



Alabama Department of Environmental Management
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JULY 19, 2022 1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463
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STEVE ADAMS
SR. VP OF OPERATIONS
ERGON ASPHALT AND EMULSIONS, INC.
P O BOX 1639
JACKSON, MS 39215

RE: DRAFT PERMIT
NPDES PERMIT NUMBER AL0082996

Dear Mr. Adams:

Transmitted herein is a draft of the referenced permit.

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

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

Our records indicate that have utilized the Department's web-based electronic environmental (E2) reporting system for submittal of discharge monitoring reports (DMRs). The Department transitioned from the E2 Reporting System to the Alabama Environmental Permitting and Compliance System (AEPACS) for the submittal of DMRs on November 15, 2021. AEPACS is an electronic system that allows facilities to apply for and maintain permits as well as submit other required applications, registrations, and certifications. In addition, the system allows facilities to submit required compliance reports or other information to the Department. The Department has used the E2 User account information to set up a similar User Profile in AEPACS based on the following criteria:

1. The user has logged in to E2 since October 1, 2019; and
2. The E2 user account is set up using a unique email address.

E2 users that met the above criteria will only need to establish an ADEM Web Portal account (<https://prd.adem.alabama.gov/awp>) under the same email address as their E2 account to have the same permissions in AEPACS as they did in E2. They will also automatically be linked to the same facilities they were in E2.

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

If you have questions regarding this permit or monitoring requirements, please contact Wayne Holt by e-mail at **WHolt@adem.alabama.gov** or by phone at **(334) 271-7847**.

Sincerely,

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

Enclosure: Draft Permit

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



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

PERMITTEE: ERGON ASPHALT & EMULSIONS, INC.

FACILITY: ERGON ASPHALT AND EMULSIONS - BIRMINGPORT
7890 BIRMINGPORT ROAD
MULGA, ALABAMA 35118
JEFFERSON COUNTY

PERMIT NUMBER: AL0082996

RECEIVING WATERS: 001 - SHORT CREEK
 002 - SHORT CREEK

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

ISSUANCE DATE:

EFFECTIVE DATE:

EXPIRATION DATE:

Draft

Alabama Department of Environmental Management

INDUSTRIAL SECTION
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

TABLE OF CONTENTS

PART I	DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS	1
A.	DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS	1
B.	DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS	5
1.	Representative Sampling	5
2.	Test Procedures	5
3.	Recording of Results	5
4.	Records Retention and Production	5
5.	Monitoring Equipment and Instrumentation	6
C.	DISCHARGE REPORTING REQUIREMENTS	6
1.	Reporting of Monitoring Requirements	6
2.	Noncompliance Notification	8
D.	OTHER REPORTING AND NOTIFICATION REQUIREMENTS	8
1.	Anticipated Noncompliance	9
2.	Termination of Discharge	9
3.	Updating Information	9
4.	Duty to Provide Information	9
5.	Cooling Water and Boiler Water Additives	9
6.	Permit Issued Based On Estimated Characteristics	9
E.	SCHEDULE OF COMPLIANCE	10
PART II	OTHER REQUIREMENTS, RESPONSIBILITIES, AND DUTIES	11
A.	OPERATIONAL AND MANAGEMENT REQUIREMENTS	11
1.	Facilities Operation and Maintenance	11
2.	Best Management Practices	11
3.	Spill Prevention, Control, and Management	11
B.	OTHER RESPONSIBILITIES	11
1.	Duty to Mitigate Adverse Impacts	11
2.	Right of Entry and Inspection	11
C.	BYPASS AND UPSET	11
1.	Bypass	11
2.	Upset	12
D.	DUTY TO COMPLY WITH PERMIT, RULES, AND STATUTES	12
1.	Duty to Comply	12
2.	Removed Substances	12
3.	Loss or Failure of Treatment Facilities	13
4.	Compliance with Statutes and Rules	13
E.	PERMIT TRANSFER, MODIFICATION, SUSPENSION, REVOCATION, AND REISSUANCE	13
1.	Duty to Reapply or Notify of Intent to Cease Discharge	13
2.	Change in Discharge	13
3.	Transfer of Permit	14
4.	Permit Modification and Revocation	14
5.	Permit Termination	15
6.	Permit Suspension	15
7.	Request for Permit Action Does Not Stay Any Permit Requirement	15
F.	COMPLIANCE WITH TOXIC POLLUTANT STANDARD OR PROHIBITION	15
G.	DISCHARGE OF WASTEWATER GENERATED BY OTHERS	15
PART III	OTHER PERMIT CONDITIONS	16
A.	CIVIL AND CRIMINAL LIABILITY	16
B.	OIL AND HAZARDOUS SUBSTANCE LIABILITY	16
C.	PROPERTY AND OTHER RIGHTS	16
D.	AVAILABILITY OF REPORTS	17
E.	EXPIRATION OF PERMITS FOR NEW OR INCREASED DISCHARGES	17
F.	COMPLIANCE WITH WATER QUALITY STANDARDS	17
G.	GROUNDWATER	17
H.	DEFINITIONS	17
I.	SEVERABILITY	20
PART IV	ADDITIONAL REQUIREMENTS, CONDITIONS, AND LIMITATIONS	21
A.	BEST MANAGEMENT PRACTICES (BMP) PLAN REQUIREMENTS	21
B.	STORMWATER FLOW MEASUREMENT AND SAMPLING REQUIREMENTS	23

PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS**A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS****DSN001S Hydrostatic Test Water and Storm water associated with the storage, loading, and production of asphalt 3/ 5/****DSN002S Hydrostatic Test Water and Storm water associated with the storage, loading, and production of asphalt 3/ 5/**

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 DSN 001, which is described more fully in the Permittee's application. Such discharge shall be limited and monitored by the Permittee as specified below:

Parameter	Quantity or Loading		Units	Quality or Concentration			Units	Sample Freq 1/ 2/	Sample Type	Seasonal
pH (00400)	*****	*****	*****	6.0	*****	9.0	S.U.	Semi-Annually	Grab	All Months
Effluent Gross Value				Minimum Daily		Maximum Daily				
Solids, Total Suspended (00530)	*****	*****	*****	*****	*****	(Report)	mg/l	Semi-Annually	Grab	All Months
Effluent Gross Value						Maximum Daily				
Solids, Total Suspended (00530)	0	0	lbs/day	*****	*****	*****	*****	Semi-Annually	Calculated	All Months
O - See Comments Below	Monthly Average 5/	Maximum Daily 5/								
Oil & Grease (00556)	*****	*****	*****	*****	*****	15	mg/l	Semi-Annually	Grab	All Months
Effluent Gross Value						Maximum Daily				
Oil & Grease (00556)	0	0	lbs/day	*****	*****	*****	*****	Semi-Annually	Calculated	All Months
Effluent Gross Value	Monthly Average 5/	Maximum Daily 5/								
Flow, In Conduit or Thru Treatment Plant (50050)	*****	(Report)	GPD	*****	*****	*****	*****	Semi-Annually	Estimate 4/	All Months
Effluent Gross Value		Maximum Daily								
Chemical Oxygen Demand (COD) (2) (81017)	*****	*****	*****	*****	*****	(Report)	mg/l	Semi-Annually	Grab	All Months
Effluent Gross Value						Maximum Daily				

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

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ If only one sampling event occurs during a month, the sample result shall be reported on the discharge monitoring report as both the monthly average and daily maximum value for all parameters with a monthly average limitation.
- 3/ See Part IV.A for Best Management Practices (BMP) Plan Requirements.
- 4/ See Part IV.B for Stormwater Measurement and Sampling Requirements.
- 5/ Value reported should be the difference between the actual mass of pollutant in the discharge less the allowable loading calculated using the applicable effluent guideline factor. A value less than zero will be considered to be in compliance.

DSN002S Hydrostatic Test Water and Storm water associated with the storage, loading, and production of asphalt 3/ 5/

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 DSN 002, which is described more fully in the Permittee's application. Such discharge shall be limited and monitored by the Permittee as specified below:

Parameter	Quantity or Loading		Units	Quality or Concentration			Units	Sample Freq 1/ 2/	Sample Type	Seasonal
pH (00400) Effluent Gross Value	*****	*****	*****	6.0 Minimum Daily	*****	9.0 Maximum Daily	S.U.	Semi-Annually	Grab	All Months
Solids, Total Suspended (00530) Effluent Gross Value	*****	*****	*****	*****	*****	50 Maximum Daily	mg/l	Semi-Annually	Grab	All Months
Solids, Total Suspended (00530) O - See Comments Below	0 Monthly Average 5/	0 Maximum Daily 5/	lbs/day	*****	*****	*****	*****	Semi-Annually	Calculated	All Months
Oil & Grease (00556) Effluent Gross Value	*****	*****	*****	*****	*****	15 Maximum Daily	mg/l	Semi-Annually	Grab	All Months
Flow, In Conduit or Thru Treatment Plant (50050) Effluent Gross Value	*****	(Report) Maximum Daily	GPD	*****	*****	*****	*****	Semi-Annually	Estimate 4/	All Months
Chemical Oxygen Demand (COD) (2) (81017) Effluent Gross Value	*****	*****	*****	*****	*****	(Report) Maximum Daily	mg/l	Semi-Annually	Grab	All Months

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

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ If only one sampling event occurs during a month, the sample result shall be reported on the discharge monitoring report as both the monthly average and daily maximum value for all parameters with a monthly average limitation.
- 3/ See Part IV.A for Best Management Practices (BMP) Plan Requirements.
- 4/ See Part IV.B for Stormwater Measurement and Sampling Requirements.
- 5/ See Note 1 and Note 2, below. Value reported should be the difference between the actual mass of pollutant in the discharge less the allowable loading calculated using the applicable effluent guideline factor. A value less than zero will be considered to be in compliance.

DSN01B1 Hydrostatic test waters generated on site 3/

DSN02B1 Hydrostatic test waters generated on site 3/

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 DSN 003, which is described more fully in the Permittee's application. Such discharge shall be limited and monitored by the Permittee as specified below:

Parameter	Quantity or Loading		Units	Quality or Concentration			Units	Sample Freq	Sample Type	Seasonal
pH (00400) Effluent Gross Value	*****	*****	*****	6.0 Minimum Daily	*****	8.5 Maximum Daily	S.U.	Monthly	Grab	All Months
Oil & Grease (00556) Effluent Gross Value	*****	*****	*****	*****	*****	15 Maximum Daily	mg/l	Monthly	Grab	All Months
Lead, Total Recoverable (01114) Effluent Gross Value	*****	*****	*****	*****	*****	2.5 Maximum Daily	ug/l	Monthly	Grab	All Months
Methyl Tert-Butyl Ether (22417) Effluent Gross Value	*****	*****	*****	*****	*****	(Report) Maximum Daily	ug/l	Monthly	Grab	All Months
Toluene (34010) Effluent Gross Value	*****	*****	*****	*****	*****	8723 Maximum Daily	ug/l	Monthly	Grab	All Months
Benzene (34030) Effluent Gross Value	*****	*****	*****	*****	*****	15.5 Maximum Daily	ug/l	Monthly	Grab	All Months
Ethylbenzene (34371) Effluent Gross Value	*****	*****	*****	*****	*****	1244 Maximum Daily	ug/l	Monthly	Grab	All Months
Naphthalene (34696) Effluent Gross Value	*****	*****	*****	*****	*****	620 Maximum Daily	ug/l	Monthly	Grab	All Months
Flow, In Conduit or Thru Treatment Plant (50050) Effluent Gross Value	*****	(Report) Maximum Daily	GPD	*****	*****	*****	*****	Monthly	Estimate	All Months
Chlorine, Total Residual 4/ (50060) Effluent Gross Value	*****	*****	*****	*****	0.011 Monthly Average	0.019 Maximum Daily	mg/l	Monthly	Grab	All Months
Xylene (81551) Effluent Gross Value	*****	*****	*****	*****	*****	(Report) Maximum Daily	ug/l	Monthly	Grab	All Months

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

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ If only one sampling event occurs during a month, the sample result shall be reported on the discharge monitoring report as both the monthly average and daily maximum value for all parameters with a monthly average limitation.
- 3/ See Part IV.A for Best Management Practices (BMP) Plan Requirements.
- 4/ A measurement of Total Residual Chlorine below 0.05 mg/L shall be considered in compliance with the permit limitations above and should be reported as *B on the discharge monitoring reports.

CALCULATION METHODS FOR DSN001 AND DSN002

Note 1: For determining compliance with effluent guideline limitations for **Oil & Grease** the following equation should be used:

$$\text{Daily Max (Reported)} = \text{Daily Max Actual} \left(\frac{\text{lbs}}{\text{day}} \right) - \frac{0.125 \text{ lbs}}{1000 \text{ gallons}} \times \frac{\text{Stormwater Flow (GPD)}}{1000}$$

$$\text{Monthly Avg (Reported)} = \text{Monthly Avg Actual} \left(\frac{\text{lbs}}{\text{day}} \right) - \frac{0.083 \text{ lbs}}{1000 \text{ gallons}} \times \frac{\text{Stormwater Flow (GPD)}}{1000}$$

Note 2: For determining compliance with effluent guideline limitations for **Total Suspended Solids** the following equation should be used:

$$\text{Daily Max (Reported)} = \text{Daily Max Actual} \left(\frac{\text{lbs}}{\text{day}} \right) - \frac{0.188 \text{ lbs}}{1000 \text{ gallons}} \times \frac{\text{Stormwater Flow (GPD)}}{1000}$$

$$\text{Monthly Avg (Reported)} = \text{Monthly Avg Actual} \left(\frac{\text{lbs}}{\text{day}} \right) - \frac{0.125 \text{ lbs}}{1000 \text{ gallons}} \times \frac{\text{Stormwater Flow (GPD)}}{1000}$$

B. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge and shall be in accordance with the provisions of this permit.

2. Test Procedures

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

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

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

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

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

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

The Minimum Level utilized for procedures A and B above shall be reported on the permittee's DMR. When an EPA approved test procedure for analysis of a pollutant does not exist, the Director shall approve the procedure to be used.

3. Recording of Results

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

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

4. Records Retention and Production

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

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

5. Monitoring Equipment and Instrumentation

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

C. DISCHARGE REPORTING REQUIREMENTS

1. Reporting of Monitoring Requirements

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

MONITORING REQUIRED MORE FREQUENTLY THAN MONTHLY AND MONTHLY shall be conducted during the first full month following the effective date of coverage under this permit and every month thereafter.

QUARTERLY MONITORING shall be conducted at least once during each calendar quarter. Calendar quarters are the periods of January through March, April through June, July through September, and October through December. The permittee shall conduct the quarterly monitoring during the first complete calendar quarter following the effective date of this permit and is then required to monitor once during each quarter thereafter. Quarterly monitoring may be done anytime during the quarter, unless restricted elsewhere in this permit, but it should be submitted with the last DMR due for the quarter, i.e., (March, June, September and December DMR's).

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

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

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

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

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

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

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

- c. Except as allowed by Provision I.C.1.c.(1) or (2), the permittee shall submit all Discharge Monitoring Reports (DMRs) required by Provision I.C.1.b electronically.

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

If the Department's electronic system is down on the 28th day of the month in which the DMR is due or is down for an extended period of time, as determined by the Department, when a DMR is required to be submitted, the permittee may submit the data in an alternate manner and format acceptable to the Department. Preapproved alternate acceptable methods include faxing, e-mailing, mailing, or hand-delivery of data such that they are received by the required reporting date. Within 5 calendar days of the Department's electronic system resuming operation, the permittee shall enter the data into the Department's electronic system, unless an alternate timeframe is approved by the Department. A comment should be included on the electronic DMR submittal verifying the original submittal date (date of the fax, copy of the dated e-mail, or hand-delivery stamped date), if applicable.

- (2) The permittee may submit a request to the Department for a temporary electronic reporting waiver for DMR submittals. The waiver request should include the permit number; permittee name; facility/site name; facility address: name, address, and contact information for the responsible official or duly authorized representative; a detailed statement regarding the basis for requesting such a waiver; and the duration for which the waiver is requested. Approved electronic reporting waivers are not transferrable.

Permittees with an approved electronic reporting waiver for DMRs may submit hard copy DMRs for the period that the approved electronic reporting waiver request is effective. The permittee shall submit the Department-approved DMR forms to the address listed in Provision I.C.1.e.

- (3) If a permittee is allowed to submit a hard copy DMR, the DMR must be legible and bear an original signature. Photo and electronic copies of the signature are not acceptable and shall not satisfy the reporting requirements of this permit.
- (4) If the permittee, using approved analytical methods as specified in Provision I.B.2, monitors any discharge from a point source for a limited substance identified in Provision I.A. of this permit more frequently than required by this permit, the results of such monitoring shall be included in the calculation and reporting of values on the DMR and the increased frequency shall be indicated on the DMR.
- (5) In the event no discharge from a point source identified in Provision I.A. of this permit and described more fully in the permittee's application occurs during a monitoring period, the permittee shall report "No Discharge" for such period on the appropriate DMR.

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

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

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

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

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

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

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

**Alabama Department of Environmental Management
Water Division**

Post Office Box 301463
Montgomery, Alabama 36130-1463

Certified and Registered Mail shall be addressed to:

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

- g. If this permit is a re-issuance, then the permittee shall continue to submit DMRs in accordance with the requirements of their previous permit until such time as DMRs are due as discussed in Part I.C.1.b above.

2. Noncompliance Notification

a. 24-Hour Noncompliance Reporting

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

- (1) does not comply with any daily minimum or maximum discharge limitation for an effluent characteristic specified in Provision I. A. of this permit which is denoted by an "(X)":
- (2) threatens human health or welfare, fish or aquatic life, or water quality standards:
- (3) does not comply with an applicable toxic pollutant effluent standard or prohibition established under Section 307(a) of the FWPCA, 33 U.S.C. Section 1317(a):
- (4) contains a quantity of a hazardous substance which has been determined may be harmful to public health or welfare under Section 311(b)(4) of the FWPCA, 33 U.S.C. Section 1321(b)(4):
- (5) exceeds any discharge limitation for an effluent characteristic as a result of an unanticipated bypass or upset; and
- (6) is an unpermitted direct or indirect discharge of a pollutant to a water of the state (unpermitted discharges properly reported to the Department under any other requirement are not required to be reported under this provision).

The permittee shall orally report the occurrence and circumstances of such discharge to the Director within 24-hours after the permittee becomes aware of the occurrence of such discharge. In addition to the oral report, the permittee shall submit to the Director or Designee a written report as provided in Part I.C.2.c no later than five (5) days after becoming aware of the occurrence of such discharge.

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

D. OTHER REPORTING AND NOTIFICATION REQUIREMENTS

1. Anticipated Noncompliance

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

2. Termination of Discharge

The permittee shall notify the Director, in writing, when all discharges from any point source(s) identified in Provision I. A. of this permit have permanently ceased. This notification shall serve as sufficient cause for instituting procedures for modification or termination of the permit.

3. Updating Information

- a. The permittee shall inform the Director of any change in the permittee's mailing address, telephone number or in the permittee's designation of a facility contact or office having the authority and responsibility to prevent and abate violations of the AWPCA, the Department's Rules, and the terms and conditions of this permit, in writing, no later than ten (10) days after such change. Upon request of the Director or his designee, the permittee shall furnish the Director with an update of any information provided in the permit application.
- b. If the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information with a written explanation for the mistake and/or omission.

4. Duty to Provide Information

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

5. Cooling Water and Boiler Water Additives

- a. The permittee shall notify the Director in writing not later than thirty (30) days prior to instituting the use of any biocide corrosion inhibitor or chemical additive in a cooling or boiler system, not identified in the application for this permit, from which discharge is allowed by this permit. Notification is not required for additives that do not contain a heavy metal(s) as an active ingredient and that pass through a wastewater treatment system prior to discharge nor is notification required for additives that should not reasonably be expected to cause the cooling water or boiler water to exhibit toxicity as determined by analysis of manufacturer's data or testing by the permittee. Such notification shall include:
 - (1) name and general composition of biocide or chemical;
 - (2) 96-hour median tolerance limit data for organisms representative of the biota of the waterway into which the discharge will ultimately reach;
 - (3) quantities to be used;
 - (4) frequencies of use;
 - (5) proposed discharge concentrations; and
 - (6) EPA registration number, if applicable.
- b. The use of a biocide or additive containing tributyl tin, tributyl tin oxide, zinc, chromium or related compounds in cooling or boiler system(s), from which a discharge regulated by this permit occurs, is prohibited except as exempted below. The use of a biocide or additive containing zinc, chromium or related compounds may be used in special circumstances if (1) the permit contains limits for these substances, or (2) the applicant demonstrates during the application process that the use of zinc, chromium or related compounds as a biocide or additive will not pose a reasonable potential to violate the applicable State water quality standards for these substances. The use of any additive, not identified in this permit or in the application for this permit or not exempted from notification under this permit is prohibited, prior to a determination by the Department that permit modification to control discharge of the additive is not required or prior to issuance of a permit modification controlling discharge of the additive.

6. Permit Issued Based On Estimated Characteristics

- a. If this permit was issued based on estimates of the characteristics of a process discharge reported on an EPA NPDES Application Form 2D (EPA Form 3510-2D), the permittee shall complete and submit an EPA NPDES Application Form 2C (EPA Form 3510-2C) no later than two years after the date that discharge begins. Sampling required for completion of the Form 2C shall occur when a discharge(s) from the process(s) causing the new or increased discharge is occurring.

If this permit was issued based on estimates concerning the composition of a stormwater discharge(s), the permittee shall perform the sampling required by EPA NPDES Application Form 2F (EPA Form 3510-2F) no later than one year after the industrial activity generating the stormwater discharge has been fully initiated.

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

E. SCHEDULE OF COMPLIANCE

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

COMPLIANCE SHALL BE ATTAINED ON THE EFFECTIVE DATE OF THIS PERMIT

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

PART II OTHER REQUIREMENTS, RESPONSIBILITIES, AND DUTIES

A. OPERATIONAL AND MANAGEMENT REQUIREMENTS

1. Facilities Operation and Maintenance

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

2. Best Management Practices

- a. Dilution water shall not be added to achieve compliance with discharge limitations except when the Director or his designee has granted prior written authorization for dilution to meet water quality requirements.
- b. The permittee shall prepare, implement, and maintain a Spill Prevention, Control and Countermeasures (SPCC) Plan in accordance with 40 C.F.R. Section 112 if required thereby.
- c. The permittee shall prepare, submit for approval and implement a Best Management Practices (BMP) Plan for containment of any or all process liquids or solids, in a manner such that these materials do not present a significant potential for discharge, if so required by the Director or his designee. When submitted and approved, the BMP Plan shall become a part of this permit and all requirements of the BMP Plan shall become requirements of this permit.

3. Spill Prevention, Control, and Management

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

B. OTHER RESPONSIBILITIES

1. Duty to Mitigate Adverse Impacts

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

2. Right of Entry and Inspection

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

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

C. BYPASS AND UPSET

1. Bypass

- a. Any bypass is prohibited except as provided in b. and c. below:
- b. A bypass is not prohibited if:
 - (1) It does not cause any discharge limitation specified in Provision I. A. of this permit to be exceeded;

- (2) It enters the same receiving stream as the permitted outfall; and
 - (3) It is necessary for essential maintenance of a treatment or control facility or system to assure efficient operation of such facility or system.
 - c. A bypass is not prohibited and need not meet the discharge limitations specified in Provision I. A. of this permit if:
 - (1) It is unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime (this condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance); and
 - (3) The permittee submits a written request for authorization to bypass to the Director at least ten (10) days prior to the anticipated bypass (if possible), the permittee is granted such authorization, and the permittee complies with any conditions imposed by the Director to minimize any adverse impact on human health or the environment resulting from the bypass.
 - d. The permittee has the burden of establishing that each of the conditions of Provision II.C.1.b. or c. have been met to qualify for an exception to the general prohibition against bypassing contained in a. and an exemption, where applicable, from the discharge limitations specified in Provision I. A. of this permit.
- 2. Upset
 - a. A discharge which results from an upset need not meet the discharge limitations specified in Provision I. A. of this permit if:
 - (1) No later than 24-hours after becoming aware of the occurrence of the upset, the permittee orally reports the occurrence and circumstances of the upset to the Director or his designee; and
 - (2) No later than five (5) days after becoming aware of the occurrence of the upset, the permittee furnishes the Director with evidence, including properly signed, contemporaneous operating logs, or other relevant evidence, demonstrating that (i) an upset occurred; (ii) the permittee can identify the specific cause(s) of the upset; (iii) the permittee's facility was being properly operated at the time of the upset; and (iv) the permittee promptly took all reasonable steps to minimize any adverse impact on human health or the environment resulting from the upset.
 - b. The permittee has the burden of establishing that each of the conditions of Provision II. C.2.a. of this permit have been met to qualify for an exemption from the discharge limitations specified in Provision I.A. of this permit.

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

- 1. Duty to Comply
 - a. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the AWPCA and the FWPCA and is grounds for enforcement action, for permit termination, revocation and reissuance, suspension, modification; or denial of a permit renewal application.
 - b. The necessity to halt or reduce production or other activities in order to maintain compliance with the conditions of the permit shall not be a defense for a permittee in an enforcement action.
 - c. The discharge of a pollutant from a source not specifically identified in the permit application for this permit and not specifically included in the description of an outfall in this permit is not authorized and shall constitute noncompliance with this permit.
 - d. The permittee shall take all reasonable steps, including cessation of production or other activities, to minimize or prevent any violation of this permit or to minimize or prevent any adverse impact of any permit violation.
 - e. Nothing in this permit shall be construed to preclude and negate the permittee's responsibility or liability to apply for, obtain, or comply with other ADEM, Federal, State, or Local Government permits, certifications, licenses, or other approvals.
- 2. Removed Substances

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

3. Loss or Failure of Treatment Facilities

Upon the loss or failure of any treatment facilities, including but not limited to the loss or failure of the primary source of power of the treatment facility, the permittee shall, where necessary to maintain compliance with the discharge limitations specified in Provision I. A. of this permit, or any other terms or conditions of this permit, cease, reduce, or otherwise control production and/or all discharges until treatment is restored. If control of discharge during loss or failure of the primary source of power is to be accomplished by means of alternate power sources, standby generators, or retention of inadequately treated effluent, the permittee must furnish to the Director within six months a certification that such control mechanisms have been installed.

4. Compliance with Statutes and Rules

- a. This permit has been issued under ADEM Administrative Code, Chapter 335-6-6. All provisions of this chapter, that are applicable to this permit, are hereby made a part of this permit. A copy of this chapter may be obtained for a small charge from the Office of General Counsel, Alabama Department of Environmental Management, 1400 Coliseum Blvd., Montgomery, AL 36130.
- b. This permit does not authorize the noncompliance with or violation of any Laws of the State of Alabama or the United States of America or any regulations or rules implementing such laws. FWPCA, 33 U.S.C. Section 1319, and Code of Alabama 1975, Section 22-22-14.

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

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

- a. If the permittee intends to continue to discharge beyond the expiration date of this permit, the permittee shall file a complete permit application for reissuance of this permit at least 180 days prior to its expiration. If the permittee does not intend to continue discharge beyond the expiration of this permit, the permittee shall submit written notification of this intent which shall be signed by an individual meeting the signatory requirements for a permit application as set forth in ADEM Administrative Code Rule 335-6-6-.09.
- b. Failure of the permittee to apply for reissuance at least 180 days prior to permit expiration will void the automatic continuation of the expiring permit provided by ADEM Administrative Code Rule 335-6-6-.06 and should the permit not be reissued for any reason any discharge after expiration of this permit will be an unpermitted discharge.

2. Change in Discharge

- a. The permittee shall apply for a permit modification at least 180 days in advance of any facility expansion, production increase, process change, or other action that could result in the discharge of additional pollutants or increase the quantity of a discharged pollutant such that existing permit limitations would be exceeded or that could result in an additional discharge point. This requirement applies to pollutants that are or that are not subject to discharge limitations in this permit. No new or increased discharge may begin until the Director has authorized it by issuance of a permit modification or a reissued permit.
- b. The permittee shall notify the Director as soon as it is known or there is reason to believe:
 - (1) That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
 - (a) one hundred micrograms per liter;
 - (b) two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dini-trophenol; and one milligram per liter for antimony;
 - (c) five times the maximum concentration value reported for that pollutant in the permit application; or
 - (2) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
 - (a) five hundred micrograms per liter;
 - (b) one milligram per liter for antimony;
 - (c) ten times the maximum concentration value reported for that pollutant in the permit application.

3. Transfer of Permit

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

4. Permit Modification and Revocation

- a. This permit may be modified or revoked and reissued, in whole or in part, during its term for cause, including but not limited to, the following:
- (1) If cause for termination under Provision II. E. 5. of this permit exists, the Director may choose to revoke and reissue this permit instead of terminating the permit;
 - (2) If a request to transfer this permit has been received, the Director may decide to revoke and reissue or to modify the permit; or
 - (3) If modification or revocation and reissuance is requested by the permittee and cause exists, the Director may grant the request.
- b. This permit may be modified during its term for cause, including but not limited to, the following:
- (1) If cause for termination under Provision II. E. 5. of this permit exists, the Director may choose to modify this permit instead of terminating this permit;
 - (2) There are material and substantial alterations or additions to the facility or activity generating wastewater which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit;
 - (3) The Director has received new information that was not available at the time of permit issuance and that would have justified the application of different permit conditions at the time of issuance;
 - (4) A new or revised requirement(s) of any applicable standard or limitation is promulgated under Sections 301(b)(2)(C), (D), (E), and (F), and 307(a)(2) of the FWPCA;
 - (5) Errors in calculation of discharge limitations or typographical or clerical errors were made;
 - (6) To the extent allowed by ADEM Administrative Code, Rule 335-6-6-.17, when the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued;
 - (7) To the extent allowed by ADEM Administrative Code, Rule 335-6-6-.17, permits may be modified to change compliance schedules;
 - (8) To agree with a granted variance under 301(c), 301(g), 301(h), 301(k), or 316(a) of the FWPCA or for fundamentally different factors;
 - (9) To incorporate an applicable 307(a) FWPCA toxic effluent standard or prohibition;
 - (10) When required by the reopener conditions in this permit;
 - (11) When required under 40 CFR 403.8(e) (compliance schedule for development of pretreatment program);
 - (12) Upon failure of the state to notify, as required by Section 402(b)(3) of the FWPCA, another state whose waters may be affected by a discharge permitted by this permit;
 - (13) When required to correct technical mistakes, such as errors in calculation, or mistaken interpretations of law made in determining permit conditions; or

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

5. Permit Termination

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

- a. Violation of any term or condition of this permit;
- b. The permittee's misrepresentation or failure to disclose fully all relevant facts in the permit application or during the permit issuance process or the permittee's misrepresentation of any relevant facts at any time;
- c. Materially false or inaccurate statements or information in the permit application or the permit;
- d. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
- e. The permittee's discharge threatens human life or welfare or the maintenance of water quality standards;
- f. Permanent closure of the facility generating the wastewater permitted to be discharged by this permit or permanent cessation of wastewater discharge;
- g. New or revised requirements of any applicable standard or limitation that is promulgated under Sections 301(b)(2)(C), (D), (E), and (F), and 307(a)(2) of the FWPCA that the Director determines cannot be complied with by the permittee: or
- h. Any other cause allowed by the ADEM Administrative Code, Chapter 335-6-6.

6. Permit Suspension

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

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

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

F. COMPLIANCE WITH TOXIC POLLUTANT STANDARD OR PROHIBITION

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

G. DISCHARGE OF WASTEWATER GENERATED BY OTHERS

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

PART III OTHER PERMIT CONDITIONS

A. CIVIL AND CRIMINAL LIABILITY

1. Tampering

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

2. False Statements

Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be subject to penalties as provided by the AWPCA.

3. Permit Enforcement

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

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

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

(2) An action for damages;

(3) An action for injunctive relief; or

(4) An action for penalties.

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

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

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

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

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

4. Relief from Liability

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

B. OIL AND HAZARDOUS SUBSTANCE LIABILITY

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

C. PROPERTY AND OTHER RIGHTS

This permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to persons or property or invasion of other private rights, trespass, or any infringement of federal, state, or local laws or regulations,

nor does it authorize or approve the construction of any physical structures or facilities or the undertaking of any work in any waters of the state or of the United States.

D. AVAILABILITY OF REPORTS

Except for data determined to be confidential under Code of Alabama 1975, Section 22-22-9(c), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. Effluent data shall not be considered confidential.

E. EXPIRATION OF PERMITS FOR NEW OR INCREASED DISCHARGES

1. If this permit was issued for a new discharger or new source, this permit shall expire eighteen months after the issuance date if construction of the facility has not begun during the eighteen-month period.
2. If this permit was issued or modified to allow the discharge of increased quantities of pollutants to accommodate the modification of an existing facility and if construction of this modification has not begun during the eighteen month period after issuance of this permit or permit modification, this permit shall be modified to reduce the quantities of pollutants allowed to be discharged to those levels that would have been allowed if the modification of the facility had not been planned.
3. Construction has begun when the owner or operator has:
 - a. begun, or caused to begin as part of a continuous on-site construction program:
 - (1) any placement, assembly, or installation of facilities or equipment; or
 - (2) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - b. entered into a binding contractual obligation for the purpose of placement, assembly, or installation of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under the paragraph. The entering into a lease with the State of Alabama for exploration and production of hydrocarbons shall also be considered beginning construction.

F. COMPLIANCE WITH WATER QUALITY STANDARDS

1. On the basis of the permittee's application, plans, or other available information, the Department has determined that compliance with the terms and conditions of this permit should assure compliance with the applicable water quality standards.
2. Compliance with permit terms and conditions notwithstanding, if the permittee's discharge(s) from point sources identified in Provision I. A. of this permit cause or contribute to a condition in contravention of state water quality standards, the Department may require abatement action to be taken by the permittee in emergency situations or modify the permit pursuant to the Department's Rules, or both.
3. If the Department determines, on the basis of a notice provided pursuant to this permit or any investigation, inspection or sampling, that a modification of this permit is necessary to assure maintenance of water quality standards or compliance with other provisions of the AWPCA or FWPCA, the Department may require such modification and, in cases of emergency, the Director may prohibit the discharge until the permit has been modified.

G. GROUNDWATER

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

H. DEFINITIONS

1. Average monthly discharge limitation - means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month (zero discharge days shall not be included in the number of "daily discharges" measured and a less than detectable test result shall be treated as a concentration of zero if the most sensitive EPA approved method was used).
2. Average weekly discharge limitation - means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges"

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

3. Arithmetic Mean – means the summation of the individual values of any set of values divided by the number of individual values.
4. AWPCA - means the Alabama Water Pollution Control Act.
5. BOD – means the five-day measure of the pollutant parameter biochemical oxygen demand.
6. Bypass - means the intentional diversion of waste streams from any portion of a treatment facility.
7. CBOD – means the five-day measure of the pollutant parameter carbonaceous biochemical oxygen demand.
8. Daily discharge - means the discharge of a pollutant measured during any consecutive 24-hour period in accordance with the sample type and analytical methodology specified by the discharge permit.
9. Daily maximum - means the highest value of any individual sample result obtained during a day.
10. Daily minimum - means the lowest value of any individual sample result obtained during a day.
11. Day - means any consecutive 24-hour period.
12. Department - means the Alabama Department of Environmental Management.
13. Director - means the Director of the Department.
14. Discharge - means "[t]he addition, introduction, leaking, spilling or emitting of any sewage, industrial waste, pollutant or other wastes into waters of the state". Code of Alabama 1975, Section 22-22-1(b)(8).
15. Discharge Monitoring Report (DMR) - means the form approved by the Director to accomplish reporting requirements of an NPDES permit.
16. DO – means dissolved oxygen.
17. 8HC – means 8-hour composite sample, including any of the following:
 - a. The mixing of at least 5 equal volume samples collected at constant time intervals of not more than 2 hours over a period of not less than 8 hours between the hours of 6:00 a.m. and 6:00 p.m. If the sampling period exceeds 8 hours, sampling may be conducted beyond the 6:00 a.m. to 6:00 p.m. period.
 - b. A sample continuously collected at a constant rate over period of not less than 8 hours between the hours of 6:00 a.m. and 6:00 p.m. If the sampling period exceeds 8 hours, sampling may be conducted beyond the 6:00 a.m. to 6:00 p.m. period.
18. EPA - means the United States Environmental Protection Agency.
19. FC – means the pollutant parameter fecal coliform.
20. Flow – means the total volume of discharge in a 24-hour period.
21. FWPCA - means the Federal Water Pollution Control Act.
22. Geometric Mean – means the Nth root of the product of the individual values of any set of values where N is equal to the number of individual values. The geometric mean is equivalent to the antilog of the arithmetic mean of the logarithms of the individual values. For purposes of calculating the geometric mean, values of zero (0) shall be considered one (1).
23. Grab Sample – means a single influent or effluent portion which is not a composite sample. The sample(s) shall be collected at the period(s) most representative of the discharge.
24. Indirect Discharger – means a nondomestic discharger who discharges pollutants to a publicly owned treatment works or a privately owned treatment facility operated by another person.

25. Industrial User – means those industries identified in the Standard Industrial Classification manual, Bureau of the Budget 1967, as amended and supplemented, under the category “Division D – Manufacturing” and such other classes of significant waste producers as, by regulation, the Director deems appropriate.
26. MGD – means million gallons per day.
27. Monthly Average – means, other than for fecal coliform bacteria, the arithmetic mean of the entire composite or grab samples taken for the daily discharges collected in one month period. The monthly average for fecal coliform bacteria is the geometric mean of daily discharge samples collected in a one month period. The monthly average for flow is the arithmetic mean of all flow measurements taken in a one month period.
28. New Discharger – means a person, owning or operating any building, structure, facility or installation:
 - a. from which there is or may be a discharge of pollutants;
 - b. that did not commence the discharge of pollutants prior to August 13, 1979, and which is not a new source; and
 - c. which has never received a final effective NPDES permit for dischargers at that site.
29. NH₃-N – means the pollutant parameter ammonia, measured as nitrogen.
30. Permit application - means forms and additional information that is required by ADEM Administrative Code Rule 335-6-6-.08 and applicable permit fees.
31. Point source - means “any discernible, confined and discrete conveyance, including but not limited to any pipe, channel, ditch, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft. . . from which pollutants are or may be discharged.” Section 502(14) of the FWPCA, 33 U.S.C. Section 1362(14).
32. Pollutant - includes for purposes of this permit, but is not limited to, those pollutants specified in Code of Alabama 1975, Section 22-22-1(b)(3) and those effluent characteristics specified in Provision I. A. of this permit.
33. Privately Owned Treatment Works – means any devices or system which is used to treat wastes from any facility whose operator is not the operator of the treatment works, and which is not a “POTW”.
34. Publicly Owned Treatment Works – means a wastewater collection and treatment facility owned by the State, municipality, regional entity composed of two or more municipalities, or another entity created by the State or local authority for the purpose of collecting and treating municipal wastewater.
35. Receiving Stream – means the “waters” receiving a “discharge” from a “point source”.
36. Severe property damage - means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
37. Significant Source – means a source which discharges 0.025 MGD or more to a POTW or greater than five percent of the treatment work’s capacity, or a source which is a primary industry as defined by the U.S. EPA or which discharges a priority or toxic pollutant.
38. Solvent – means any virgin, used or spent organic solvent(s) identified in the F-Listed wastes (F001 through F005) specified in 40 CFR 261.31 that is used for the purpose of solubilizing other materials.
39. TKN – means the pollutant parameter Total Kjeldahl Nitrogen.
40. TON – means the pollutant parameter Total Organic Nitrogen.
41. TRC – means Total Residual Chlorine.
42. TSS – means the pollutant parameter Total Suspended Solids.
43. 24HC – means 24-hour composite sample, including any of the following:
 - a. the mixing of at least 12 equal volume samples collected at constant time intervals of not more than 2 hours over a period of 24 hours;

- b. a sample collected over a consecutive 24-hour period using an automatic sampler composite to one sample. As a minimum, samples shall be collected hourly and each shall be no more than one twenty-fourth (1/24) of the total sample volume collected; or
 - c. a sample collected over a consecutive 24-hour period using an automatic composite sampler composited proportional to flow.
44. Upset - means an exceptional incident in which there is an unintentional and temporary noncompliance with technology-based permit discharge limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
45. Waters - means "[a]ll waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the state, natural or artificial. This does not include waters which are entirely confined and retained completely upon the property of a single individual, partnership or corporation unless such waters are used in interstate commerce." Code of Alabama 1975, Section 22-22-1(b)(2). Waters "include all navigable waters" as defined in Section 502(7) of the FWPCA, 22 U.S.C. Section 1362(7), which are within the State of Alabama.
46. Week - means the period beginning at twelve midnight Saturday and ending at twelve midnight the following Saturday.
47. Weekly (7-day and calendar week) Average – is the arithmetic mean of all samples collected during a consecutive 7-day period or calendar week, whichever is applicable. The calendar week is defined as beginning on Sunday and ending on Saturday. Weekly averages shall be calculated for all calendar weeks with Saturdays in the month. If a calendar week overlaps two months (i.e., the Sunday is in one month and the Saturday in the following month), the weekly average calculated for the calendar week shall be included in the data for the month that contains the Saturday.

I. SEVERABILITY

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

PART IV ADDITIONAL REQUIREMENTS, CONDITIONS, AND LIMITATIONS

A. BEST MANAGEMENT PRACTICES (BMP) PLAN REQUIREMENTS

1. BMP Plan

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

2. Plan Content

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

- a. Establish specific objectives for the control of pollutants:
 - (1) Each facility component or system shall be examined for its potential for causing a release of significant amounts of pollutants to waters of the State due to equipment failure, improper operation, natural phenomena such as rain or snowfall, etc.
 - (2) Where experience indicates a reasonable potential for equipment failure (e.g., a tank overflow or leakage), natural condition (e.g. precipitation), or circumstances to result in significant amounts of pollutants reaching surface waters, the plan should include a prediction of the direction, rate of flow, and total quantity of pollutants which could be discharged from the facility as a result of each condition or circumstance.
- b. Establish specific best management practices to meet the objectives identified under paragraph a. of this section, addressing each component or system capable of causing a release of significant amounts of pollutants to the waters of the State, and identifying specific preventative or remedial measures to be implemented;
- c. Establish a program to identify and repair leaking equipment items and damaged containment structures, which may contribute to contaminated stormwater runoff. This program must include regular visual inspections of equipment, containment structures and of the facility in general to ensure that the BMP is continually implemented and effective;
- d. Prevent the spillage or loss of fluids, oil, grease, gasoline, etc. from vehicle and equipment maintenance activities and thereby prevent the contamination of stormwater from these substances;
- e. Prevent or minimize stormwater contact with material stored on site;
- f. Designate by position or name the person or persons responsible for the day to day implementation of the BMP;
- g. Provide for routine inspections, on days during which the facility is manned, of any structures that function to prevent stormwater pollution or to remove pollutants from stormwater and of the facility in general to ensure that the BMP is continually implemented and effective;
- h. Provide for the use and disposal of any material used to absorb spilled fluids that could contaminate stormwater;
- i. Develop a solvent management plan, if solvents are used on site. The solvent management plan shall include as a minimum lists of the solvents on site; the disposal method of solvents used instead of dumping, such as reclamation, contract hauling; and the procedures for assuring that solvents do not routinely spill or leak into the stormwater;
- j. Provide for the disposal of all used oils, hydraulic fluids, solvent degreasing material, etc. in accordance with good management practices and any applicable state or federal regulations;

- k. Include a diagram of the facility showing the locations where stormwater exits the facility, the locations of any structure or other mechanisms intended to prevent pollution of stormwater or to remove pollutants from stormwater, the locations of any collection and handling systems;
 - l. Provide control sufficient to prevent or control pollution of stormwater by soil particles to the degree required to maintain compliance with the water quality standard for turbidity applicable to the waterbody(s) receiving discharge(s) under this permit;
 - m. Provide spill prevention, control, and/or management sufficient to prevent or minimize contaminated stormwater runoff. Any containment system used to implement this requirement shall be constructed of materials compatible with the substance(s) contained and shall prevent the contamination of groundwater. The containment system shall also be capable of retaining a volume equal to 110 percent of the capacity of the largest tank for which containment is provided;
 - n. Provide and maintain curbing, diking or other means of isolating process areas to the extent necessary to allow segregation and collection for treatment of contaminated stormwater from process areas;
 - o. Be reviewed by plant engineering staff and the plant manager: and
 - p. Bear the signature of the plant manager.
3. Compliance Schedule
- The permittee shall have reviewed (and revised if necessary) and fully implemented the BMP plan as soon as practicable but no later than six months after the effective date of this permit.
4. Department Review
- a. When requested by the Director or his designee, the permittee shall make the BMP available for Department review.
 - b. The Director or his designee may notify the permittee at any time that the BMP is deficient and require correction of the deficiency.
 - c. The permittee shall correct any BMP deficiency identified by the Director or his designee within 30 days of receipt of notification and shall certify to the Department that the correction has been made and implemented.
5. Administrative Procedures
- a. A copy of the BMP shall be maintained at the facility and shall be available for inspection by representatives of the Department.
 - b. A log of the routine inspection required above shall be maintained at the facility and shall be available for inspection by representatives of the Department. The log shall contain records of all inspections performed for the last three years and each entry shall be signed by the person performing the inspection.
 - c. The permittee shall provide training for any personnel required to implement the BMP and shall retain documentation of such training at the facility. This documentation shall be available for inspection by representatives of the Department. Training shall be performed prior to the date that implementation of the BMP is required.
 - d. BMP Plan Modification. The permittee shall amend the BMP plan whenever there is a change in the facility or change in operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants.
 - e. BMP Plan Review. The permittee shall complete a review and evaluation of the BMP plan at least once every three years from the date of preparation of the BMP plan. Documentation of the BMP Plan review and evaluation shall be signed and dated by the Plant Manager.

B. STORMWATER FLOW MEASUREMENT AND SAMPLING REQUIREMENTS

1. Stormwater Flow Measurement

- a. All stormwater samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches.
- b. The total volume of stormwater discharged for the event must be monitored, including the date and duration (in hours) and rainfall (in inches) for storm event(s) sampled. The duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event must be a minimum of 72 hours. This information must be recorded as part of the sampling procedure and records retained according to Part I.B. of this permit.
- c. The volume may be measured using flow measuring devices, or estimated based on a modification of the Rational Method using total depth of rainfall, the size of the drainage area serving a stormwater outfall, and an estimate of the runoff coefficient of the drainage area. This information must be recorded as part of the sampling procedure and records retained according to Part I.B. of this permit.

2. Stormwater Sampling

- a. A grab sample, if required by this permit, shall be taken during the first thirty minutes of the discharge (or as soon thereafter as practicable); and a flow-weighted composite sample, if required by this permit, shall be taken for the entire event or for the first three hours of the event.
- b. All test procedures will be in accordance with part I.B. of this permit.

ADEM PERMIT RATIONALE

PREPARED DATE: June 18, 2022

PREPARED BY: Wayne Holt

Permittee Name: Ergon Asphalt & Emulsions, Inc.
Facility Name: Ergon Asphalt and Emulsions - Birminghamport
Permit Number: AL0082996

PERMIT IS REISSUANCE DUE TO EXPIRATION

DISCHARGE SERIAL NUMBERS & DESCRIPTIONS:

DSN001, DSN002: Hydrostatic Test Water and Storm water associated with the storage, loading, and production of asphalt

DSN01A, DSN02A: (To Be Removed)

DSN003: (To Be Removed)

DSN001B, DSN02B: Hydrostatic test water generated on site.

INDUSTRIAL CATEGORY: 40 CFR 443 – Subpart A – Asphalt Emulsion Subcategory
40 CFR 443.13. Effluent Limitations for BAT

MAJOR: No

STREAM INFORMATION:

Receiving Stream: Short Creek
Classification: Fish & Wildlife
River Basin: Black Warrior River Basin
7Q10: 0.31 CFS
7Q2: 0.81 CFS
1Q10: 0.26 CFS
Annual Average Flow: 34.7 CFS
303(d) List: NO
Impairment: N/A
TMDL: NO

DISCUSSION:

The facility stores, loads, dispenses, and produces asphalt through emulsions. The facility falls under Subpart A of 40 CFR 443, which is not covered by the General Permit ALG020000.

The current NPDES permit includes monitoring of wash water from vehicle and equipment washing operations. The facility requested to have monitoring for wash water removed from the permit because they no longer wash vehicles or equipment at this location.

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

DSN 001S: Hydrostatic Test Water and Storm water associated with the storage, loading, and production of asphalt

DSN 002S: Hydrostatic Test Water and Storm water associated with the storage, loading, and production of asphalt

Parameter	Quantity or Loading		Units	Quality or Concentration			Units	Sample Freq	Sample Type	Seasonal	Basis
pH (00400) Effluent Gross Value	*****	*****	*****	6.0 Minimum Daily	*****	9.0 Maximum Daily	S.U.	Semi- Annually	Grab	All Months	WQBEL
Solids, Total Suspended (00530) Effluent Gross Value	*****	*****	*****	*****	*****	(Report) Maximum Daily	mg/l	Semi- Annually	Grab	All Months	BPJ
Solids, Total Suspended (00530) O - See Comments Below	0 Monthly Average	0 Maximum Daily	lbs/day	*****	*****	*****	*****	Semi- Annually	Calculate d	All Months	BPJ
Oil & Grease (00556) Effluent Gross Value	*****	*****	*****	*****	*****	15 Maximum Daily	mg/l	Semi- Annually	Grab	All Months	BPJ
Oil & Grease (00556) Effluent Gross Value O - See Comments Below	0 Monthly Average	0 Maximum Daily	lbs/day	*****	*****	*****	*****	Semi- Annually	Grab	All Months	BPJ
Flow, In Conduit or Thru Treatment Plant (50050) Effluent Gross Value	*****	(Report) Maximum Daily	GPD	*****	*****	*****	*****	Semi- Annually	Estimate	All Months	BPJ
Chemical Oxygen Demand (COD) (2) (81017) Effluent Gross Value	*****	*****	*****	*****	*****	(Report) Maximum Daily	mg/l	Semi- Annually	Grab	All Months	BPJ

DSN 01BQ : Hydrostatic test waters generated on site

DSN 02BQ : Hydrostatic test waters generated on site

Parameter	Quantity or Loading		Units	Quality or Concentration			Units	Sample Freq	Sample Type	Seasonal	Basis
pH (00400) Effluent Gross Value	*****	*****	*****	6.0 Minimum Daily	*****	8.5 Maximum Daily	S.U.	Monthly	Grab	All Months	WQBEL
Oil & Grease (00556) Effluent Gross Value	*****	*****	*****	*****	*****	15 Maximum Daily	mg/l	Monthly	Grab	All Months	BPJ
Lead, Total Recoverable (01114) Effluent Gross Value	*****	*****	*****	*****	*****	2.5 Maximum Daily	ug/l	Monthly	Grab	All Months	WQBEL
Methyl Tert-Butyl Ether (22417) Effluent Gross Value	*****	*****	*****	*****	*****	(Report) Maximum Daily	ug/l	Monthly	Grab	All Months	BPJ
Toluene (34010) Effluent Gross Value	*****	*****	*****	*****	*****	8723 Maximum Daily	ug/l	Monthly	Grab	All Months	WQBEL
Benzene (34030) Effluent Gross Value	*****	*****	*****	*****	*****	15.5 Maximum Daily	ug/l	Monthly	Grab	All Months	WQBEL
Ethylbenzene (34371) Effluent Gross Value	*****	*****	*****	*****	*****	1244 Maximum Daily	ug/l	Monthly	Grab	All Months	WQBEL
Naphthalene (34696) Effluent Gross Value	*****	*****	*****	*****	*****	620 Maximum Daily	ug/l	Monthly	Grab	All Months	WQBEL
Flow, In Conduit or Thru Treatment Plant (50050) Effluent Gross Value	*****	(Report) Maximum Daily	GPD	*****	*****	*****	*****	Monthly	Estimate	All Months	BPJ
Chlorine, Total Residual (50060) See notes (1,2) Effluent Gross Value	*****	*****	*****	*****	0.011 Quarterly Average	0.019 Maximum Daily	mg/l	Monthly	Grab	All Months	WQBEL
Xylene (81551) Effluent Gross Value	*****	*****	*****	*****	*****	(Report) Maximum Daily	ug/l	Monthly	Grab	All Months	BPJ

***Basis for Permit Limitation**

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

Discussion

DSN003 was the hydrostatic test water outfall in the current permit. Because the facility lists the hydrostatic test water for both outfalls DSN001 and DSN002 in the application, it is proposed to remove the monitoring from DSN003 and instead monitor the internal outfalls, giving the internal outfalls labels of DSN01B and DSN02B, respectively.

DSN001, DSN002:

Best Professional Judgment (BPJ)

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

Oil & Grease

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

pH

ADEM Administrative Code, Division 6 Regulations, specifically 335-6-10-.09(5)(e)2 – Specific Water Quality for Fish and Wildlife classified streams states: “Sewage, industrial waste or other wastes shall not cause the pH to deviate more than one unit from then normal or natural pH, nor be less than 6.0, nor greater than 8.5 standard units.” The effluent guidelines specify a range of 6.0 S.U. to 9.0 S.U and this range will be applied in this permit issuance as these limits are not expected to contravene the water quality standard.

Federal Effluent Guideline Limitations (EGL)

Storm water discharges from the facility are regulated under 40 CFR 443 – Subpart A. Under these effluent guidelines, production areas include oxidation towers, loading facilities, and all buildings that house product processing operations. Based on that definition, both DSN001 and DSN002 receive stormwater runoff that is regulated under the referenced guidelines.

Total Suspended Solids and Oil & Grease

Guidelines factors found at 40 CFR 443.13 specifies an allowable mass loading for these parameters based on the number of 1000 gallons of stormwater discharged. The facility will be required to report the actual pollutant loading discharged at both DSN001 and DSN002.

In order to evaluate compliance with the effluent guideline limitations, the facility will also be required to calculate and report the allowable loading for the sampling event and report the difference in the actual amount discharged and the allowable loading. A value of less than zero will be considered to be in compliance with the effluent guidelines.

Daily Max (Reported)=Daily Max (Actual)- Guideline Factor x (Stormwater Flow (GPD))/1000

Monthly Avg (Reported)=Monthly Avg (Actual)-Guideline Factor x (Stormwater Flow (GPD))/1000

pH

ADEM Administrative Code, Division 6 Regulations, specifically 335-6-10-.09(5)(e)2 – Specific Water Quality for Fish and Wildlife classified streams states: “Sewage, industrial waste or other wastes shall not cause the pH to deviate more than one unit from then normal or natural pH, nor be less than 6.0, nor greater than 8.5 standard units.” The effluent guidelines specify a range of 6.0 S.U. to 9.0 S.U and this range will be applied in this permit issuance as these limits are not expected to contravene the water quality standard.

303(d) List of Impaired Waters/Total Maximum Daily Load (TMDL)

The receiving stream is not listed on the 2022 303(d) List of Impaired Water and a TMDL has not been developed for any pollutants.

DSN01A and DSN02A (To be removed)

The facility has request to have the vehicle wash water (Outfalls DSN01A and DSN02A) in the current permit removed because they no longer wash vehicles at this location.

DSN01B and DSN02B – Hydrostatic test water generated on site

Monitoring requirements and limitations for this outfall will be based on the general permit outfall for hydrostatic test water (DSN007 under ALG340291) and include the following parameters: Flow, pH, Total Recoverable Lead, Benzene, Ethylbenzene, Toluene, Xylene, Naphthalene, Oil and Grease, Total Residual Chlorine, and MTBE. The monitoring frequency is proposed to Quarterly.

The limitations for lead, benzene, ethylbenzene, toluene, and naphthalene are based on meeting the water quality standard at end of pipe. Other parameters are included based on the nature of the operations and their expected presence in the discharge.

In accordance with a letter dated August 11, 1998 from EPA Headquarters and a 1991 memorandum from EPA Regions 4's Environmental Services Division (ESD), due to testing and method detection limitations, a Total Residual Chlorine measurement below 0.05 mg/l shall be considered below detection for compliance purposes.

Best Management Practices (BMPs)

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

NPDES Individual Permit Mod/Reissue (Form 187) - Supplementary Information for Industrial Facilities

version 2.3

(Submission #: HPG-7HDC-JWDNA, version 1)

Details

Submission ID HPG-7HDC-JWDNA

Status In Process

Fees

Fee	\$5,615.00
Payments/Adjustments	(\$5,615.00)
Balance Due	\$0.00 (Paid)

Form Input

General Instructions

Processing Information

Purpose of Application

Reissuance of Permit Due to Approaching Expiration

Please indicate if the Permittee is applying for a permit transfer and/or name change in addition to permit modification or reissuance:

None

Action Type

Reissuance

If applicable, briefly describe any planned changes at the facility that are included in this reissuance application:

1.DSN01AQ , 02AQ, : Wash water from vehicle and equipment washing operations

We would like to propose that this condition be removed in its entirety from the water permit. This facility is no longer washing vehicles or equipment on location. 2.Outfalls 001 and 002 must be monitored on a quarterly frequency.

We would like to propose that these conditions be relaxed from quarterly sampling to semi-annual sampling. Currently, under the General Storm Water Permit, we sample the required parameters on a semi-annual frequency. In the time that EAE Birmingham has been covered under the general permit, there have been no exceedances of the permit limit. We previously proposed to have these outfalls only sampled semi-annually and we were told we could not due to the wash water from vehicles and equipment operations. Since we are asking to take that section out of our permit, we would like to again propose the frequency be changed from quarterly sampling of these outfalls from quarterly to semi-annual sampling.

General Information

SID Permit Number (if your facility currently holds an SID permit, please provide that number below):
NONE PROVIDED

NPDES or General Permit Numbers (if applicable, please list all permit numbers):
AL0082996

Is this facility/site only applying for permit coverage for discharges from stormwater?
Yes

Permit Information

Permit Number
AL0082996

Current Permittee Name
Ergon Asphalt & Emulsions, Inc.

Permittee

Permittee Name
Ergon Asphalt & Emulsions, Inc.

Mailing Address
7890 Birmingham Road
Mulga, AL 35118

Responsible Official**Prefix***Mr.***First Name**

Mike

Last Name*White***Title***Facility Manager***Organization Name***Ergon Asphalt***Phone Type****Number****Extension**

Business

2054363413

Email

mike.white@ergon.com

Mailing Address

PO Box 1639

Jackson, MS 39215

Existing Permit Contacts

Affiliation Type	Contact Information	Remove?
Permittee	Ergon Asphalt & Emulsions, Inc.	NONE PROVIDED
Facility Contact	Mike White, Ergon Asphalt & Emulsions, Inc. - Birmingham	NONE PROVIDED
Environmental Contact, DMR Contact	Nic Barclay, Ergon Asphalt & Emulsions, Inc.	NONE PROVIDED
Notification Recipient, Responsible Official	Steve Adams, Ergon Asphalt and Emulsions, Inc.	NONE PROVIDED

Facility/Site Information**Facility/Site Name**

Ergon Asphalt and Emulsions - Birmingham

Organization/Ownership Type

Corporation

Facility/Site Address or Location Description

7890 Birmingham Road

Mulga, AL 35118

Facility/Site County

Jefferson

Detailed Directions to the Facility/Site

From Birmingham head northwest on 24th Street North toward 5th Ave. North. Turn left onto Reverend Abraham Woods Jr. Boulevard. Turn right at the 3rd cross street onto Richard Arrington Jr. Blvd. N. Turn left to merge onto I-20W and go 4.4 miles. Take Exit 120 for AL-269 N/20th Street toward Ensley Avenue. Merge onto AL-269 N/20th Street Ensley and go 15.7 miles. Destination will be on left at 7890 Birmingham Road.

CSW FG: 33 33' 36"N, -87 06' 32"W

Facility Map

[Plot Plan Birmingham 2021.pdf - 03/16/2022 03:45 PM](#)

Comment

NONE PROVIDED

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

[Map Instruction Help](#)

Facility/Site Front Gate Latitude and Longitude

33.56000000000000,-87.10888900000001

SIC Code(s) [Please enter Primary SIC Code first followed by any additional applicable SIC Codes]

2951-Asphalt Paving Mixtures and Blocks

5171-Petroleum Bulk Stations and Terminals

NAICS Code(s) [Please enter Primary NAICS Code first followed by any additional applicable NAICS Codes]

324121-Asphalt Paving Mixture and Block Manufacturing

Facility/Site Contact**Prefix**

Mr.

First Name Last Name

Mike White

Title

Facility Manager

Organization Name

Ergon Asphalt

Phone Type Number Extension

Business 2054363413

Email

mike.white@ergon.com

Address

PO Box 1639

Jackson, MS 39215

DMR Contact(s) (1 of 1)

DMR Contact**Prefix***Mr.***First Name**

Nic

Last Name*Barclay***Title***EHS Compliance Specialist***Phone Type**

Business

Number

6019333576

Extension**Email**

nic.barclay@ergon.com

Address

PO Box 1639

Jackson, MS 39215

Applicant Business Entity Information**Address of Incorporation**

Ergon, Inc.

PO BOX 1639

Jackson, MS 39215

Agent Designated by the Corporation for Purposes of Service

Name	Address
Ramon Callahan	PO BOX 1639 Jackson, MS 39215

Please provide all corporate officers

Name	Title	Address
Ramon Callahan	EHS VP	PO BOX 1639 Jackson, MS 39215

Does the applicant applying for coverage have a Parent Corporation?

No

Does the applicant applying for coverage have Subsidiary Corporations?

No

Enforcement History

Has the applicant been issued any Notices of Violation, Orders (Consent or Administrative/Unilateral), or Judicial Actions (Complaint, Settlement Agreement, Consent Decree, or Court Order) concerning water pollution or other permit violations within the State of Alabama in the past five years?

No

Business Activity

A facility with processes inclusive in the business areas shown below may be covered by Environmental Protection Agency's (EPA) categorical effluent guideline standards. These facilities are termed "categorical users". If unsure, please call the Industrial Section at (334) 271-7943 to discuss or use the link below to contact the Permit Engineer for the county the facility is/will be located in.

[Industrial Section Assignment Map](#)

If your facility conducts or will be conducting any of the processes listed below (regardless of whether they generate wastewater, waste sludge, or hazardous wastes), please check the category of business activity:

Other: Asphalt

Give a brief description of all operations at this facility including primary products or services:

Storage, loading, dispensing, and production of asphalt.

Water Supply

Water Sources (check all that apply):

Surface Water

Operator of Surface Intake	Million Gallons per Day (MGD)
N/A	N/A
	Sum: NaN

Cooling Water Intake Structure Information

Does the provider of your source water operate a surface water intake?

No

Is the provider a public water system (defined as a system which provides water to the public for human consumption or which provides only treated water, not raw water)?

No

Is any water withdrawn from the source water used for cooling?

No

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

0

Does the cooling water consist of treated effluent that would otherwise be discharged?

No

Is the cooling water used in a once-through cooling system?

No

Is the cooling water used in a closed cycle cooling system?

No

When was the intake installed?

N/A

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

0

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

0

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

0

How is the intake operated?

Batch

What is the mesh size of the screen on your intake (in inches)?

0

What is the intake screen flow-through area (in square feet)?

0

What is the through-screen design intake flow velocity (in ft/sec)?

0

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

0

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

N/A

Do you have any additional fish detraction technology on your intake?

No

Have there been any studies to determine the impact of the intake on aquatic organisms?

No

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

Plot_Plan_Birmingham_2021.pdf - 03/16/2022 03:55 PM

Comment

NONE PROVIDED

Outfalls (1 of 5)

Outfall Identifier

001

Receiving Water

Short Creek

Does the discharge enter the named receiving water via an unnamed tributary?

NONE PROVIDED

Indicate if either of the following characteristics apply to this discharge:

Stormwater only (no comingled process waste water excluding air conditioner condensate and fire testing waters)

Monitoring/Sampling Point Location

33.56035300000000, -87.10770300000000

Outfalls (2 of 5)

Outfall Identifier

002

Receiving Water

Short Creek

Does the discharge enter the named receiving water via an unnamed tributary?

NONE PROVIDED

Indicate if either of the following characteristics apply to this discharge:

Stormwater only (no comingled process waste water excluding air conditioner condensate and fire testing waters)

Monitoring/Sampling Point Location

33.56105000000000, -87.10829200000001

Outfalls (3 of 5)

Outfall Identifier

003

Receiving Water

Short Creek

Does the discharge enter the named receiving water via an unnamed tributary?

NONE PROVIDED

Indicate if either of the following characteristics apply to this discharge:

Stormwater only (no comingled process waste water excluding air conditioner condensate and fire testing waters)

Monitoring/Sampling Point Location

33.56055600000000, -87.10777800000000

Outfalls (4 of 5)**Outfall Identifier**

01A

Receiving Water

Short Creek

Does the discharge enter the named receiving water via an unnamed tributary?

NONE PROVIDED

Indicate if either of the following characteristics apply to this discharge:

Stormwater only (no comingled process waste water excluding air conditioner condensate and fire testing waters)

Monitoring/Sampling Point Location

33.56035300000000, -87.10770300000000

Outfalls (5 of 5)**Outfall Identifier**

02A

Receiving Water

Short Creek

Does the discharge enter the named receiving water via an unnamed tributary?

NONE PROVIDED

Indicate if either of the following characteristics apply to this discharge:

Stormwater only (no comingled process waste water excluding air conditioner condensate and fire testing waters)

Monitoring/Sampling Point Location

33.56105000000000, -87.10829200000001

Anti-Degradation Evaluation**Is this a new or increased discharge that began after April 3, 1991?**

No

Additional Information**Do you share an outfall with another facility?**

No

Indicate if automatic sampling equipment or continuous wastewater flow metering equipment is being operated at this facility:

Current	Yes/No
Continuous Wastewater Flow Metering Equipment	No
Automatic Sampling Equipment	No

Indicate if installation automatic sampling equipment or continuous wastewater flow metering equipment planned at this facility:

Planned	Yes/No
Continuous Wastewater Flow Metering Equipment	No
Automatic Sampling Equipment	No

Please attach the process schematic with sampling equipment locations.

Plot Plan Birminghamport_2021.pdf - 03/16/2022 03:47 PM

Comment

NONE PROVIDED

Are any process changes or expansions planned during the next three years that could alter wastewater volumes or characteristics (Consider production processes as well as air or water pollution treatment processes that may affect the discharge.)?

No

Do you use biocides, corrosion inhibitors, or chemical additives in your cooling or blowdown water?

No

Biocide/Corrosion Inhibitor Summary Sheet

NONE PROVIDED

Comment

NONE PROVIDED

Treatment

Is any form of wastewater treatment (see list below) practiced at this facility?

No

Is any form of wastewater treatment (or changes to an existing wastewater treatment) planned for this facility within the next three years?

No

Facility Operational Characteristics

Indicate whether the facility discharge is:

Seasonal

Check all months that apply:

January
March
May
July
September
November
December
October
August
June
April
February

Comments:

NONE PROVIDED

Non-Discharged Wastes

Are any waste liquids or sludges generated and not disposed of in the sanitary sewer system?

No

Does any outside firm remove any of the above checked wastes?

No

EPA Application Forms

All Applicants must submit certain EPA permit application forms. More than one application form may be required.

Form 1 - General Information Form required for all applications

Form 2C -- Should be submitted for facilities with existing discharge(s) of process wastewater.

Form 2D - Should be submitted for facilities that have not yet commenced discharge(s) of process wastewater.

Form 2E - Should be submitted for facilities who discharge non-process wastewater, such as non-contact cooling water or boiler blowdown.

Form 2F - Should be submitted for all discharges of storm water associated with an industrial activity.
The EPA application forms are found on the Department's website here.

EPA Form 1

EPA Form 1.pdf - 03/16/2022 03:49 PM

Comment

NONE PROVIDED

Additional EPA Forms (EPA Form 2C, 2D, 2E and/or 2F)[3510-2F- outfall 2.pdf - 03/16/2022 03:50 PM](#)[3510-2F - outfall 1.pdf - 03/16/2022 03:50 PM](#)[NPDESForm2C - outfall 2.pdf - 03/16/2022 03:50 PM](#)[NPDESForm2C - outfall 1.pdf - 03/16/2022 03:50 PM](#)**Comment**

NONE PROVIDED

Other attachments (as needed)

NONE PROVIDED

Comment

NONE PROVIDED

Additional Attachments**Please attach any additional information as needed.**

NONE PROVIDED

Comment

NONE PROVIDED

Application Preparer**Application Preparer****Prefix**

Mrs.

First Name

Rebekah

Last Name

Phyfer

Title

NONE PROVIDED

Organization Name

Ergon, Inc.

Phone Type

Mobile

Number

16018328460

Extension**Email**

rebekah.phyfer@ergon.com

Address

PO Box 1639

Jackson, MS 39215

Attachments

Date	Attachment Name	Context	Confidential?	User
------	-----------------	---------	---------------	------

Date	Attachment Name	Context	Confidential?	User
3/16/2022 3:55 PM	Plot_Plan_Birmingham_2021.pdf	Attachment	No	Rebekah Phyfer
3/16/2022 3:50 PM	NPDESForm2C - outfall 2.pdf	Attachment	No	Rebekah Phyfer
3/16/2022 3:50 PM	NPDESForm2C - outfall 1.pdf	Attachment	No	Rebekah Phyfer
3/16/2022 3:50 PM	3510-2F- outfall 2.pdf	Attachment	No	Rebekah Phyfer
3/16/2022 3:50 PM	3510-2F - outfall 1.pdf	Attachment	No	Rebekah Phyfer
3/16/2022 3:49 PM	EPA Form 1.pdf	Attachment	No	Rebekah Phyfer
3/16/2022 3:47 PM	Plot_Plan_Birmingham_2021.pdf	Attachment	No	Rebekah Phyfer
3/16/2022 3:45 PM	Plot_Plan_Birmingham_2021.pdf	Attachment	No	Rebekah Phyfer

Status History

	User	Processing Status
3/16/2022 3:27:14 PM	Rebekah Phyfer	Draft
3/16/2022 3:57:59 PM	Rebekah Phyfer	Signing
3/18/2022 11:43:48 AM	Mike White	Submitting
3/18/2022 11:44:34 AM	Mike White	Submitted
3/18/2022 11:44:37 AM	Mike White	In Process

Audit

Event	Event Description	Event By	Event Date
Submission Locked	Submission Locked	Wayne Holt	4/5/2022 9:47 AM
Submission Unlocked	Submission Unlocked	Wayne Holt	4/5/2022 9:52 AM

Agreements and Signature(s)

SUBMISSION AGREEMENTS

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

Responsible Official

"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 further certify under penalty of law that all analyses reported as less than detectable in this application or attachments thereto were performed using the EPA approved test method having the lowest detection limit for the substance tested." NOTE: 335-6-5-.14 SIGNATORIES TO PERMIT APPLICATIONS AND REPORTS. The application for a SID permit shall be signed by a responsible official, a request for variance from categorical pretreatment standards, and a category determination request shall be signed b a responsible official, as indicated below: In the case of a corporation, by a principal executive officer of at least the level of vice president; In the case of a partnership, by a general partner; In the case of a sole proprietorship, by the proprietor; or In the case of a municipal, state, federal, or other public entity, by either a principal executive officer, or ranking elected official

**Signed
By**

Mike White on 03/18/2022 at 11:43 AM



An Ergon Company

7890 Birmingham Road
Mulga, AL
35118 USA
205-436-3413
ergonasphalt.com

December 2, 2021

Mr. Lane Holt
Alabama Department of Environmental Management
1400 Coliseum Blvd.
PO Box 301463
Montgomery, AL 36130

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INDUSTRIAL SECTION

RE: Ergon Asphalt & Emulsions, Inc. – Birmingham
NPDES Renewal - AL0082996

Dear Mr. Chavers:

We are in the process of renewing our NPDES individual water permit for our Birmingham facility and have a few changes we would like to propose.

1. DSN01AQ , 02AQ , : Wash water from vehicle and equipment washing operations

EAE Birmingham would like to propose that this condition be removed in its entirety from the water permit. This facility is no longer washing vehicles or equipment on location.

2. Outfalls 001 and 002 must be monitored on a quarterly frequency.

EAE Birmingham would like to propose that these conditions be relaxed from quarterly sampling to semi-annual sampling. Currently, under the General Storm Water Permit, EAE Birmingham samples the required parameters on a semi-annual frequency. In the time that EAE Birmingham has been covered under the general permit, there have been no exceedances of the permit limit. We previously proposed to have these outfalls only sampled semi-annually and we were told we could not due to the wash water from vehicles and equipment operations. Since we are asking to take that section out of our permit, we would like to again propose the frequency be changed from quarterly sampling of these outfalls from quarterly to semi-annual sampling.

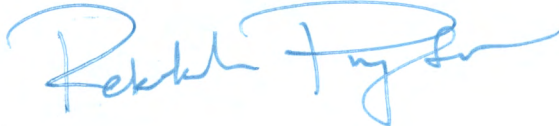
D.E.

I have also attached Form 187, EPA Form 1, EPA Form 2C, & EPA Form 2F per your direction with your conversation with Nic Barclay.

If you have any questions, please contact me at the information listed below.

Sincerely,

Ergon Asphalt & Emulsions, Inc.



Rebekah Phyfer
Environmental Engineer
Office: 601-933-3043
Mobile: 601-832-8460
Rebekah.Phyfer@ergon.com

CC: Lane Holt, ADEM (via email)
Mike White, EAE – Birmingham
Nic Barclay, EAE
Bob Walley, EAE
File (3-E-2-14-)

FORM 1 GENERAL		U.S. ENVIRONMENTAL PROTECTION AGENCY GENERAL INFORMATION Consolidated Permits Program <i>(Read the "General Instructions" before starting.)</i>	I. EPA I.D. NUMBER S F 110001715467 T/A C D	
LABEL ITEMS I. EPA I.D. NUMBER III. FACILITY NAME V. FACILITY MAILING ADDRESS VI. FACILITY LOCATION		PLEASE PLACE LABEL IN THIS SPACE	GENERAL INSTRUCTIONS If a preprinted label has been provided, affix it in the designated space. Review the information carefully; if any of it is incorrect, cross through it and enter the correct data in the appropriate fill-in area below. Also, if any of the preprinted data is absent (the area to the left of the label space lists the information that should appear), please provide it in the proper fill-in area(s) below. If the label is complete and correct, you need not complete items I, III, V, and VI (except VI-B which must be completed regardless). Complete all items if no label has been provided. Refer to the instructions for detailed item descriptions and for the legal authorizations under which this data is collected.	
II. POLLUTANT CHARACTERISTICS				
INSTRUCTIONS: Complete A through J to determine whether you need to submit any permit application forms to the EPA. If you answer "yes" to any questions, you must submit this form and the supplemental form listed in the parenthesis following the question. Mark "X" in the box in the third column if the supplemental form is attached. If you answer "no" to each question, you need not submit any of these forms. You may answer "no" if your activity is excluded from permit requirements; see Section C of the instructions. See also, Section D of the instructions for definitions of bold-faced terms .				
SPECIFIC QUESTIONS		Mark "X"	SPECIFIC QUESTIONS	
		YES NO FORM ATTACHED		
A. Is this facility a publicly owned treatment works which results in a discharge to waters of the U.S.? (FORM 2A)		<input checked="" type="checkbox"/>	B. Does or will this facility (either existing or proposed) include a concentrated animal feeding operation or aquatic animal production facility which results in a discharge to waters of the U.S.? (FORM 2B)	
		<input checked="" type="checkbox"/>		
C. Is this a facility which currently results in discharges to waters of the U.S. other than those described in A or B above? (FORM 2C)		<input checked="" type="checkbox"/>	D. Is this a proposed facility (other than those described in A or B above) which will result in a discharge to waters of the U.S.? (FORM 2D)	
		<input checked="" type="checkbox"/>		
E. Does or will this facility treat, store, or dispose of hazardous wastes? (FORM 3)		<input checked="" type="checkbox"/>	F. Do you or will you inject at this facility industrial or municipal effluent below the lowermost stratum containing, within one quarter mile of the well bore, underground sources of drinking water? (FORM 4)	
		<input checked="" type="checkbox"/>		
G. Do you or will you inject at this facility any produced water or other fluids which are brought to the surface in connection with conventional oil or natural gas production, inject fluids used for enhanced recovery of oil or natural gas, or inject fluids for storage of liquid hydrocarbons? (FORM 4)		<input checked="" type="checkbox"/>	H. Do you or will you inject at this facility fluids for special processes such as mining of sulfur by the Frasch process, solution mining of minerals, in situ combustion of fossil fuel, or recovery of geothermal energy? (FORM 4)	
		<input checked="" type="checkbox"/>		
I. Is this facility a proposed stationary source which is one of the 28 industrial categories listed in the instructions and which will potentially emit 100 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)		<input checked="" type="checkbox"/>	J. Is this facility a proposed stationary source which is NOT one of the 28 industrial categories listed in the instructions and which will potentially emit 250 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)	
		<input checked="" type="checkbox"/>		
III. NAME OF FACILITY				
1 SKIP Ergon Asphalt & Emulsions, Inc. - Birminghamport				
IV. FACILITY CONTACT				
A. NAME & TITLE (last, first, & title)			B. PHONE (area code & no.)	
2 White, Mike - Facility Manager			(205) 436-3413	
V. FACILITY MAILING ADDRESS				
A. STREET OR P.O. BOX				
3 P.O. Box 1639				
B. CITY OR TOWN			C. STATE	D. ZIP CODE
4 Jackson			MS	39215
VI. FACILITY LOCATION				
A. STREET, ROUTE NO. OR OTHER SPECIFIC IDENTIFIER				
5 7890 Birminghamport Road				
B. COUNTY NAME				
Jasper				
C. CITY OR TOWN			D. STATE	E. ZIP CODE
6 Mulga			AL	35118

DEC 08 2021

CONTINUED FROM THE FRONT

VII. SIC CODES (4-digit, in order of priority)

A. FIRST										B. SECOND											
C	7	5	1	7	1	(specify) Petroleum Bulk Storage Terminals					C	7	(specify)								
15	16	19																			
C. THIRD										D. FOURTH											
C	7	(specify)								C	7	(specify)									
15	16	19																			

VIII. OPERATOR INFORMATION

A. NAME																									B. Is the name listed in Item VIII-A also the owner?				
C	8	Ergon Asphalt & Emulsions, Inc.																							<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				
15	16	55																							66				
C. STATUS OF OPERATOR (Enter the appropriate letter into the answer box: if "Other," specify.)																									D. PHONE (area code & no.)				
F = FEDERAL S = STATE P = PRIVATE										M = PUBLIC (other than federal or state) O = OTHER (specify)										P (specify)					(601) 933-3000				
																				56					15 16 18 19 21 22 26				

E. STREET OR P.O. BOX																								
P.O. Box 1639																								
26 55																								

F. CITY OR TOWN															G. STATE					H. ZIP CODE					IX. INDIAN LAND				
C	B	Jackson													MS					39215					Is the facility located on Indian lands? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
15	16	40 41													42 47					51					52				

X. EXISTING ENVIRONMENTAL PERMITS

A. NPDES (Discharges to Surface Water)										D. PSD (Air Emissions from Proposed Sources)									
C	9	N	AL00B2994							C	9	P							
15	16	17	30							15	16	17	30						
B. UIC (Underground Injection of Fluids)										E. OTHER (specify)									
C	9	U								C	9	(specify)							
15	16	17	30							15	16	17	30						
C. RCRA (Hazardous Wastes)										E. OTHER (specify)									
C	9	R								C	9	(specify)							
15	16	17	30							15	16	17	30						

XI. MAP


Attach to this application a topographic map of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers, and other surface water bodies in the map area. See instructions for precise requirements.

XII. NATURE OF BUSINESS (provide a brief description)

Storage, loading, dispensing, and production of asphalt.

XIII. CERTIFICATION (see instructions)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the application, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A. NAME & OFFICIAL TITLE (type or print)															B. SIGNATURE															C. DATE SIGNED									
Steve Adams -Sr.VP of EAE Operations																														12/2/21									

COMMENTS FOR OFFICIAL USE ONLY																								
C																								
15	16	55																						

Please print or type in the unshaded areas only.

FORM
2F
NPDESU.S. Environmental Protection Agency
Washington, DC 20460**Application for Permit to Discharge Storm Water
Discharges Associated with Industrial Activity****Paperwork Reduction Act Notice**

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

I. Outfall Location

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

A. Outfall Number (list)	B. Latitude			C. Longitude			D. Receiving Water (name)
001	33.00	33.00	37.27	87.00	6.00	27.73	Short Creek
002	33.00	33.00	39.78	87.00	6.00	29.85	Short Creek

II. Improvements

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

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

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

III. Site Drainage Map

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

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INDUSTRIAL SECTION

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

Pollutant and CAS Number (if available)	Maximum Values (include units)		Average Values (include units)		Number of Storm Events Sampled	Sources of Pollutants
	Grab Sample Taken During First 20 Minutes	Flow-Weighted Composite	Grab Sample Taken During First 20 Minutes	Flow-Weighted Composite		
Oil and Grease	9	N/A	9		1.00	Outfall 001
Biological Oxygen Demand (BOD5)	8.2		8.2		1.00	Outfall 001
Chemical Oxygen Demand (COD)	187		187		1.00	Outfall 001
Total Suspended Solids (TSS)	105		105		1.00	Outfall 001
Total Nitrogen	0.1		0.1		1.00	Outfall 001
Total Phosphorus					1.00	Outfall 001
pH	Minimum 6.56	Maximum 6.56	Minimum 6.56	Maximum 6.56	1.00	Outfall 001

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

[illegible]

Continued from the Front

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

[illegible]

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

1. Date of Storm Event	2. Duration of Storm Event (in minutes)	3. Total rainfall during storm event (in inches)	4. Number of hours between beginning of storm measured and end of previous measurable rain event	5. Maximum flow rate during rain event (gallons/minute or specify units)	6. Total flow from rain event (gallons or specify units)

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

Continued from the Front

IV. Narrative Description of Pollutant Sources

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

Outfall Number	Area of Impervious Surface (provide units)	Total Area Drained (provide units)	Outfall Number	Area of Impervious Surface (provide units)	Total Area Drained (provide units)
001	1 acre	5.6 acres	002	1 acre	6.85 acres

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

NA

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

Outfall Number	Treatment	List Codes from Table 2F-1
001	Discharge to Surface Water	4-A
002	Discharge to Surface Water	4-A

V. Nonstormwater Discharges

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

Name and Official Title (type or print)	Signature	Date Signed
Steve Adams -Sr.VP of EAE Operations		

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

A grab sample was taken from outfall 001 on 8/20/2021 and 11/22/2021.

VI. Significant Leaks or Spills

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

NA

VII. Discharge Information

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

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

☐ Yes (list all such pollutants below)

☒ No (go to Section IX)

VIII. Biological Toxicity Testing Data

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

☐ Yes (list all such pollutants below)

☒ No (go to Section IX)

IX. Contract Analysis Information

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

☒ Yes (list the name, address, and telephone number of, and pollutants analyzed by, each such laboratory or firm below)

☐ No (go to Section X)

A. Name	B. Address	C. Area Code & Phone No.	D. Pollutants Analyzed
Guardian Systems, Inc.	1108 Ashville Road P.O. Box 190 Leeds, AL 35094	205-699-6647	pH TSS BOD COD TOC Oil & Grease Total Nitrogen total Phosphorus

X. Certification

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

A. Name & Official Title (Type Or Print)

Steve Adams -Sr.VP of EAE Operations

B. Area Code and Phone No.

(601) 933-3000

C. Signature

D. Date Signed

11/30/21

EPA I.D. NUMBER (copy from Item 1 of Form 1)

Form Approved.
OMB No. 2040-0086.
Approval expires 3-31-98.

Please print or type in the unshaded areas only.

FORM
2C
NPDESU.S. ENVIRONMENTAL PROTECTION AGENCY
APPLICATION FOR PERMIT TO DISCHARGE WASTEWATER
EXISTING MANUFACTURING, COMMERCIAL, MINING AND SILVICULTURE OPERATIONS
Consolidated Permits Program

I. OUTFALL LOCATION

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

A. OUTFALL NUMBER (list)	B. LATITUDE			C. LONGITUDE			D. RECEIVING WATER (name)
	1. DEG.	2. MIN.	3. SEC.	1. DEG.	2. MIN.	3. SEC.	
001	33.00	33.00	37.27	87.00	6.00	27.73	Short Creek
002	33.00	33.00	39.78	87.00	6.00	29.85	Short Creek

II. FLOWS, SOURCES OF POLLUTION, AND TREATMENT TECHNOLOGIES

A. Attach a line drawing showing the water flow through the facility. Indicate sources of intake water, operations contributing wastewater to the effluent, and treatment units labeled to correspond to the more detailed descriptions in Item B. Construct a water balance on the line drawing by showing average flows between intakes, operations, treatment units, and outfalls. If a water balance cannot be determined (e.g., for certain mining activities), provide a pictorial description of the nature and amount of any sources of water and any collection or treatment measures.

B. For each outfall, provide a description of: (1) All operations contributing wastewater to the effluent, including process wastewater, sanitary wastewater, cooling water, and storm water runoff; (2) The average flow contributed by each operation; and (3) The treatment received by the wastewater. Continue on additional sheets if necessary.

1. OUTFALL NO. (list)	2. OPERATION(S) CONTRIBUTING FLOW		3. TREATMENT	
	a. OPERATION (list)	b. AVERAGE FLOW (include units)	a. DESCRIPTION	b. LIST CODES FROM TABLE 2C-1
001	Storm Water			4A
	Hydrostatic test water			4A
002	Storm Water			4A
	hydrostatic test water			4A

OFFICIAL USE ONLY (effluent guidelines sub-categories)

DEC 08 2021

INDUSTRIAL SECTION

CONTINUED FROM THE FRONT

C. Except for storm runoff, leaks, or spills, are any of the discharges described in Items II-A or B intermittent or seasonal? <input type="checkbox"/> YES (complete the following table) <input checked="" type="checkbox"/> NO (go to Section III)								
1. OUTFALL NUMBER (list)	2. OPERATION(s) CONTRIBUTING FLOW (list)	3. FREQUENCY		4. FLOW				
		a. DAYS PER WEEK (specify average)	b. MONTHS PER YEAR (specify average)	a. FLOW RATE (in mgd)		B. TOTAL VOLUME (specify with units)		C. DURATION (in days)
				1. LONG TERM AVERAGE	2. MAXIMUM DAILY	1. LONG TERM AVERAGE	2. MAXIMUM DAILY	

III. PRODUCTION			
A. Does an effluent guideline limitation promulgated by EPA under Section 304 of the Clean Water Act apply to your facility? <input type="checkbox"/> YES (complete Item III-B) <input checked="" type="checkbox"/> NO (go to Section IV)			
B. Are the limitations in the applicable effluent guideline expressed in terms of production (or other measure of operation)? <input type="checkbox"/> YES (complete Item III-C) <input checked="" type="checkbox"/> NO (go to Section IV)			
C. If you answered "yes" to Item III-B, list the quantity which represents an actual measurement of your level of production, expressed in the terms and units used in the applicable effluent guideline, and indicate the affected outfalls.			
1. AVERAGE DAILY PRODUCTION			2. AFFECTED OUTFALLS (list outfall numbers)
a. QUANTITY PER DAY	b. UNITS OF MEASURE	c. OPERATION, PRODUCT, MATERIAL, ETC. (specify)	

IV. IMPROVEMENTS					
A. Are you now required by any Federal, State or local authority to meet any implementation schedule for the construction, upgrading or operations of wastewater treatment equipment or practices or any other environmental programs which may affect the discharges described in this application? This includes, but is not limited to, permit conditions, administrative or enforcement orders, enforcement compliance schedule letters, stipulations, court orders, and grant or loan conditions. <input type="checkbox"/> YES (complete the following table) <input checked="" type="checkbox"/> NO (go to Item IV-B)					
1. IDENTIFICATION OF CONDITION, AGREEMENT, ETC.	2. AFFECTED OUTFALLS		3. BRIEF DESCRIPTION OF PROJECT	4. FINAL COMPLIANCE DATE	
	a. NO.	b. SOURCE OF DISCHARGE		a. REQUIRED	b. PROJECTED

B. OPTIONAL: You may attach additional sheets describing any additional water pollution control programs (or other environmental projects which may affect your discharges) you now have underway or which you plan. Indicate whether each program is now underway or planned, and indicate your actual or planned schedules for construction. <input type="checkbox"/> MARK "X" IF DESCRIPTION OF ADDITIONAL CONTROL PROGRAMS IS ATTACHED					
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EPA I.D. NUMBER (copy from Item 1 of Form 1)

CONTINUED FROM PAGE 2

V. INTAKE AND EFFLUENT CHARACTERISTICS

A, B, & C: See instructions before proceeding – Complete one set of tables for each outfall – Annotate the outfall number in the space provided.

NOTE: Tables V-A, V-B, and V-C are included on separate sheets numbered V-1 through V-9.

D. Use the space below to list any of the pollutants listed in Table 2c-3 of the instructions, which you know or have reason to believe is discharged or may be discharged from any outfall. For every pollutant you list, briefly describe the reasons you believe it to be present and report any analytical data in your possession.

1. POLLUTANT	2. SOURCE	1. POLLUTANT	2. SOURCE

VI. POTENTIAL DISCHARGES NOT COVERED BY ANALYSIS

Is any pollutant listed in Item V-C a substance or a component of a substance which you currently use or manufacture as an intermediate or final product or byproduct?

☐ YES (list all such pollutants below)

☒ NO (go to Item VI-B)

CONTINUED FROM THE FRONT

VII. BIOLOGICAL TOXICITY TESTING DATA

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

☐ YES (identify the test(s) and describe their purposes below)

☒ NO (go to Section VIII)

VIII. CONTRACT ANALYSIS INFORMATION

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

☒ YES (list the name, address, and telephone number of, and pollutants analyzed by, each such laboratory or firm below)

☐ NO (go to Section IX)

A. NAME	B. ADDRESS	C. TELEPHONE (area code & no.)	D. POLLUTANTS ANALYZED (list)
Guardian Systems, Inc.	1108 Ashville Road PO Box 190 Leeds, Alabama 35094	205-699-6647	pH TSS BOD Fluoride Chemical Oxygen Demand TOC Total Phosphorus Chlorine, Oil and Grease, Total Nitrogen, Total Organic

IX. CERTIFICATION

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

A. NAME & OFFICIAL TITLE (type or print)
Steve Adams -Sr.VP of EAE Operations

B. PHONE NO. (area code & no.)
(601) 933-3000

C. SIGNATURE

D. DATE SIGNED
11/30/2021

PLEASE PRINT OR TYPE IN THE UNSHADED AREAS ONLY. You may report some or all of this information on separate sheets (use the same format) instead of completing these pages.
SEE INSTRUCTIONS.

EPA I.D. NUMBER (copy from Item 1 of Form 1)

V. INTAKE AND EFFLUENT CHARACTERISTICS (continued from page 3 of Form 2-C)	OUTFALL NO. 002
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PART A –You must provide the results of at least one analysis for every pollutant in this table. Complete one table for each outfall. See instructions for additional details.

1. POLLUTANT	2. EFFLUENT							3. UNITS (specify if blank)		4. INTAKE (optional)		
	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
a. Biochemical Oxygen Demand (BOD)	12.5	-	-	-	-	-	1	mg/L	-	-	-	-
b. Chemical Oxygen Demand (COD)		-	-	-	-	-	1	mg/L	-	-	-	-
c. Total Organic Carbon (TOC)	6	-	-	-	-	-	1	mg/L	-	-	-	-
d. Total Suspended Solids (TSS)		-	-	-	-	-	1	mg/L	-	-	-	-
e. Ammonia (as N)	<0.1	-	-	-	-	-	1	mg/L	-	-	-	-
f. Flow	VALUE -		VALUE -		VALUE -		-	-	-	VALUE -		-
g. Temperature (winter)	VALUE ambient		VALUE -		VALUE -		-	°C		VALUE -		-
h. Temperature (summer)	VALUE ambient		VALUE -		VALUE -		-	°C		VALUE -		-
i. pH	MINIMUM 7.97	MAXIMUM 7.97	MINIMUM -	MAXIMUM -			1	STANDARD UNITS				

PART B – Mark "X" in column 2-a for each pollutant you know or have reason to believe is present. Mark "X" in column 2-b for each pollutant you believe to be absent. If you mark column 2a for any pollutant which is limited either directly, or indirectly but expressly, in an effluent limitations guideline, you must provide the results of at least one analysis for that pollutant. For other pollutants for which you mark column 2a, you must provide quantitative data or an explanation of their presence in your discharge. Complete one table for each outfall. See the instructions for additional details and requirements.

1. POLLUTANT AND CAS NO. (if available)	2. MARK "X"		3. EFFLUENT							4. UNITS		5. INTAKE (optional)		
	a. BELIEVED PRESENT	b. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
			(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
a. Bromide (24959-67-9)		X		-	-	-	-	-	1	mg/L	-	-	-	-
b. Chlorine, Total Residual		X		-	-	-	-	-	1	mg/L	-	-	-	-
c. Color		X		-	-	-	-	-	1	PCU	-	-	-	-
c. Fecal Coliform		X		-	-	-	-	-	1	co/100mL	-	-	-	-
e. Fluoride (16984-48-8)		X		-	-	-	-	-	1	mg/L	-	-	-	-
f. Nitrate-Nitrite (as N)		X		-	-	-	-	-	1	mg/L	-	-	-	-

ITEM V-B CONTINUED FROM FRONT

1. POLLUTANT AND CAS NO. (if available)	2. MARK "X"		3. EFFLUENT							4. UNITS		5. INTAKE (optional)						
	a. BELIEVED PRESENT	b. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCEN- TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES				
			(1)		(1)		(1)					(1)						
			CONCENTRATION	(2) MASS	CONCENTRATION	(2) MASS	CONCENTRATION	(2) MASS				CONCENTRATION	(2) MASS					
g. Nitrogen, Total Organic (as N)		X		-	-	-	-	-	1	mg/L	-	-	-	-				
h. Oil and Grease	X			-	-	-	-	-	1	mg/L	-	-	-	-				
i. Phosphorus (as P), Total (7723-14-0)		X		-	-	-	-	-	1	mg/L	-	-	-	-				
j. Radioactivity																		
(1) Alpha, Total		X																
(2) Beta, Total		X																
(3) Radium, Total		X																
(4) Radium 226, Total		X																
k. Sulfate (as SO ₄) (14808-79-8)		X																
l. Sulfide (as S)		X																
m. Sulfite (as SO ₃) (14265-45-3)		X																
n. Surfactants		X																
o. Aluminum, Total (7429-90-5)		X																
p. Barium, Total (7440-39-3)		X																
q. Boron, Total (7440-42-8)		X																
r. Cobalt, Total (7440-48-4)		X																
s. Iron, Total (7439-89-6)		X																
t. Magnesium, Total (7439-95-4)		X																
u. Molybdenum, Total (7439-98-7)		X																
v. Manganese, Total (7439-96-5)		X																
w. Tin, Total (7440-31-5)		X																
x. Titanium, Total (7440-32-6)		X																

EPA I.D. NUMBER (copy from Item 1 of Form 1)

OUTFALL NUMBER

002

CONTINUED FROM PAGE 3 OF FORM 2-C

PART C - If you are a primary industry and this outfall contains process wastewater, refer to Table 2c-2 in the instructions to determine which of the GC/MS fractions you must test for. Mark "X" in column 2-a for all such GC/MS fractions that apply to your industry and for ALL toxic metals, cyanides, and total phenols. If you are not required to mark column 2-a (*secondary industries, nonprocess wastewater outfalls, and nonrequired GC/MS fractions*), mark "X" in column 2-b for each pollutant you know or have reason to believe is present. Mark "X" in column 2-c for each pollutant you believe is absent. If you mark column 2a for any pollutant, you must provide the results of at least one analysis for that pollutant. If you mark column 2b for any pollutant, you must provide the results of at least one analysis for that pollutant if you know or have reason to believe it will be discharged in concentrations of 10 ppb or greater. If you mark column 2b for acrolein, acrylonitrile, 2,4 dinitrophenol, or 2-methyl-4, 6 dinitrophenol, you must provide the results of at least one analysis for each of these pollutants which you know or have reason to believe that you discharge in concentrations of 100 ppb or greater. Otherwise, for pollutants for which you mark column 2b, you must either submit at least one analysis or briefly describe the reasons the pollutant is expected to be discharged. Note that there are 7 pages to this part; please review each carefully. Complete one table (all 7 pages) for each outfall. See instructions for additional details and requirements.

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK "X"			3. EFFLUENT								4. UNITS		5. INTAKE (optional)		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES	
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS		
METALS, CYANIDE, AND TOTAL PHENOLS																
1M. Antimony, Total (7440-36-0)			X													
2M. Arsenic, Total (7440-38-2)			X													
3M. Beryllium, Total (7440-41-7)			X													
4M. Cadmium, Total (7440-43-9)			X													
5M. Chromium, Total (7440-47-3)			X													
6M. Copper, Total (7440-50-8)			X													
7M. Lead, Total (7439-92-1)			X													
8M. Mercury, Total (7439-97-6)			X													
9M. Nickel, Total (7440-02-0)			X													
10M. Selenium, Total (7782-49-2)			X													
11M. Silver, Total (7440-22-4)			X													
12M. Thallium, Total (7440-28-0)			X													
13M. Zinc, Total (7440-66-6)			X													
14M. Cyanide, Total (57-12-5)			X													
15M. Phenols, Total			X													
DIOXIN																
2,3,7,8-Tetra- chlorodibenzo-P- Dioxin (1764-01-6)			X	DESCRIBE RESULTS												

CONTINUED FROM THE FRONT

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK "X"			3. EFFLUENT								4. UNITS		5. INTAKE (optional)		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCEN- TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES	
				(1)	(2)	(1)	(2)	(1)	(2)				(1)	(2)		
				CONCENTRATION	MASS	CONCENTRATION	MASS	CONCENTRATION	MASS				CONCENTRATION	MASS		
GC/MS FRACTION - VOLATILE COMPOUNDS																
1V. Accrolein (107-02-8)			X													
2V. Acrylonitrile (107-13-1)			X													
3V. Benzene (71-43-2)			X													
4V. Bis (Chloro- methyl) Ether (542-88-1)			X													
5V. Bromoform (75-25-2)			X													
6V. Carbon Tetrachloride (56-23-5)			X													
7V. Chlorobenzene (108-90-7)			X													
8V. Chlorodi- bromomethane (124-48-1)			X													
9V. Chloroethane (75-00-3)			X													
10V. 2-Chloro- ethylvinyl Ether (110-75-8)			X													
11V. Chloroform (67-66-3)			X													
12V. Dichloro- bromomethane (75-27-4)			X													
13V. Dichloro- difluoromethane (75-71-8)			X													
14V. 1,1-Dichloro- ethane (75-34-3)			X													
15V. 1,2-Dichloro- ethane (107-06-2)			X													
16V. 1,1-Dichloro- ethylene (75-35-4)			X													
17V. 1,2-Dichloro- propane (78-87-5)			X													
18V. 1,3-Dichloro- propylene (542-75-6)			X													
19V. Ethylbenzene (100-41-4)			X													
20V. Methyl Bromide (74-83-9)			X													
21V. Methyl Chloride (74-87-3)			X													

CONTINUED FROM PAGE V-4

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK "X"			3. EFFLUENT								4. UNITS		5. INTAKE (optional)		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCEN- TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES	
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS		
GC/MS FRACTION – VOLATILE COMPOUNDS (continued)																
22V. Methylene Chloride (75-09-2)			X													
23V. 1,1,2,2-Tetrachloroethane (79-34-5)			X													
24V. Tetrachloroethylene (127-18-4)			X													
25V. Toluene (108-88-3)			X													
26V. 1,2-Trans-Dichloroethylene (156-60-5)			X													
27V. 1,1,1-Trichloroethane (71-55-6)			X													
28V. 1,1,2-Trichloroethane (79-00-5)			X													
29V. Trichloroethylene (79-01-6)			X													
30V. Trichlorofluoromethane (75-69-4)			X													
31V. Vinyl Chloride (75-01-4)			X													
GC/MS FRACTION – ACID COMPOUNDS																
1A. 2-Chlorophenol (95-57-8)			X													
2A. 2,4-Dichlorophenol (120-83-2)			X													
3A. 2,4-Dimethylphenol (105-67-9)			X													
4A. 4,6-Dinitro-O-Cresol (534-52-1)			X													
5A. 2,4-Dinitrophenol (51-28-5)			X													
6A. 2-Nitrophenol (88-75-5)			X													
7A. 4-Nitrophenol (100-02-7)			X													
8A. P-Chloro-M-Cresol (59-50-7)			X													
9A. Pentachlorophenol (87-86-5)			X													
10A. Phenol (108-95-2)			X													
11A. 2,4,6-Trichlorophenol (88-05-2)			X													

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1. POLLUTANT AND CAS NUMBER (if available)	2. MARK "X"			3. EFFLUENT								4. UNITS		5. INTAKE (optional)		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCEN- TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES	
				(1)	(2)	(1)	(2)	(1)	(2)				(1)	(2)		
				CONCENTRATION	MASS	CONCENTRATION	MASS	CONCENTRATION	MASS				CONCENTRATION	MASS		
GC/MS FRACTION - BASE/NEUTRAL COMPOUNDS																
1B. Acenaphthene (83-32-9)			X													
2B. Acenaphthylene (208-96-8)			X													
3B. Anthracene (120-12-7)			X													
4B. Benzidine (92-87-5)			X													
5B. Benzo (a) Anthracene (56-55-3)			X													
6B. Benzo (a) Pyrene (50-32-8)			X													
7B. 3,4-Benzo- fluoranthene (205-99-2)			X													
8B. Benzo (ghi) Perylene (191-24-2)			X													
9B. Benzo (k) Fluoranthene (207-08-9)			X													
10B. Bis (2-Chloro- ethoxy) Methane (111-91-1)			X													
11B. Bis (2-Chloro- ethyl) Ether (111-44-4)			X													
12B. Bis (2- Chloroisopropyl) Ether (102-80-1)			X													
13B. Bis (2-Ethyl- hexyl) Phthalate (117-81-7)			X													
14B. 4-Bromophenyl Phenyl Ether (101-55-3)			X													
15B. Butyl Benzyl Phthalate (85-68-7)			X													
16B. 2-Chloro- naphthalene (91-58-7)			X													
17B. 4-Chloro- phenyl Phenyl Ether (7005-72-3)			X													
18B. Chrysene (218-01-9)			X													
19B. Dibenzo (a,h) Anthracene (53-70-3)			X													
20B. 1,2-Dichloro- benzene (95-50-1)			X													
21B. 1,3-Di-chloro- benzene (541-73-1)			X													

CONTINUED FROM PAGE V-6

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK "X"			3. EFFLUENT								4. UNITS		5. INTAKE (optional)		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCEN- TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES	
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS		
																(1) CONCENTRATION
GC/MS FRACTION – BASE/NEUTRAL COMPOUNDS (continued)																
22B. 1,4-Dichloro- benzene (106-46-7)			X													
23B. 3,3-Dichloro- benzidine (91-94-1)			X													
24B. Diethyl Phthalate (84-66-2)			X													
25B. Dimethyl Phthalate (131-11-3)			X													
26B. Di-N-Butyl Phthalate (84-74-2)			X													
27B. 2,4-Dinitro- toluene (121-14-2)			X													
28B. 2,6-Dinitro- toluene (606-20-2)			X													
29B. Di-N-Octyl Phthalate (117-84-0)			X													
30B. 1,2-Diphenyl- hydrazine (as Azo- benzene) (122-66-7)			X													
31B. Fluoranthene (206-44-0)			X													
32B. Fluorene (86-73-7)			X													
33B. Hexachloro- benzene (118-74-1)			X													
34B. Hexachloro- butadiene (87-68-3)			X													
35B. Hexachloro- cyclopentadiene (77-47-4)			X													
36B Hexachloro- ethane (67-72-1)			X													
37B. Indeno (1,2,3-cd) Pyrene (193-39-5)			X													
38B. Isophorone (78-59-1)			X													
39B. Naphthalene (91-20-3)			X													
40B. Nitrobenzene (98-95-3)			X													
41B. N-Nitro- sodimethylamine (62-75-9)			X													
42B. N-Nitrosodi- N-Propylamine (621-64-7)			X													

CONTINUED FROM THE FRONT

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK "X"			3. EFFLUENT								4. UNITS		5. INTAKE (optional)			
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCEN- TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES		
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS			
GC/MS FRACTION – BASE/NEUTRAL COMPOUNDS (continued)																	
43B. N-Nitro- sodiphenylamine (86-30-6)			X														
44B. Phenanthrene (85-01-8)			X														
45B. Pyrene (129-00-0)			X														
46B. 1,2,4-Tri- chlorobenzene (120-82-1)			X														
GC/MS FRACTION – PESTICIDES																	
1P. Aldrin (309-00-2)			X														
2P. α-BHC (319-84-6)			X														
3P. β-BHC (319-85-7)			X														
4P. γ-BHC (58-89-9)			X														
5P. δ-BHC (319-86-8)			X														
6P. Chlordane (57-74-9)			X														
7P. 4,4'-DDT (50-29-3)			X														
8P. 4,4'-DDE (72-55-9)			X														
9P. 4,4'-DDD (72-54-8)			X														
10P. Dieldrin (60-57-1)			X														
11P. α-Endosulfan (115-29-7)			X														
12P. β-Endosulfan (115-29-7)			X														
13P. Endosulfan Sulfate (1031-07-8)			X														
14P. Endrin (72-20-8)			X														
15P. Endrin Aldehyde (7421-93-4)			X														
16P. Heptachlor (76-44-8)			X														

EPA I.D. NUMBER (copy from Item 1 of Form 1)

OUTFALL NUMBER

002

CONTINUED FROM PAGE V-8

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK "X"			3. EFFLUENT								4. UNITS		5. INTAKE (optional)		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCEN- TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES	
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS		
GC/MS FRACTION – PESTICIDES (continued)																
17P. Heptachlor Epoxide (1024-57-3)			X													
18P. PCB-1242 (53469-21-9)			X													
19P. PCB-1254 (11097-69-1)			X													
20P. PCB-1221 (11104-28-2)			X													
21P. PCB-1232 (11141-16-5)			X													
22P. PCB-1248 (12672-29-6)			X													
23P. PCB-1260 (11096-82-5)			X													
24P. PCB-1016 (12674-11-2)			X													
25P. Toxaphene (8001-35-2)			X													

FORM 1 GENERAL		U.S. ENVIRONMENTAL PROTECTION AGENCY GENERAL INFORMATION Consolidated Permits Program (Read the "General Instructions" before starting.)		I. EPA I.D. NUMBER	
LABEL ITEMS		PLEASE PLACE LABEL IN THIS SPACE		GENERAL INSTRUCTIONS If a preprinted label has been provided, affix it in the designated space. Review the information carefully; if any of it is incorrect, cross through it and enter the correct data in the appropriate fill-in area below. Also, if any of the preprinted data is absent (the area to the left of the label space lists the information that should appear), please provide it in the proper fill-in area(s) below. If the label is complete and correct, you need not complete Items I, III, V, and VI (except VI-B which must be completed regardless). Complete all items if no label has been provided. Refer to the instructions for detailed item descriptions and for the legal authorizations under which this data is collected.	
I. EPA I.D. NUMBER		III. FACILITY NAME		V. FACILITY MAILING ADDRESS	
VI. FACILITY LOCATION		II. POLLUTANT CHARACTERISTICS		INSTRUCTIONS: Complete A through J to determine whether you need to submit any permit application forms to the EPA. If you answer "yes" to any questions, you must submit this form and the supplemental form listed in the parenthesis following the question. Mark "X" in the box in the third column if the supplemental form is attached. If you answer "no" to each question, you need not submit any of these forms. You may answer "no" if your activity is excluded from permit requirements; see Section C of the instructions. See also, Section D of the instructions for definitions of bold-faced terms .	
SPECIFIC QUESTIONS		Mark "X"		SPECIFIC QUESTIONS	
A. Is this facility a publicly owned treatment works which results in a discharge to waters of the U.S. ? (FORM 2A)		YES	NO	FORM ATTACHED	B. Does or will this facility (either existing or proposed) include a concentrated animal feeding operation or aquatic animal production facility which results in a discharge to waters of the U.S. ? (FORM 2B)
C. Is this a facility which currently results in discharges to waters of the U.S. other than those described in A or B above? (FORM 2C)		YES	NO	FORM ATTACHED	D. Is this a proposed facility (other than those described in A or B above) which will result in a discharge to waters of the U.S. ? (FORM 2D)
E. Does or will this facility treat, store, or dispose of hazardous wastes ? (FORM 3)		YES	NO	FORM ATTACHED	F. Do you or will you inject at this facility industrial or municipal effluent below the lowermost stratum containing, within one quarter mile of the well bore, underground sources of drinking water? (FORM 4)
G. Do you or will you inject at this facility any produced water or other fluids which are brought to the surface in connection with conventional oil or natural gas production, inject fluids used for enhanced recovery of oil or natural gas, or inject fluids for storage of liquid hydrocarbons? (FORM 4)		YES	NO	FORM ATTACHED	H. Do you or will you inject at this facility fluids for special processes such as mining of sulfur by the Frasch process, solution mining of minerals, in situ combustion of fossil fuel, or recovery of geothermal energy? (FORM 4)
I. Is this facility a proposed stationary source which is one of the 28 industrial categories listed in the instructions and which will potentially emit 100 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)		YES	NO	FORM ATTACHED	J. Is this facility a proposed stationary source which is NOT one of the 28 industrial categories listed in the instructions and which will potentially emit 250 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)
III. NAME OF FACILITY					
1 SKIP Ergon Asphalt & Emulsions, Inc. - Birmingham					
IV. FACILITY CONTACT					
A. NAME & TITLE (last, first, & title)					
2 White, Mike - Facility Manager					
B. PHONE (area code & no.)					
(205) 436-3413					
V. FACILITY MAILING ADDRESS					
A. STREET OR P.O. BOX					
3 P.O. Box 1639					
B. CITY OR TOWN					
4 Jackson					
C. STATE					
MS					
D. ZIP CODE					
39215					
VI. FACILITY LOCATION					
A. STREET, ROUTE NO. OR OTHER SPECIFIC IDENTIFIER					
5 7890 Birmingham Road					
B. COUNTY NAME					
Jasper					
C. CITY OR TOWN					
6 Mulga					
D. STATE					
AL					
E. ZIP CODE					
35118					
F. COUNTY CODE (if known)					

CONTINUED FROM THE FRONT

VII. SIC CODES (4-digit, in order of priority)

A. FIRST										B. SECOND									
C	7	5	1	7	(specify) Petroleum Bulk Storage Terminals					C	7				(specify)				
15	16			19						15	16			19					
C. THIRD										D. FOURTH									
C	7				(specify)					C	7				(specify)				
15	16			19						15	16			19					

VIII. OPERATOR INFORMATION

A. NAME																														B. Is the name listed in Item VIII-A also the owner?									
C	8	E	r	g	o	n	A	s	p	h	a	l	t	&	E	m	u	l	s	i	o	n	s	,	I	n	c	.											
15	16																													55	66								

C. STATUS OF OPERATOR (Enter the appropriate letter into the answer box: if "Other," specify.)																									D. PHONE (area code & no.)														
F = FEDERAL										M = PUBLIC (other than federal or state)										P					(specify)					A					(601) 933-3000				
S = STATE										O = OTHER (specify)																													
P = PRIVATE																																							

E. STREET OR P.O. BOX																													
P.O. Box 1639																													

F. CITY OR TOWN																				G. STATE					H. ZIP CODE					IX. INDIAN LAND				
B Jackson																				MS					39215					Is the facility located on Indian lands?				
																														<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				

X. EXISTING ENVIRONMENTAL PERMITS

A. NPDES (Discharges to Surface Water)															D. PSD (Air Emissions from Proposed Sources)																
C	T	I													C	T	I														
9	N														9	P															
15	16	17	18												30	15	16	17	18												30
B. UIC (Underground Injection of Fluids)															E. OTHER (specify)																
C	T	I													C	T	I														
9	U														9																
15	16	17	18												30	15	16	17	18												30
C. RCRA (Hazardous Wastes)															E. OTHER (specify)																
C	T	I													C	T	I														
9	R														9																
15	16	17	18												30	15	16	17	18												30

XI. MAP

Attach to this application a topographic map of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers, and other surface water bodies in the map area. See instructions for precise requirements.

XII. NATURE OF BUSINESS (provide a brief description)

Storage, loading, dispensing, and production of asphalt.

XIII. CERTIFICATION (see instructions)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the application, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A. NAME & OFFICIAL TITLE (type or print)																				B. SIGNATURE										C. DATE SIGNED									
Steve Adams -Sr.VP of EAE Operations																																							

COMMENTS FOR OFFICIAL USE ONLY																														
C																														
15	16																													55

EPA I.D. NUMBER (copy from Item 1 of Form 1)

Form Approved.
OMB No. 2040-0086.
Approval expires 3-31-98.

Please print or type in the unshaded areas only.

FORM
2C
NPDES



U.S. ENVIRONMENTAL PROTECTION AGENCY
APPLICATION FOR PERMIT TO DISCHARGE WASTEWATER
EXISTING MANUFACTURING, COMMERCIAL, MINING AND SILVICULTURE OPERATIONS
Consolidated Permits Program

I. OUTFALL LOCATION

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

A. OUTFALL NUMBER (list)	B. LATITUDE			C. LONGITUDE			D. RECEIVING WATER (name)
	1. DEG.	2. MIN.	3. SEC.	1. DEG.	2. MIN.	3. SEC.	
001	33.00	33.00	37.27	87.00	6.00	27.73	Short Creek
002	33.00	33.00	39.78	87.00	6.00	29.85	Short Creek

II. FLOWS, SOURCES OF POLLUTION, AND TREATMENT TECHNOLOGIES

A. Attach a line drawing showing the water flow through the facility. Indicate sources of intake water, operations contributing wastewater to the effluent, and treatment units labeled to correspond to the more detailed descriptions in Item B. Construct a water balance on the line drawing by showing average flows between intakes, operations, treatment units, and outfalls. If a water balance cannot be determined (e.g., for certain mining activities), provide a pictorial description of the nature and amount of any sources of water and any collection or treatment measures.

B. For each outfall, provide a description of: (1) All operations contributing wastewater to the effluent, including process wastewater, sanitary wastewater, cooling water, and storm water runoff; (2) The average flow contributed by each operation; and (3) The treatment received by the wastewater. Continue on additional sheets if necessary.

1. OUTFALL NO. (list)	2. OPERATION(S) CONTRIBUTING FLOW		3. TREATMENT		
	a. OPERATION (list)	b. AVERAGE FLOW (include units)	a. DESCRIPTION	b. LIST CODES FROM TABLE 2C-1	
001	Storm Water			4A	
	Hydrostatic test water			4A	
002	Storm Water			4A	
	hydrostatic test water			4A	

OFFICIAL USE ONLY (effluent guidelines sub-categories)

CONTINUED FROM THE FRONT

C. Except for storm runoff, leaks, or spills, are any of the discharges described in Items II-A or B intermittent or seasonal?

☐ YES (complete the following table)☒ NO (go to Section III)

1. OUTFALL NUMBER (list)	2. OPERATION(S) CONTRIBUTING FLOW (list)	3. FREQUENCY		4. FLOW				
		a. DAYS PER WEEK (specify average)	b. MONTHS PER YEAR (specify average)	a. FLOW RATE (in mgd)		B. TOTAL VOLUME (specify with units)		C. DURATION (in days)
				1. LONG TERM AVERAGE	2. MAXIMUM DAILY	1. LONG TERM AVERAGE	2. MAXIMUM DAILY	

III. PRODUCTION

A. Does an effluent guideline limitation promulgated by EPA under Section 304 of the Clean Water Act apply to your facility?

☐ YES (complete Item III-B)☒ NO (go to Section IV)

B. Are the limitations in the applicable effluent guideline expressed in terms of production (or other measure of operation)?

☐ YES (complete Item III-C)☒ NO (go to Section IV)

C. If you answered "yes" to Item III-B, list the quantity which represents an actual measurement of your level of production, expressed in the terms and units used in the applicable effluent guideline, and indicate the affected outfalls.

1. AVERAGE DAILY PRODUCTION			2. AFFECTED OUTFALLS (list outfall numbers)
a. QUANTITY PER DAY	b. UNITS OF MEASURE	c. OPERATION, PRODUCT, MATERIAL, ETC. (specify)	

IV. IMPROVEMENTS

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

☐ YES (complete the following table)☒ NO (go to Item IV-B)

1. IDENTIFICATION OF CONDITION, AGREEMENT, ETC.	2. AFFECTED OUTFALLS		3. BRIEF DESCRIPTION OF PROJECT	4. FINAL COMPLIANCE DATE	
	a. NO.	b. SOURCE OF DISCHARGE		a. REQUIRED	b. PROJECTED

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

☐ MARK "X" IF DESCRIPTION OF ADDITIONAL CONTROL PROGRAMS IS ATTACHED

EPA I.D. NUMBER (copy from Item 1 of Form I)

CONTINUED FROM PAGE 2

V. INTAKE AND EFFLUENT CHARACTERISTICS

A, B, & C: See instructions before proceeding – Complete one set of tables for each outfall – Annotate the outfall number in the space provided.

NOTE: Tables V-A, V-B, and V-C are included on separate sheets numbered V-1 through V-9.

D. Use the space below to list any of the pollutants listed in Table 2c-3 of the instructions, which you know or have reason to believe is discharged or may be discharged from any outfall. For every pollutant you list, briefly describe the reasons you believe it to be present and report any analytical data in your possession.

1. POLLUTANT	2. SOURCE	1. POLLUTANT	2. SOURCE

VI. POTENTIAL DISCHARGES NOT COVERED BY ANALYSIS

Is any pollutant listed in Item V-C a substance or a component of a substance which you currently use or manufacture as an intermediate or final product or byproduct?

☐ YES (list all such pollutants below)

☒ NO (go to *Item VI-B*)

CONTINUED FROM THE FRONT

VII. BIOLOGICAL TOXICITY TESTING DATA

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

☐ YES (identify the test(s) and describe their purposes below)

☒ NO (go to Section VIII)

VIII. CONTRACT ANALYSIS INFORMATION

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

☒ YES (list the name, address, and telephone number of, and pollutants analyzed by, each such laboratory or firm below)

☐ NO (go to Section IX)

A. NAME	B. ADDRESS	C. TELEPHONE (area code & no.)	D. POLLUTANTS ANALYZED (list)
Guardian Systems, Inc.	1108 Ashville Road PO Box 190 Leeds, Alabama 35094	205-699-6647	pH TSS BOD Fluoride Chemical Oxygen Demand TOC Total Phosphorus Chlorine, Oil and Grease, Total Nitrogen, Total Organic

IX. CERTIFICATION

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

A. NAME & OFFICIAL TITLE (type or print)
Steve Adams -Sr.VP of EAE Operations

B. PHONE NO. (area code & no.)
(601) 933-3000

C. SIGNATURE

D. DATE SIGNED

PLEASE PRINT OR TYPE IN THE UNSHADED AREAS ONLY. You may report some or all of this information on separate sheets (use the same format) instead of completing these pages.
SEE INSTRUCTIONS.

EPA I.D. NUMBER (copy from Item 1 of Form 1)
110001715467

V. INTAKE AND EFFLUENT CHARACTERISTICS (continued from page 3 of Form 2-C)		OUTFALL NO. 001
--	--	--------------------

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

1. POLLUTANT	2. EFFLUENT						3. UNITS (specify if blank)		4. INTAKE (optional)			
	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCEN- TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
a. Biochemical Oxygen Demand (BOD)	8.2	-	-	-	-	-	1	mg/L	-	-	-	-
b. Chemical Oxygen Demand (COD)	187	-	-	-	-	-	1	mg/L	-	-	-	-
c. Total Organic Carbon (TOC)	9	-	-	-	-	-	1	mg/L	-	-	-	-
d. Total Suspended Solids (TSS)	105	-	-	-	-	-	1	mg/L	-	-	-	-
e. Ammonia (as N)	0.1	-	-	-	-	-	1	mg/L	-	-	-	-
f. Flow	VALUE -		VALUE -		VALUE -		-	-	-	VALUE -		-
g. Temperature (winter)	VALUE ambient		VALUE -		VALUE -		-	°C		VALUE -		-
h. Temperature (summer)	VALUE ambient		VALUE -		VALUE -		-	°C		VALUE -		-
i. pH	MINIMUM 6.56	MAXIMUM 6.56	MINIMUM -	MAXIMUM -			1	STANDARD UNITS				

PART B – Mark "X" in column 2-a for each pollutant you know or have reason to believe is present. Mark "X" in column 2-b for each pollutant you believe to be absent. If you mark column 2a for any pollutant which is limited either directly, or indirectly but expressly, in an effluent limitations guideline, you must provide the results of at least one analysis for that pollutant. For other pollutants for which you mark column 2a, you must provide quantitative data or an explanation of their presence in your discharge. Complete one table for each outfall. See the instructions for additional details and requirements.

1. POLLUTANT AND CAS NO. (if available)	2. MARK "X"		3. EFFLUENT							4. UNITS		5. INTAKE (optional)		
	a. BELIEVED PRESENT	b. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCEN- TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
			(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
a. Bromide (24959-67-9)		X		-	-	-	-	-	1	mg/L	-	-	-	-
b. Chlorine, Total Residual		X		-	-	-	-	-	1	mg/L	-	-	-	-
c. Color		X		-	-	-	-	-	1	PCU	-	-	-	-
d. Fecal Coliform		X		-	-	-	-	-	1	co/100mL	-	-	-	-
e. Fluoride (16984-48-8)		X		-	-	-	-	-	1	mg/L	-	-	-	-
f. Nitrate-Nitrite (as N)		X		-	-	-	-	-	1	mg/L	-	-	-	-

ITEM V-B CONTINUED FROM FRONT

1. POLLUTANT AND CAS NO. (if available)	2. MARK "X"		3. EFFLUENT							4. UNITS		5. INTAKE (optional)		
	a. BELIEVED PRESENT	b. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCEN- TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
			(1)	(2)	(1)	(2)	(1)	(2)				(1)	(2)	
			CONCENTRATION	MASS	CONCENTRATION	MASS	CONCENTRATION	MASS				CONCENTRATION	MASS	
g. Nitrogen, Total Organic (as N)		X		-	-	-	-	-	1	mg/L	-	-	-	-
h. Oil and Grease	X		9	-	-	-	-	-	1	mg/L	-	-	-	-
i. Phosphorus (as P), Total (7723-14-0)		X		-	-	-	-	-	1	mg/L	-	-	-	-
j. Radioactivity														
(1) Alpha, Total		X												
(2) Beta, Total		X												
(3) Radium, Total		X												
(4) Radium 226, Total		X												
k. Sulfate (as SO ₄) (14808-79-8)		X												
l. Sulfide (as S)		X												
m. Sulfite (as SO ₃) (14265-45-3)		X												
n. Surfactants		X												
o. Aluminum, Total (7429-90-5)		X												
p. Barium, Total (7440-39-3)		X												
q. Boron, Total (7440-42-8)		X												
r. Cobalt, Total (7440-48-4)		X												
s. Iron, Total (7439-89-6)		X												
t. Magnesium, Total (7439-95-4)		X												
u. Molybdenum, Total (7439-98-7)		X												
v. Manganese, Total (7439-96-5)		X												
w. Tin, Total (7440-31-5)		X												
x. Titanium, Total (7440-32-6)		X												

EPA I.D. NUMBER (copy from Item 1 of Form 1)

OUTFALL NUMBER

001

CONTINUED FROM PAGE 3 OF FORM 2-C

PART C - If you are a primary industry and this outfall contains process wastewater, refer to Table 2c-2 in the instructions to determine which of the GC/MS fractions you must test for. Mark "X" in column 2-a for all such GC/MS fractions that apply to your industry and for ALL toxic metals, cyanides, and total phenols. If you are not required to mark column 2-a (*secondary industries, nonprocess wastewater outfalls, and nonrequired GC/MS fractions*), mark "X" in column 2-b for each pollutant you know or have reason to believe is present. Mark "X" in column 2-c for each pollutant you believe is absent. If you mark column 2a for any pollutant, you must provide the results of at least one analysis for that pollutant. If you mark column 2b for any pollutant, you must provide the results of at least one analysis for that pollutant if you know or have reason to believe it will be discharged in concentrations of 10 ppb or greater. If you mark column 2b for acrolein, acrylonitrile, 2,4 dinitrophenol, or 2-methyl-4, 6 dinitrophenol, you must provide the results of at least one analysis for each of these pollutants which you know or have reason to believe that you discharge in concentrations of 100 ppb or greater. Otherwise, for pollutants for which you mark column 2b, you must either submit at least one analysis or briefly describe the reasons the pollutant is expected to be discharged. Note that there are 7 pages to this part; please review each carefully. Complete one table (*all 7 pages*) for each outfall. See instructions for additional details and requirements.

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK "X"			3. EFFLUENT								4. UNITS		5. INTAKE (optional)		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCEN- TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES	
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS		
																(1) CONCENTRATION
METALS, CYANIDE, AND TOTAL PHENOLS																
1M. Antimony, Total (7440-36-0)			X													
2M. Arsenic, Total (7440-36-2)			X													
3M. Beryllium, Total (7440-41-7)			X													
4M. Cadmium, Total (7440-43-9)			X													
5M. Chromium, Total (7440-47-3)			X													
6M. Copper, Total (7440-50-8)			X													
7M. Lead, Total (7439-92-1)			X													
8M. Mercury, Total (7439-97-6)			X													
9M. Nickel, Total (7440-02-0)			X													
10M. Selenium, Total (7782-49-2)			X													
11M. Silver, Total (7440-22-4)			X													
12M. Thallium, Total (7440-28-0)			X													
13M. Zinc, Total (7440-66-6)			X													
14M. Cyanide, Total (57-12-5)			X													
15M. Phenols, Total			X													
DIOXIN																
2,3,7,8-Tetra-chlorodibenzo-P-Dioxin (1764-01-6)			X	DESCRIBE RESULTS												

CONTINUED FROM THE FRONT

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK "X"			3. EFFLUENT						4. UNITS		5. INTAKE (optional)			
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCEN- TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
GC/MS FRACTION – VOLATILE COMPOUNDS															
1V. Acrolein (107-02-8)			X												
2V. Acrylonitrile (107-13-1)			X												
3V. Benzene (71-43-2)			X												
4V. Bis (Chloro- methyl) Ether (542-88-1)			X												
5V. Bromoform (75-25-2)			X												
6V. Carbon Tetrachloride (56-23-5)			X												
7V. Chlorobenzene (108-90-7)			X												
8V. Chlorodi- bromomethane (124-48-1)			X												
9V. Chloroethane (75-00-3)			X												
10V. 2-Chloro- ethylvinyl Ether (110-75-8)			X												
11V. Chloroform (67-66-3)			X												
12V. Dichloro- bromomethane (75-27-4)			X												
13V. Dichloro- difluoromethane (75-71-8)			X												
14V. 1,1-Dichloro- ethane (75-34-3)			X												
15V. 1,2-Dichloro- ethane (107-06-2)			X												
16V. 1,1-Dichloro- ethylene (75-35-4)			X												
17V. 1,2-Dichloro- propane (78-87-5)			X												
18V. 1,3-Dichloro- propylene (542-75-6)			X												
19V. Ethylbenzene (100-41-4)			X												
20V. Methyl Bromide (74-83-9)			X												
21V. Methyl Chloride (74-87-3)			X												

CONTINUED FROM PAGE V-4

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK "X"			3. EFFLUENT							4. UNITS		5. INTAKE (optional)		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
GC/MS FRACTION – VOLATILE COMPOUNDS (continued)															
22V. Methylene Chloride (75-09-2)			X												
23V. 1,1,2,2-Tetrachloroethane (79-34-5)			X												
24V. Tetrachloroethylene (127-18-4)			X												
25V. Toluene (108-88-3)			X												
26V. 1,2-Trans-Dichloroethylene (156-60-5)			X												
27V. 1,1,1-Trichloroethane (71-55-6)			X												
28V. 1,1,2-Trichloroethane (79-00-5)			X												
29V Trichloroethylene (79-01-6)			X												
30V. Trichlorofluoromethane (75-69-4)			X												
31V. Vinyl Chloride (75-01-4)			X												
GC/MS FRACTION – ACID COMPOUNDS															
1A. 2-Chlorophenol (95-57-8)			X												
2A. 2,4-Dichlorophenol (120-83-2)			X												
3A. 2,4-Dimethylphenol (105-67-9)			X												
4A. 4,6-Dinitro-O-Cresol (534-52-1)			X												
5A. 2,4-Dinitrophenol (51-28-5)			X												
6A. 2-Nitrophenol (88-75-5)			X												
7A. 4-Nitrophenol (100-02-7)			X												
8A. P-Chloro-M-Cresol (59-50-7)			X												
9A. Pentachlorophenol (87-86-5)			X												
10A. Phenol (108-95-2)			X												
11A. 2,4,6-Trichlorophenol (88-05-2)			X												

CONTINUED FROM THE FRONT

1. POLLUTANT AND CAS NUMBER <i>(if available)</i>	2. MARK "X"			3. EFFLUENT							4. UNITS		5. INTAKE <i>(optional)</i>		
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE <i>(if available)</i>		c. LONG TERM AVRG. VALUE <i>(if available)</i>		d. NO. OF ANALYSES	a. CONCEN- TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
GC/MS FRACTION – BASE/NEUTRAL COMPOUNDS															
1B. Acenaphthene (83-32-9)			X												
2B. Acenaphthylene (208-96-8)			X												
3B. Anthracene (120-12-7)			X												
4B. Benzidine (92-87-5)			X												
5B. Benzo (a) Anthracene (56-55-3)			X												
6B. Benzo (a) Pyrene (50-32-8)			X												
7B. 3,4-Benzo- fluoranthene (205-99-2)			X												
8B. Benzo (ghi) Perylene (191-24-2)			X												
9B. Benzo (k) Fluoranthene (207-08-9)			X												
10B. Bis (2-Chloro- ethoxy) Methane (111-91-1)			X												
11B. Bis (2-Chloro- ethyl) Ether (111-44-4)			X												
12B. Bis (2- Chloroisopropyl) Ether (102-80-1)			X												
13B. Bis (2-Ethyl- hexyl) Phthalate (117-81-7)			X												
14B. 4-Bromophenyl Phenyl Ether (101-55-3)			X												
15B. Butyl Benzyl Phthalate (85-68-7)			X												
16B. 2-Chloro- naphthalene (91-58-7)			X												
17B. 4-Chloro- phenyl Phenyl Ether (7005-72-3)			X												
18B. Chrysene (218-01-9)			X												
19B. Dibenzo (a,h) Anthracene (53-70-3)			X												
20B. 1,2-Dichloro- benzene (95-50-1)			X												
21B. 1,3-Di-chloro- benzene (541-73-1)			X												

CONTINUED FROM PAGE V-6

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK "X"			3. EFFLUENT						4. UNITS		5. INTAKE (optional)			
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
GC/MS FRACTION – BASE/NEUTRAL COMPOUNDS (continued)															
22B. 1,4-Dichloro- benzene (106-46-7)			X												
23B. 3,3-Dichloro- benzidine (91-94-1)			X												
24B. Diethyl Phthalate (84-66-2)			X												
25B. Dimethyl Phthalate (131-11-3)			X												
26B. Di-N-Butyl Phthalate (84-74-2)			X												
27B. 2,4-Dinitro- toluene (121-14-2)			X												
28B. 2,6-Dinitro- toluene (606-20-2)			X												
29B. Di-N-Octyl Phthalate (117-84-0)			X												
30B. 1,2-Diphenyl- hydrazine (as Azo- benzene) (122-66-7)			X												
31B. Fluoranthene (206-44-0)			X												
32B. Fluorene (86-73-7)			X												
33B. Hexachloro- benzene (118-74-1)			X												
34B. Hexachloro- butadiene (87-68-3)			X												
35B. Hexachloro- cyclopentadiene (77-47-4)			X												
36B Hexachloro- ethane (67-72-1)			X												
37B. Indeno (1,2,3-cd) Pyrene (193-39-5)			X												
38B. Isophorone (78-59-1)			X												
39B. Naphthalene (91-20-3)			X												
40B. Nitrobenzene (98-95-3)			X												
41B. N-Nitro- sodimethylamine (62-75-9)			X												
42B. N-Nitrosodi- N-Propylamine (621-64-7)			X												

CONTINUED FROM THE FRONT

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK "X"			3. EFFLUENT						4. UNITS		5. INTAKE (optional)			
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCENTRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS	
GC/MS FRACTION – BASE/NEUTRAL COMPOUNDS (continued)															
43B. N-Nitro-sodiphenylamine (86-30-6)			X												
44B. Phenanthrene (85-01-8)			X												
45B. Pyrene (129-00-0)			X												
46B. 1,2,4-Tri-chlorobenzene (120-82-1)			X												
GC/MS FRACTION – PESTICIDES															
1P. Aldrin (309-00-2)			X												
2P. α-BHC (319-84-6)			X												
3P. β-BHC (319-85-7)			X												
4P. γ-BHC (58-89-9)			X												
5P. δ-BHC (319-86-8)			X												
6P. Chlordane (57-74-9)			X												
7P. 4,4'-DDT (50-29-3)			X												
8P. 4,4'-DDE (72-55-9)			X												
9P. 4,4'-DDD (72-54-8)			X												
10P. Dieldrin (60-57-1)			X												
11P. α-Endosulfan (115-29-7)			X												
12P. β-Endosulfan (115-29-7)			X												
13P. Endosulfan Sulfate (1031-07-8)			X												
14P. Endrin (72-20-8)			X												
15P. Endrin Aldehyde (7421-93-4)			X												
16P. Heptachlor (76-44-8)			X												

EPA I.D. NUMBER (copy from Item 1 of Form 1)

OUTFALL NUMBER

001

CONTINUED FROM PAGE V-8

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK "X"			3. EFFLUENT								4. UNITS		5. INTAKE (optional)			
	a. TESTING REQUIRED	b. BELIEVED PRESENT	c. BELIEVED ABSENT	a. MAXIMUM DAILY VALUE		b. MAXIMUM 30 DAY VALUE (if available)		c. LONG TERM AVRG. VALUE (if available)		d. NO. OF ANALYSES	a. CONCEN- TRATION	b. MASS	a. LONG TERM AVERAGE VALUE		b. NO. OF ANALYSES		
				(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS				(1) CONCENTRATION	(2) MASS			
GC/MS FRACTION - PESTICIDES (continued)																	
17P. Heptachlor Epoxide (1024-57-3)			X														
18P. PCB-1242 (53469-21-9)			X														
19P. PCB-1254 (11097-69-1)			X														
20P. PCB-1221 (11104-28-2)			X														
21P. PCB-1232 (11141-18-5)			X														
22P. PCB-1248 (12672-29-6)			X														
23P. PCB-1260 (11096-82-5)			X														
24P. PCB-1016 (12674-11-2)			X														
25P. Toxaphene (8001-35-2)			X														

EPA Form 3510-2C (8-90)

PAGE V-9

**FORM
2F
NPDES**



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

I. Outfall Location

[illegible][illegible]

III. Site Drainage Map

Continue on Page 2

Continued from the Front

IV. Narrative Description of Pollutant Sources

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

Outfall Number	Area of Impervious Surface (provide units)	Total Area Drained (provide units)	Outfall Number	Area of Impervious Surface (provide units)	Total Area Drained (provide units)
001	1 acre	5.6 acres	002	1 acre	6.85 acres

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

NA

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

Outfall Number	Treatment	List Codes from Table 2F-1
001	Discharge to Surface Water	4-A
002	Discharge to Surface Water	4-A

V. Nonstormwater Discharges

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

Name and Official Title (type or print)	Signature	Date Signed
Steve Adams -Sr.VP of EAE Operations		

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

A grab sample was taken from outfall 001 on 8/20/2021 and 11/22/2021.

VI. Significant Leaks or Spills

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

NA

VII. Discharge Information

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

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

☐ Yes (list all such pollutants below)

☒ No (go to Section IX)

VIII. Biological Toxicity Testing Data

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

☐ Yes (list all such pollutants below)

☒ No (go to Section IX)

IX. Contract Analysis Information

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

☒ Yes (list the name, address, and telephone number of, and pollutants analyzed by, each such laboratory or firm below)

☐ No (go to Section X)

A. Name	B. Address	C. Area Code & Phone No.	D. Pollutants Analyzed
Guardian Systems, Inc.	1108 Ashville Road P.O. Box 190 Leeds, AL 35094	205-699-6647	pH TSS BOD COD TOC Oil & Grease Total Nitrogen total Phosphorus

X. Certification

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

A. Name & Official Title (Type Or Print)

Steve Adams -Sr.VP of EAE Operations

B. Area Code and Phone No.

(601) 933-3000

C. Signature

D. Date Signed

	Maximum Values (include units)	Average Values (include units)	Number
--	-----------------------------------	-----------------------------------	--------

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

	Maximum Values (include units)	Average Values (include units)	Number
--	-----------------------------------	-----------------------------------	--------

EPA Form 3510-2E (1-82) Page VII-1 Continue on Reverse

Continued from the Front

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

[illegible]

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

1. Date of Storm Event	2. Duration of Storm Event (in minutes)	3. Total rainfall during storm event (in inches)	4. Number of hours between beginning of storm measured and end of previous measurable rain event	5. Maximum flow rate during rain event (gallons/minute or specify units)	6. Total flow from rain event (gallons or specify units)

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

--

Holt, Wayne A

From: Rebekah Phyfer <Rebekah.Phyfer@ergon.com>
Sent: Friday, June 10, 2022 9:30 AM
To: Holt, Wayne A
Cc: Mike White
Subject: RE: Ergon Asphalt Birminghamport, AL0082996
Attachments: DMR 002 May 2022.pdf

Good morning Wayne –

Attached is the analytical with the missing parameters that the lab forgot to pull the first time around. Please let us know if there is anything else we need to send to you!

I appreciate your help with all of this.

Have a GREAT weekend!

REBEKAH PHYFER, CSP
ENVIRONMENTAL ENGINEER – EHS
ERGON, INC.

Q 601-933-3043
M 601-832-8460
F 601-933-3369
TF 1-800-933-3000
P 1-601-933-3000

From: Holt, Wayne A <WHolt@adem.alabama.gov>
Sent: Monday, May 23, 2022 3:03 PM
To: Rebekah Phyfer <Rebekah.Phyfer@ergon.com>
Cc: Mike White <Mike.White@ergon.com>
Subject: [EXTERNAL]Re: Ergon Asphalt Birminghamport, AL0082996

Thank you for the update.

Get [Outlook for Android](#)

From: Rebekah Phyfer <Rebekah.Phyfer@ergon.com>
Sent: Monday, May 23, 2022 1:47:23 PM
To: Holt, Wayne A <WHolt@adem.alabama.gov>
Cc: Mike White <Mike.White@ergon.com>
Subject: RE: Ergon Asphalt Birminghamport, AL0082996

Hi Wayne –

Just a quick update from our conversation the other day- we have pulled another sample and have it expedited for results to get to you ASAP.

Thank you for your patience with all of this!

REBEKAH PHYFER, CSP
ENVIRONMENTAL ENGINEER – EHS
ERGON, INC.

O 601-933-3043
M 601-832-8460
F 601-933-3369
TF 1-800-933-3000
P 1-601-933-3000

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**1108 Ashville Road, P.O. Box 190
Leeds, Alabama 35094
(205) 699-6647
email: lbrymer@gsilab.com**

(205) 699-3882 Fax
www.qsilab.com



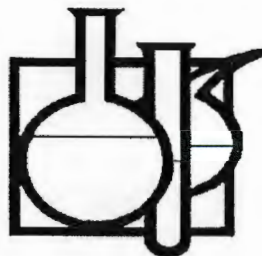
Client: <u>ELDON ATE - MIKE WHITE</u>	Phone: <u>205-436-3415</u>
Company: <u>ELDON ATE</u>	Fax: <u>205-436-3404</u>
Address: <u>7840 BIRMINGHAM PORT ROAD MULLA AL 3718</u>	P.O.#:
Address:	Email Address: <u>Mike.white@ergon.com</u>
	Project: <u>2</u>

[illegible]

Sampled by: Kevin Colburn		Relinquished by: Kevin Colburn		Date: 5-23-22	Time: 905
Received by:	Date:	Time:	Relinquished by:	Date:	Time:
Received by:	Date:	Time:	Relinquished by:	Date:	Time:
Received for Laboratory by: Eric Hammer		Date: 23 May 22	Time: 905		
Was Shipped Container intact when received?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Initials: EB	Seals intact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Were all samples properly preserved?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Initials: EB	Sample temp. 6 °C	
Comments:					
Time On Site -					
Time Off Site -					

Put an "X" in the appropriate column for sample type and sample preservative. Write in analysis requested.

* For composite samples include start and stop date and time in comments section **Write in preservative used in comments



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Page 1 of 1

Ergon A & E
7890 Birmingham Road
Mulga, AL 35118

Report Date: 06/06/2022
Receive Date: 05/23/2022
Receive Time: 9:25

Attention: Mr. Mike White

Control No : 2205-00386 Sample # 001
Sampler : KC
Sample ID: DSN002Q

Sample Date: 05/23/2022
Sample Time: 8:00

Laboratory Certificate

PARAMETER	RESULTS	UNITS	ANALYST	DATE	TIME	METHOD	REF
pH	7.62	SU	BG	05/23/2022	10:20	4500-H	
Oil and Grease, Total	<5.0	mg/L	SS	05/27/2022	11:00	1664	
Solids, Total Suspended	56.	mg/L	MJN	05/24/2022	15:00	SM-2540D	(2)
Phosphorus, Total	0.15	mg/L	CAC	06/02/2022	15:48	365.4	(1)
Chemical Oxygen Demand	27.	mg/L	BG	05/27/2022	14:00	410.4	(1)

Approved By:





METHOD REFERENCES

1. Methods for Chemical Analysis of Water and Wastes. EPA-600/4-79-20, revised March 1983, August 1993 May 1994
2. Standard Methods for the Examination of Water and Waste Water, 18th, 19th, 20th, and 22nd Edition, 2012
3. Test Methods for Evaluating Solid Wastes Physical Chemical Method SW-846, 3rd Edition, Updated IV December 1996
4. 1987 ASTM Annual Standards
5. Code of Federal Regulations, Title 40, Part 136, Appendix A, Revised July 1995
6. Methods for the Determination of Organic Compounds in Drinking Water, EPA-600/4-88/039, Revised July 1991, August 1995
7. NIOSH Manual of Analytical Methods, 4th Edition, May 1996