pollutant Discharge Elimination System (NPDES) Individual Permit for surface and underground mineral and ore or mineral product mining, quarrying, excavation, borrowing, hydraulic mining, storage, processing, preparation, recovery, handling, loading, storing or disposing activities and associated areas including pre-mining site development, construction, excavation, clearing, disturbance, reclamation, and associated areas. This Plan was prepared at the request of Mr. Mike Reed of Reed Contracting Services, Inc. and is being transferred to Rogers Group, Inc.

The objective of this plan is to develop a means to manage operations at the facility in an environmentally prudent manner. This plan identifies potential sources of pollutants, Best Management Practices (BMPs) or control measures to minimize or eliminate the discharge of pollutants in stormwater runoff. According to the U.S. Environmental Protection Agency (EPA), BMPs include: preventative maintenance, spill prevention, good housekeeping, training, material management, segregation of areas of concern, recycling and treatment and disposal of waste.

Development, implementation, and maintenance of the PAP will provide Rogers Group, Inc. with the tools to reduce pollutants contained in storm water discharges and comply with the requirements of the General Storm Water Permit issued by the State of Alabama 335-6-9. The primary goals of the PAP plan will be to identify potential sources of pollution, maintenance/inspection procedures, records of inspections and follow-up maintenance of BMPs, and Good Housekeeping practices.

As per ADEM, the permittee shall amend the PAP plan whenever there is a change in the facility or change in operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants.

This PAP plan has been prepared to implement the following:

- a. Provide control sufficient to prevent or control pollution of storm water by particles to the degree required to maintain compliance with this permit and water quality standards.
- b. Prevent the spillage or loss of fluids, oil, grease, gasoline, etc. thereby preventing the contamination of storm water from these substances;
- c. Prevent or minimize storm water contact with any other pollutants present at the permittee's facility;
- d. Designate by position or name the person or persons responsible for the day to day implementation of the PAP.
- e. Provide weekly inspections, on days during which the facility is manned, of any structures that function to prevent storm water pollution or to remove pollutants from storm water and of the facility in general to ensure that the PAP is continually implemented and effective;

- f. Narrative account of operations explaining and/or defining raw materials, processes, and products. Block line or schematic diagrams indicating points of waste origin and its collection and disposal shall be included.
- g. Quantity and characteristics of waste after treatment with respect to flow, suspended solids, total iron, and pH.
- h. Description of waste treatment facilities, pretreatment measures and recovery systems including expected life of sedimentation basins and schedules for cleaning or proper abandonment of such basins.
- i. A plan to eliminate or minimize sediment and other pollutants from haul roads.
- j. Locate all streams in or adjacent to the mining area and those measures which will be taken to minimize the impact on water quality when the mining operation is located in close proximity to such streams.
- k. Those measures to be employed to minimize the effect of any non-point source pollution which may be generated as a result of the surface mining operation.

KES utilized information from the following documents in preparing this Plan:

- ADEM NPDES Discharges from the State of Alabama 335-6-9;
- Storm water Pollution Prevention Plan (SWPPP) EPA, Jan. 2007;
- Information provided by Reed Contracting Services, Inc.;
- Site Layout Drawing, prepared by Mr. William H. Black

## 1.2 Contact Information/ Responsible Parties

### **Operator:**

Rogers Group, Inc. Formerly Reed Contracting Services, Inc.  
421 Great Circle Road Nashville, TN 37228  
Office # 615-780-5781

### **Project Manager or Site Supervisor responsible for day to day implementation of this BMP plan:**

David Davis, Plant Manager  
187 Nick Fitchard Road  
Huntsville, AL 35805  
Office # 256-424-2671

**This BMP Was Prepared By:**

Kelly EcoSource, LLC.

106 Alice Lane

Athens, AL 35611

Cell # 256-426-8699 Patti Kelly, Environmental Scientist

**1.3 Site Description**

Hollywood quarry encompasses approximately 152.5 acres of land and is located at 9098 County Road 33 in Hollywood, Jackson County, Alabama. See Appendix A of this plan for a Site Location/Topographic Map and for the Site Layout Drawing prepared by Mr. William H. Black.

**1.4 Site Activities**

Hollywood quarry is a facility that mines limestone. See Appendix A of this plan for the Site Layout prepared by William H. Black.

**1.5 Site Drainage**

Based on the topography and current conditions, the overall site slopes gently to the west and south. The topographic map depicts a blue line stream running through the west portion of the site. Due to past quarry use of this property, the blue line stream shown on the map is no longer present in that location and is assumed to flow northwest to southwest, outside of the project boundaries. A 50' setback from streams has been established and this is verified via our internal GIS system. A series of sediment basins were placed in or near the old channel location several years ago. Two of these basins are used for the Hollywood Quarry, Basins 2 and 3. (Refer to Maps.)

Portions of the site surface water run-off drains along a Surface Water Control Structure/ earthen berm, located northwest portion of site that extends south and then southwest, directing flow into sediment basins 2 and 3. Specifically, the structure extends south along the east boundary of a pond (outside of construction limits/ to remain undisturbed) and then along the south of sediment basin 2. Drainage enters basin 2 and then overflow enters basin 3 (Outfall 001E). In the unlikely event that basin 3 discharges, another sediment basin is located southwest outside of the permitted area which flows into an Unnamed Tributary to Pegues Branch beyond the southwest boundary of the site. Sediment basin 1 (Outfall 002E) is located in the southwest portion of the site that captures sheet flow from the central and south portions of the site. An additional basin is proposed in the central west portion of the site (003P). This basin will be built as construction moves to the east portion of the site. Currently, a haul road is constructed that contains a berm along the east boundary of the road that diverts stormwater drainage to a large depression area within the quarry. This depression is considered a large hole, therefore does not discharge offsite. See Appendix A of this plan for a Site Location/Topographic Map and for the Site Layout Drawings which depicts site drainage. Site drainage will consist of the runoff from general operations and material stockpiles.

**1.6 Spills and Leaks**

Hollywood quarry was used as a limestone quarry operation from the 1990's through June 2015 by past lessee's and according to the information provided by previous lessee's, there have been no spills from the facility. Since Reed Contracting Services, Inc. assumed responsibility of the site in 2016, there have been no spills from the facility as well. The Spill Prevention, Control and

Countermeasure plan (SPCC) implements further management and operational activities in the event of a spill.

## 2.0 Operations

The proposed hours of operations consist of 6am to 6pm Monday- Friday. The operations include removing and transporting raw materials (limestone) from the mining area to the processing area. The materials (stone) will pass through a primary crusher, then through a secondary crusher that is followed with a series of sizing screens. Some of the material will be re-processed through the secondary crushers. Select material is washed. Sized material is loaded onto select conveyors for stockpiling. Trucks are loaded at the stockpiles. From there, the material is weighed and sold.

## 3.0 Potential Sources of Pollution

Potential sources for pollution of Hollywood quarry include but are not limited to:

- Storm water runoff of material stockpiles
- Spill from AST's
- Dust emissions from site activity
- Spill/ leakage from equipment
- Haul roads sediment

### 3.1 Material Stockpiles

Potential pollution includes sediment runoff from the material stockpiles. Aggregate/gravel, RAP, and yard dust that leave the yard in runoff can contribute sediment to nearby water bodies. The site is graded in a manner that precludes runoff from leaving the site without flowing through the sediment basins so that most solids and suspended solids are removed from the effluent.

### 3.2 Aboveground Storage Tank (AST)

The Hollywood quarry has 6 aboveground storage tanks (AST). A 10,000-gallon double-walled diesel tank, four (4) 550-gallon double walled new oil tanks, and one (1) 550-gallon double walled waste oil tank. The AST's are constructed from materials that are compatible with the product stored, and are appropriate for pressure and temperature ratings.

Stormwater contacting the tanks will be diverted and discharged into the diversion structure constructed just west and southwest of the tank that drains to the sediment basins located west of the plant (001 E).

Stormwater contacting the tanks will flow to the southwest toward the sediment basin 002E.

The site is graded in a manner that precludes runoff from leaving the site without flowing through the sediment basins so that most solids and suspended solids are removed from the effluent. All petroleum product storage containers will be maintained in good condition. Overfilling the AST will be prevented by cooperation and communication between the tanker truck operator and the Rogers Group, Inc. personnel assisting in the delivery. The Spill Prevention, Control and Countermeasure plan (SPCC) will implement further management and operational activities for the petroleum storage area.

### **3.3 Dust Emissions**

Dust emissions is expected to occur regularly during operations of mining limestone. Water trucks should routinely drive the quarry area, plant site, and haul roads in order to maintain and prevent dust emissions.

### **3.4 Equipment Spill/ Leaks**

All equipment should be inspected routinely to prevent any unforeseen spills or leaks of fluids. In the event a spill occurs, immediate containment will be controlled utilizing drip pans or absorbent materials. Waste generated from the clean up efforts will be appropriately contained, labeled, stored and disposed of or recycled. If a spill or release does occur, the project will typically flow towards the sediment basins located in the west portion of the site.

If deficiencies are noted, they should be reported to the Plant Manager immediately and corrected.

### **3.5 Haul Roads**

The mined product (limestone) is transported to the dump pad and dumped and crushed in the primary crusher. The product will then be transported by beltline to the secondary crusher and then to the final crusher and screening plant. The product will be sized and either stockpiled or transported to the washer plant. The washed product will then be stockpiled according to size. Product will be loaded into trailer trucks and shipped. Runoff from haul roads is contained on site in the sediment ponds.

### **4.0 Sedimentation Control**

Stormwater from the facility will be directed through diversion structures. These structures include constructed earthen berms and sediment basins.

#### **4.1 Stormwater Discharge**

This facility currently contains two permitted outfalls with one proposed outfall: 001E, 002E, and 003P. Stormwater from the wet and dry crushing/screening operation, pit and portions of the stockpiles is routed through sediment basins 1 and 3. Based on calculations, basin 1 is not anticipated to discharge. In the event it does discharge, it will flow to another basin, southwest outside of the permitted area and samples will be taken and sent to a laboratory for analysis. (Electronic discharge monitoring reports will be filed with ADEM accordingly.) An unnamed tributary is located southwest of this basin just outside of the permitted area. Basin 2 should not discharge, according to calculations. Runoff from overburden or material stockpiles will also be directed into the sediment basins 1 and 3 via stormwater diversion structure or constructed earthen berm. Proposed outfall 003P is not anticipated to discharge but in the event of discharge, samples will be taken and analyzed accordingly.



## **4.2 Non-stormwater discharge**

Based on current operation practices, there are no process systems, which include discharge of wastewater from the facility. The process water from the wet screens is planned to be re-circulated through the sediment basin.

## **4.3 Site BMP's**

Hollywood quarry contains existing BMP's and there will be additional BMP's installed. The following BMPs are currently implemented, but are not limited to the ones listed below during operation. The need for additional BMPs may occur as operation advances. The need for additional BMPs may also be required by ADEM or recommended by the Qualified Credentialed Professional if the currently proposed BMPs appear to be ineffective.

### **4.3.1 Sediment Basin**

Hollywood quarry storm water runoff and site drainage system discharges into the sediment basins located in the west and south portions of the site. Prior to operations of the quarry, any trees, boulders, and other obstructions will be removed. Lime from past quarry operations will also be removed from portions of the sediment basins. The sediment basins will act to slow the flow of water from the storm systems and allow the heavier suspended matter to settle out. Overflow from the sediment basin 3 will flow into sediment basin 1 which will drain into another basin outside of the permitted area southwest and then into an Unnamed Tributary to Pegues Branch beyond the southwest boundary of the site. A third sediment basin labeled sediment basin 2 is located in the south portion of the site near the entrance road. A fourth sediment basin is proposed for construction in the central west portion of the site, behind the plant office. This basin (003P) will be constructed as quarrying operations move east into the undisturbed areas reserved for future use. The sediment basins are expected to remove approximately 80% of all storm water pollutants from the site.

Sediment basins require scheduled inspection and maintenance to function properly. In addition to routine maintenance, the sediment basins located at the Hollywood quarry shall be inspected after all major storm events to ensure that spillway structures are not clogged and that the sediment storage volume has not been exceeded. The sediment basin shall be cleaned out when it has reached 50 percent of its sediment storage capacity.

### **4.3.2 Diversion Structure**

Diversion structures will be installed to divert the water runoff into the sediment basins located west and south of the site. These structures will be constructed of compacted soil into a berm with a minimum of 1 foot height by 1 foot wide.

### **4.3.3 Vegetation**

The best and most cost effective protection against soil erosion is well-established vegetative cover. Vegetation dissipates the energy of the rain. Roots and organic matter hold the soil in place. Vegetation increases water percolation into the soil, thus reducing runoff. After the ground has been exposed and/or in critical areas, such as steep slopes,

the following steps may be taken to stabilize the soil, control erosion, and reduce sediment and runoff to downstream areas.

- Provide immediate cover with grass or mulch on any land stripped of vegetation and not under construction for 21 days. Critical areas should be stabilized as soon as possible.
- Temporary seedings made in fall or winter and in hot and dry summer months should be mulched. Mulch adhesives shall not be asphalt-based.
- Sod may be used if vegetative protection is immediately required.
- Maximum slopes of drainage ways should not exceed 4:1 if the grass is to be mowed.
- Jute netting, fiberglass netting, and mulch blankets can be used to provide temporary erosion control until vegetation is established.

Permanent seeding includes soil preparation, fertilization, liming, seeding, and mulching. Installation considerations include the following:

- When possible, topsoil shall be on site material, which is salvaged from excavation and embankment areas and stockpiled. Topsoil shall be free from refuse or any material toxic to plant growth and reasonably free from subsoil, stumps, roots, brush, stones, clay, or similar objects larger than 3 inches in dimension.
- Seed mixtures shall be free of noxious weeds and shall meet the requirements for seeding/planting in North Alabama.
- The recommended minimum depth of the finished topsoil is 3 inches.

#### 4.4 Haul Road

All haul roads need to maintain a grade of no greater than 10% with a maximum grade no greater than 15% or 300 feet. The outer slope from the road is 2(H):1(V). At least 80% of the slopes need to be vegetated. The roads will be crowned and properly ditched.

#### 4.5 Good Housekeeping BMPs

Good Housekeeping BMPs will reduce the movement of potential pollutants other than sediments. These pollutants that are carried with storm water may eventually reach downstream bodies of water. Materials such as petroleum products are difficult to control once they are present in runoff water. The best practical control option available is to prevent these pollutants from reaching runoff waters through the use of proper material handling and storage practices.

- Work areas and traffic routes should be kept clear of obstructions to reduce the potential for accidental spills and to facilitate product transfers and facility inspections.
- Facility equipment should be regularly checked to confirm that they are in proper working and operational order.
- Any on site equipment washing should only be undertaken in specific locations where rinsate can be collected and properly recycled/discharged. Any on site equipment repairs should be undertaken at specific locations where spills, etc., can be collected and properly disposed.
- Miscellaneous waste (i.e., litter, garbage, etc.) should be collected at a central location and be properly disposed. The site should be routinely "policed" to prevent blowing litter and deposition off site upon adjacent properties or waters of the state.

BMPs are implemented to decrease sedimentation and erosion and to reduce impacts caused by runoff and storm water. This is generally accomplished by (a) protecting existing vegetation, (b) protecting exposed surfaces, (c) trapping sediment, and (d) controlling runoff and storm water. BMPs must be implemented, inspected, and maintained. Controlling runoff water areas with proper BMPs is therefore essential to prevent the generation and movement of sediments, which can affect downstream areas.

- BMPs to control runoff are also often effective in managing storm water flow. The primary purpose of storm water management BMPs is to reduce and/or control the flow volumes and peak flow rates for storm water as it leaves the site.
- Storm water inlets should be inspected routinely for signs of debris or sedimentation and damage caused by rain events and/or traffic activities. Repairs and cleaning of inlets should be made promptly.
- There should be no visible dust emissions beyond the property line while the equipment is being operated. Work area should be sprayed with water to maintain dust emissions from site activity as needed. Minimize dust production to the extent possible.
- To the extent possible, minimize exposure of materials to precipitation and storm water run-on.
- The areas containing petroleum products and materials shall be inspected for evidence of small product spills and/or sheen floating on storm water in the containment areas and will be removed to the extent possible using absorbent materials or a portable oil skimmer. (Refer to SPCC plan for more details.)
- The AST should be inspected routinely for evidence of stress or need of replacement/repair. (corrosion, any form of deterioration in tank or hose, bulging, leaks, etc.)
- All areas of transfer of materials and product shall be inspected for evidence of spills or releases.

## 5.0 INSPECTIONS AND MAINTENANCE

### 5.1 Inspections and Sampling

Visual inspections shall be conducted at the Hollywood Quarry once per week, during which the facility is manned. These inspections should include the entire site for evidence of any structures that function to prevent storm water pollution or to remove pollutants from storm water and of the facility. Areas to inspect include, but are not limited to:

- The sediment basin shall be inspected to ensure sediment storage volume has not been exceeded and the berm directing drainage into the basin is in fact and maintained.
- The material stockpile area shall be inspected for potential dust control and drainage to sediment basins. The drainage along the berms should be maintained in order to continue flow into the basins.
- A thorough overall site inspection is needed to prevent dust emissions and the spillage or loss of fluids, oil, greases, gasoline, and sediments that could pose a threat and contamination to storm water.

Information recorded during the inspection shall include:

- Date of inspection,
- Name of inspector,
- Storm system location and areas inspected,
- Inspection results,
- Descriptions of potential sources of storm water contaminants if discovered,
- Corrective actions, if any, and time initiated and time completed. Additionally, the corrective actions shall include description of the spillage, estimated volume of spill, name of person who observed spill and name of person cleaning up spill.

A sample of the effluent shall be taken post operations to determine the quality of water and quantity coming from the discharge point, if any.

## **5.2 Documentation**

Documentation, including inspection reports and stormwater data, will be maintained and copies should be kept on site and available for potential examination.

A copy of this PAP plan will be maintained at the facility and available for review and/or inspection by ADEM, Responsible official, and staff.

All records, including monitoring information, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the above reports or the application for this permit, shall be retained for a period of 3 years from the date of the same measurement, report, or application. This period may be extended by request of the ADEM Director at any time. These records shall be kept at the permitted facility or an alternate location approved by ADEM in writing and shall be available for inspection.

### **5.2.1 Personnel Training**

Mr. David Davis, the plant manager, shall review this PAP plan on an annual basis and certify that it is consistent with and in compliance with the facility operations. Hollywood quarry personnel will be trained by Reed Contracting Services to implement this PAP plan. Training should be performed at hire and annually thereafter. All personnel should be instructed in proper spill prevention and counter measure procedures, emergency evacuation procedures, and best management practices.

### 5.3 Plan Updates

This plan requires an amendment whenever there is a modification in design, construction, operation or maintenance of the facility that may change the potential for pollutants to impact stormwater.

### 6.0 CERTIFICATION OF RESPONSIBLE PARTY

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

  
\_\_\_\_\_  
Reed Contracting Services, Inc.  
Mike Reed, President

### 7.0 ACKNOWLEDGEMENT

KES represents that the information provided in this Plan reflects the conditions reported, encountered, and discovered at the time of Plan preparation. Conclusions regarding the subject were based on observations of existing conditions, available documentation, and our interpretation of the collected data.

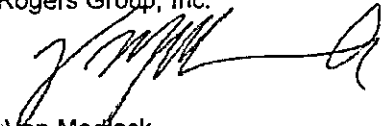
Kelly EcoSource, LLC.

  
Patti A. Kelly  
Environmental Scientist

8.0 REVIEWED AND APPROVED

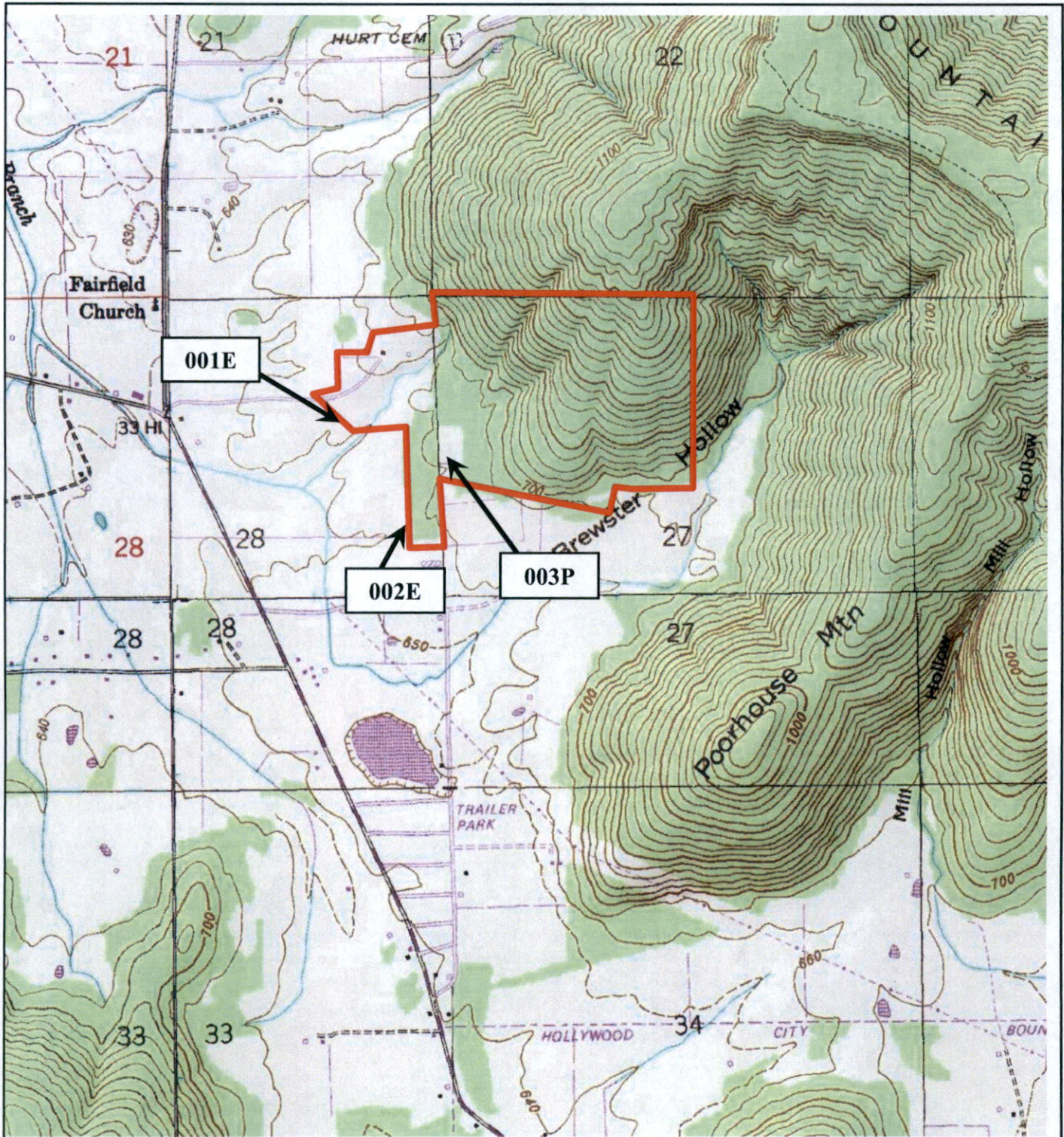
Rogers Group, Inc. has recently purchased Reed Contracting Services and is requesting to transfer the water permit and included PAP for the Hollywood Quarry. All technical data prepared by KES and certified by Reed Contracting Services remains valid and no changes or modifications are being requested. RGI accepts all liabilities and responsibilities from Reed Contracting as a part of this request.


Rogers Group, Inc.



Van Medlock  
Director of Environmental Services

Date 3/29/2021



 **Approximate Area of Mining Operation**

SOURCE: DELORME XMAP  
 QUADS: WANNVILLE, ALABAMA  
 TOWNSHIP 3 SOUTH, RANGE 6 EAST, SECTION 27  
 SCALE: NOT TO SCALE



**Kelly EcoSource, LLC.**

SITE LOCATION / TOPOGRAPHIC MAP

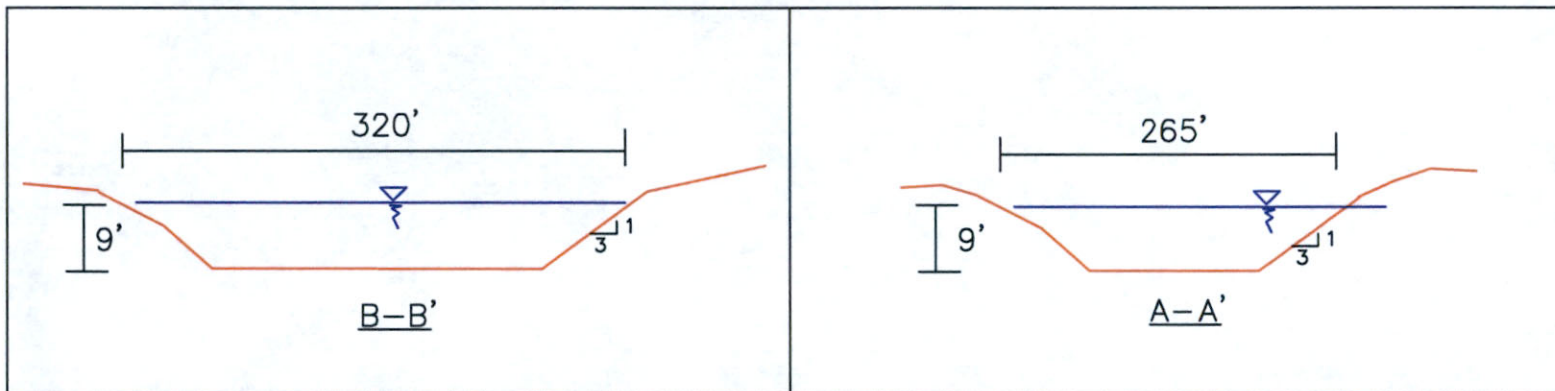
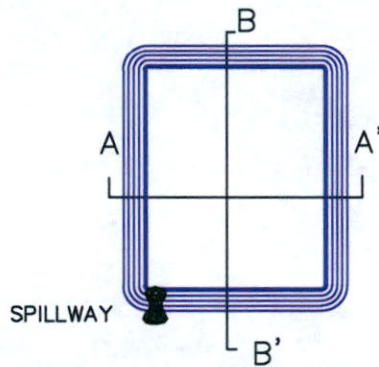
PROPOSED HOLLYWOOD QUARRY  
 HOLLYWOOD, ALABAMA  
 KES PROJECT #K15-10

*This drawing was prepared for the purpose of visually representing information collected by KES for this project. No other use for this drawing is expressed or implied. All drawing features, locations and dimensions are approximate.*









**NOTES:**

- Existing Grades at Proposed Sediment Basin to be field verified.
- Sediment Basin shall be constructed with a 3(H):1(V) side slope.
- Total Disturbed Mining Area is 57.3 acres. Area will decrease as open pit mine expands and runoff is treated in the sump.
- Spillway detail is provided on the NPDES Permit Map.
- Top of Pond Elevation - 664.5
- Assumed Bottom Elevation - 655.5
- Required Pond Size - 14.325 acft
- Design Pond Size - 14.4 acft

OUTFALL 003 STRUCTURE DETAILS (NTS)  
HOLLYWOOD QUARRY