LANCE R. LEFLEUR
DIRECTOR

KAY IVEY
GOVERNOR

Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ▪ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ▪ FAX (334) 271-7950

August 1, 2022

Troy Templeman
President
Gulf States Enterprises, Inc.
8905 Utreiner Avenue
Pensacole, FL 32534

RE: Draft Permit
Gulf States Enterprises Pit
NPDES Permit No. AL0084310
Mobile County (097)

Dear Mr. Templeman:

Transmitted herein is a draft of the above referenced permit. Please review the enclosed draft permit carefully. Please submit any comments on the draft permit to the Department within 30 days from the date of receipt of this letter.

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

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

The 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.

Should you have any questions concerning this matter, please contact Amber Hicks by email at amber.hicks@adem.alabama.gov or by phone at (334) 271-7975.

Sincerely,

Eric Reidy, Chief
Mining and Natural Resource Section
Stormwater Management Branch
Water Division

EJR/anh File: DPER/33227

Enclosure

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

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

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

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

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

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM INDIVIDUAL PERMIT

PERMITTEE:	Gulf States Enterprises, Inc. 8905 Untreiner Avenue Pensacola, FL 32534
FACILITY LOCATION:	Gulf States Enterprises Pit 18786 Greek Cemetery Road Robertsdale, AL 36567 Baldwin County T6S, R5E, S26
PERMIT NUMBER:	AL0084310
DSN & RECEIVING STREAM:	001-1 Unnamed Tributary to Blackwater River

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

ISSUANCE DATE:

EFFECTIVE DATE:

EXPIRATION DATE:

DRAFT

Alabama Department of Environmental Management

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

TABLE OF CONTENTS

PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

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

B. REQUIREMENTS TO ACTIVATE A PROPOSED MINING OUTFALL

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

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

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

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

C. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS

1. Sampling Schedule and Frequency

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

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

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

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

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

2. Measurement Frequency

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

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

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

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

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

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

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

3. Monitoring Schedule

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

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

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

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

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

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

4. Sampling Location

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

5. Representative Sampling

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

6. Test Procedures

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

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

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

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

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

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

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

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

7. Recording of Results

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

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

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

c. The dates and times the analyses were performed;

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

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

f. The results of all required analyses.

8. Routine Inspection by Permittee

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

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

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

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

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

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

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

9. Records Retention and Production

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

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

10. Monitoring Equipment and Instrumentation

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

D. DISCHARGE REPORTING REQUIREMENTS

1. Requirements for Reporting of Monitoring

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

b. The Department utilizes a web-based electronic reporting system for submittal of DMRs. Except as allowed by Part I.D.1.c. or d., the Permittee shall submit all DMRs required by Part I.D.1.a. by utilizing the Department's current electronic reporting system. The Department's current reporting system, Alabama Environmental Permitting and Compliance System (AEPACS) can be found online at https://aepacs.adem.alabama.gov/nviro/ncore/external/home.

c. If the electronic reporting system is down (i.e. electronic submittal of DMR data is unable to be completed due to technical problems originating with the Department's system; this

could include entry/submittal issues with an entire set of DMRs or individual parameters), permittees are not relieved of their obligation to submit DMR data to the Department by the required submittal date. However, if the electronic reporting system is down on the 28th day of the month or is down for an extended period of time as determined by the Department when a DMR is required to be submitted, the facility may submit the data in an alternate manner and format acceptable to the Department. Preapproved alternate acceptable methods include faxing, e-mailing, mailing, or hand-delivery of data such that they are received by the required reporting date. Within five calendar days of the electronic reporting system resuming operation, the Permittee shall enter the data into the reporting system unless an alternate timeframe is approved by the Department. An attachment should be included with the electronic DMR submittal verifying the original submittal date (date of the fax, copy of dated e-mail, or hand-delivery stamped date).

d. The permittee may submit a request to the Department for a temporary electronic reporting waiver for DMR submittals. The waiver request should include the permit number; permittee name; facility/site name; facility address; name, address, and contact information for the responsible official or duly authorized representative; a detailed statement regarding the basis for requesting such a waiver; and the duration for which the waiver is requested. Approved electronic reporting waivers are not transferrable. Permittees with an approved electronic reporting waiver for DMRs may submit hard copy DMRs for the period that the approved electronic reporting waiver request is effective. The Permittee shall submit the Department-approved DMR forms to the address listed in Part I.D.1.j.

e. If the Permittee, using approved analytical methods as specified in Part I.C.6., monitors any discharge from a point source identified on Page 1 of this Permit and describe more fully in the Permittee's application more frequently than required by this Permit; the results of such monitoring shall be included in the calculation and reporting of values on the DMR Form, and the increased frequency shall be indicated on the DMR Form.

f. In the event no discharge from a point source identified on Page 1 of this Permit and described more fully in the Permittee's application occurs during a monitoring period, the Permittee shall report "No Discharge" for such period on the appropriate DMR Form

g. The Permittee shall report "No Discharge During Quarterly Monitoring Period" on the appropriate DMR Form for each point source receiving pumped discharges pursuant to Part I.C.1.b. provided that no discharge has occurred at any time during the entire quarterly (three month) monitoring period.

h. Each DMR Form submitted by the Permittee to the Department in accordance with Part I.D.1.a and b. must be legible and bear an original signature or electronic signature. Photo and electronic copies of the signature are not acceptable and shall not satisfy the reporting requirements of this Permit.

i. All reports and forms required to be submitted by this Permit, the AWPCA, and the Department's rules and regulations, shall be signed by a "responsible official" of the Permittee as defined in ADEM Admin. Code r. 335-6-6-.09 or a "duly authorized representative" of such official as defined in ADEM Admin. Code r. 335-6-6-.09 and shall bear the following certification:

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

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

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

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

Certified and Registered Mail shall be addressed to:

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

k. Unless authorized in writing by the Department, approved reporting forms required by this Permit or the Department are not to be altered, and if copied or reproduced, must be consistent in format and identical in content to the ADEM approved form. Unauthorized alteration, falsification, or use of incorrectly reproduced forms constitutes noncompliance with the requirements of this Permit and may significantly delay processing of any request, result in denial of the request, result in permit termination, revocation, suspension, modification, or denial of a permit renewal application, or result in other enforcement action.

l. If this Permit is a reissuance, then the Permittee shall continue to submit DMRs in accordance with the requirements of their previous permit until such time as DMRs are due as discussed in Part I.D.1.

2. Noncompliance Notification

a. The Permittee must notify the Department if, for any reason, the Permittee's discharge:

(1) Potentially threatens human health or welfare;

(2) Potentially threatens fish or aquatic life;

(3) Causes an in-stream water quality criterion to be exceeded;

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

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

(6) Exceeds any discharge limitation for an effluent parameter as a result of an unanticipated bypass or upset.

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

b. If for any reason, the Permittee's discharge does not comply with any limitation of this Permit, the Permittee shall submit a written report to the Director as provided in Part I.D.2.c. This report must be submitted with the next Discharge Monitoring Report required to be submitted by Part I.D.1. of this Permit after becoming aware of the occurrence of such noncompliance.

c. Any written report required to be submitted to the Director in accordance with Parts I.D.2.a. and b . shall be submitted using a Noncompliance Notification Form (ADEM Form 421) available on the Department's website (http://adem.alabama.gov/DeptForms/Form421.pdf) and include the following information:

(1) A description of the discharge and cause of noncompliance;

(2) The period of noncompliance, including exact dates, times, and duration of the noncompliance. If not corrected by the due date of the written report, then the Permittee is to state the anticipated timeframe that is expected to transpire before the noncompliance is resolved; and

(3) A description of the steps taken and/or being taken to reduce or eliminate the noncomplying discharge and to prevent its recurrence.

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

a. The Director may, with respect to any point source identified on Page 1 of this Permit and described more fully in the Permittee's application, authorize the Permittee to reduce, suspend, or terminate the monitoring and/or reporting required by this Permit upon the submission of a written request for such reduction, suspension, or termination by the Permittee provided:

(1) All mining, processing, or disturbance in the drainage basin(s) associated with the discharge has ceased and site access is adequately restricted or controlled to preclude unpermitted and unauthorized mining, processing, transportation, or associated operations/activity;

(2) Permanent, perennial vegetation has been re-established on all areas mined or disturbed for at least one year since mining has ceased in the drainage basin(s) associated with the surface discharge, or all areas have been permanently graded such that all drainage is directed back into the mined pit to preclude all surface discharges;

(3) Unless waived in writing by the Department, the Permittee has been granted, in writing, a 100% Bond Release, if applicable, by the Alabama Department of Industrial Relations and, if applicable, by the Surface Mining Commission for all areas mined or disturbed in the drainage basin(s) associated with the discharge;

(4) Unless waived in writing by the Department, the Permittee has submitted inspection reports prepared and certified by a Professional Engineer (PE)

registered in the State of Alabama or a qualified professional under the PE's direction which certify that the facility has been fully reclaimed or that water quality remediation has been achieved. The first inspection must be conducted approximately one year prior to and the second inspection must be conducted within thirty days of the Permittee's request for termination of monitoring and reporting requirements;

(5) All surface effects of the mining activity such as fuel or chemical tanks, preparation plants or equipment, old tools or equipment, junk or debris, etc., must be removed and disposed of according to applicable state and federal regulations;

(6) The Permittee's request for termination of monitoring and reporting requirements contained in this Permit has been supported by monitoring data covering a period of at least six consecutive months or such longer period as is necessary to assure that the data reflect discharges occurring during varying seasonal climatological conditions;

(7) The Permittee has stated in its request that the samples collected and reported in the monitoring data submitted in support of the Permittee's request for monitoring termination or suspension are representative of the discharge and were collected in accordance with all Permit terms and conditions respecting sampling times (e.g., rainfall events) and methods and were analyzed in accordance with all Permit terms and conditions respecting analytical methods and procedures;

(8) The Permittee has certified that during the entire period covered by the monitoring data submitted, no chemical treatment of the discharge was provided;

(9) The Permittee's request has included the certification required by Part I.D.1.d. of this Permit; and

(10) The Permittee has certified to the Director in writing as part of the request, its compliance with (1) through (9) above.

b. It remains the responsibility of the Permittee to comply with the monitoring and reporting requirements of this Permit until written authorization to reduce, suspend, or terminate such monitoring and/or reporting is received by the Permittee from the Director.

E. OTHER REPORTING AND NOTIFICATION REQUIREMENTS

1. Anticipated Noncompliance

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

2. Termination of Discharge

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

3. **Updating Information**

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

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

4. **Duty to Provide Information**

a. The Permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, suspending, terminating, or revoking and reissuing this Permit, in whole or in part, or to determine compliance with this Permit. The Permittee shall also furnish to the Director upon request, copies of records required to be maintained by this Permit.

b. The Permittee shall furnish to the Director upon request, within a reasonable time, available information (name, phone number, address, and site location) which identifies offsite sources of material or natural resources (mineral, ore, or other material such as iron, coal, coke, dirt, chert, shale, clay, sand, gravel, bauxite, rock, stone, etc.) used in its operation or stored at the facility.

F. SCHEDULE OF COMPLIANCE

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

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

PART II OTHER REQUIREMENTS, RESPONSIBILITIES, AND DUTIES

A. OPERATIONAL AND MANAGEMENT REQUIREMENTS

1. Facilities Operation and Management

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

2. Pollution Abatement and/or Prevention Plan

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

3. Best Management Practices (BMPs)

a. Unless otherwise authorized in writing by the Director, the Permittee shall provide a means of subsurface withdrawal for any discharge from each point source identified on Page 1 of this Permit and described more fully in the Permittee's application. Notwithstanding the above provision, a means of subsurface withdrawal need not be provided for any discharge caused by a 24-hour precipitation event greater than a 10-year, 24-hour precipitation event.

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

c. The Permittee shall minimize the contact of water with overburden, including but not limited to stabilizing disturbed areas through grading, diverting runoff, achieving quick growing stands of temporary vegetation, sealing acid-forming and toxic-forming materials, and maximizing placement of waste materials in back-fill areas.

d. The Permittee shall prepare, submit to the Department for approval, and implement a Best Management Practices (BMPs) Plan for containment of any or all process liquids or solids, in a manner such that these materials do not present a potential for discharge, if so required by the Director. When submitted and approved, the BMP Plan shall become a part of this Permit and all requirements of the BMP Plan shall become requirements of this Permit.

e. Spill Prevention, Control, and Management

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

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

f. All surface drainage and storm water runoff which originate within or enters the Permittee's premises and which contains any pollutants or other wastes shall be discharged, if at all, from a point source identified on Page 1 of this Permit and described more fully in the Permittee's application.

g. The Permittee shall take all reasonable precautions to prevent any surface drainage or storm water runoff which originates outside the Permittee's premises and which contains any pollutants or other wastes from entering the Permittee's premises. At no time shall the Permittee discharge any such surface drainage or storm water runoff which enters the Permittee's premises if, either alone or in combination with the Permittee's effluent, the discharge would exceed any applicable discharge limitation specified in Part I.A. of this Permit.

4. Biocide Additives

a. The Permittee shall notify the Director in writing not later than sixty (60) days prior to instituting the use of any biocide corrosion inhibitor or chemical additive in any cooling or boiler system(s) regulated by this Permit. Notification is not required for additives that should not reasonably be expected to cause the cooling water or boiler water to exhibit toxicity as determined by analysis of manufacturer's data or testing by the Permittee. Such notification shall include:

(a) Name and general composition of biocide or chemical;

(b) 96-hour median tolerance limit data for organisms representative of the biota of the water(s) which the discharge(s) enter(s);

(c) Quantities to be used;

(d) Frequencies of use;

(e) Proposed discharge concentrations; and

(f) EPA registration number, if applicable.

b. The use of any biocide or chemical additive containing tributyl tin, tributyl tin oxide, zinc, chromium, or related compounds in any cooling or boiler system(s) regulated by the Permit is prohibited except as exempted below. The use of a biocide or additive containing zinc, chromium or related compounds may be used in special circumstances if (1) the permit contains limits for these substances, or (2) the applicant demonstrates

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

5. Facility Identification

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

6. Removed Substances

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

7. Loss or Failure of Treatment Facilities

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

8. Duty to Mitigate

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

B. BYPASS AND UPSET

1. Bypass

a. Any bypass is prohibited except as provided in Parts II.B.1.b. and c..

b. A bypass is not prohibited if:

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

(2) The discharge resulting from such bypass enters the same receiving water as the discharge from the permitted outfall;

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

(4) The Permittee monitors the discharge resulting from such bypass at a frequency, at least daily, sufficient to prove compliance with the discharge limitations specified in Part I.A. of this Permit.

c. A bypass is not prohibited and need not meet the discharge limitations specified in Part I.A. of this Permit if:

(1) It is unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the Permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The Permittee submits a written request for authorization to bypass to the Director at least ten (10) days, if possible, prior to the anticipated bypass or within 24 hours of an unanticipated bypass, the Permittee is granted such authorization, and Permittee complies with any conditions imposed by the Director to minimize any adverse impact to waters resulting from the bypass.

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

2. Upset

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

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

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

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

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

(4) The Permittee complies with any remedial measures required under Part II.A.8 of this Permit.

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

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

(2) No later than five (5) days after becoming aware of the occurrence of the upset, the Permittee furnishes the Director with evidence, including properly signed, contemporaneous operating logs, design drawings, construction certification, maintenance records, weir flow measurements, dated photographs, rain gauge measurements, or other relevant evidence, demonstrating that:

(i) An upset occurred;

(ii) The Permittee can identify the specific cause(s) of the upset;

(iii) The Permittee's treatment facility was being properly operated at the time of the upset; and

(iv) The Permittee promptly took all reasonable steps to minimize any adverse impact to waters resulting from the upset.

d. Notwithstanding the provisions of Part II.B.2.a., a discharge which is an overflow from a treatment facility or system, or an excess discharge from a point source associated with a treatment facility or system and which results from a 24-hour precipitation event larger than a 10-year, 24-hour precipitation event is not exempted from the discharge limitations specified in Part I.A. of this Permit unless:

(1) The treatment facility or system is designed, constructed, and maintained to contain the maximum volume of wastewater which would be generated by the facility during a 24-hour period without an increase in volume from precipitation and the maximum volume of wastewater resulting from a 10-year, 24-hour precipitation event or to treat the maximum flow associated with these volumes.

In computing the maximum volume of wastewater which would result from a 10-year, 24-hour precipitation event, the volume which would result from all areas contributing runoff to the individual treatment facility must be included (i.e., all runoff that is not diverted from the mining area and runoff which is not diverted from the preparation plant area); and

(2) The Permittee takes all reasonable steps to maintain treatment of the wastewater and minimize the amount of overflow or excess discharge.

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

C. PERMIT CONDITIONS AND RESTRICTIONS

1. Prohibition against Discharge from Facilities Not Certified

a. Notwithstanding any other provisions of this Permit, if the permitted facility has not obtained or is not required to obtain a permit from the Alabama Surface Mining Commission, any discharge(s) from any point or nonpoint source(s) from the permitted facility which was not certified to the Department on a form approved by the Department by a professional engineer, registered in the State of Alabama, as being designed,

constructed, and in accordance with plans and specifications reviewed by the Department is prohibited; or

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

2. Permit Modification, Suspension, Termination, and Revocation

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

(1) The violation of any term or condition of this Permit;

(2) The obtaining of this Permit by misrepresentation or the failure to disclose fully all relevant facts;

(3) The submission of materially false or inaccurate statements or information in the permit application or reports required by the Permit;

(4) The need for a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;

(5) The existence of any typographical or clerical errors or of any errors in the calculation of discharge limitations;

(6) The existence of material and substantial alterations or additions to the facility or activity generating wastewater which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit;

(7) The threat of the Permittee's discharge on human health or welfare; or

(8) Any other cause allowed by ADEM Admin. Code ch. 335-6-6.

b. The filing of a request by the Permittee for modification, suspension, termination, or revocation and reissuance of this Permit, in whole or in part, does not stay any Permit term or condition of this Permit.

3. Automatic Expiration of Permits for New or Increased Discharges

a. Except as provided by ADEM Admin. Code r. 335-6-6-.02(g) and 335-6-6-.05, if this Permit was issued for a new discharger or new source, it shall expire eighteen months after the issuance date if construction has not begun during that eighteen month period.

b. Except as provided by ADEM Admin. Code r. 335-6-6-.02(g) and 335-6-6-.05, if any portion of this Permit was issued or modified to authorize the discharge of increased quantities of pollutants to accommodate the modification of an existing facility, that portion of this Permit shall expire eighteen months after this Permit's issuance if construction of the modification has not begun within eighteen month period.

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

(1) Begun, or caused to begin as part of a continuous on-site construction program:

(i) Any placement, assembly, or installation of facilities or equipment; or

(ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

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

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

4. Transfer of Permit

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

5. Groundwater

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

6. Property and Other Rights

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

it authorize or approve the construction of any physical structures or facilities or the undertaking of any work in any waters of the State or of the United States.

D. RESPONSIBILITIES

1. Duty to Comply

a. The Permittee must comply with all terms and conditions of this Permit. Any permit noncompliance constitutes a violation of the AWPCA, AEMA, and the FWPCA and is grounds for enforcement action, for permit termination, revocation and reissuance, suspension, modification, or denial of a permit renewal application.

b. The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the FWPCA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Permit has not yet been modified to incorporate the effluent standard, prohibition or requirement.

c. For any violation(s) of this Permit, the Permittee is subject to a civil penalty as authorized by the AWPCA, the AEMA, the FWPCA, and Code of Alabama 1975, §§22-22A-1 et. seq., as amended, and/or a criminal penalty as authorized by Code of Alabama 1975, §22-22-1 et. seq., as amended.

d. The necessity to halt or reduce production or other activities in order to maintain compliance with the conditions of this Permit shall not be a defense for a Permittee in an enforcement action.

e. Nothing in this Permit shall be construed to preclude or negate the Permittee's responsibility or liability to apply for, obtain, or comply with other ADEM, federal, state, or local government permits, certifications, licenses, or other approvals.

f. The discharge of a pollutant from a source not specifically identified in the permit application for this Permit and not specifically included in the description of an outfall in this Permit is not authorized and shall constitute noncompliance with this Permit.

g. The Permittee shall take all reasonable steps, including cessation of production or other activities, to minimize or prevent any violation of this Permit or to minimize or prevent any adverse impact of any permit violation.

2. Change in Discharge

a. The Permittee shall apply for a permit modification at least 180 days in advance of any facility expansion, production increase, process change, or other action that could result in the discharge of additional pollutants, increase the quantity of a discharged pollutant, or that could result in an additional discharge point. This requirement also applies to pollutants that are not subject to discharge limitations in this Permit. No new or increased discharge may begin until the Director has authorized it by issuance of a permit modification or a reissued permit.

b. The Permittee shall notify the Director as soon as it knows or has reason to believe that it has begun or expects to begin to discharge any pollutant listed as a toxic pollutant pursuant to Section 307(a) of the FWPCA, 33 U.S.C. §1317(a), any substance designated as a hazardous substance pursuant to Section 311(b)(2) of the FWPCA, 33 U.S.C. §1321(b)(2), any waste listed as a hazardous waste pursuant to Code of Alabama 1975, §22-30-10, or any other pollutants or other wastes which is not subject to any discharge limitations specified in Part I.A. of this Permit and was not reported in the Permittee's

application, was reported in the Permittee's application in concentrations or mass rates lower than that which the Permittee expects to begin to be discharged, or has reason to believe has begun to be discharged.

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

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

4. Compliance with Water Quality Standards and Other Provisions

a. On the basis of the Permittee's application, plans, or other available information, the Department has determined that compliance with the terms and conditions of this Permit will assure compliance with applicable water quality standards. However, this Permit does not relieve the Permittee from compliance with applicable State water quality standards established in ADEM Admin. Code ch. 335-6-10, and does not preclude the Department from taking action as appropriate to address the potential for contravention of applicable State water quality standards which could result from discharges of pollutants from the permitted facility.

b. Compliance with Permit terms and conditions notwithstanding, if the Permittee's discharge(s) from point source(s) identified on Page 1 of this Permit cause(s) or contribute(s) to a condition in contravention of State water quality standards, the Department may require abatement action to be taken by the Permittee, modify the Permit pursuant to the Department's rules and regulations, or both.

c. If the Department determines, on the basis of a notice provided pursuant to Part II.C.2. of this Permit or any investigation, inspection, or sampling, that a modification of this Permit is necessary to assure maintenance of water quality standards or compliance with other provisions of the AWPCA or FWPCA, the Department may require such modification and, in cases of emergency, the Director may prohibit the noticed act until the Permit has been modified.

5. Compliance with Statutes and Rules

a. This Permit has been issued under ADEM Admin. Code div. 335-6. All provisions of this division, that are applicable to this Permit, are hereby made a part of this Permit. A copy of this division may be obtained for a small charge from the Office of General Counsel, Alabama Department of Environmental Management, 1400 Coliseum Blvd., Montgomery, AL 36110-2059.

b. This Permit does not authorize the noncompliance with or violation of any Laws of the State of Alabama or the United States of America or any regulations or rules implementing such laws. FWPCA, 33 U.S.C. Section 1319, and Code of Alabama 1975, Section 22-22-14.

6. Right of Entry and Inspection

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

a. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the Permit;

b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;

c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and

d. Sample or monitor at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by the AWPCA, any substances or parameters at any location.

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

a. If the Permittee intends to continue to discharge beyond the expiration date of this Permit, the Permittee shall file with the Department a complete permit application for reissuance of this Permit at least 180 days prior to its expiration.

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

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

PART III ADDITIONAL REQUIREMENTS, CONDITIONS, AND LIMITATIONS

A. CIVIL AND CRIMINAL LIABILITY

1. Tampering

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

2. False Statements

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

3. Permit Enforcement

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

4. Relief From Liability

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

B. OIL AND HAZARDOUS SUBSTANCE LIABILITY

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

C. AVAILABILITY OF REPORTS

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

D. DEFINITIONS

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

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

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

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

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

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

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

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

8. Construction Sand and Gravel mine - means an area, on or beneath land, used or disturbed in activity related to the extraction, removal, or recovery of sand and/or gravel from natural or artificial deposits, including active mining, reclamation, and mineral storage areas.

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

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

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

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

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

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

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

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

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

18. DO - means dissolved oxygen.

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

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

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

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

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

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

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

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

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

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

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

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

29. MGD - means million gallons per day.

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

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

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

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

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

32. New Source - means:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

49. TRC - means Total Residual Chlorine.

50. TSS – means the pollutant parameter Total Suspended Solids

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

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

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

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

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

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

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

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

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

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

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

E. SEVERABILITY

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

F. PROHIBITIONS AND ACTIVIES NOT AUTHORIZED

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

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

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

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

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

G. DISCHARGES TO IMPAIRED WATERS

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

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

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

H. COASTAL ZONE MANAGEMENT

1. Except for those activities described in Part III.H.2., this Permit is conditionally consistent with the Alabama Coastal Area Management Plan (ACAMP) upon continued compliance with the ACAMP.

2. The Permittee must apply for and obtain separate Coastal Area Management Plan Certification if any activity constitutes a Major Project as defined by ADEM Admin. Code ch. 335-8-1.

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION

NPDES INDIVIDUAL PERMIT RATIONALE

Company Name: Gulf States Enterprises, Inc.

Facility Name: Gulf States Enterprises Pit

County: Baldwin County

Permit Number: AL0084310

Prepared by: Amber Hicks

Date: August 1, 2022

Receiving Waters: Unnamed Tributary to Blackwater River

Permit Coverage: Non-Metallic Construction Sand, Gravel (Dry), Shale, and Common Clay Pit, Transportation and Storage, and Associated Areas

SIC Code: 1442 and 1459

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

This proposed permit covers a construction sand and gravel mine and associated areas which discharge to ground and surface waters.

This proposed permit authorizes treated discharges into a stream segment, other State water, or local watershed that currently has a water quality classification of Fish and Wildlife (F&W) (ADEM Admin. Code r. 335-6-10-.09). If the requirements of the proposed permit are fully implemented, the facility will not discharge pollutants at levels that will cause or contribute to a violation of the F&W classifications.

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

Effluent limitations for TSS are established by Best Professional Judgment (BPJ) and are based on proper implementation of best management practices at the facility. These parameters are indicative of the pollutants typically discharged by a facility covered by this permit and have been shown not to adversely affect water quality. Monitoring for discharges to groundwater is not required because of the natural treatment provided by the sand and gravel formation; however, discharges to surface waters must be monitored twice per month.

The in-stream water quality standards for streams classified as F&W for pH is 6.0 – 8.5 s.u. per ADEM Admin. Code r. 335-6-10-.09. However, a daily maximum pH limit of 9.0 s.u. is occasionally allowed by the Department for precipitation driven discharges. During precipitation events, if the background stream flow is expected to be great enough to allow for adequate dilution of the discharge to maintain an in-stream pH of less than or equal to 8.5 s.u., a daily maximum pH of 9.0 s.u. is permitted. However, the discharge shall not cause the in-stream pH to deviate more than 1.0 s.u. from the normal or natural pH, nor be less than 6.0 s.u. nor greater than 8.5 s.u.

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

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

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

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

If the requirements of the proposed permit are fully implemented, there is reasonable assurance that the pollutants will not be present in the discharge at levels of concern and/or the facility will not discharge pollutants at levels that will cause or contribute to a violation of applicable State water quality standards in the receiving water.

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

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

The applicant is not proposing discharges of pollutants to an ADEM identified Tier I water.

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

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION

ANTIDEGRADATION RATIONALE

Company Name: Gulf States Enterprises, Inc.

Facility Name: Gulf States Enterprises Pit

County: Mobile

Permit Number: AL0084310

Prepared by: Amber Hicks

Date: August 1, 2022

Receiving Waters: Unnamed Tributary to Blackwater River

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

Discharge Description: Construction Sand and Gravel, Shale and/or Common Clay, and Associated Areas

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

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

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

1. The Permittee expects that the issuance of the above referenced NPDES permit will result in an estimated $35,000 in state and local taxes per year.
2. The Permittee will employ 4 individuals if the NPDES permit is issued, but will reduce the number of employees if the Permit is not issued.
3. The Permittee will be providing a source of quality base materials for local residential, commercial and road construction projects, which serves to keep costs for these projects at a reasonable level.

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

Reviewed By: Eric Reidy ER

Date: 08/9/22

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

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

Purpose of this Application

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

I. GENERAL INFORMATION

NPDES Permit Number (Not applicable if initial permit application):	County(s) in which Facility is Located:
AL	Baldwin

Company/Permittee and Facility Information

Company/Permittee Name			Facility Name		
Gulf States Enterprises, Inc.			Gulf States Enterprises Pit		
Mailing Address of Company/Permittee:			Physical Address of Operation (as near as possible to main entrance):		
8905 Untreiner Avenue			18786 Greek Cemetery Rd		
City	State	Zip Code	City	State	Zip
Pensacola	FL	32534	Robertsdale	AL	36567

Permittee Phone Number	Permittee Fax Number:	Latitude and Longitude of Main Entrance:
(850) 384-4889		30.501334, -87.547817

Responsible Official (RO) Information

RO Name (as described on Page 12 of this application):			RO Official Title:		
Troy Templeman			President		
Mailing Address:			Physical Address:		
8905 Untreiner Avenue			8905 Untreiner Avenue		
City	State	Zip Code	City	State	Zip Code
Pensacola	FL	32534	Pensacola	FL	32534

Phone Number:	Fax Number:	Email Address:
(850) 619-4164		gulfstates1@gmail.com

Facility Contact Information

Facility Contact Name:			Facility Contact Title:	
Troy Templeman			President	
Physical Address:			Phone Number:	Fax Number:
8905 Untreiner Avenue			(850) 619-4164	
City	State	Zip Code	Email Address:	
Pensacola	FL	32534	gulfstates1@gmail.com	

II. MEMBER INFORMATION

A. Identify the name, title/position, and unless waived in writing by the Department, the resident address of every officer (a PO Box is not acceptable), general partner, LLP partner, LLC member, investor, director, or person performing a function similar to a director, of the applicant, and each person who is the record or beneficial owner of 10 percent or more of any class of voting stock of the applicant, or any other responsible official(s) of the applicant with legal or decision making responsibility or authority for the facility:

Name	Title/Position	Physical Address of Residence
Troy Templeman	President	8905 Untreiner Avenue, Pensacola, FL 32534
Jennifer Templeman	Secretary	8905 Untreiner Avenue, Pensacola, FL 32534

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

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

III. LEGAL STRUCTURE OF APPLICANT

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

☒ Corporation ☐ Association ☐ Individual ☐ Single Proprietorship ☐ Partnership ☐ LLP ☐ LLC

☐ Government Agency _____ ☐ Other _____

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

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

N/A

D. Landowner(s):

Gulf States Enterprises, Inc.

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

N/A

IV. COMPLIANCE HISTORY

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

Yes	No		
☐	☒	(1)	An Alabama NPDES, SID, or UIC permit suspended or terminated?
☐	☒	(2)	An Alabama or federal environmental permit suspended/terminated?
☐	☒	(3)	An Alabama State Oil & Gas Board permit or other approval suspended or terminated?
☐	☒	(4)	An Alabama or federal performance/environmental bond, or similar security deposited in lieu of a bond, or portion thereof, forfeited?

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

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

NOV, February 24, 2021, Gulf States Enterprises, Inc., ALR109426, Resolved with this NPDES Individual Permit Application

V. OTHER PERMITS/AUTHORIZATIONS

A. List any other NPDES, State Oil & Gas Board (OGB) Class II Injection well permits, or other environmental permits (including permit numbers), authorizations, or certifications that have been applied for or issued within the State by ADEM, EPA, Alabama Surface Mining Commission (ASMC), Alabama Department of Labor (ADOL), or other agency, to the applicant, parent corporation, subsidiary, or LLC member for this operation whether presently effective, expired, suspended, revoked or terminated:

ADIR Permit is being applied for on this facility.

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

N/A

VI. PROPOSED SCHEDULE

Anticipated Activity Commencement Date:	Anticipated Activity Completion Date:

VII. ACTIVITY DESCRIPTION & INFORMATION

A. Proposed Total Area of the Permitted Site: 40 acres Proposed Total Disturbed Area of the Permitted Site: 30 acres

B. Township(s), Range(s), Section(s): T6S-R5E-S26

C. Detailed Directions to Site:

From I-10 & Baldwin Beach Express, Go 4.8 mi. S on Baldwin Beach Express, Turn left onto US-90 E Go 6.7 mi. Turn right onto Greek Cemetery Rd Go. 1.6 mi. Turn left to stay on Greek Cemetery Rd. Entrance will be on the left 2.1 mi.

D. Is/will this operation:

Yes	No	
☒	☐	(1) an existing facility which currently results in discharges to State waters?
☐	☒	(2) a proposed facility which will result in a discharge to State waters?
☐	☒	(3) be located within any 100-year flood plain?
☐	☒	(4) discharge to Municipal Separate Storm Sewer?
☐	☒	(5) discharge to waters of or be located in the Coastal Zone?
☐	☒	(6) need/have ADEM UIC permit coverage?
☐	☒	(7) be located on Indian/historically significant lands?
☐	☒	(8) need/have ADEM SID permit coverage?
☐	☒	(9) need/have ASMC permit coverage?
☐	☒	(10) need/have ADOL permit coverage?
☐	☒	(11) generate, treat, store, or dispose of hazardous or toxic waste? (If "Yes," attach a detailed explanation.)
☐	☒	(12) be located in or discharge to a Public Water Supply (PWS) watershed or be located within ½ mile of any PWS well?

VIII. MATERIAL TO BE REMOVED, PROCESSED, OR TRANSLOADED

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

10%	Dirt &/or Chert	50%	Sand &/or Gravel		Coal product, coke		Talc		Crushed rock (other)
	Bentonite		Industrial Sand	40%	Shale &/or Common Clay		Marble		Sandstone
	Coal		Kaolin		Coal fines/refuse recovery		Chalk		Slag, Red Rock
	Fire clay		Iron ore		Dimension stone		Granite		Phosphate rock
	Bauxitic Clay		Barite Ore		Limestone, crushed limestone and dolomite				
	Gold, other trace minerals:				Other:				
	Other:				Other:				
	Other:				Other:				

IX. PROPOSED ACTIVITY TO BE CONDUCTED

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

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

B. Primary SIC Code: 1442 NAICS Code: 212321 Description: Construction Sand & Gravel

Secondary SIC Code: _____ NAICS Code: _____ Description: _____

C. Narrative Description of the Activity:

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

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

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

Volume (gallons)	Contents	Volume (gallons)	Contents	Volume (gallons)	Contents
1000	Diesel	1000	Diesel		

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

XI. POLLUTION ABATEMENT & PREVENTION (PAP) PLAN

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

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

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

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

XII. ASMC REGULATED ENTITIES

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

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

XIII. TOPOGRAPHIC MAP SUBMITTAL

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

(a) An accurate outline of the area to be covered by the permit

(b) An outline of the facility

(c) All existing and proposed disturbed areas

(d) Location of intake and discharge areas

(e) Proposed and existing discharge points

(f) Perennial, intermittent, and ephemeral streams

(g) Lakes, springs, water wells, wetlands

(h) All known facility dirt/improved access/haul roads

(i) All surrounding unimproved/improved roads

(j) High-tension power lines and railroad tracks

(l) Contour lines, township-range-section lines

(m) Drainage patterns, swales, washes

(n) All drainage conveyance/treatment structures (ditches, berms, etc.)

(o) Any other pertinent or significant feature

XIV. DETAILED FACILITY MAP SUBMITTAL

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

(a) Information listed in Item XIII (a) – (o) above

(b) If noncoal, detailed, planned mining progression

(c) If noncoal, location of topsoil storage areas

(d) Location of ASMC bonded increments (if applicable)

(c) Location of mining or pond cleanout waste storage/disposal areas

(f) Other information relevant to facility or operation

(g) Location of facility sign showing Permittee name, facility name, and NPDES Number

XV. RECEIVING WATERS

List the requested permit action for each outfall (issue, reissue, add, delete, move, *etc.*); outfall designation including denoting "E" for existing and "P" for proposed outfalls; name of receiving water(s); latitude and longitude (to seconds) of location(s) of each discharge point; distance of receiving water from the discharge point; number of disturbed acres; the number of drainage acres which will drain through each outfall; and if the outfall discharges to an ADEM listed CWA Section 303(d) waterbody segment or is included in a TMDL at the time of application submittal.

Action	Outfall E/P	Receiving Water	Latitude	Longitude	Distance to Rec. Water (ft)	Disturbed Area (acres)	Drainage Area (acres)	ADEM WUC	303(d) Segment (Y/N)	TMDL Segment* (Y/N)
issue	E001	UT Blackwater River	30.498709 30°29'55"	-87.544963' -87°32'41"	3260	30	40	F&WL	N	N
				-						
				-						
				-						
				-						
				-						
				-						
				-						

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

XVI. DISCHARGE CHARACTERIZATION

A. EPA Form 2C, EPA Form 2D, and/or ADEM Form 567 Submittal

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

☐ No, the applicant does not request a waiver and a complete EPA Form 2C, EPA Form 2D, and/or ADEM Form 567 is attached.

B. The applicant is required to supply the following information separately for every proposed or existing outfall. (Attach extra sheets if necessary.) List expected average daily discharge flow rate in cfs and gpd; frequency of discharge in hours per day and days per month; average summer and winter temperature of discharge(s) in degrees centigrade; average pH in standard units; and average daily discharges in pounds per day of BOD_5, Total Suspended Solids, Total Iron, Total Manganese, and Total Aluminum (if bauxite or bauxitic clay or if otherwise believed present):

Outfall E/P	Information Source - # of Samples	Flow (cfs)	Flow (gpd)	Frequency (hours/day)	Frequency (days/month)	Sum/Win Temp, (°C)	pH (s.u.)	BOD_5 (lbs/day)	TSS (lbs/day)	Tot Fe (lbs/day)	Tot Mn (lbs/day)	Tot Al (lbs/day)
E001	Similar Pit in Area	0.276	178,548	24	30	23/17	6.70	0	7.4	0.7	0.7	0.7

C. The applicant is required to supply the following information separately for every proposed or existing outfall. (Attach extra sheets if necessary.) Identify and list expected average daily discharge of any other pollutant(s) listed in EPA Form 2C Tables A, B, C, D, and E that are not referenced in Part XVI.B. or otherwise submitted elsewhere, that you know is present or have reason to believe could be present in the discharge(s) at levels of concern:

Outfall E/P	Reason Believed Present	Information Source - # of Samples								
			lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L
E001	None									

XVII. DISCHARGE STRUCTURE DESCRIPTION & POLLUTANT SOURCE

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

Outfall	Discharge structure Description	Description of Origin of pollutants	Surface Discharge	Groundwater Discharge	Wet Prep -Other Production Plant	Pumped or Controlled Discharge	Low Volume STP
E001	Ground Surface	Runoff into pit for exposed soil	N/A	Yes	No	No	No

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

XVIII. COOLING WATER

A. Does your facility use cooling water? ☐ Yes ☒ No

B. If "Yes," identify the source of the cooling water:

XIX. VARIANCE REQUEST

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

B. If "Yes," select all that apply:

☐ Fundamentally different factors (CWA Section 301(n))

☐ Water quality related effluent limitations (CWA Section 302(b)(2))

☐ Non-conventional pollutants (CWA Section 301(c) and (g))

☐ Thermal discharges (CWA Section 316(a))

XVII. PROPOSED NEW OR INCREASED DISCHARGES

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

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

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

B. If "Yes," complete this Part (XVII.B.), Part XVIII, and XIX. **Attach additional sheets/documentation and supporting information as needed.**

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

There is no surface discharge this is an incised pit. The rain that falls on the disturbed soils runs into the pit. The discharge is to groundwater for the rain events. Since there is no surface discharge, then no environmental or public health problem is associated with it.

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

We estimate that up to three full time employees and one part time employee will be at the pit during the operation in the next 5 years.

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

Estimated to be 3.5 employees

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

State and local sales tax, which is based on 100,000 cubic yards per year. For $5 per cubic yard, then 7% sales tax is $35,000 per year.

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

Adequate supply of fill for construction projects

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

Economic benefit is tax revenue as stated above. Social benefit is employment as described above.

XXI. POLLUTION ABATEMENT & PREVENTION (PAP) PLAN SUMMARY (must be completed for all outfalls)

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

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

This is an incised pit.
The minimum capacity of pit is greater than 25 yr 24 hr storm event (see PAP Plan).
No Dam.
No cutt-off trench.
No Spillpipe.
No emergency spillway, except to natural ground surface, which is fully stabilized with natural vegetation.

XXII. POLLUTION ABATEMENT & PREVENTION (PAP) PLAN REVIEW CHECKLIST

Yes	No	N/A	
			General Information:
☒	☐	☐	PE Seal with License #
☒	☐	☐	Name and Address of Operator
☒	☐	☐	Legal Description of Facility
☒	☐	☐	Name of Company
☒	☐	☐	Number of Employees
☒	☐	☐	Products to be Mined
☒	☐	☐	Hours of Operation
☒	☐	☐	Water Supply and Disposition
			Maps:
☒	☐	☐	Topographic Map including Information from Part XIII (a) – (o) of this Application
☒	☐	☐	1" – 500' or Equivalent Facility Map including Information from Part XIV of this Application
			Detailed Design Diagrams:
☒	☐	☐	Plan Views
☐	☐	☒	Cross-section Views
☒	☐	☐	Method of Diverting Runoff to Treatment Basins
☒	☐	☐	Line Drawing of Water Flow through Facility with Water Balance or Pictorial Description of Water Flow
			Narrative of Operations:
☒	☐	☐	Raw Materials Defined
☒	☐	☐	Processes Defined
☒	☐	☐	Products Defined
			Schematic Diagram:
☒	☐	☐	Points of Waste Origin
☒	☐	☐	Collection System
☒	☐	☐	Disposal System
			Post Treatment Quantity and Quality of Effluent:
☒	☐	☐	Flow
☒	☐	☐	Suspended Solids
☒	☐	☐	Iron Concentration
☒	☐	☐	pH
			Description of Waste Treatment Facility:
☒	☐	☐	Pre-Treatment Measures
☒	☐	☐	Recovery System
☒	☐	☐	Expected Life of Treatment Basin
☒	☐	☐	Measures for Ensuring Access to All Treatment Structures and Related Appurtenances including Outfall Locations
☒	☐	☐	Schedule of Cleaning and/or Abandonment
			Other:
☒	☐	☐	Precipitation/Volume Calculations/Diagram Attached
☒	☐	☐	BMP Plan for Haul Roads
☒	☐	☐	Measures for Minimizing Impacts to Adjacent Stream (*e.g.*, Buffer Strips, Berms)
☒	☐	☐	Measures for Ensuring Appropriate Setbacks are Maintained at All Times
☒	☐	☐	Methods for Minimizing Nonpoint Source Discharges
☐	☐	☒	If Chemical Treatment Used, Methods for Ensuring Appropriate Dosage
☒	☐	☐	Facility Closure Plans
☐	☐	☒	PE Rationale(s) For Alternate Standards, Designs or Plans

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

No Cross Section - No Dam. Incised pit.
No chemical treatment.
No alternative standards, designs, or plans proposed.

XXIII. INFORMATION

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

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

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

The applicant is advised to contact:

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

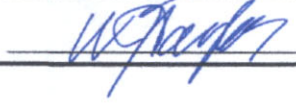
The Department must be in receipt of a completed version of this form, including any supporting documentation, and the appropriate processing fee [including Greenfield Fee and Biomonitoring & Toxicity Limits fee(s), if applicable], prior to development of a draft NPDES permit. The completed form, supporting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

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

XXIV. PROFESSIONAL ENGINEER (PE) CERTIFICATION

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

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

Name (type or print):	W. Joe Taylor, PE	PE Registration #	22783
Title:	Senior Environmental Engineer	Phone Number	251-605-1274
Address:	Taylor Engineering, LLC, PO Box 1875, Daphne AL 36526		
Signature:		Date Signed	04-22/2021

XXV. RESPONSIBLE OFFICIAL SIGNATURE*

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

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

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

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

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

"I acknowledge my understanding that if coal, coal fines, coal refuse, or other coal related materials are mined, transloaded, processed, etc., that I may be required to obtain a permit from the ASMC. ____ *(initial here)*

"I acknowledge my understanding that if non-coal, non-limestone materials are mined, transloaded, processed, etc., that I may be required to obtain a permit from the ADOL. ____ *(initial here)*

"I acknowledge my understanding that if the proposed activities will be conducted in or potentially impact waters of the state or waters of the US (including wetlands), that I may be required to obtain a permit from the USACE." ____ *(initial here)*

Name (type or print): Troy Templeman Official Title: President

Signature: _____ Date Signed 03-22-2021

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

(1) The application for an NPDES permit shall be signed by a responsible official, as indicated below:

(a) In the case of a corporation, by a principal executive officer of at least the level of vice president, or a manager assigned or delegated in accordance with corporate procedures, with such delegation submitted in writing if required by the Department, who is responsible for manufacturing, production, or operating facilities and is authorized to make management decisions which govern the operation of the regulated facility;

(b) In the case of a partnership, by a general partner;

(c) In the case of a sole proprietorship, by the proprietor; or

(d) In the case of a municipal, state, federal, or other public entity by either a principal executive officer, or ranking elected official.

Attachment 1 to Supplementary Form
ADEM Form 311

Alternatives Analysis

Applicant/Project: Gulf State Enterprises, Inc. (Lake Michelle)

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

Alternative	Viable	Non-Viable	Comment
1 Land Application		X	Area for application of the water quantity is not large enough.
2 Pretreatment/Discharge to POTW		X	POTW is not avaiable
3 Relocation of Discharge		X	Proposed alternative has no surface discharge to be relocated.
4 Reuse/Recycle		X	No washing / wet preparation at this facility.
5 Process/Treatment Alternatives		X	Retention / settling on site is most viable process alternative.
6 On-site/Sub-surface Disposal		X	Would require an UIC Permit (see below)
(other project-specific alternatives considered by the applicant; attach additional sheets if necessary)			
7 Underground Injection by UIC Permit		X	Not necessary for settling treatment on an incised pit.
8			
9			

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

Signature: _____ *(Professional Engineer)*

Date: 08-05-2022

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

Calculation of Total Annualized Project Costs for Private-Sector Projects

Capital Costs to be Financed (Supplied by applicant)	$ 10,000	(1)
Interest rate for Financing (Expressed as a decimal)	0.05	(i)
Time Period of Financing (Assume 10 years*)	10 years	(n)
Annualization Factor = $\frac{i}{(1+i)^{10} - 1} + i$	0.12950	(2)
Annualized Capital Cost [Calculate: (1) x (2)]	$ .1295	(3)
Annual Cost of Operation and Maintenance (including but not limited to monitoring, inspection, permitting fees, waste disposal charges, repair, administration and replacement)**	$ 3,000	(4)
Total Annual Cost of Pollution Control Project [(3) + (4)]	$ 4,295	(5)

* While actual payback schedules may differ across projects and companies, assume equal annual payments over a 10-year period for consistency in comparing projects.

** For recurring costs that occur less frequently than once a year, pro rate the cost over the relevant number of years (e.g., for pumps replaced once every three years, include one-third of the cost in each year).

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

POLLUTION ABATEMENT/TREATMENT MEASURES AND SEDIMENT CONTROL STRUCTURES CERTIFICATION REPORT

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

Name of Permittee: Gulf States Enterprises, Inc.

Postal Address of Permittee: 8905 Untreiner Avenue

Facility Name: Gulf States Enterprises Pit (Incised Pit)

NPDES Permit Number: AL0000000 Pending Individual Permit Application Review & Issuance

Point Source (Outfall) Number: E001 (Groundwater)

Location of Outfall:

County: Baldwin Township: 6 South Range: 5 East Section: 26

Latitude: 30.498773 (30°29'55.58") Longitude: -87.544782 (-87°32'41.22") (In degrees, minutes, & seconds)

Consulting Firm Name & Address: Taylor Engineering, LLC, PO Box 1875, Daphne, AL 36526

Consulting Firm Phone:(251) 626-8005, (251) 605-1274 Fax:(NA) Email Address: wjtaylor1020@gmail.com

Based upon the post-construction inspection of the above-referenced facility on (date) 03-22-2021,

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

ASMC PERMITTED OR BONDED FACILITIES

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

NON-ASMC PERMITTED OR BONDED FACILITIES

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

☐ In accordance with good engineering practices, and in strict agreement with the above-referenced NPDES permit, ADEM regulations, and the construction plans or revision accepted for the above-referenced NPDES permit application.

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

Gulf States Enterprises, Inc. is incised. Has capacity to contain 28 times the runoff flow from the entire facility. Discharge is to Groundwater.

W. Joe Taylor, PE — PE Name (Please Type or Print)

Signature

03-22-2021 — Date

22783 — PE Registration # and Affix Seal

ALABAMA LICENSED 22783 ENVIRONMENTAL ENGINEER W. JOE TAYLOR

ADEM Form 432 11/12 m2

Pollution Abatement & Prevention (PAP) Plan

NPDES Individual Permit Application (Formerly ALR109426)

For Facility:

Gulf States Enterprises Pit

18786 Greek Cemetery Road
Robertsdale, AL 36567
Baldwin County

Prepared for:

Gulf States Enterprises, Inc.

8905 Untreiner Ave.
Pensacola, FL 32534

March 22, 2021

Project No. 02594

*This is to certify that I, **W. Joe Taylor, P.E.**, a Licensed Engineer in the State of Alabama, am familiar with the **Gulf States Enterprises Pit,** located in **Baldwin County**, Alabama, and, to the best of my knowledge, all information herein is true and correct, and has been prepared in accordance with good engineering practices.*

Prepared By:

TAYLOR ENGINEERING, L.L.C.
W. Joe Taylor, P.E.
As its: Environmental Engineer
AL License No. 22783

*This plan has been reviewed by the management of **Gulf States Enterprises, Inc.**, and is adopted into the operation of our facility: **Gulf States Enterprises Pit**.*

Troy Templeman, President
Gulf States Enterprises, Inc.

04-22-2021
Date

I. INTRODUCTION:

This Pollution Abatement & Prevention (PAP) Plan is a required part of an application for an Alabama Department of Environmental Management (ADEM) National Pollution Discharge Elimination System (NPDES) Individual Permit for Non-Coal Mining by surface excavation, storing, loading and hauling operations.

Site Information

Facility Name: Gulf States Enterprises Pit

Location: 18786 Greek Cemetery Rd, Robertsdale, AL 36567, Baldwin County

Facility Contact and Address: Mr. Troy Templeman, President

Phone Number: (850) 384-3314 – Office

Contact Address: 8905 Untreiner Avenue, Pensacola, FL 32534

This facility is an incised dirt pit located on a 40 acre site, on Greek Cemetery Road in Baldwin County, AL, as shown on the attached Topographic Map, Street Map, and Layout / Aerial Photo Map in Appendix A.

This application is being prepared in accordance with the rules and regulations of the Alabama Department of Environmental Management.

A thorough field review of the existing site has been conducted prior to the compilation and submittal of this plan. The geology of the existing site has been evaluated to determine the potential for acid-mine-drainage, to calculate runoff coefficients, and determine the suitability for mining.

The PAP plan is presented as a narrative description of the operation and treatment requirements, drainage maps, design plans, and discharge calculations. The narrative description is intended to address the format as outlined by the ADEM Admin. Code R. 335-6-9, as well as present the basis for the designs as further detailed in the PAP.

Drawings as presented in the PAP were derived from rules and regulations of the ADEM Admin. Code R. 335-6-9, Appendix A and Appendix B, as well as from other generally accepted design data sources primarily from the U.S. Department of Agriculture's Natural Resource Conservation Service.

II. OPERATOR

The operator of this pit is Gulf State Enterprises, Inc. (Responsible Official / Permittee: Troy Templeman, President), with an office address:

8905 Untreiner Avenue
Pensacola. Fl. 32534

The existing pit lies within the property boundary as described below:

Legal Description From Baldwin County Revenue Commission:

40 AC(C) NW1/4 OF NW1/4 SEC 26 LESS RD/ROW SEC 26-T6S-R5E (VLD)
(Parcel ID: 38499, Parcel Number: 05-49-07-26-0-000-002.000)

The parcel is located in the T6S-R5E-S26, Baldwin County, Alabama.

III. GENERAL INFORMATION

The facility will operate from dawn 'til dusk, intermittently, two to six days a week and will employ one full time employee and occasional other helpers. The products mined are sand, sand-clay, clay, and top soil. There will be no processing, and no washing of sand or other material on the site. There will be no runoff water from the pit; but there will be a small amount of "run-in" water in the form of runoff from adjacent properties, (primarily from rain).

IV. TOPOGRAPHIC MAP

A 1" = 2000' 7.5 Minute Series USGS Topographic Map is attached. A scaled Facility Layout Map (with an aerial photograph showing topography, i.e. submitted as equivalent requirement to 1" = 500' Topographic Map) is also attached. The facility is graded and surrounded by a perimeter berm to direct all runoff from the facility into the Incised pit. The topographic maps and layout map show entrance road, pit location, closest water bodies, topography, areas of excavation, sedimentation pond areas, and discharge point, which is via ground water to and un-named tributary to Blackwater River.

V. METHOD OF DIVERTING SURFACE WATER RUNOFF

The site plan shows the general contour of the land and all manmade changes both existing and proposed. The site map shows drainage topography. All disturbed areas will drain back into the mined areas using the natural topography. Spoil piles are situated so any silt carried by drainage will be carried into the pit area also. Drainage from all spoil, stockpile areas, excavation areas, loading areas, equipment storage areas, truck scales and facility office, and any other areas of disturbance related to the mining site will be directed to the mined areas. Any minor areas of disturbance that

drainage cannot feasibly be routed to a pit areas will be graded and will be vegetated with annual and perennial grasses and will have effective Best Management Practices (BMP's) for the control of non-point source pollution fully implemented and maintained at all times.

VI. RAW MATERIALS, PROCESSES AND PRODUCTS

The materials that were mined were sand-clay (for road building), sand, clay and topsoil. There will be no processing at this facility. The sand, clay, topsoil, etc., mined at the facility will be mined by track-hoes and front-end loaders, loaded onto trucks, and hauled from the site over a maintained and properly drained haul-road. There will be no washing or other processing of mined materials at this site.

VII. SCHEMATIC DIAGRAM

A schematic diagram showing the process has been provided as part of this PAP plan.

VIII. POST TREATMENT QUANTITY AND QUALITY OF EFFLUENT

The only waste products of the mining process at this facility are fine sands, clays and topsoil. The sands and clays will settle into the sediment areas (the mined areas). These areas will be cleaned out as needed to provide adequate sediment areas for incoming materials. The pH of the waste effluent is neutral in nature and should be in the range of 6 to 8 or as allowed by this permit. The soils in the area are not high in iron content. Therefore, the iron concentration is not expected to be a factor.

IX. WASTE TREATMENT FACILITIES

The primary method of treatment for the removal of expected pollutants will be oxidation and settling. The geology of the site indicates that there should be no problems with acid-mine drainage. The treatment ponds are to be maintained until mining has ceased, (not expected to occur within the life of the applied for renewal permit) and the site has been completely reclaimed and the operator has received written permission from ADEM to remove the treatment ponds. Accumulated sediments; sludge in the treatment ponds will be removed when the ponds have lost 60% of their liquid storage capacity due to sedimentation.

X. SEDIMENT CONTROL FOR HAUL ROADS

The access and haul roads will have a sustained grade of no greater than 10%, with a maximum grade no greater 15% for 200 feet. The outer slope will be no steeper than 2:1 and will maintain a full coverage of annual and perennial grasses. Effective BMP's will be installed and maintained at all times. The roads will be crowned and properly ditched. There will be no stream crossing at this facility.

XI. LOCATION OF ALL STREAMS ADJACENT TO MINING AREA

The topographic map submitted as part of this plan shows all water bodies. The mining operation will maintain a minimum 50-foot vegetative buffer zone around the perimeter of the pit.

XII. NON-POINT SOURCE POLLUTION

By virtue of the fact that all disturbed areas are graded, such that the drainage will carry yard dust to the treatment pond, non-point sources of pollution do not result from this incised dirt pit project.

XIII. PUBLIC WATER SUPPLY IMPOUNDMENT

The eventual receiving water, via groundwater transport, will be E-001 GW to UT Blackwater River (not classified as public water supply).

XIV. SPILL PREVENTION CONTROL & COUNTERMEASURES PLAN

There is an Above ground Storage Tank (1000 gallon diesel AST), described in the attached SPCC plan. Also, there will be possible storage of an additional 1000 gallon diesel AST at this site. An SPCC plan was prepared and describes the fuel and other petroleum storage that may occur at this facility, as well as BMPs for pollution prevention associated with fuel and petroleum storage and use.

XV. RUNOFF CALCULATIONS

Rational method Q=CIA Q= Discharge C= Runoff Coefficient I= Rainfall Intensity (in/hr 100 yr event) A= acres

Outfall E-001

Runoff Coefficient, C	Rainfall Intensity, I	Area, A	Discharge, Q
0.2	5.46 in/hr	40 acres	44.0 cfs

$Q = 0.2 \times 5.46$ in/hr $\times$ 40 acres $\times$ 43560 ft^2/acre $\times$ 1 ft/12 in $\times$ 1 hr/3600 sec. = 44.0 cfs

Note: this is an incised pit and there is no discharge, i.e. all of the run-off is directed into the pit and discharges as groundwater infiltration.

XVI. RECLAMATION PROCEDURE

As excavation is completed in an area, the area shall be dressed to eliminate any piles of dirt, or low areas, which will hold water, with terraces to keep erosion to a minimum, and grassed. A sump shall be maintained at the low end of all reclamation work until a satisfactory stand of grass is obtained.

During construction and reclamation, erosion control measures such as hay bales, riprap, cleared trees, and other acceptable methods will be utilized as needed to minimize erosion.

XVII. BMP TYPICALS

Details for the BMPs to be implemented for this incised pit are attached.

The individual permit for the Gulf States Enterprises Pit will be for surface mining of sand and clay, as well as reclamation of the previously mined pit areas. The Gulf States Enterprises Pit does not plan to reclaim any areas except those disturbed by the mining operations. BMP typical are described in the Appendix B - BMP Plan Typical Details.

XVIII. DESIGN DATA

The existing disturbed area at the pit is approximately 20 acres, and may be expanded to 30 acres during operation and reclamation. The 50 ft buffer that is established will be maintained around the pit during the mining and reclamation operations. Disturbed areas currently existing at the facility are shown on the Facility Layout.

Minimum sedimentation pond capacity = 0.25 ft. x 30 ac. = 7.5 ac. ft. From the aerial photographs, on site observations, and topography reported in the Mobile Co. GIS the actual capacity of the ponds exceeds this: existing ponds on site estimated to be a minimum of 2 ac x 5 ft = 10 ac. ft. (capacity of existing pit is 20 ac. X 15 ft = 300 ac. ft., though only the 10 ac. ft. will be maintained during the mining & reclamation).

APPENDIX A

Figure 1 - U.S.G.S 7.5 Minute Topographic Map

Figure 2 - Facility Layout Map

Figure 3 - Schematic for Flow & Treatment of Runoff

Figure 4 - AST Secondary Containment Plan

Figure 5 - Aerial Photograph of Pit & Property Data Map(s)

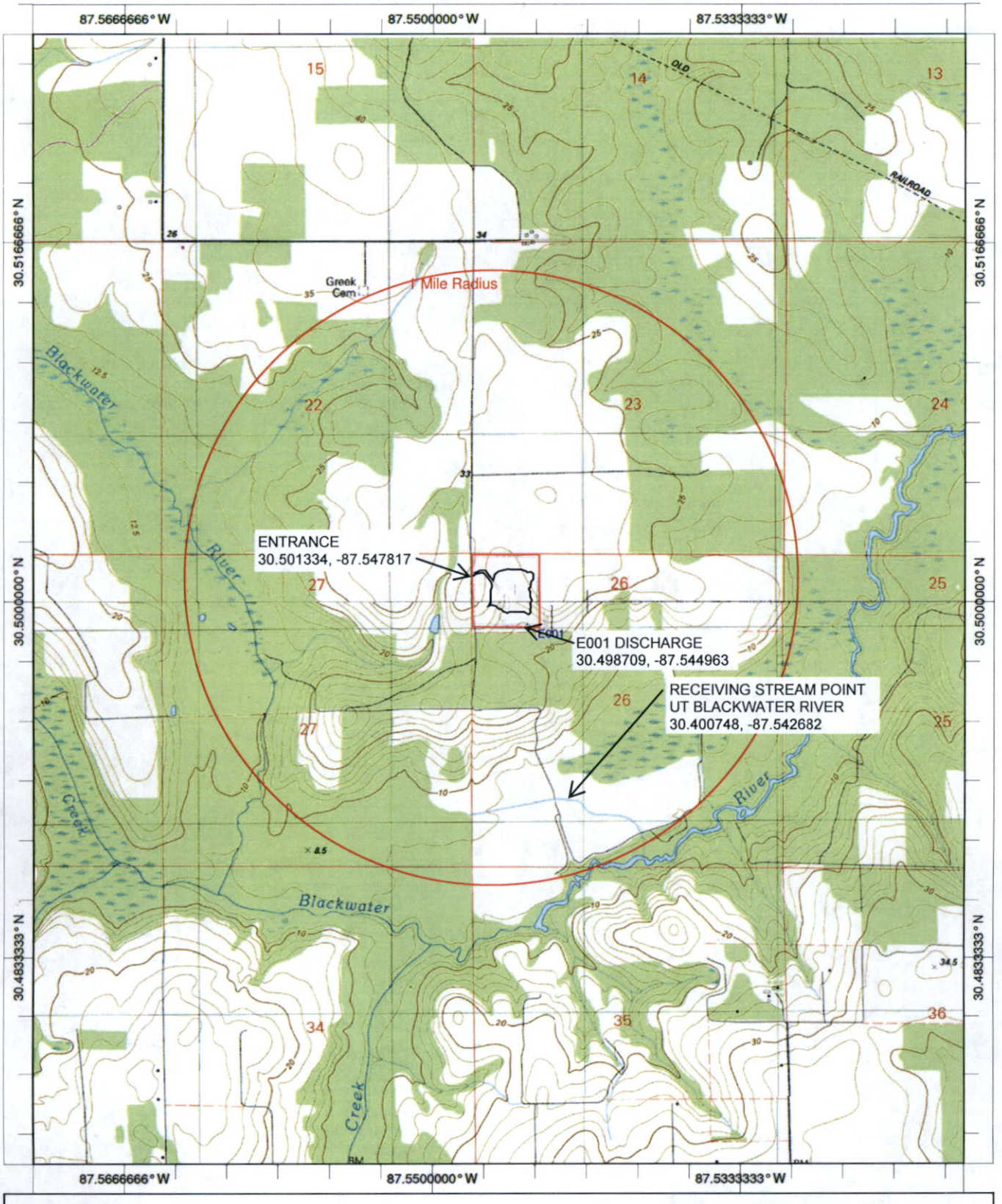
Figure 6 - Google Street

Figure 7 - Soil Survey Map

Figure 8 - F&WL Wetland Inventory Map

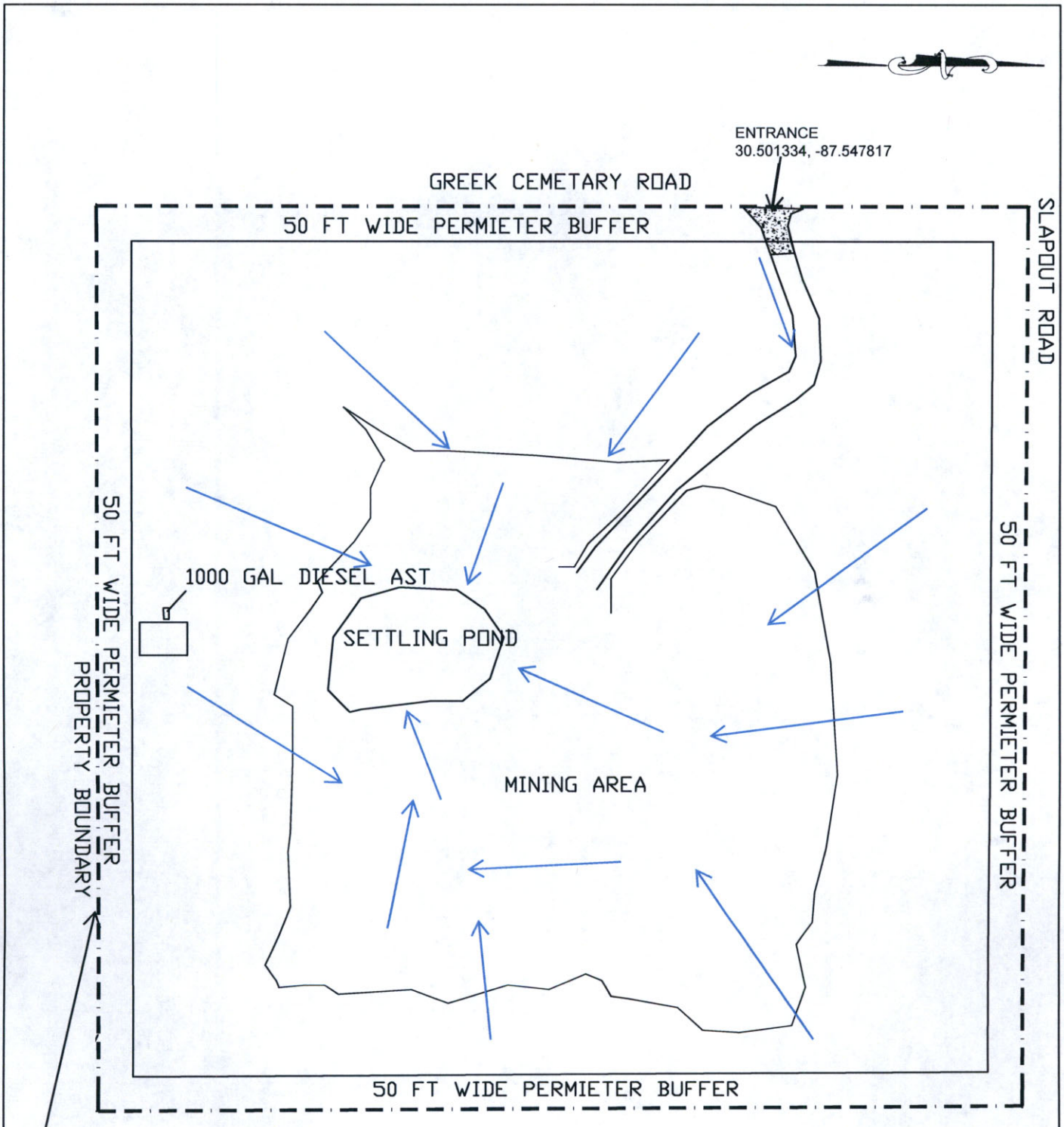
Figure 9 - ADEM Watershed Map(s)

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



Name: ELBERTA
Date: 4/23/2021
Scale: 1 inch equals 2000 feet

Location: 030.5000025° N 087.5464336° W
Caption: Gulf States Enterprises Pit, 18786 Greek Cemetery Rd.
Robertsdale, AL 36567
T6S-R5E-S26, Baldwin Co.



REV		WJT	04.20.21	GULF STATES ENTERPRISES PIT
			DATE	DESCRIPTION

NOTES:

FIGURE 2 - PIT LAYOUT

PROJ NO- SHT NO - REV NO

DWG NO. 02594 002 -

TAYLOR ENGINEERING, L.L.C.
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P.O. Box 1875, DAPHNE AL 36526
251-605-1274 WJTAYLOR1020@GMAIL.COM

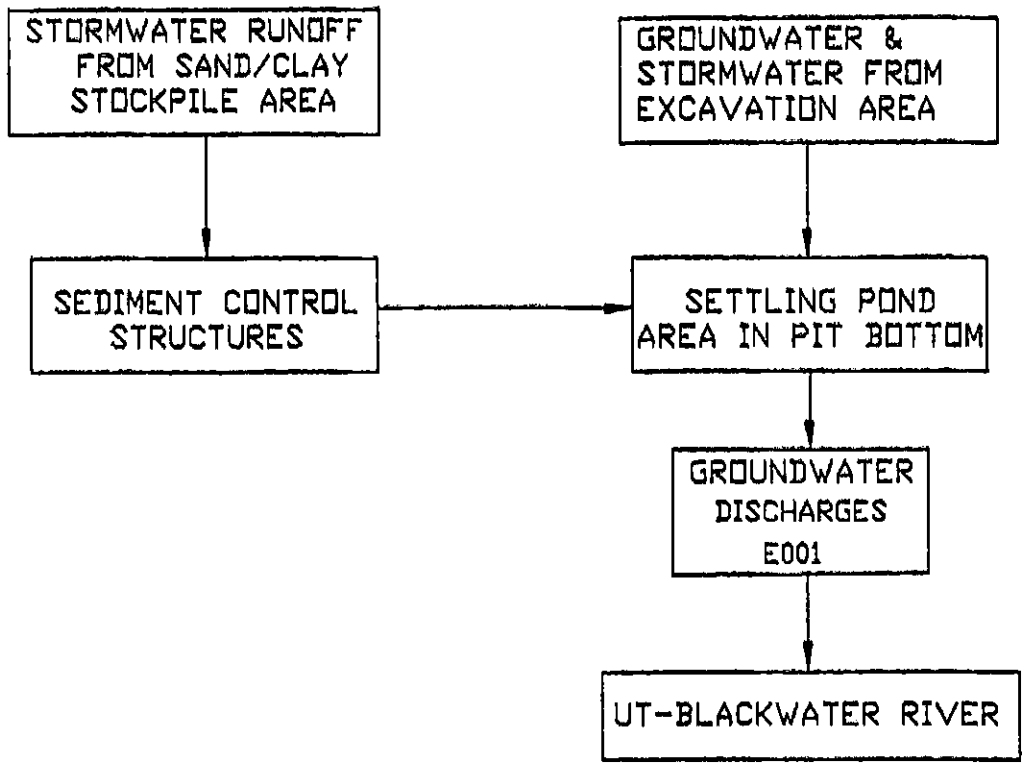
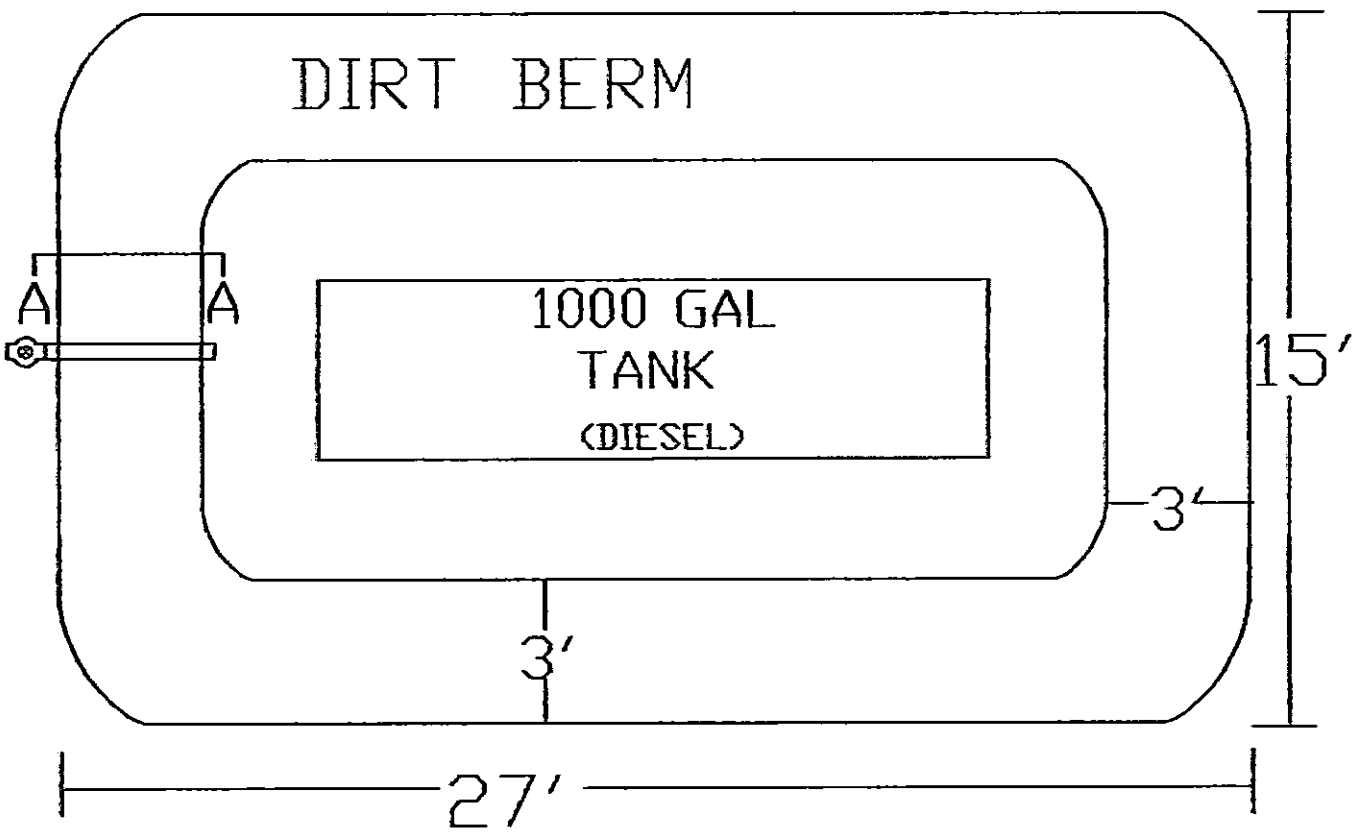


FIGURE 3 - RUN-OFF CONTROL SCHEMATIC DIAGRAM FOR GULF STATES ENTERPRISES PIT



SECTION AA

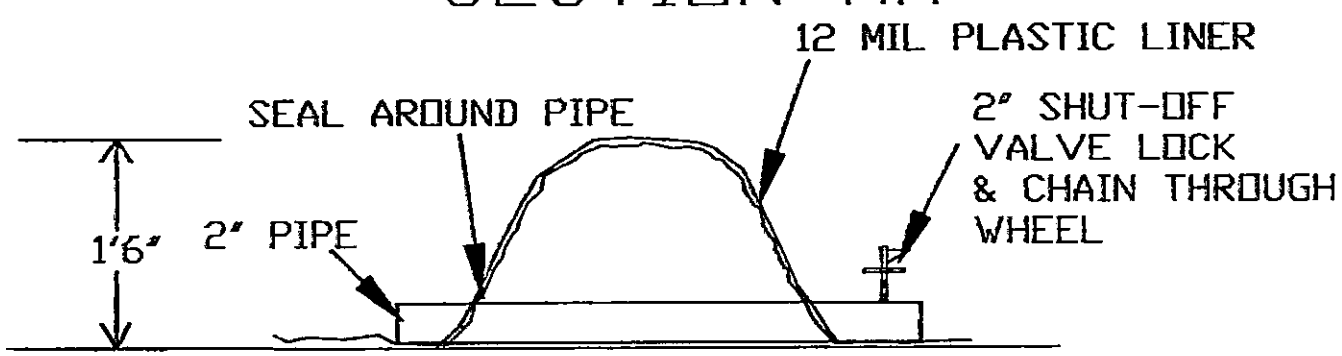
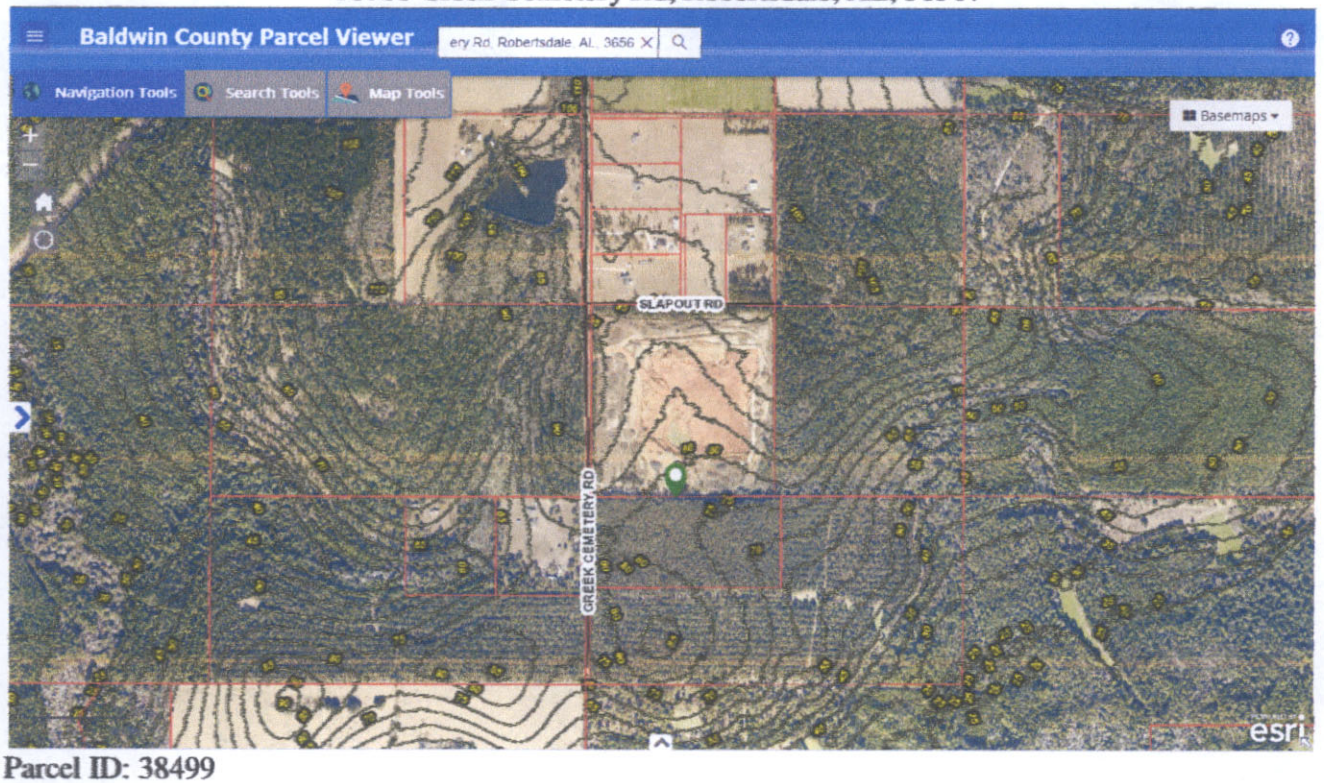


FIGURE 4 - AST

Figure 5 A - Aerial Photograph
County Revenue Commission Maps
https://isv.kcsgis.com/al.baldwin_revenue/

18786 Greek Cemetery Rd, Robertsdale, AL, 36567



Parcel ID: 38499
Parcel Number: 05-49-07-26-0-000-002.000
PIN: 38499
Owner Name: GULF STATES ENTERPRISES INC
Address: 8905 UNTREINER AVE
City: PENSACOLA
State: FL
Zip: 32534
More DetailsHomestead & Assessment ApplicationProperty Damage Report (Hurricane Sally)

Figure 5 B - Aerial Photographs of Pit

Figure 6 - Google Street Map

https://www.google.com/maps/

Directions to Facility:
From 1-10 & Baldwin Beach Express
Go South Baldwin Beach Express Go 4.8 mi
Turn left onto US-90 E Go 6.7 mi
Turn right onto Greek Cemetery Rd Go. 1.6 mi
Turn left to stay on Greek Cemetery Rd
Entrance is on the left 2.1 mi

Figure 7 - NRCS Soil Survey Map

https://websoilsurvey.nrcs.usda.gov/app/

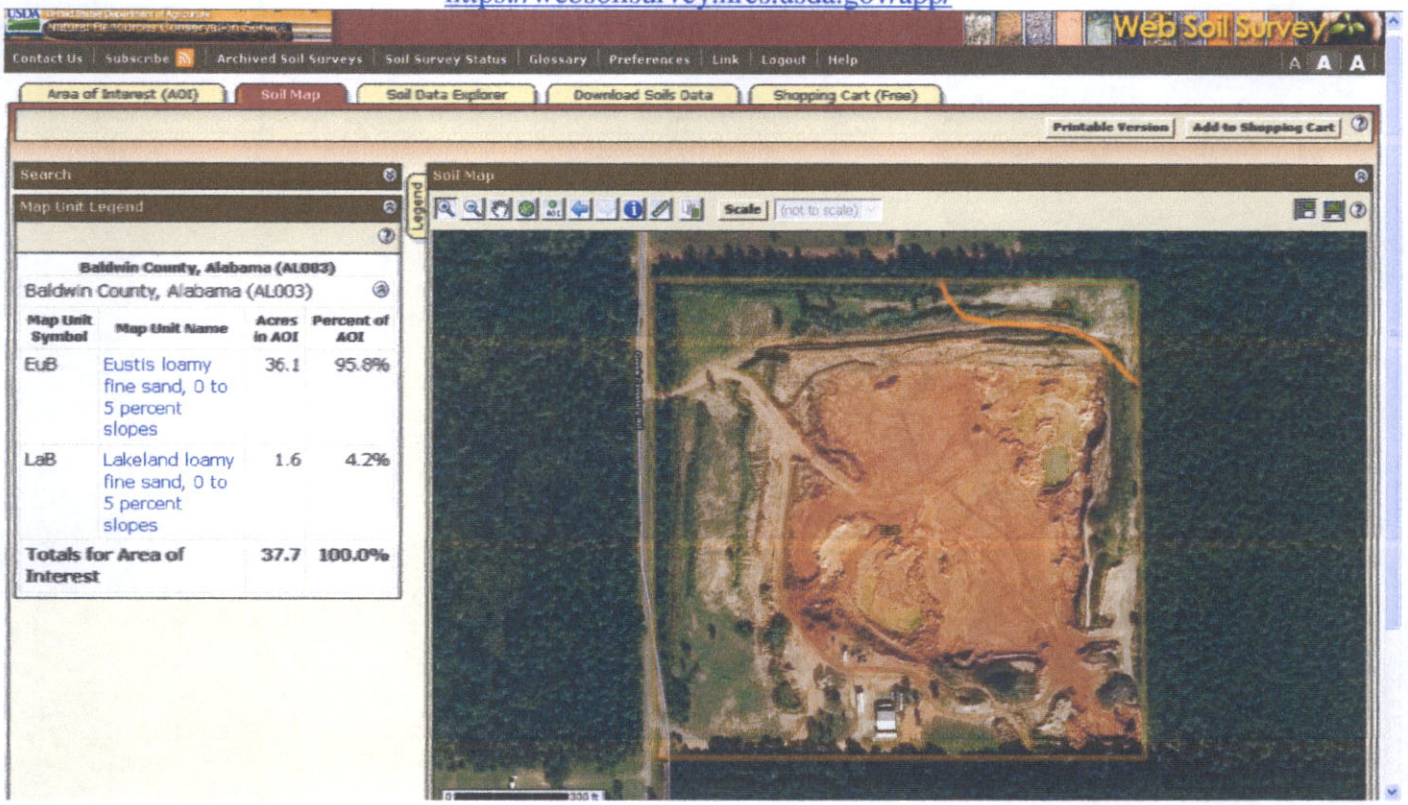


Figure 8- F&WL Wetlands Inventory Map

https://www.fws.gov/wetlands/Data/Mapper.html

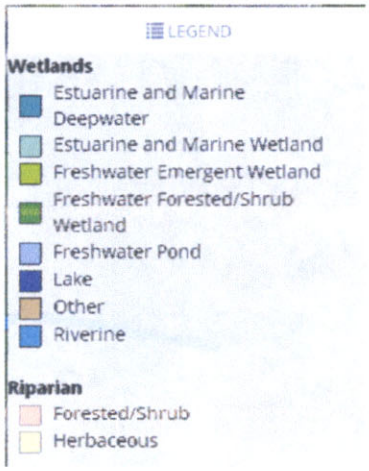


Figure 9 - ADEM Regulatory Map(s)

http://gis.adem.alabama.gov/adem_dash/ust_reg.html

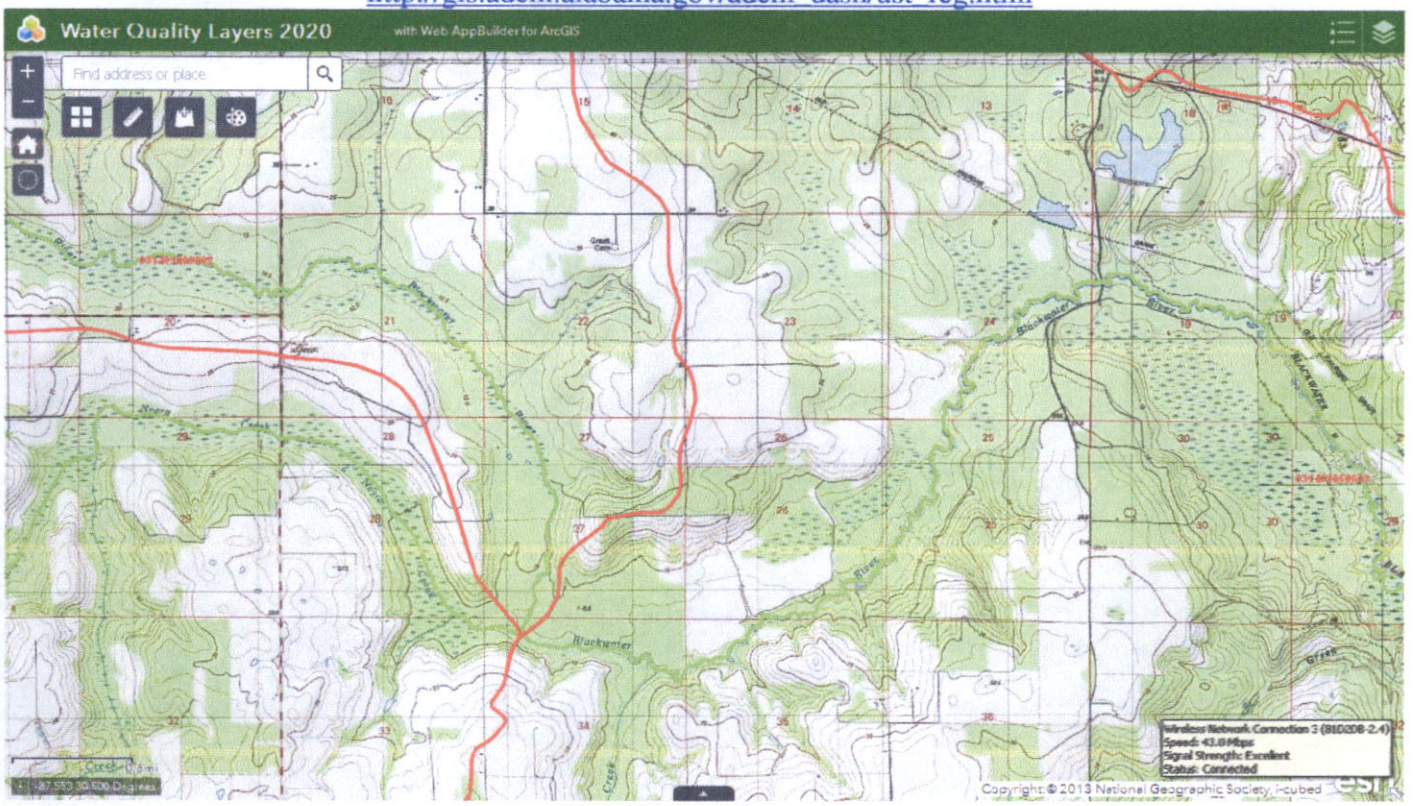
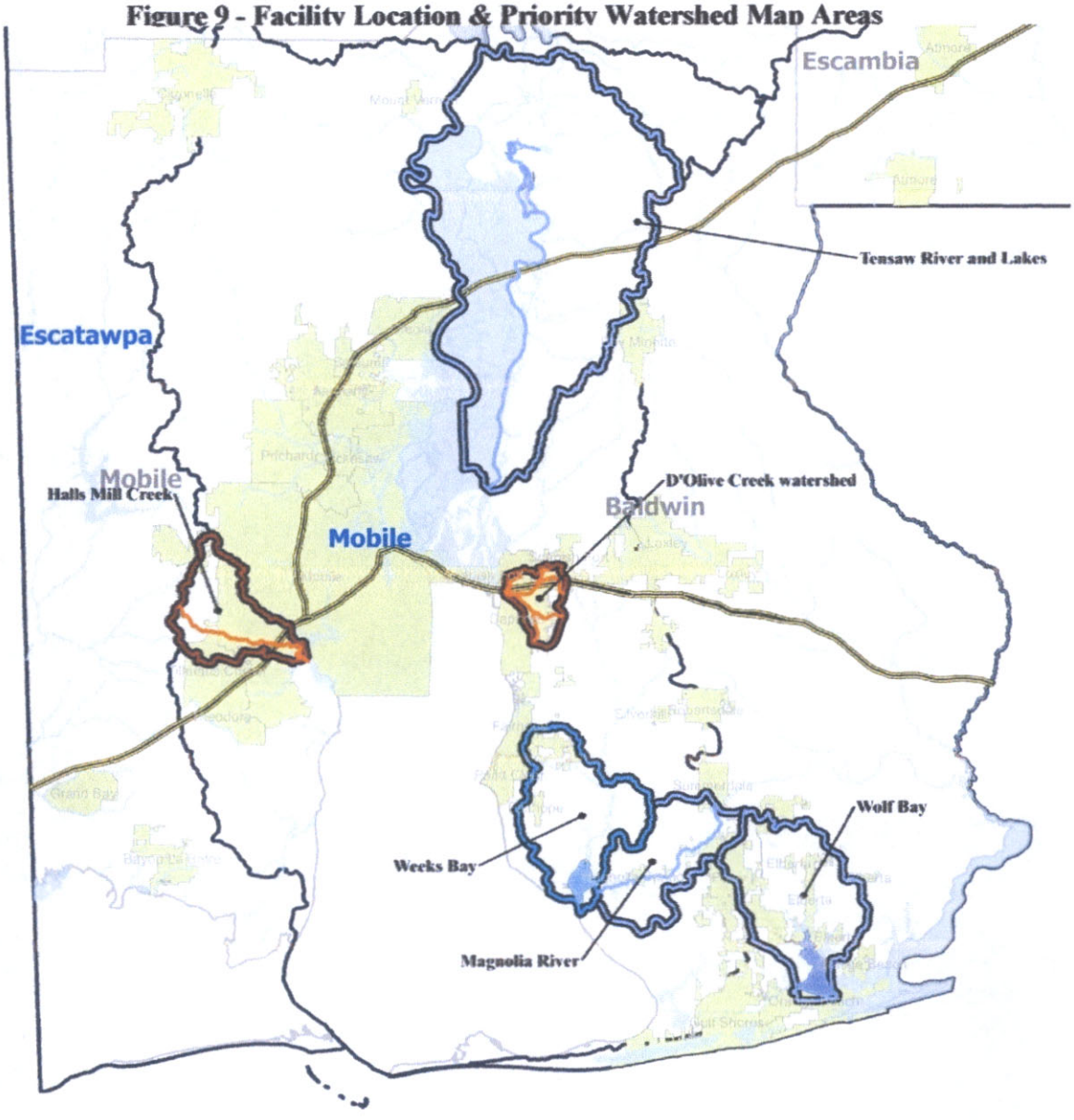


Figure 9 - Facility Location & Priority Watershed Map Areas



APPENDIX B

BMP Plan Typical Details

BMP DETAILS

FOR INCISED PIT NON-COAL MINING

04-22-2021 by W. Joe Taylor, P.E., Taylor Engineering, LLC 251-626-8005

BEST MANAGEMENT PRACTICES (BMPs)
3 TYPES OF BMPs:

1. ***GOOD HOUSEKEEPING BMPs***
2. ***SEDIMENT & EROSION CONTROL BMPs***
3. ***STORMWATER MANAGEMENT BMPs***

1. SOME GOOD HOUSEKEEPING BMPs

Neat & Orderly Storage of All Chemicals, Pesticides, Fertilizers, Fuels, Materials, & Equipment Stored on Site.

A) Proper Storage, Use, Management, Disposal of chemicals reduces pollution in stormwater run-off.

- ***Follow the SPCC*** Inspection, Management, Reporting, & Cleanup guidelines for the facility.
- ***Keep Spill Cleanup Supplies***, - oil absorbent booms, pads, granules, plastic bags, rolls of plastic liner.

B) Regular Garbage, Rubbish, Construction Waste, & Sanitary Waste Disposal Designate Waste Collection Areas to store any of the following materials in the event that some trespass results in unauthorized disposal of the following wastes. Any illegal dumping of potentially hazardous or illegally dumped garbage, construction debris, or trash on the must be reported to ADEM and must be cleaned up immediately upon discovery.

- Trash and sold waste must be stored in a neat and orderly fashion and only in disposal bins or trash containers that can be covered when not in use. All solid waste trash and garbage generated during the normal operations must only be disposed at a permitted facility approved for these wastes.
- Sanitary sewer or other liquid biological waste from port-o-lets or other sources generated on site, must be disposed of and / or treated in accordance with the County Board of Health requirements associated with septic or biological waste and in accordance with the ADEM Admin Code Rules.
- Piles of removed trees & shrubs (may be mulched) asphalt, natural mineral aggregate, concrete, unpainted wood, trees, limbs, and natural leaf organic materials may be used for reclamation and may be acceptable to be used as reclamation and stabilization materials only if they do not contain any of the following:
- No steel or other metal scrap or other construction debris may be disposed of at the facility.
- Packaging materials (wood, paper, plastic, etc.) may not be disposed of in the facility,
- Scrap or surplus building materials (wood, metals, rubber, plastic, glass, masonry, other solid wastes) may not be disposed of at the facility.
- Used oil, oily rags, used absorbent mats/booms must be properly disposed of in accordance with the ADEM land division requirements and may not be disposed of at the facility.
- Paints, thinners, solvents may not be disposed of at the facility,
- Detergents, cleaners, muriatic acid, etc. may not be disposed of at the facility,
- Blasting sand, paint scrapings, other paint residues or any materials containing these residues or coating, may not be disposed of at the facility,
- Any other potentially hazardous petroleum or chemical waste sources must be disposed of only at an ADEM approved facility permitted to receive and dispose of these wastes.
- Note: do not mix incompatible waste.

- ***Provide Containers*** - you must have an adequate number of containers with lids, or covers to place over the containers prior to rainfall for any and all waste generated at the facility by the mining operations.
- ***When possible*** locate containers in a covered area.
- ***Arrange for Waste Collection*** no container overflow is allowed.
- ***If the Container Does Spill, Clean It Up*** - immediately to prevent it from spreading.
- ***Collect, Remove & Properly Dispose*** - of all construction waste only at approved facilities.

C) Petrochemicals – You must manage any petroleum contaminated waste, fuels or oil used for the on-site equipment in accordance with the SPCC Plan. Store fuel, new oil, used oil, paint, solvents, other petroleum products, & their waste, if possible under cover and/or within a lined secondary containment collection area.

- ***Use Secondary Containment for Oil & Fuel Tanks*** - leak protection & workers who take care.
- ***Clean up spills*** - even small ones. Make it a habit to dispose of used oil, grease, rags, & absorbents in proper disposal containers.
- ***Always fix leaking hydraulics/other oil leaks***,
- ***Never dump*** spent oil, paint, nor any kind of cleaner on the dirt or into ditches.
- ***Do not wash equipment off at this facility. Take the equipment off site for maintenance in the event that it must be washed off or repaired.***
- ***The easiest & cheapest way is to prevent*** petroleum wastes from getting on the ground.

D)Pesticides,Insecticides,Herbicides, Rodenticides – No pesticide, insecticide, herbicide, or rodenticide is planned for use at the facility.

E) Fertilizers & Lime - Soils in our area are strongly acidic, are low in carbon content, & low in natural nutrients, so lime & fertilizer application is needed to grow plants & establish vegetation. In order to reclaim areas by growing grass or other vegetation on formerly mined areas or otherwise disturbed and exposed soil surfaces, only follow

the recommended application rates needed to insure adequate growth of the vegetative cover needed to stabilize these areas.

- ***Plan application of lime, fertilizer & planting*** to avoid bad weather.
- ***Test the soils at your site before applying*** lime & fertilizer, then only use the required amount.
- ***Use mulch in combination with seed operations*** to reduce lime & fertilizer application & leaching.

2. SEDIMENT & EROSION CONTROL BMPS

2.1. PROTECT EXISTING VEGETATION - best method to reduce erosion, especially on steep slopes & in natural drainage areas.

A) Establish Buffer Zone (BZ) in construction plan

- ***Undisturbed strip or "green belt"*** of plants around the construction site & bordering streams.
- ***Benefits:*** Costs less; reduces run-off velocity & filters sediment from run-off; acts as a screen for "vision pollution"; reduces construction noise; improves aesthetics of a construction site.

B) Preserve Natural Vegetation Zones (BZ) - prior planning & construction activities to retain as much natural vegetation as site construction corridors will allow.

- ***Disturb as little top soil & vegetative cover as possible.***
- ***Tree preservation/protection*** – mark & protect desirable trees; do not clear under desirable trees with construction equipment; do not trench too close to desirable trees.
- ***Where possible keep existing land contour*** - operate clearing equipment as near as possible on the existing land contour.
- ***Protect fish & wildlife habitat.***
- ***Leave a significant buffer zone*** of undisturbed vegetation along streams.
- ***Minimum recommended width of a natural buffer*** strip is: 15' plus 1/2 channel width above diversions & 100' along flowing streams.

2.2. PROTECT EXPOSED SURFACES - best to immediately mulch & seed or sod once final grade is made. Stabilize all exposed soils with mulch, soil adhesives, temporary-plant seeding, permanent-plant seeding.

A) Mulching (MU) - temporary (less than 6 months) cover to prevent erosion & reduce run-off.

- ***Apply mulch to cover over 75% of exposed soil.***
- ***Usually needs anchors*** to prevent movement during rain, wind, foot & vehicle traffic.
- ***Use straw, hay, pine straw, wood chip mulch*** on up to 10% slopes & use matting, netting, geotextile fabric on steeper slopes.
- ***Combine mulch with temporary seeding,*** permanent seeding, & sod borders for best results, especially for added benefit of dust control.
- ***Do not apply so much mulch*** that you create a fire risk, or other risks for workers, i.e. slipping, falling.

Table 1 - Mulch Materials & Application Rates

Material	*Application Rate*
Pine straw	1 - 2 tons per acre
Straw or hay	1.5 - 2 tons per acre
Wood waste, chips, sawdust, bark	2 - 3 inches deep (6 - 9 tons per acre)
Matting, netting, fabric	use product recommendations
Polyethylene film	completely cover

B) Polyethylene Film / Plastic Sheets (PF) – For this facility, the PF BMP will only be used in the event of a petroleum spill cleanup for temporary storage or temporarily used to cover 100% of exposed potentially contaminated soils prior to disposal. This is the best way to prevent the contamination from spreading before disposal, if no containers are on the facility immediately after the spill.

- ***Simply roll out & unfold*** (100'x32' rolls or 100'x40' rolls)
- ***Use minimum of 6 mil thickness.***
- ***Must be secured*** with heavy weights on top of it, or stakes to prevent the wind from blowing it off.
- ***Frequently used as a liner*** under & cover over excavated contaminated soils until proper disposal.
- ***May be used*** as a secondary cover or as liner for hazardous waste containers, but do not use as the primary container for management of hazardous waste, which must be properly labeled, managed, stored, & disposed of in secure containers only, in accordance with ADEM Hazardous Waste, Land Division, RCRA regulations.

C) Hydro-Seeding (HS) – During reclamation operations, hydraulic seeding machines can successfully permanently stabilize prepared or unprepared seedbed, with proper lime, fertilizer, seeding rate, as shown in Tables 2.

- ***Sloping is not required*** when slopes are suited for plant maintenance; soils that are rilled, crusted, or unstable must be scarified & smoothed.
- ***Seedbed preparation is not required*** when soil surface is loose & porous. Till compacted soils or use chain harrows, etc. to prepare soils.
- ***Apply lime, fertilizer*** & wood cellulose fiber mulch, with seed, or as a separate hydraulic operation.
- ***Mulch areas that are hydroseeded.*** Apply straw or hay mulch with mechanical mulching machine or by hand.
- ***Additional rolled erosion control products may be used*** to stabilize slopes, after hydroseeding, or after application of blown mulch & seed spreading.

D) Permanent Vegetation (PV) must be done to stabilize any reclaimed areas of the mining as the areas to be mined progress and for final reclamation. No exposed

slopes may be present when closing out a permit. Permanent stabilization is also critical during normal operations for any areas that do not have surface run-off into the incised pit, especially on highly erodible or severely erodible areas, including: cut or fill slopes, earth spillways, channel banks, roadsides, spoil areas, gullied lands. All perimeter diversion berms must be fully stabilized with permanent vegetation cover as soon as practicable.

- ***Grade & shape*** as needed to provide a surface on which standard size equipment can be used in preparing the seedbeds, seeding, & mowing/maintenance.
- ***Practice Top Soil Conservation*** (only strip land under buildings, access roads, work corridor, & parking lots.) Stockpile topsoil Onsite to minimize lime & fertilizer applications.
- ***Acidic soils*** should be tested for acidity (pH), then treated with the proper amount of lime or basic slag.
- ***See plant types***, rate, fertilizer, & planting season in Table 4; Use adapted plants that tolerate poor droughty soil.
- ***Combine with fast growing annuals & mulching*** where quick cover is needed (but, do not combine with highly competitive annuals such as ryegrass or brown millet temporary cover).
- ***Sod can be placed on some mulch materials***, but do not mulch on top of sod.
- ***All grasses & legumes must be protected*** from traffic until established & then maintained.

Table 2 - Commonly Used Plants for Permanent Cover

Plant Species	*Rate/acre*	*Planting Season*	*Fertilizer[1] lb./acre for N:P_2O_5:K_2O*
On Graded & Shaped Areas Use The Following:			
Tall Fescue & White Clover	30 lb. 4 lb.	8/15-1/15	40:120:120
Bermudagrass (sprigs)	30 Bu.	3/15-7/15	100:100:100
Bermudagrass (seed) Do not use NK-37.	8 lb.	3/15-7/15	100:100:100
Bahiagrass (grows slow)	40 lb.	3/01-7/01	100:100:100
Bahiagrass & Common[2] Bermudagrass	30 lb. 5 lb.	3/15-7/01	100:100:100
Sericea Lespedeza (grows slow)	50 lb.	3/01-8/01	20:80:80
Sericea Lespedeza & Weeping Lovegrass	40 lb. 5 lb.	3/01-8/01	80:100:100
Sericea Lespedeza & Common Bermudagrass	40 lb. 5 lb.	3/15-7/01	80:100:100
Lesdedeza Bicolor	16 lb.	3/01-4/01	0:100:100
Pine Trees (loblolly seed)	2 lb.	2/01-3/15	80:80:80
Improved lawn	Solid sod	All year[3]	100:100:100
Improved lawn	Sprigs, 1ft. centers	3/01-8/15	100:100:100
On Unshaped Areas Use The Following:			
Lespedeza Bicolor (seedlings)	12,000 seeds/acre	12/01-3/01	0:100:50
Bermudagrass Chunks (3"x3"x3")	Plant on 3 ft. centers.	2/15-7/15	1/5 lb. of 10-10-10 per chunk
Weeping Lovegrass, or Switchgrass spp.	Seeds: 10 per inch of row, 5 per inch of row.	3/01-8/15	100:100:100, Good to use in gullies. Put rows 2' apart.
Giant Reed Cane Cuttings	1 ft. apart, 4 ft. rows	3/15-5/30	100:100:100
Japanese honeysuckle English Ivy Vinca spp.	Plant on 3 ft. centers.	2/15-4/15	1/5 lb. of 4-12-12 / plant
Cottonwood seedlings / cuttings	1,000 / acre	12/1-3/15	1/4 lb. of 10-10-10 / plant
Cedar seedlings	2,000 / acre	12/1-3/15	1/4 lb. of 10-10-10 / plant
Pine seedlings	1,200 / acre	12/1-3/15	1/4 lb. of 10-10-10 / plant
Willow seedlings / cuttings	1,000 / acre	12/1-3/15	1/4 lb. of 10-10-10 / plant

1.) 1,000 lb. of 10-10-10 fertilizer is 100:100:100 lb. of N:P_2O_5:K_2O.
2.) Best combination for much of South Alabama.
3.) You must irrigate & maintain sod cover.

E) EROSION BLANKETS (EB) – consist of fiber mats & polymer netting products that can be very effective when properly installed & anchored. Prior to placing erosion control matting, or mulching, the following activities should be carried out:

1. As required, ***shape and grade the slope***, or other area to be protected.

2. ***Remove all rocks, clods, or debris larger than 2 inches*** in diameter that will prevent contact between the net and the soil surface.

3. ***Lime and fertilizer*** should be incorporated and the surface roughened as needed.
Seed should be applied prior to mulching, except in the following cases:
a. Where seed is to be applied as part of a hydroseeder slurry containing wood fiber mulch.
b. Where seed is to be applied following a straw mulch spread during the winter months.
c. Where a hydroseeder slurry is applied over straw.

4. Like Mulch Anchoring, Erosion Control Blankets and Mats ***must be anchored immediately after spreading*** to prevent wind-blow.

The following methods of anchoring straw mats may be used:

1.***Mulch or Matt Anchoring Tool*** – A tractor-drawn implement is used to punch mulch into the soil surface. This method provides maximum erosion control with straw.

It is limited to use on slopes no steeper than 3:1, where equipment can operate safely. Machinery shall be operated on the contour.

2. ***Liquid Mulch Binders*** – The application of liquid mulch binders and tackifiers should be heaviest at the edges of areas and at the crests of ridges and banks, to prevent windblow. Binders should be applied uniformly over the rest of the area. They may be applied after mulch is spread or may be sprayed into the mulch as it is being blown onto the soil. Applying straw and binder together is the most effective method.

3. ***Chemical binders*** such as Petroset, Terratack, Road Oyl, and Acrospray may be used as recommended by the manufacturer to anchor mulch. These are expensive and therefore are usually used in small areas. (NOTE: The use of trade names does not constitute a product endorsement by Taylor.)

4.***Mulch Nets*** – Lightweight plastic, cotton, or paper nets may be stapled over the mulch. The nets shall be secured by stakes, staples, or pins according to the manufacturer's recommendations (see Figure 7.7a for details).

5. ***Start laying the net from the top of the slope*** and unroll downgrade.

6. ***Allow the net to lie loosely on the soil***—DO NOT STRETCH.

7.To ***secure the net, the upslope ends*** should be buried in a slot or trench no less than 6 inches (15 cm) deep. Tamp earth firmly over the net. Staple the net every 12 inches (30 cm) across the top end. The edges shall be stapled every 3 feet (90 cm). Where 2 strips of net are laid side by side, the adjacent edges shall be overlapped 3 inches (8 cm) and stapled together. Staples shall be placed down the center of net strips at 3 foot (90 cm) intervals. DO NOT STRETCH the net when applying staples.

- ***All Erosion Control Blankets and Nets Must be properly selected*** to ensure performance & minimize cost. Always use manufacturers specifications - contacts: ACF Environmental 1-800-443-3636 for biodegradable erosion control mats (Excelsior, Straw, Futerra), synthetic erosion control mats (Turf Reinforcement Mats TRMs, high performance TRMs, V.E. alternate to Riprap), Geoweb Cellular Confinement Systems, Reinforcement Geosynthetics. Alabama Pipe & Supply Co. (Irvington), 251-957-2761 for North American Green erosion control blankets, Presto Geoweb & Geoblock, Permalon, & Synthetic Industries geotextile & erosion control mattings & blankets.

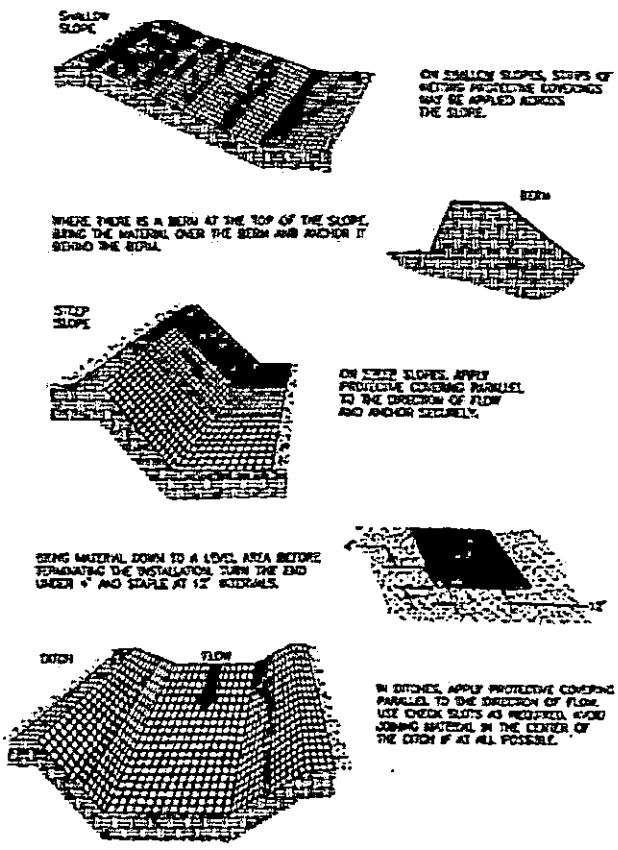


Figure 1 –Erosion Control Blankets & Matting.

2.3. SEDIMENT BARRIERS (SB) - Natural or artificial structures to trap sediments, i.e. vegetative filter strips, brush barriers, straw bale barriers, silt fences, filter berms, roadbed construction exits, & sediment basins; used to filter or to divert sediment carried by run-off & to prevent it from leaving the construction site.

A) Vegetative Filter Strips (VS) - temporary or permanent, natural or planted, strips of grass or other plants. See Sections 2.1.A), 2.1.B), 2.2.E), & 2.2.F).

B) Brush Row Barriers (BB) - piled & compacted brush cleared from construction site can be used as a temporary sediment trap & to slow run-off.

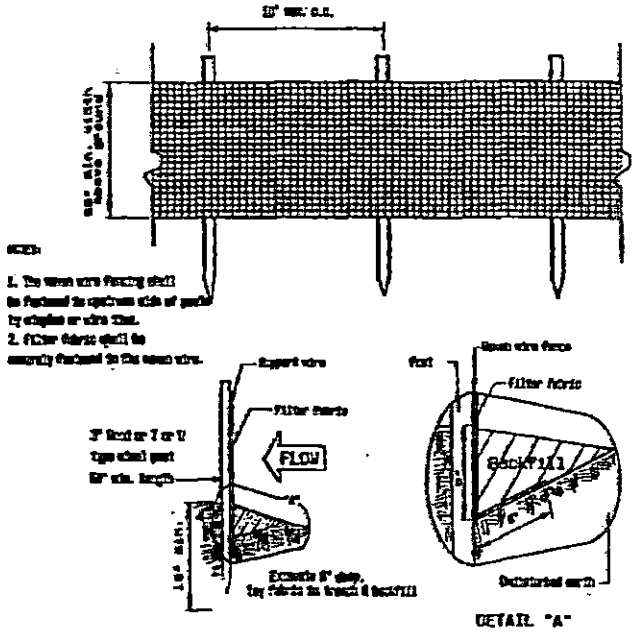
- ***Best to use*** along the temporary diversion berms & upgradient of vegetative buffer strips on upland areas along streams.

C) Silt Fence (SF) – Although no use of Silt fence is anticipated, except in the event that some areas are cleared near the County Maintained Dirt Road entrance, then some limited use of temporary silt fence requires proper installation and maintenance. Any Silt fence installed will be done on up to 5% slopes, in small drainage ways & in minor swales, along outer boundary of work area, perpendicular to flow direction until adequate permanent vegetation can be established on the disturbed areas, although at the current

time, no silt fence application is required for the facility BMPs.

- ***Removes silt & sand (but does not remove fine clay particles)*** & prevents some downstream damage from sediment deposits.
- ***Reduces speed of run-off flow.***
- Minimal clearing & grubbing required for installation.
- ***May result in failure*** from improper choice of pore size in the filter fabric or improper installation.
- ***Do not use silt fences in streams.*** Appropriate only for use in small drainage areas with overland flow.

Requires frequent inspections & must be maintained, to repair any rips and damage to the silt fence, remove sediment accumulation on the up-slope side of the silt fence if the sediment reaches the half way up level of the silt fence..



Silt Fence Detail III-52-4 July 1, 1993

Figure 2 – Silt Fence Installation

D) Roadbed Construction Exits (CE) – At the current time the common road (the County Maintained Dirt Road is a dirt road running approximately a half mile from the paved road to the access road to the facility. County Maintained Dirt Road is maintained by the county for common access to serve other dirt pits, utility easements, and residences, so a construction exit is not practical, nor necessary, to protect water quality due to vehicle tracking from the facility. If the county maintained dirt access road is ever paved so that the entrance of the facility meets the paved portion of the access road, then temporary stone construction exit pad used to trap sediment from vehicle tracking from dirt roads or dirt drives onto paved roads must be installed.

- ***Stone size***: ASTM d448 size #1 (1.5-3.5 in. diameter)
- ***Use at least 6 inches pad thickness.***
- ***Use 50 ft. minimum pad length***, or large enough to park longest anticipated truck.
- ***Maintain to prevent tracking*** of mud onto road.
- ***Periodically top dress*** with fresh stone.

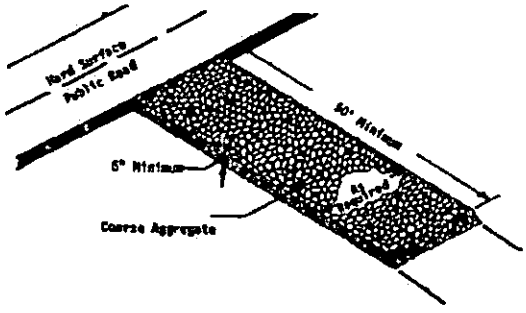
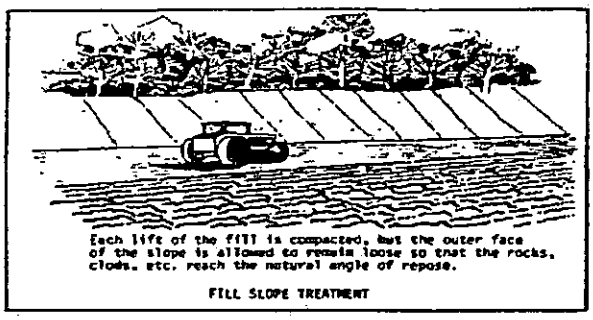


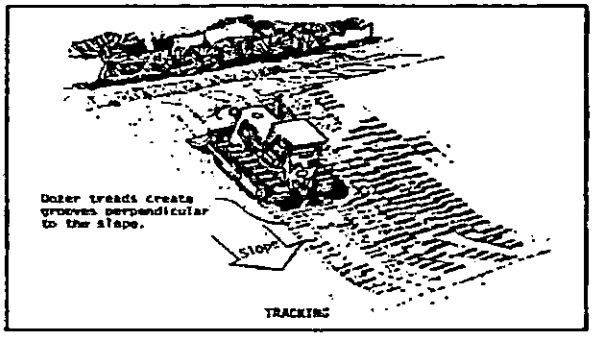
Figure 3 – Construction Exit

E) Surface Roughening (SR) – Earth work, grading & compaction practices to trap sediment on slopes.

- ***Best to use*** in combination with mulch, sediment barriers, interceptor dikes, toe berms, brush barriers, & diversion berms.
- ***Helps hold seed & mulch*** in place & ***Reduces run-off velocity,*** increases filtration, & helps trap sediments.
- ***All slopes from 3:1 or greater require surface roughening***, either stairstep grading, grooving, furrowing, or tracking if they are to be stabilized with mulch & vegetation (see figures 5A & 5B).
- ***Areas with grades flatter than 3:1*** should have the soil surface lightly roughened & loose to a depth of 2 to 4 inches prior to seeding. Areas that have been graded but will not be stabilized immediately should be roughened to reduce run-off velocity until mulching & seeding can be done.

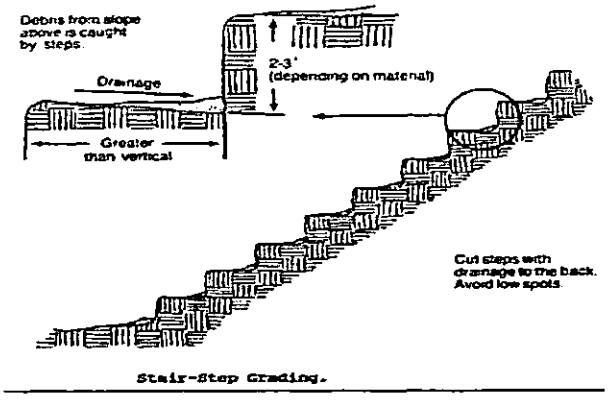


Loose Outer Slope Construction.

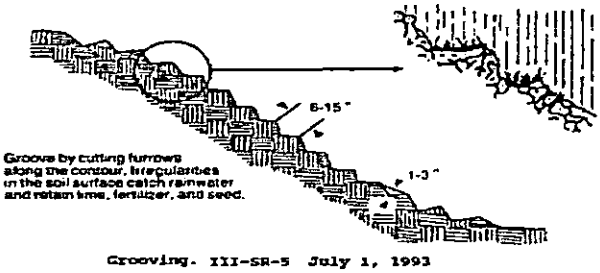


Tracked Roughening. III-SR-6 July 1, 1993

Figure 4A – Fill Slope & Tracking Surface Roughening



Stair-Step Grading.



Grooving. III-SR-5 July 1, 1993

Figure 4B – Stair-Step & Grooving Surface Roughening

F) Toe Berm (TB) - a vegetative strip at the toe of a slope to reduce run-off velocity & allow sediment to deposit.

- ***Use with silt fences & hay bales*** to improve performance of each.
- ***Shape & Vegetate*** as soon as the toe of the slope is established.
- ***Build only where run-off is from fill slopes.***
- ***Make it 10 ft. wide per 100 ft. of length.***
- ***Make the outer slopes of berm 3:1 or flatter.***
- ***Compact the soil, mulch, seed*** at least 10 ft up the slope.

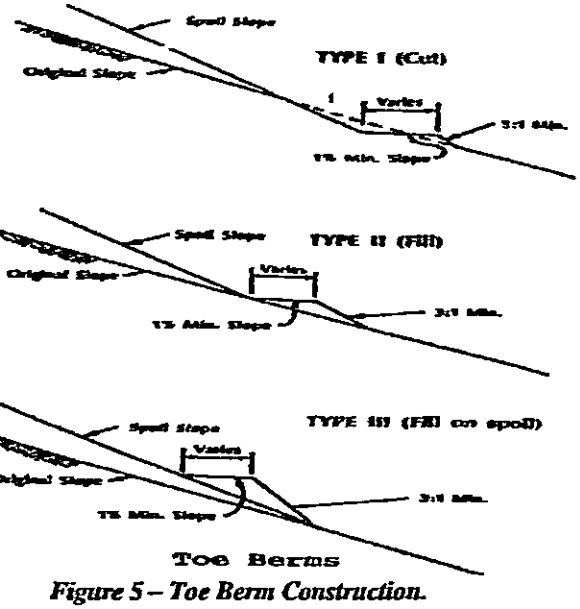


Figure 5 – Toe Berm Construction.

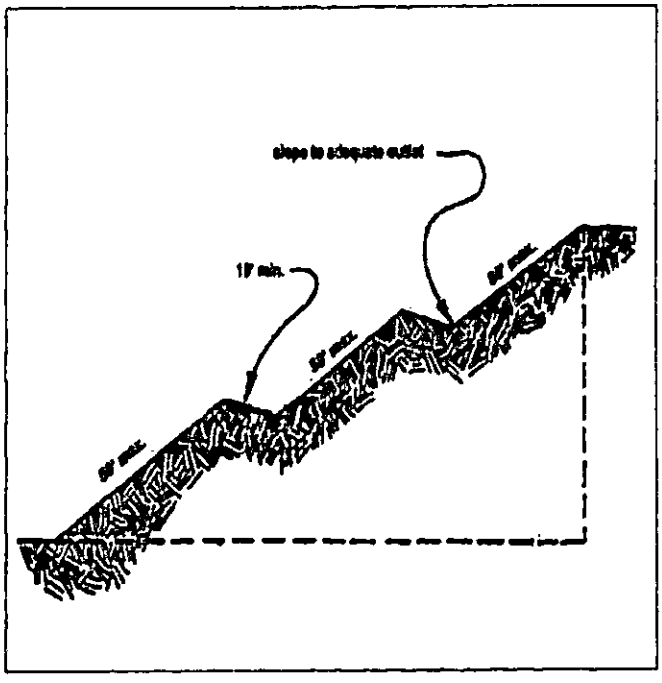


Figure 6 – Gradient Terraces on Slopes

G) Gradient Terraces (GT) – earth embankment or ridge & channel made on a suitable vertical spacing, based on soil type & slope of grade.

- ***Lowers velocity of run-off*** by increasing distance of overland flow, reducing effective hydraulic gradient, increasing infiltration & minimizing run-off sediment.
- ***Use on exposed slopes*** with loamy sandy, sandy loam, silty loam, & clay loam.
- ***Combine with mulch & seed*** for best results.

- ***Maximum spacing of gradient terraces*** is determined for the VERTICAL interval (Z, feet) based on the following:

$$Z = 0.9\,S + Y \quad \text{(MOBILE CO. \& BALDWIN CO.)}$$

Where S = slope of land (% or feet per 100 feet)
Y = soil & cover value, i.e.:
Y = 1 for loamy sand or fine silty sand
Y = 1.25 for clay loam
Y = 2 for sandy loam or silty loam
Y = 2.5 for loamy sand with 1.5 tons mulch per acre
Y = 3 for clay loam with 1.5 tons mulch per acre
Y = 4 for sandy loam with 1.5 tons mulch per acre.

- ***Channel grade for terrace*** *should be from 0.6 % to 1 % (0.6 feet per 100 feet of channel length) to limit channel velocity to less than the erodable velocity for the soil type.*
- ***All gradient terraces must have adequate outlets,*** i.e. grassed waterway, natural vegetation buffer strip, gravel filter berm onto grassed area, etc.

H) Topsoil Application (TS) - Top soil application is critical to establishing a proper soil medium for permanent vegetation for all the slopes of reclaimed areas within an incised pit. Top soil application must be used on all reclaimed areas after excavating, grading, filling, & shaping to the proper lines, grades, & elevations.

- ***Place sediment barrier protection*** before topsoil stockpile is started.
- ***Mulch & seed topsoil stockpile*** or cover with plastic sheeting if it will be unused for more than 14 days.
- ***Subsoil should be disked or scarified*** to a depth of 4 inches to improve bonding before laying topsoil.
- ***Spread topsoil uniformly*** to a 4 inch depth on slopes flatter than 3:1, and spread to a 2 inches depth on slopes for the reclaimed areas where the slope will be 3:1.

Table 3 – Topsoil Application Rates

Cubic Yards of Topsoil Required for Application to Various Depths.

Depth (inches)	Per 1,000 Sq. Ft.	Per Acre
1	3.1	134
2	6.2	268
3	9.3	403
4	12.4	537
5	15.5	672
6	18.6	806

2.4. CONTROL RUN-OFF WATER - In addition to the other methods for stabilizing the disturbed areas & trapping sediments, the BMPs at this site may need to include:

- Grading entire facility to collect and direct run-off into the incised pit so that the bottom of the pit serves as a sediment run-off treatment retention pond.
- Installing and grassing to stabilize all diversion berms or other structures as flow barriers to direct runoff from upland areas away from the incised pit.

A) Storm Water Retention Structure (RS) - a sediment treatment storage pond in the bottom of the incised pit to contain storm water run-off, and that only discharges to groundwater for normal rain events (up to or exceeding 25 year 2 hour rain event); used in all incised pits.

- ***Minimal design must store run-off from a 2 yr. 24 hr. storm*** event & up to ½ inch of sediment from disturbed area in the drainage area.
- ***Use the site's undeveloped, natural run-off rate*** to size the treatment pond.
- ***To prevent damage,*** install an emergency spillway that is fully stabilized with either rip-rap and/or vegetation, using the natural existing land contour at the lowest elevation for the existing land surface, to convey run-off for a minimum 24 hr. 10 yr storm event.
- ***Seed & mulch immediately after construction*** to stabilize the emergency discharge and any natural swales receiving the emergency discharge from the incised pit. If possible, place the emergency discharge on up-lands with well established grassed or other natural vegetation.

B) Diversion Berms (DB) - a temporary or permanent series of ridges of compacted soil placed across a slope or road bed to intercept run-off & divert it to stabilized areas, such as into a natural vegetation buffer strip.

- ***Must be machine compacted, mulched,*** & grassed to stabilize after construction.
- ***Must remain until slope*** is permanently stabilized.
- ***Must be inspected & maintained*** to prevent gully erosion.
- ***Place diversion berms*** at the top of filled areas with unstabilized slopes to direct water flow away from slope.
- ***Limit drainage area to 5 acres*** for diversion dike above slope. Use interceptor dikes with spacing of Table 4

Table 4 – Horizontal Spacing for Diversion Berms

Slope above berm	*Distance between dike*
more than 10%	150 ft.
5% to 10%	200 ft.
less than 5%	300 ft.

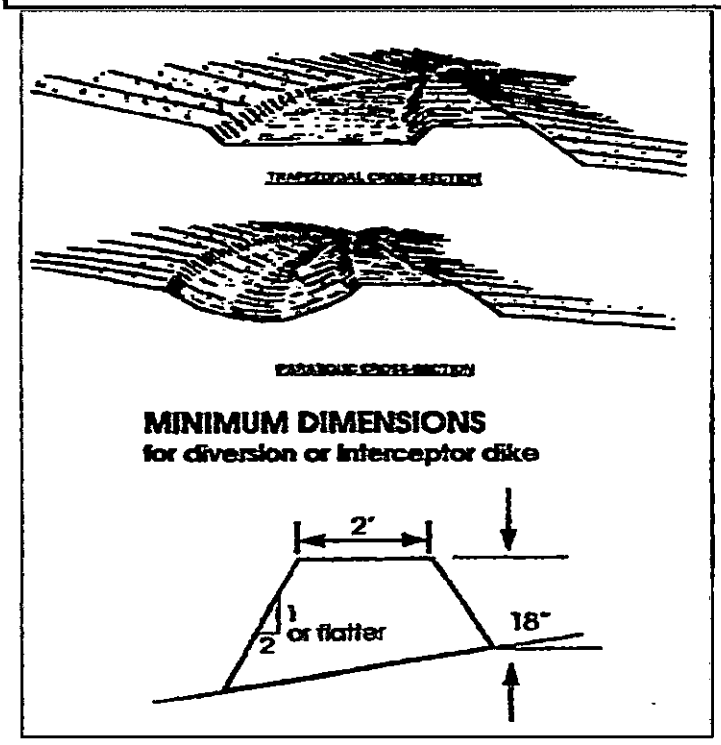


Figure 6 - Diversion Berms

For a more extensive discussion of Stormwater Management BMPs & BMP planning & implementation see the Soil Conservation Service publication: ***Alabama Handbook Erosion Control, Sediment Control, & Stormwater Management***, the Home Builders Association of Alabama (HBAA) publication: ***Controlling Erosion & Sediment in Home Building***, the HBAA publication: ***Residential Construction Qualified Credentialed Inspection Professional (QCIP) Training & Certification Manual***, ***Sections 307, 318, 402, & 405 Clean Water Act***, EPA: ***Baseline Construction General Permit***, ADEM: ***Administrative Code R. 335-6-6 Water Quality Program - NPDES Permits.***

SPILL PREVENTION, CONTROL, & COUNTERMEASURES (SPCC) PLAN

For Facility:

Gulf States Enterprises Pit

18786 Greek Cemetery Road
Robertsdale, AL 36567
Baldwin County

Prepared for:

Gulf States Enterprises, Inc.

8905 Untreiner Ave.
Pensacola, FL 32534

March 22, 2021

Project No. 02594

*This is to certify that I, **W. Joe Taylor, P.E.**, a Licensed Engineer in the State of Alabama, am familiar with the **Gulf States Enterprises Pit,** located in Baldwin County, Alabama and, to the best of my knowledge, all information herein is true and correct, and the Spill Prevention Control & Countermeasures (SPCC) Plan has been prepared in accordance with good engineering practices.*

Prepared By:

Taylor Engineering, L.L.C.
P. O. Box 1875
Daphne, AL 36526
W. Joe Taylor, P.E.
as its: Environmental Engineer
AL License No. 22783

*This SPCC Plan has been reviewed by the management of **Gulf States Enterprises, Inc.** and is adopted into the operation of our facility: **Gulf States Enterprises Pit.***

Mr. Troy Templeman, President
Gulf States Enterprises, Inc.

03-22-2021
Date

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Appendices

LIST OF ACRONYMS AND ABBREVIATIONS

AST	Aboveground Storage Tank
EPA	U.S. Environmental Protection Agency
ADEM	Alabama Department of Environmental Management
NPDES	National Pollutant Discharge Elimination System
PE	Professional Engineer
POTW	Publicly Owned Treatment Works
SPCC	Spill Prevention, Control, and Countermeasure
STI	Steel Tank Institute
UST	Underground Storage Tank

INTRODUCTION

Purpose

The purpose of this Spill Prevention, Control, and Countermeasure (SPCC) Plan is to describe measures implemented by Gulf States Enterprises Pit to prevent oil discharges from occurring, and to prepare Gulf States Enterprises Pit to respond in a safe, effective, and timely manner to mitigate the impacts of a discharge.

This Plan has been prepared to meet the requirements of Title 40, *Code of Federal Regulations*, Part 112 (40 CFR part 112), and supercedes the earlier Plan developed to meet provisions in effect since 1974.

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

Gulf States Enterprises Pit management has determined that this facility does not pose a risk of substantial harm under 40 CFR part 112, as recorded in the "Substantial Harm Determination" included in Appendix B of this Plan.

This Plan provides guidance on key actions that Gulf States Enterprises Pit must perform to comply with the SPCC rule:

1) Complete monthly and annual site inspections as outlined in the Inspection, Tests, and Records section of this Plan (Section 3.7) using the inspection checklists included in Appendix C.

2) Perform preventive maintenance of equipment, secondary containment systems, and discharge prevention systems described in this Plan as needed to keep them in proper operating conditions.

3) Conduct annual employee training as outlined in the Personnel, Training, and Discharge Prevention Procedures section of this Plan (Section 3.8) and document them on the log included in Appendix E.

4) If either of the following occurs, submit the SPCC Plan to the EPA Region 4 Regional Administrator (RA) and the Alabama Department of Environmental Management (ADEM), along with other information as detailed in Section 5.4 of this Plan:

a) The facility discharges more than 1,000 gallons of oil into or upon the navigable waters of the U.S. or adjoining shorelines in a single spill event; or

b) The facility discharges oil in quantity greater than 42 gallons in each of two spill events within any 12-month period.

5) Review the SPCC Plan at least once every five (5) years and amend it to include more effective prevention and control technology, if such technology will significantly reduce the likelihood of a spill event and has been proven effective in the field at the time of the review. Plan amendments, other than administrative changes discussed above, must be recertified by a Professional Engineer on the certification page in Section 1.2 of this Plan.

6) Amend the SPCC Plan within six (6) months whenever there is a change in facility design, construction, operation, or maintenance that materially affects the facility's spill potential. The revised Plan must be recertified by a Professional Engineer (PE).

7) Review the Plan on an annual basis. Update the Plan to reflect any "administrative changes" that are applicable, such as personnel changes or revisions to contact information, such as phone numbers.

8) Administrative changes must be documented in the Plan review log of Section 1.4 of this Plan, but do not have to be certified by a PE.

Part 1: Plan Administration

1.1 Management Approval and Designated Person (40 CFR 112.7)

Gulf States Enterprises Pit is owned and managed by the Gulf States Enterprises, Inc.

Gulf States Enterprises Pit, Gulf States Enterprises, Inc., management is committed to:

1. Preventing discharges of oil to navigable waters and to the environment, and
2. Maintaining the highest standards for spill prevention control and countermeasures through the implementation and regular review and amendment to the Plan.

This SPCC Plan has the full approval of Gulf States Enterprises, Inc. management. Gulf States Enterprises, Inc. has committed the necessary resources to implement the measures described in this Plan.

The Facility Manager is the Designated Person Accountable for Oil Spill Prevention at the facility and has the authority to commit the necessary resources to implement this Plan. The authorized Facility Representative (facility response coordinator) is:

Signature: _____ Date: 03-22-2021
Name/Title: **Mr. Troy Templeman**
President

1.2 Professional Engineer Certification (40 CFR 112.3(d))

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

This certification in no way relieves the owner or operator of the facility of his/her duty to prepare and fully implement this SPCC Plan in accordance with the requirements of 40 CFR part 112. This Plan is valid only to the extent that the facility owner or operator maintains, tests, and inspects equipment, containment, and other devices as prescribed in this Plan.

_____ 03-22-2021
Signature Date

W. Joe Taylor, P.E., AL License # 22783 ***Environmental Engineer***
Name Title

Taylor Engineering, L.L.C.
Environmental Engineering & Consulting
P. O. Box 1875, Daphne, AL 36526

Seal: ALABAMA LICENSED 22783 ENVIRONMENTAL ENGINEER W. JOE TAYLOR

1.3 Location of SPCC Plan (40 CFR 112.3(e))

In accordance with 40 CFR 112.3(e), a complete copy of this SPCC Plan is maintained at the facility, and at Gulf States Enterprises, Inc., by Troy Templeman, President 8905 Untreiner Avenue, Pensacola. FL 32534.

1.4 Plan Review (40 CFR 112.3 and 112.5)

1.4.1 Changes in Facility Configuration

In accordance with 40 CFR 112.5(a), Gulf States Enterprises Pit periodically reviews and evaluates this SPCC Plan for any change in the facility design, construction, operation, or maintenance that materially affects the facility's potential for an oil discharge, including, but not limited to:

1) commissioning of containers;
2) reconstruction, replacement, or installation of piping systems;
3) construction or demolition that might alter secondary containment structures; or
4) changes of product or service, revisions to standard operation, modification of testing/inspection procedures, and use of new or modified industry standards or maintenance procedures.

Amendments to the Plan made to address changes of this nature are referred to as technical amendments, and must be certified by a PE. Non-technical amendments can be done (and must be documented in this section) by the facility owner and/or operator. Non-technical amendments include the following:

1) change in the name or contact information (i.e., telephone numbers) of individuals responsible for the implementing this Plan; or
2) change in the name or contact information of spill response or cleanup contractors.

Gulf States Enterprises Pit must make the needed revisions to the SPCC Plan as soon as possible, but no later than six months after the change occurs. The Plan must be implemented as soon as possible following any technical amendment, but ***no later than six months*** from the date of the amendment. The Facility Manager is responsible for initiating and coordinating revisions to the SPCC Plan.

1.4.2 Scheduled Plan Reviews

In accordance with 40 CFR 112.5(b), Gulf States Enterprises Pit reviews this SPCC Plan at least once every five years. Revisions to the Plan, if needed, are made within six months of the five-year review. A registered Professional Engineer certifies any technical amendment to the Plan, as described above, in accordance with 40 CFR 112.3(d).

This Plan is dated **March 22, 2021**. The next plan review is therefore scheduled to take place on or prior to **March 22, 2026.**

1.4.3 Record of Plan Reviews

Scheduled reviews and Plan amendments are recorded in the Plan Review Log (Table 1-1). This log must be completed even if no amendment is made to the Plan as a result of the review. Unless a technical or administrative change prompts an earlier review of the Plan, the next scheduled review of this Plan must occur by **March 22, 2026.**

1.5 Facilities, Procedures, Methods, or Equipment Not Yet Fully Operational (40 CFR 112.7)

Bulk storage containers at this facility will be tested for integrity in accordance with this SPCC Plan. Section 4.2.6 of this Plan describes the inspection program to be implemented by the facility following a regular schedule, including the dates by which each of the bulk storage containers must be tested.

1.6 Cross-Reference with SPCC Provisions (40 CFR 112.7)

This SPCC Plan does not follow the exact order presented in 40 CFR part 112. Section headings identify, where appropriate, the relevant section(s) of the SPCC rule. Table 1-2 presents a cross-reference of Plan sections relative to applicable parts of 40 CFR part 112.

Table 1-1: Plan Review Log

By	Date	Activity	PE certification required?	Comments
W. Joe Taylor, P.E.	March 22, 2021	Prepare Plan Start of Operations	Yes	Initial SPCC Plan.
	March 22, 2026	Scheduled review		
		Plan amendment		
		Periodic review due to physical change		

* Previous PE certifications of this Plan are summarized below.

Date	Scope	PE Name	Licensing State and License No.

Table 1-2: SPCC Cross-Reference

Provision	Plan Section	Page
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112.20(e)	Certification of Substantial Harm Determination	Appendix B

* Only selected excerpts of relevant rule text are provided. For a complete list of SPCC requirements, refer to the full text of 40 CFR part 112.

Part 2: General Facility Information

Name:	Gulf States Enterprises Pit
Address:	18786 Greek Cemetery Rd Robertsdale, AL 36567 Baldwin County
Phone Number:	(850) 384-3314, (850) 384-4889 – Cell
Type:	Facility Maintenance Fuel storage / distribution facility
Date of Initial Operations:	2021
Owner/Operator:	Gulf States Enterprises, Inc. 8905 Untreiner Ave. Pensacola. Fl. 32534
Primary contact:	Facility Manager: Mr. Troy Templeman (850) 384-4889 – Cell
Fuel Facility Operator:	Gulf States Enterprises, Inc.

2.1 Facility Description (40 CFR 112.7(a)(3))

2.1.1 Location and Activities

Gulf States Enterprises Pit is located on 18786 Greek Cemetery Rd. Robertsdale, AL 36567, Baldwin County.

Directions to the facility: From I-10 & Baldwin Beach Express, Go 4.8 mi. S on Baldwin Beach Express, Turn left onto US-90 E Go 6.7 mi. Turn right onto Greek Cemetery Rd Go. 1.6 mi. Turn left to stay on Greek Cemetery Rd. Entrance will be on the left 2.1 mi.

The site is an incised pit that includes a dirt, topsoil, clay and sand mining operation, with access road, stockpile areas, loading and unloading area, product storage and handling areas.

Information and maps showing the facility were available from the Baldwin County GIS and are included in the Appendix.

Installation of several fuel storage facilities are located at the Site. This SPCC Plan includes 55 gallon drums, totes, temporary storage containers larger than 5 gallons, and covers the possible on-site storage of fuel via 1000 gallon diesel fuel storage and / or 1000 gallon gasoline fuel storage, within steel, double walled above ground storage tanks (ASTs). The fuel tank(s) for the diesel and gasoline fuels will be maintained in

substantial compliance with regard to petroleum storage requirements, as they relate to handling, storage, and use of petroleum products.

Gulf States Enterprises Pit will receive products by common carrier via tanker truck. The products will be stored in the aboveground storage tank(s) (AST). The equipment and vehicle fueling will be done via "self serve", i.e. the operator for the vehicle and equipment to be fueled accesses the fuel tank, which is adjacent to the pit. The Facility Layout Plans in Appendix A shows the location and layout of the facility, including the location of petroleum containers, access road, loading/unloading and transfer areas.

Personnel at the facility include part-time maintenance personnel.

2.1.2 Oil Storage

The petroleum storage at the facility will consist of Above Ground Storage Tank(s) - ASTs, and drum storage of new oil and used oil, as described in Table 2-1. Photographs are included in the appendices for each oil storage area and container with quantities equal to or greater than 25 gallons.

The capacities of oil containers present at the site are listed below and are also indicated on the Facility Layout Plan in Appendix A.

Table 2-1: Oil Containers

ID	Storage capacity	Content	Description
Fuel Storage			
AST	1000 gallon	Diesel	Aboveground horizontal tank w/ support systems and secondary containment dirt berm.
AST	1000 gallon	Diesel	Aboveground horizontal tank w/ support systems and secondary containment dirt berm.
Maximum size of the AST listed. Actual AST size may be may be smaller.			

* ***Note:*** *Gulf States Enterprises Pit is a "self serve" facility. If the facility purchases additional petroleum storage or fueling facilities or fuel trucks, etc., then this Plan must be modified to include the capacity of the additional storage, truck(s) and ensure compliance with other rule requirements, including secondary containment.*

2.2 Evaluation of Discharge Potential

2.2.1 Distance to Navigable Waters and Adjoining Shorelines and Flow Paths

The facility is located on relatively level terrain. Drainage generally flows in the direction of the discharges shown on the plans in Appendix A. In general the discharge from the facility flows to the pit and discharges to ground water.

2.2.2 Discharge History

Table 2-1 summarizes the facility's discharge history.

Table 2-2: Oil Discharge History

Description of Discharge	Corrective Actions Taken	Plan for Preventing Recurrence
Discharge history for the facility within last 5 yrs.	None	Annual training, review of SPCC and BMP Plan – completed in 2021 upon completion of this plan.

PART 3: Discharge Prevention - General SPCC Provisions

The following measures are implemented to prevent oil discharges during the handling, use, or transfer of oil products at the facility. Oil-handling employees have reviewed this SPCC Plan as a component for training in the proper implementation of these measures.

3.1 Compliance with Applicable Requirements (40 CFR 112.7(a)(2))

This facility uses an AST containing diesel fuels, located and constructed as shown on the attached Facility Layout in the Appendix.

As described in Section 3.5 of this Plan, the operational and emergency oil storage capacity of the secondary containment is sufficient to handle the quantity of oil expected to be discharged in the event of tank overfills or transfer operations.

The tank(s) will be inspected regularly and following a regular schedule in accordance with the Steel Tank Institute (STI) SP-001 tank inspection standard as described in this Plan.

Any leakage from the primary container will be detected by visual inspection of facility personnel.

Any leakage from the secondary containment will be detected visually during scheduled visual inspections by facility personnel.

Corrosion poses minimal risk of failure since the AST is new. Currently there is no drum storage at the facility and in the event that there is in the future, any drum storage will be inspected monthly. This is in accordance with accepted industry practice for drum storage and provides an effective means of verifying container integrity, as noted by EPA in the preamble to the SPCC rule at 67 FR 47120, in the event of any drum storage at the facility.

3.2 Facility Layout Diagram (40 CFR 112.7(a)(3))

Figure 1 in Appendix A shows the general location of the facility on a U.S. Geological Survey topographic map. The Facility Layout Plan in Appendix A presents a layout of the facility and the location of the storage tank. The diagram also shows the location of storm water drain inlets and the direction of surface water runoff. As required under 40 CFR 112.7(a)(3), the facility diagram indicates the location and content of the AST, and transfer stations and connecting piping.

3.3 Spill Reporting (40 CFR 112.7(a)(4))

The DISCHARGE NOTIFICATION FORM included in Appendix I will be completed upon immediate detection of a discharge and prior to reporting a spill to the proper notification contacts.

3.4 Potential Discharge Volumes and Direction of Flow (40 CFR 112.7(b))

Table 3-1 presents expected volume, discharge rate, general direction of flow in the event of equipment failure, and means of secondary containment for areas of the facility where oil is stored, used, or handled.

Table 3-1: Potential Discharge Volumes and Direction of Flow

Potential Event	Maximum volume released (gallons)	Maximum discharge rate	Direction of Flow	Secondary Containment
AST in Pit				
Failure of aboveground tank (collapse or puncture below product level)	1000	Gradual to instantaneous	Drains onto access road	Built in double walled with Dirt Berm
Tank overfill	1 to 120	60 gal/min	See above	Built in double walled with Dirt Berm

3.5 Containment and Diversionary Structures (40 CFR 112.7(c))

Methods of secondary containment at this facility include the following list of structures, drainage systems, and land-based spill response (e.g., drain covers, sorbents) to prevent oil from reaching navigable waters and adjoining shorelines:

- For the AST (refer to Section 4.2.2 of this Plan):

  1) **Steel tank construction.** Tank (AST) has welded steel design and is a self contained, double walled secondary containment with a secondary capacity to contain 110 percent of the AST capacity.

  2) **Spill pallets.** In the event that drum storage occurs on the site, spill pallets will be employed under the drums. Each spill pallet will have a minimum of 66 gallon capacity, which can effectively contain the volume of any single 55-gallon drum. Drums will also be stored inside a hangar or other structure so that they will not be exposed to precipitation. Floor drains should flow into a sump / oil/water separator, which is capable of containing any oil discharged from a 55-gallon drum.

- In transfer areas and other parts of the facility where a discharge could occur:

  1) **Drip pans.** Fill ports for the AST is equipped with drip pans to contain small leaks from the piping/hose connections.

2) **Sorbent material.** Gulf States Enterprises Pit will maintain a spill cleanup kit that includes absorbent material, booms, and other portable barriers is located inside the hangar building near the AST tank farm, as shown on the Facility Layout Plan in Appendix A. The spill kits will be located within close proximity of the fuel product storage and handling area for rapid deployment should a spill occur. Sorbent material, booms, and other portable barriers will be stored near the AST to allow for quick deployment in the event of a discharge during loading/unloading activities or any other accidental discharge, such as from the AST, vehicles entering/leaving the facility or spills associated with the fuel dispenser. The response equipment inventory for the facility is listed in Appendix J of this Plan. The inventory will be checked monthly to ensure that used material is replenished.

3) **Drainage system.** The facility surface drainage is engineered to direct oil that may be discharged outside of engineered containment structures.

3.6 Practicability of Secondary Containment (40 CFR 112.7(d))

Gulf States Enterprises Pit management has determined that secondary containment is practicable at this facility.

3.7 Inspections, Tests, and Records (40 CFR 112.7(e))

As required by the SPCC rule, Gulf States Enterprises Pit performs the inspections, tests, and evaluations listed in the following table. Table 3-2 summarizes the various types of inspections and tests performed at the facility. The inspections and tests are described later in this section, and in the respective sections that describe different parts of the facility.

Table 3-2: Inspection and Testing Program

Facility Component	Action	Frequency/Circumstances
Aboveground container	Test container integrity. Combine visual inspection with another testing technique (non-destructive shell testing).	Following a regular schedule (monthly, annual, and during scheduled inspections) and whenever material repairs are made.
Container supports and foundation	Inspect container's supports and foundations.	Following a regular schedule (monthly, annual, and during scheduled inspections) and whenever material repairs are made.
Liquid level sensing devices (overfill)	Test for proper operation.	Monthly
Lowermost drain and all outlets of the AST	Visually inspect.	Prior to filling and departure
All aboveground valves, piping, and appurtenances	Assess general condition of items, such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces.	Monthly

3.7.1 Daily Inspection

Gulf States Enterprises Pit operators will perform and document a complete walk-through of the facility one (1) time per month (minimum), when the facility is in operation.

This visual inspection involves looking for tank/piping damage or leakage, stained or discolored soils, or excessive accumulation of water in catch basin for the fueling areas and verifying that the AST secondary containment drain valve is securely closed.

3.7.2 Monthly Inspection

The checklist provided in Appendix C is used for monthly inspections by Gulf States Enterprises Pit personnel. The monthly inspections cover the following key elements:

1) Observing the exterior of aboveground storage tank, pipes, and other equipment for signs of deterioration, leaks, corrosion, and thinning.
2) Observing the exterior of any portable containers for signs of deterioration or leaks.
3) Observing tank foundations and supports for signs of instability or excessive settlement.
4) Observing the tank fill and discharge pipes for signs of poor connection that could cause a discharge, and tank vent for obstructions and proper operation.
5) Verifying the proper functioning of overfill prevention systems.
6) Checking the inventory of discharge response equipment and restocking as needed.

All problems regarding tank, piping, containment, or response equipment must immediately be reported to the Facility Manager.

Visible oil leaks from tank walls, piping, or other components must be repaired as soon as possible to prevent a larger spill or a discharge to navigable waters or adjoining shorelines.

Pooled oil is removed immediately upon discovery.

Written monthly inspection records are signed by the Facility Manager and maintained with this SPCC Plan for a period of three years.

3.7.3 Annual Inspection

Facility personnel will perform a more thorough inspection of facility equipment on an annual basis. This annual inspection complements the monthly inspection described above and will be done in June of each year using the checklist provided in Appendix C of this Plan.

The annual inspection is preferably performed after a large storm event in order to verify the imperviousness and/or proper functioning of drainage control systems such as the control valves and alarms, etc.

Written annual inspection records are signed by the Facility Manager and maintained with this SPCC Plan for a period of three years.

3.7.4 Periodic Integrity Testing

In addition to the above monthly and annual inspections by facility personnel, Tank #1 is periodically evaluated by an outside certified tank inspector following the Steel Tank Institute (STI) *Standard for the Inspection of Aboveground Storage Tanks*, SP-001, 2005 version, as described in Section 4.2.6 of this Plan.

3.8 Personnel, Training, and Discharge Prevention Procedures (40 CFR 112.7(f))

The Facility Manager is the facility designee and is responsible for oil discharge prevention, control, and response preparedness activities at this facility.

Gulf States Enterprises Pit management has posted instructions for fuel / oil-handling facility personnel in the operation and maintenance of oil pollution prevention equipment, discharge procedure protocols, applicable pollution control laws, rules, regulations, and general facility operations.

The content of this SPCC Plan are described to all facility personnel operating the fueling facilities and are available for facility personnel's review upon request. Any new facility personnel with oil-handling responsibilities are provided with this same training prior to being involved in any oil operation.

At least once annually, a discharge prevention briefing will be held by the Facility Manager for all facility personnel involved in oil operations. The briefings are aimed at ensuring continued understanding and adherence to the discharge prevention procedures presented in the SPCC Plan. The briefings also highlight and describe known discharge events or failures, malfunctioning components, and recently implemented precautionary measures and best practices.

Facility operators and other personnel will have the opportunity during the briefings to ask questions, share recommendations concerning health, safety, and environmental issues encountered during facility operations.

A simulation of an on-site vehicular discharge may be conducted, and future training exercises will be periodically held to prepare for possible discharge responses.

Records of the briefings and discharge prevention training are kept on the form shown in Appendix E and maintained with this SPCC Plan for a period of three years.

3.9 Security (40 CFR 112.7(g))

The facility is partially protected by minimum of 6-ft tall steel security fencing. The various entrance gates are left open at this time allowing passage of traffic at all times day and night.

All drain valves for containment areas are locked in the closed position to prevent unauthorized opening. Water draw valves on the AST are maintained in the closed position to prevent unauthorized opening via locks. Keys for all locked valves are kept in the supervisor's vehicle with a spare set in the office for Gulf States Enterprises, Inc.

Area lights illuminate the loading/unloading and storage areas. The lights are placed to allow for the discovery of discharges and to deter acts of vandalism.

The electrical starter controls for the oil pumps, including the fuel dispenser, are located in the dispenser end of the AST secondary containment. The dispenser end is locked when the pumps are not in use.

The facility securely caps or blank-flanges the loading/unloading connections of facility piping when not in service or when in standby service for an extended period of time, or when piping is emptied of liquid content either by draining or by inert gas pressure.

3.10 Tank Truck Loading/Unloading Requirements (40 CFR 112.7(h))

The potential for discharges during tank truck loading of the AST or (un)loading into vehicles and heavy equipment by operators is of particular concern at the facility, since this is the most frequent cause for regulated discharges at these types of facilities.

Gulf States Enterprises Pit management is committed to ensuring the safe transfer of material to and from storage tank and to trucks and excavation equipment.

The following measures are implemented to prevent oil discharges during tank truck loading and (un)loading operations.

3.10.1 Secondary Containment (40 CFR 112.7(h)(1))

There is no loading rack facility at Gulf States Enterprises Pit.

Unloading tanker trucks shall use the access road for loading and equipment or trucks will use the access roads for unloading the ASTs.

To minimize direct exposure to rain, and facilitate the cleanup of small spills that may occur during loading/unloading operations occasionally the tanks may be covered and or transported on a trailer to cover.

The area is graded to direct the flow of oil or water away from the receiving stream into a drainage swale and ditch, with well-established vegetation and only slight grade. Any accumulated water in the discharge catchments (to be installed beneath the dispenser nozzles) is released to the heavy vegetation provided there is no oily sheen or accumulated oil. Oil and water with an oily sheen will be removed via vacuuming for disposal or into drums for later removal and disposal in accordance with ADEM land division regulations. The drain valve is closed and locked following drainage.

3.10.2 Loading/Unloading Procedures (40 CFR 112.7(h)(2) and (3))

All suppliers must meet the minimum requirements and regulations for tank truck loading/unloading established by the U.S. Department of Transportation.

Gulf States Enterprises Pit ensures that the tank truck vendor understands the site layout, knows the protocol for entering the facility, unloading product from the truck to load the ASTs, and has the necessary equipment to respond to a discharge from the vehicle or fuel delivery hose.

The Facility Manager, or his designee, supervises oil deliveries for all new suppliers, and periodically observes deliveries for existing, approved suppliers.

Vehicle filling operations are performed by operators via the self serve dispensing system.

The vehicle or equipment operators will remains with the vehicle or equipment being fueled at all times while fuel is being transferred.

Transfer operations are performed according to the minimum procedures outlined in Table 3-3. This table is also posted next to the loading/unloading point.

Table 3-3: Fuel Transfer Procedures

Stage	Tasks
Prior to loading AST / unloading Fuel Truck	1) Visually check all hoses for leaks and wet spots. 2) Verify that sufficient volume is available in the storage tank or truck. 3) Lock in the closed position all drainage valves of the secondary containment structure. 4) Secure the tank vehicle with wheel chocks and interlocks. 5) Ensure that the vehicle's parking brakes are set. 6) Verify proper alignment of valves and proper functioning of the pumping system. 7) Inspect the lowermost drain and all outlets, if applicable. 8) Establish adequate bonding/grounding prior to connecting to the fuel transfer point. 9) Turn off cell phone.
During loading / unloading	1) Driver must stay with the vehicle at all times during loading/unloading activities. 2) Periodically inspect all systems, hoses and connections. 3) When loading, keep internal and external valves on the receiving tank open along with the pressure relief valves. 4) When making a connection, shut off the vehicle engine. When transferring Class 3 materials, shut off the vehicle engine unless it is used to operate a pump. 5) Maintain visual observation of the pumping and receiving stations. 6) Monitor the liquid level in the receiving tank to prevent overflow. 7) Monitor flow meters to determine rate of flow. 8) When topping off the tank, reduce flow rate to prevent overflow.
After loading/ unloading	1) Make sure the transfer operation is completed. 2) Close all tank and loading valves before disconnecting. 3) Securely close all vehicle internal, external, and dome cover valves before disconnecting. 4) Secure all hatches, if applicable. 5) Disconnect grounding/bonding wires. 6) Make sure the hoses are drained to remove the remaining oil before moving them away from the connection. Use a drip pan if necessary. 7) Cap the end of the hose and other connecting devices before moving them to prevent uncontrolled leakage. 8) Remove wheel chocks and interlocks. 9) Inspect the lowermost drain and all outlets on tank truck prior to departure. If necessary, tighten, adjust, or replace caps, valves, or other equipment to prevent oil leaking while in transit.

3.11 Brittle Fracture Evaluation (40 CFR 112.7(i))

There are no field-constructed tanks at the facility (former Underground Storage Tanks removed). The tank was shop-built.

As discussed in the American Petroleum Institute (API) Standard 653 *Tank Inspection, Repair, Alteration, and Reconstruction* (API-653), brittle fracture is not a concern for tanks that have a shell thickness of less than one-half inch. This is the extent of the brittle fracture evaluation for this tank.

Nonetheless, in the event that the tank undergoes a repair, alteration, reconstruction, or change in service that might affect the risk of a discharge or failure, the container will be evaluated for risk of discharge or failure, following API-653 or an equivalent approach, and corrective action will be taken as necessary.

3.12 Conformance with State and Local Applicable Requirements (40 CFR 112.7(j))

Registration of above ground storage tanks is optional in Alabama.

It is recommended that the storage tank at this facility be registered with the state (Alabama Department of Environmental Management – ADEM 334-271-7700, UST Compliance Section, Alabama Tank Trust Fund) and local authorities (Daphne Municipal Fire Department) and have current certificates of registration and special use permits required by the local fire code.

Treated storm water runoff is discharged to the drainage system that ultimately discharges into the unnamed tributary to Blackwater River, as permitted under ADEM NPDES.

The maximum allowable daily oil/grease concentration is 15 mg/L for the discharge.

PART 4: Discharge Prevention – SPCC Provisions for Onshore Facilities (Excluding Production Facilities)

4.1 Facility Drainage (40 CFR 112.8(b))

Drainage from the secondary containment of each tank is restrained by a manually-operated gate valve to prevent a discharge from entering the facility drainage system. The gate valve is normally sealed closed, except when draining the secondary containment structure. The content of the secondary containment level indicator is inspected by facility personnel prior to draining to ensure that only oil-free water is allowed to enter the facility storm water drainage system. The bypass valve is opened and resealed under direct personnel supervision. Drainage events are recorded in the log included in Appendix D to this SPCC Plan.

4.2 Bulk Storage Containers (40 CFR 112.8(c))

Not applicable for this facility.

4.2.1 Construction (40 CFR 112.8 (c)(1))

The oil tank used at this facility is constructed of steel, in accordance with industry specifications as described above. The design and construction of the tank is compatible with the characteristics of the oil product they contain, and with temperature and pressure conditions.

Piping and hosing for these aboveground storage tanks is made of steel and reinforced rubber placed aboveground on appropriate supports designed to minimize erosion and stress.

4.2.2 Secondary Containment (40 CFR 112.8(c)(2))

The AST is of double-wall construction and provide intrinsic secondary containment for 110 percent of the tank capacity. Since the secondary containment is open to precipitation, so this volume is sufficient to fully contain the product in the event of a leak from the primary container and during a heavy rain event.

In the event that any 55-gallon drums are used at the facility for storing oil, then these will be placed on spill pallets and will be covered. Each spill pallet will provide a minimum of 66 gallon capacity, which is more than the required 55 gallons for any single drum since the drums are not exposed to precipitation.

4.2.3 Drainage of Diked Areas (40 CFR 112.8(c)(3))

There are no dikes or dirt berms around the AST the facility. In the event that dikes are constructed, then this plan will require modification to show the dikes and their locations.

4.2.4 Corrosion Protection (40 CFR 112.8(c)(4))

There are no underground storage tanks at the facility.

4.2.5 Partially Buried and Bunkered Storage Tanks (40 CFR 112.8(c)(5))

This section is not applicable since there are no partially buried or bunkered storage tanks at this facility.

4.2.6 Inspections and Tests (40 CFR 112.8(c)(6))

Visual inspections of the AST(s) by facility personnel are performed according to the procedure described in this SPCC Plan. Leaks from tank seams, gaskets, or bolts will be promptly corrected. Records of inspections and tests are signed by the inspector and kept at the facility for at least three years.

The scope and schedule of certified inspections and tests performed on the facility's AST is specified in STI Standard SP-001. The external inspection may include videography of the shell, as specified in the standard, or if recommended by the certified tank inspector to assess the integrity of the tank for continued oil storage.

Records of certified tank inspections are kept at the facility for at least three years. Shell test comparison records are retained for the life of the tank.

Table 4-2 summarizes inspections and tests performed on bulk storage containers ("EE" indicates that an environmentally equivalent measure is implemented in place of the inspection/test, as discussed in Section 3.1 of this Plan).

Table 4-2: Scope and Frequency of Bulk Storage Containers Inspections and Tests

	Tank ID	
Inspection/Test	**#1**	**Drums**
Visual inspection by facility personnel (as per checklist of Appendix C)	M A	M A
External inspection by certified inspector (as per STI Standard SP-001)	20 yr	EE
Internal inspection by certified inspector (as per STI Standard SP-001)	†	EE
Tank tightness test meeting requirements of 40 CFR 280		

Legend:
M: Monthly
A: Annual
EE: Inspection not required i.e., environmentally equivalent measure (refer to Section 3.1 of this Plan).
* Or earlier, as recommended by the certified inspector based on findings from an external inspection.
† Internal inspection may be recommended by the certified inspector based on findings from the external inspection.

4.2.7 Heating Coils (40 CFR 112.8(c)(7))

There are no heating coils or exhaust lines associated with the AST(s) at this facility.

4.2.8 Overfill Prevention Systems (40 CFR 112.8(c)(8))

The AST(s) have external liquid level gauges and overfill protection systems with high level alarms. The liquid level sensing is done visually while filling the AST. Venting capacity is suitable for the fill and withdrawal rates. General secondary containment is provided in the event of overfills, as described in this Plan.

In the event that drums are to be stored at the facility then the storage drums are not refilled, and therefore overfill prevention systems do not apply. Drums will be stored in the construction shed currently planned for construction with the facility east of the entrance.

Facility personnel are present throughout the filling operations to monitor the product level in the tank.

4.2.9 Effluent Treatment Facilities (40 CFR 112.8(c)(9))

There are no effluent treatment systems at the facility.

4.2.10 Visible Discharges (40 CFR 112.8(c)(10))

Visible discharges from any container or appurtenance – including seams, gaskets, piping, pumps, valves, and bolts – will be quickly corrected upon discovery.

Any accumulated oil observed in the fueling dispenser containment will be promptly removed and disposed of according to the waste disposal method described in Part 5 of this Plan.

4.2.11 Mobile and Portable Containers (40 CFR 112.8(c)(11))

Any portable containers at the facility that are 55 gallons or larger will be constructed to provide for adequate secondary containment in the event of leaks in the primary container shell. The interstitial space is monitored monthly for signs of leakage.

55-gallon drums will be stored inside a building on secondary containment pallets. Any discharged material is quickly contained and cleaned up using sorbent pads and appropriate cleaning products.

Smaller containers such as 5 gallon fuel cans do not fall under the secondary containment requirement; however, secondary containment of is recommended as a good management practice.

4.3 Transfer Operations, Pumping, and In-Plant Processes (40 CFR 112.8(d))

Transfer operations at this facility include:

- < The filling of vehicles and maintenance equipment from the AST via the hose from the dispensers.
- < The transfer of oil into AST from tanker trucks.

Lines that are not in service or are on standby for an extended period of time are capped or blank-flanged and marked as to their origin. All pipe supports are designed to minimize abrasion and corrosion and to allow for expansion and contraction. Pipe supports are visually inspected during the monthly inspection of the facility. All aboveground piping and valves are examined monthly to assess their condition. Inspection includes aboveground valves, piping, appurtenances, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces. Observations are noted on the monthly inspection checklist provided in this Plan.

Warning signs are posted at appropriate locations throughout the facility to prevent vehicles from damaging aboveground piping and appurtenances. Most of the aboveground piping is located within areas that are not accessible to vehicular traffic (e.g., inside diked area). Brightly painted bollards are placed where needed to prevent vehicular collisions with equipment.

Part 5: Discharge Response

This section describes the response and cleanup procedures in the event of an oil discharge. The uncontrolled discharge of oil to groundwater, surface water, and soil is prohibited by state and federal laws. Immediate action must be taken to control, contain, and recover discharged product.

In general, the following steps are taken:

1) Eliminate potential spark sources;
2) If possible and safe to do so, identify and shut down source of the discharge to stop the flow;
3) Contain the discharge with sorbents, berms, fences, trenches, sandbags, or other material;
4) Contact the Facility Manager or his/her alternate;
5) Contact regulatory authorities and the response organization; and
6) Collect and dispose of recovered products according to regulation.

For the purpose of establishing appropriate response procedures, this SPCC Plan classifies discharges as either "minor" or "major," depending on the volume and characteristics of the material released.

A list of Emergency Contacts is provided in Appendix H. The list must be posted at prominent locations throughout the facility. A list of discharge response material to be kept at all times at the facility is included in Appendix J.

5.1 Response to a Minor Discharge

A "minor" discharge is defined as one that poses no significant harm (or threat) to human health and safety or to the environment.

Minor discharges are generally those where:

- The quantity of product discharged is small (e.g., may involve less than 25 gallons of oil);
- Discharged material is easily stopped and controlled at the time of the discharge;
- Discharge is localized near the source;
- Discharged material is not likely to reach water;
- There is little risk to human health or safety; and
- There is little risk of fire or explosion.

Minor discharges can usually be cleaned up by Gulf States Enterprises Pit personnel.

For a minor discharge the following guidelines apply:

1) Immediately notify the Facility Manager.
2) Under the direction of the Facility Manager, contain the discharge with discharge response materials and equipment. Place discharge debris in properly labeled waste containers.
3) The Facility Manager will complete the discharge notification form (Appendix I) and attach a copy to this SPCC Plan.
4) **If the discharge involves more than 25 gallons of oil, the Facility Manager will immediately contact the following agencies and report the spill as described below:**

The National Response Center:
1-800-424-8802

The Alabama Emergency Management Agency:
1-800-843-0699

Alabama Department of Environmental Management :
1-334-271-7700

Report the following information:

a) **Name, address and telephone number of person reporting spill**
b) **Exact location of facility and spill**
c) **Company name, number and location**
d) **Material spilled**
e) **Estimated quantity**
f) **Source of spill**
g) **Cause of spill**
h) **Nearest down-stream body of water to receive spill**

Discuss / advise regarding actions taken for containment and cleanup.

5.2 Response to a Major Discharge

A "major" discharge is defined as one that cannot be safely controlled or cleaned up by facility personnel, such as when:

1) The discharge is large enough to spread beyond the immediate discharge area;
2) The discharged material enters water;
3) The discharge requires special equipment or training to clean up;
4) The discharged material poses a hazard to human health or safety; or
5) There is a danger of fire or explosion.

In the event of a major discharge, PUT YOUR SAFETY FIRST.

A. ***DO NOT DO ANYTHING TO ENDANGER YOURSELF OR OTHERS.***

B. **DO NOT USE YOUR CELL PHONE OR CAUSE ANY SPARKS IF YOU SMELL VAPORS.**

C. **IF YOU ARE NOT ABLE TO SAFELY STOP THE MAJOR PETROLEUM DISCHARGE OR ARE OTHERWISE NOT SURE WHAT TO DO, THEN GET UP WIND OF THE SPILL AREA IMMEDIATELY AND KEEP ANYONE ELSE OUT OF THE AREA UNLESS THEY ARE SPILL RESPONSE TRAINED.**

In general the following guidelines apply:

A. **All workers must immediately evacuate the discharge site** via the designated exit routes and move to the designated staging areas at a safe distance from the discharge. Exit routes are included on the facility diagram and posted in the office building, and on the outside wall of the outside shed that contains the spill response equipment.

B. If the Facility Manager is not present at the facility, **the senior on-site person notifies the Facility Manager of the discharge and has authority to initiate notification and response** of the following agencies immediately upon spill discovery:

The National Response Center:
1-800-424-8802

The Alabama Emergency Management Agency:
1-800-843-0699

Alabama Department of Environmental Management :
1-334-271-7700

Report the following information:

i) Name, address and telephone number of person reporting spill

j) Exact location of facility and spill

k) Company name, number and location

l) Material spilled

m) Estimated quantity

n) Source of spill

o) Cause of spill

p) Nearest down-stream body of water to receive spill

Discuss / advise regarding actions taken for containment and cleanup.

1) Certain notifications are dependent on the circumstances and type of discharge.

2) The Facility Manager (or senior on-site person) must call for medical assistance if workers are injured.

3) The Facility Manager (or senior on-site person) must notify the Fire Department or Police Department.

4) The Facility Manager (or senior on-site person) must call the spill response and cleanup contractors listed in the Emergency Contacts list in Appendix H.

5) The Facility Manager (or senior on-site person) must record the call on the Discharge Notification form in Appendix I and attach a copy to this SPCC Plan.

6) The Facility Manager (or senior on-site person) coordinates cleanup and obtains assistance from a cleanup contractor or other response organization as necessary.

If the Facility Manager is not available at the time of the discharge, then the person with the highest ALDOT classification or the facility managers designee assumes responsibility for coordinating response activities.

5.3 Waste Disposal

Wastes resulting from a minor discharge response will be containerized in impervious bags, drums, or buckets. Within 24 hours of the discharge, the facility manager shall contact the ALDOT Hazardous Materials Coordinator to ensure the waste is properly managed, removed and disposed of from the facility.

Wastes resulting from a major discharge response will be removed and disposed of by a cleanup contractor in accordance with all the applicable ADEM requirements.

5.4 Discharge Notification

Any size discharge (i.e., one that creates a sheen, emulsion, or sludge) that affects or threatens to affect navigable waters or adjoining shorelines must be reported immediately to the National Response Center (1-800-424-8802). The Center is staffed 24 hours a day.

A summary sheet is included in Appendix I to facilitate reporting. The person reporting the discharge must provide the following information:

1) Name, location, organization, and telephone number
2) Name and address of the party responsible for the incident
3) Date and time of the incident
4) Location of the incident
5) Source and cause of the release or discharge
6) Types of material(s) released or discharged
7) Quantity of materials released or discharged
8) Danger or threat posed by the release or discharge
9) Number and types of injuries (if any)
10) Media affected or threatened by the discharge (i.e., water, land, air)
11) Weather conditions at the incident location
12) Any other information that may help emergency personnel respond to the incident

Contact information for reporting a discharge to the appropriate authorities is listed in Appendix H and is also posted in prominent locations throughout the facility (e.g., in the office building, in the maintenance building, and at the loading rack/unloading area).

In addition to the above reporting, 40 CFR 112.4 requires that information be submitted to the United States Environmental Protection Agency (EPA) Regional Administrator and the appropriate state agency in charge of oil pollution control activities (see contact information in Appendix H) whenever the facility discharges (as defined in 40 CFR 112.1(b)) *more than 1,000 gallons of oil in a single event,* or discharges (as defined in 40 CFR 112.1(b)) *more than 42 gallons of oil in each of two discharge incidents within a 12-month period.*

The following information must be submitted to the EPA Regional Administrator and to ADEM within 60 days if more than 1,000 gallons is spilled in a single event or if more than 42 gallons occurs in each of 2 spill events:

1) Name of the facility;
2) Name of the owner/operator;
3) Location of the facility;
4) Maximum storage or handling capacity and normal daily throughput;
5) Corrective action and countermeasures taken, including a description of equipment repairs and replacements;
6) Description of facility, including maps, flow diagrams, and topographical maps;
7) Cause of the discharge(s) to navigable waters and adjoining shorelines, including a failure analysis of the system and subsystem in which the failure occurred;
8) Additional preventive measures taken or contemplated to minimize possibility of recurrence; and
9) Other pertinent information requested by the Regional Administrator.

A standard report for submitting the information to the EPA Regional Administrator and to ADEM is included in Appendix K of this Plan.

5.5 Cleanup Contractors and Equipment Suppliers

Contact information for specialized spill response and cleanup contractors is provided in Appendix H. These contractors have the necessary equipment to respond to a discharge of oil that affects the UT to Blackwater River or adjoining shorelines, including floating booms and oil skimmers.

Spill kits will be located adjacent to the Tank farm. The inventory of required response supplies and equipment is provided in Appendix J of this Plan. The inventory will be verified on a monthly basis. Additional supplies and equipment may be ordered from the sources listed in Appendix H.

Appendix A

Site Plan and Facility Diagram

Appendix B

Substantial Harm Determination

Facility Name: **Gulf States Enterprises Pit**
Facility Address: 18786 Greek Cemetery Road
Robertsdale, AL 36567

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1. Does the facility transfer oil over water to or from vessels and does the facility have a total oil storage capacity greater than or equal to 42,000 gallons? **No**

2. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and does the facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation within any aboveground storage tank area? **No**

3. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in 40 CFR part 112 Appendix C, Attachment C-III or a comparable formula) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments? **No**

4. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in 40 CFR part 112 Appendix C, Attachment C-III or a comparable formula) such that a discharge from the facility would shut down a public drinking water intake? **No**

5. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and has the facility experienced a reportable oil spill in an amount greater than or equal to 10,000 gallons within the last 5 years? **No**

Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.

Signature _____ *President* (Title)

Name: Mr. Troy Templeman

03-22-2021 (Date)

APPENDIX C

Facility Inspection Checklists

The following checklists are to be used for monthly and annual facility-conducted inspections. Completed checklists must be signed by the inspector and maintained at the facility, with this SPCC Plan, for at least three years.

Monthly Inspection Checklist

This inspection record must be completed *each month* except the month in which an annual inspection is performed. Provide further description and comments, if necessary, on a separate sheet of paper and attach to this sheet. *Any item that receives "yes" as an answer must be described and addressed immediately.

	Y*	N	Description & Comments
Storage tanks			
Tank surfaces show signs of leakage			
Tanks are damaged, rusted or deteriorated			
Bolts, rivets, or seams are damaged			
Tank supports are deteriorated or buckled			
Tank foundations have eroded or settled			
Level gauges or alarms are inoperative			
Vents are obstructed			
Secondary containment is damaged or stained			
Water/product in interstice of double-walled tank			
Piping			
Valve seals, gaskets, or other appurtenances are leaking			
Pipelines or supports are damaged or deteriorated			
Joints, valves and other appurtenances are leaking			
Loading/unloading and transfer equipment			
Loading/Unloading Piping is damaged or deteriorated			
Connections are not capped or blank-flanged			
Secondary containment is damaged or stained			
Drainage valve is open or is not locked			
Security			
Fencing, gates, or lighting is non-functional			
Pumps and valves are locked if not in use			
Response Equipment			
Response equipment inventory is not complete			

Date: _____ **Signature:** _____

Annual Facility Inspection Checklist

This inspection record must be completed *each year*. If any response requires further elaboration, provide comments in Description & Comments space provided. Further description and comments, if necessary, must be provided on a separate sheet of paper and attached to this sheet. *Any item that receives "yes" as an answer must be described and addressed immediately.

	Y*	N	Description & Comments
Storage tanks			
Tank surfaces show signs of leakage			
Tank is damaged, rusted or deteriorated			
Bolts, rivets or seams are damaged			
Tank supports are deteriorated or buckled			
Tank foundations have eroded or settled			
Level gauges or alarms are inoperative			
Vents are obstructed			
Piping			
Valve seals or gaskets are leaking			
Pipelines or supports are damaged or deteriorated			
Joints, valves and other appurtenances are leaking			
Buried piping is exposed			
Out-of-service pipes are not capped			
Warning signs are missing or damaged			
Loading/unloading and transfer equipment			
Loading/Unloading Piping is damaged or deteriorated			
Connections are not capped or blank-flanged			
Rollover berm is damaged or stained			
Drainage valve is open or is not locked			
Drip pans have accumulated oil or are leaking			
Security			
Fencing, gates, or lighting is non-functional			
Pumps and valves are not locked (and not in use)			
Response equipment			
Response equipment inventory is not complete			

Annual reminders:

< Hold SPCC Briefing for all oil-handling personnel (and update briefing log in the Plan);

< Check contact information for key employees and response/cleanup contractors and update them in the Plan as needed;

Additional Remarks

Date: _____ Signature: _____

APPENDIX D

Record of Secondary Containment Drainage

This record must be completed when any water is drained from the secondary containment / interstitial space (such as from condensations, etc.), Sump Separator, or Canopy Containment. The bypass valve must normally be sealed in closed position. It must be opened and resealed following drainage under responsible supervision.

Date	Area	Presence of	Time	Time	Signature

Record of Sump Separator Drainage

Date	Area	Presence of	Time	Time	Signature

Record of Canopy Containment Sump Drainage

Date	Area	Presence of	Time	Time	Signature

APPENDIX E

Record of Annual Discharge Prevention Briefings and Training

Briefings will be scheduled and conducted by the facility owner or operator for operating personnel at regular intervals to ensure adequate understanding of this SPCC Plan. The briefings will also highlight and describe known discharge events or failures, malfunctioning components, and recently implemented precautionary measures and best practices. Personnel will also be instructed in operation and maintenance of equipment to prevent the discharge of oil, and in applicable pollution laws, rules, and regulations. Facility operators and other personnel will have an opportunity during the briefings to share recommendations concerning health, safety, and environmental issues encountered during facility operations.

Date	Subjects Covered	Employees in Attendance	Instructor(s)

APPENDIX E

Record of Annual Discharge Prevention Briefings and Training

Briefings will be scheduled and conducted by the facility owner or operator for operating personnel at regular intervals to ensure adequate understanding of this SPCC Plan. The briefings will also highlight and describe known discharge events or failures, malfunctioning components, and recently implemented precautionary measures and best practices. Personnel will also be instructed in operation and maintenance of equipment to prevent the discharge of oil, and in applicable pollution laws, rules, and regulations. Facility operators and other personnel will have an opportunity during the briefings to share recommendations concerning health, safety, and environmental issues encountered during facility operations.

Date	Subjects Covered	Employees Trained	Instructor(s)
03-22-2021	Compliance Bullet List: SPCC Plan 6 mo. review, SPCC 5 yr update Overview of last ADEM Inspection, Monthly Inspection Checklist Fuel Transfer Procedures & BMPs Spill Clean-up kit for minor spills, & major spills. Reporting Requirements for 1) ADEM, 2) National Response Center, 3) Alabama Emergency Management Agency, etc., Facility Walk-Through, Annual facility Inspection w/ photos. Spill Response Contractors, Questions	1) Troy Templeman President gulfstates1@gmail.com	W. Joe Taylor, P.E. 251.605.1274 Wjtaylor1020@gmail.com

APPENDIX F

Calculation of Secondary Containment Capacity

The largest AST will be 1000 gallon capacity.

1000 x 1.10 = 1,100 gallons.

Capacity of largest interstitial secondary containment must be 1,100 gallons.

APPENDIX G

Records of Tank Integrity and Pressure Tests

Attach copies of official records of tank integrity and pressure tests.

APPENDIX H

Emergency Contacts

Designated person responsible for spill prevention:
Mr. Troy Templeman, President

EMERGENCY TELEPHONE NUMBERS:

FACILITY		
Mr. Troy Templeman, President		850-384-5851
FIRE DEPARTMENT	911	
NOTIFICATION		
Alabama Department of Environmental Management, Incident Response Division		334-271-7700
National Response Center		800-424-8802
United States Environmental Protection Agency, Region 1		888-372-7341

SOME LISTED SPILL - EMERGENCY RESPONSE CONTRACORS IN ALABAMA:

Aaron Oil Company Inc
Mobile, AL 36602
Tel +1 (251) 479-1616
Tel +1 (800) 239-4549
Fax +1 (251) 679-8477

Action Resources Inc
Hanceville, AL 35077
Tel +1 (256) 352-2350
Tel +1 (800) 228-8845
Fax +1 (256) 352-2645

Clean Rite Inc
Saraland, AL 36571
Tel +1 (251) 675-1410
Tel +1 (800) 317-9374
Fax +1 (251) 675-5847

Eagle SWS
Decatur, AL 35603
Tel +1 (256) 355-7900
Tel +1 (877) 742-4215
Fax +1 (256) 355-7995

Eagle SWS
Birmingham, AL 35210
Tel +1 (205) 833-3407
Tel +1 (877) 742-4215
Fax +1 (205) 833-3455

Environmental Safety and Health Consulting Services, Inc (ES&H)
Theodore, AL 36582
Tel +1 (251) 653-9978
Tel +1 (877) 437-2634
Fax +1 (251) 653-9979

HEPACO, Inc.
Birmingham, AL 35210
Tel + 1 (205) 957-2207
Tel +1 (800) 888-7689
Fax + 1 (205) 957-2217

HEPACO, Inc.
Decatur, AL 35603
Tel +1 (256) 280-2020
Tel +1 (800) 888-7689
Fax +1 (256) 280-2025

Heritage Environmental Services
Birmingham, AL 35222
Tel +1 (205) 591-0177
Tel +1 (877) 436-8778
Fax +1 (205) 591-8304

Liquid Environmental Solutions
Mobile, AL 36615
Tel +1 (251) 694-7500
Tel +1 (866) 694-7327
Fax +1 (251) 694-7508

Oil Recovery Co Inc
Mobile, AL 36603
Tel +1 (251) 690-9010
Tel +1 (800) 350-0443
Fax +1 (251) 433-7681
Responds 24/7 with a river front facility – Mile 0, Mobile River.

1 Stop Environmental
Birmingham AL 35222
Tel +1 (205) 595-8188
Tel +1 (205) 381-9057
Fax +1 (205) 595-8901

Spectrum Environmental Services Inc
Alabaster, AL 35007
Tel +1 (205) 664-2000
Tel +1 (888) 739-0838
Fax +1 (205) 664-2142

APPENDIX I

Discharge Notification Form

Part A: Discharge Information

General information when reporting a spill to outside authorities:

Name: **Gulf States Enterprises Pit**

Address: 18786 Greek Cemetery Rd
Robertsdale, AL 36567

Telephone: Mr. Troy Templeman, 850-384-5851

Owner/Operator: Gulf States Enterprises, Inc.
8905 Untreiner Ave.
Pensacola, FL 32534

Type of oil:	Discharge Date and Time:
Quantity released:	Discovery Date and Time:
Quantity released to a waterbody:	Discharge Duration:
Location/Source:	
Actions taken to stop, remove, and mitigate impacts of the discharge:	
Affected media: __air __water __soil	__storm water sewer/POTW __ditch or paved area __other: _____
Notification person:	Telephone contact: Business: 24-hr:
Nature of discharges, environmental/health effects, and damages: Injuries, fatalities or evacuation required?	

Part B: Notification Checklist		
	Date and time	**Name of person receiving call**
Discharge in any amount		
Facility Manager: Troy Templeman Alternate: Jennifer Templeman Work: 850-384-5851 850-384-3314 850-384-4889 – Cell		
Discharge in amount exceeding 25 gallons and *not affecting a waterbody or groundwater*		
Fire Department Dial 911		
Discharge in any amount and affecting (or threatening to affect) a waterbody		
Fire Department Dial 911		
National Response Center (800) 424-8802		
Alabama Department of Environmental Management, Incident Response Division 334-271-7700		
United States Environmental Protection Agency, Region IV 888-372-7341		

* The POTW should be notified of a discharge only if oil has reached or threatens sewer drains that connect to the POTW collection system.

APPENDIX J

Discharge Response Equipment Inventory

The following is the minimum recommended spill response equipment inventory that should be verified during the monthly inspection and should be replenished as needed.

AST Tank Loading/Unloading Area

____	Empty 55-gallons drums to hold contaminated material	1
____	Loose absorbent material (oil absorbent bags)	25 pounds
____	Absorbent pads	1 box
____	Neoprene gloves	1 pair
____	Vinyl/PVC pull-on overboots	1 pair
____	Shovels	1
____	Brooms	1

APPENDIX K

Agency Notification Standard Report

Information contained in this report, and any supporting documentation, must be submitted to the EPA Region 1 Regional Administrator, and to ADEM, within 60 days of the qualifying discharge incident.

Facility:	**Gulf States Enterprises Pit**
Owner/operator:	Gulf States Enterprises, Inc.
Name of person filing report:	Facility Manager: Troy Templeman Work: 850-384-5851 Alternate: Jennifer Templeman Work: 850-384-3314, 850-384-4889 – Cell
Location:	18786 Greek Cemetery Rd Robertsdale, AL 36567 Baldwin County
Maximum storage capacity (per tank):	*1,000 gallons*
Daily throughput:	*< 400 gallons*
Nature of qualifying incident(s): ___ Discharge to navigable waters or adjoining shorelines exceeding 1,000 gallons ___ Second discharge exceeding 42 gallons within a 12-month period.	
Description of facility (attach maps, flow diagrams, and topographical maps): *Gulf States Enterprises Pit receives products by common carrier via tanker truck. The products are stored in the new aboveground storage tank (AST), with secondary containment.*	

Agency Notification Standard Report (cont'd)
Cause of the discharge(s), including a failure analysis of the system and subsystems in which the failure occurred:
Corrective actions and countermeasures taken, including a description of equipment repairs and replacements:
Additional preventive measures taken or contemplated to minimize possibility of recurrence:
Other pertinent information:

TAYLOR ENGINEERING, LLC
Environmental Engineering & Consulting
P. O. Box 1875, Daphne, AL 36526
251-626-8005 (o), 251-605-1274 (c)
wjtaylor1020@gmail.com

Daily Rain Log
Required for ADEM NPDES Permit

Date	Inches of Rain (Record to nearest 0.1")	Person Recording Rain	Signature	Notes

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGR... ...ER AND ORIGINAL DOCUMENT SECURITY SCREEN ON BACK WITH PADLOCK SECURITY ICON.

1156

GULF STATES ENTERPRISES, INC.
8905 Untreiner Avenue
Pensacola, FL 32534
(850) 384 - 3314

SERVISFIRST BANK
219 East Garden St #100
Pensacola, FL 32502

61-650/620

3/19/2021

PAY TO THE ORDER OF ADEM $ **5,820.00

Five Thousand Eight Hundred Twenty and 00/100********** DOLLARS

ADEM
P.O. Box 301463
Montgomery, AL 36130-1463

MEMO NPDES ALG85

AUTHORIZED SIGNATURE

⑈001156⑈ ⑆062006505⑆ 11101559 24⑈

GULF STATES ENTERPRISES, INC. 1156

ADEM	3/19/2021	
	18786 GREEK CEMETERY ROAD, ROBERTSDALE	5,820.00

ServisFirst	NPDES ALG85	5,820.00

Copy

GULF STATES ENTERPRISES, INC.

ADEM

3/19/202

18786 GREEK CEMETERY ROAD, ROBERTSDALE

RA#21-53146

RECEIVED

APR 24 2021

STORM WATER