



Alabama Department of Environmental Management
adem.alabama.gov

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Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

September 19, 2023

Mr. Chastin Reed
Member
Reed Materials, LLC.
1039 Bean Rock Road
Union Grove, AL 35175

RE: Draft Permit
Gum Pond Quarry
NPDES Permit Number AL0084479
Morgan County (103)

Dear Mr. Reed:

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

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

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

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

Should you have any questions concerning this matter, please contact Robert Glover at (334) 271-7975 or robert.glover@adem.alabama.gov.

Sincerely,

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

WDM/rlg File: DPER/59011

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

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

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



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

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



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

PERMITTEE: Reed Materials, LLC.
1039 Bean Rock Road
Union Grove, AL 35175

FACILITY LOCATION: Gum Pond Quarry
183 Gum Pond Road
Baileyton, AL 35019
Morgan County
T8S, R1W, Section 4

PERMIT NUMBER: AL0084479

DSN & RECEIVING STREAM: 001 - 1 Mud Creek

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

ISSUANCE DATE:

EFFECTIVE DATE:

EXPIRATION DATE:

Draft

Alabama Department of Environmental Management

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

TABLE OF CONTENTS

PART I	DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS	
A.	DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS.....	4
B.	REQUIREMENTS TO ACTIVATE A PROPOSED MINING OUTFALL.....	4
C.	DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS	4
	1. Sampling Schedule and Frequency.....	4
	2. Measurement Frequency	5
	3. Monitoring Schedule	5
	4. Sampling Location.....	6
	5. Representative Sampling	6
	6. Test Procedures	6
	7. Recording of Results	7
	8. Routine Inspection by Permittee.....	7
	9. Records Retention and Production.....	8
	10. Monitoring Equipment and Instrumentation	8
D.	DISCHARGE REPORTING REQUIREMENTS.....	8
	1. Requirements for Reporting of Monitoring	8
	2. Noncompliance Notification	10
	3. Reduction, Suspension, or Termination of Monitoring and/or Reporting.....	11
E.	OTHER REPORTING AND NOTIFICATION REQUIREMENTS	12
	1. Anticipated Noncompliance.....	12
	2. Termination of Discharge.....	12
	3. Updating Information	12
	4. Duty to Provide Information.....	13
F.	SCHEDULE OF COMPLIANCE.....	13
PART II	OTHER REQUIREMENTS, RESPONSIBILITIES, AND DUTIES	
A.	OPERATIONAL AND MANAGEMENT REQUIREMENTS.....	14
	1. Facilities Operation and Management	14
	2. Pollution Abatement and/or Prevention Plan	14
	3. Best Management Practices (BMPs).....	15
	4. Biocide Additives.....	16
	5. Facility Identification.....	16
	6. Removed Substances	16
	7. Loss or Failure of Treatment Facilities	17
	8. Duty to Mitigate.....	17
B.	BYPASS AND UPSET	17
	1. Bypass.....	17
	2. Upset.....	18
C.	PERMIT CONDITIONS AND RESTRICTIONS.....	19
	1. Prohibition against Discharge from Facilities Not Certified	19
	2. Permit Modification, Suspension, Termination, and Revocation	20
	3. Automatic Expiration of Permits for New or Increased Discharges.....	20
	4. Transfer of Permit.....	21
	5. Groundwater	21
	6. Property and Other Rights.....	21

D.	RESPONSIBILITIES	21
1.	Duty to Comply	21
2.	Change in Discharge	22
3.	Compliance with Toxic or Other Pollutant Effluent Standard or Prohibition	22
4.	Compliance with Water Quality Standards and Other Provisions.....	23
5.	Compliance with Statutes and Rules	23
6.	Right of Entry and Inspection	23
7.	Duty to Reapply or Notify of Intent to Cease Discharge.....	24
PART III	ADDITIONAL REQUIREMENTS, CONDITIONS, AND LIMITATIONS	
A.	CIVIL AND CRIMINAL LIABILITY.....	25
1.	Tampering.....	25
2.	False Statements	25
3.	Permit Enforcement.....	25
4.	Relief From Liability.....	25
B.	OIL AND HAZARDOUS SUBSTANCE LIABILITY.....	25
C.	AVAILABILITY OF REPORTS.....	25
D.	DEFINITIONS	25
E.	SEVERABILITY.....	30
F.	PROHIBITIONS AND ACTIVIES NOT AUTHORIZED.....	30
G.	DISCHARGES TO IMPAIRED WATERS.....	30

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.	-----	8.5 s.u.	Grab	2/Month
Solids, Total Suspended 00530	-----	25.0 mg/L	45.0 mg/L	Grab	2/Month
Flow, In Conduit or Thru Treatment Plant ² 50050	-----	Report MGD	Report MGD	Instantaneous	2/Month

B. REQUIREMENTS TO ACTIVATE A PROPOSED MINING OUTFALL

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

C. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS

1. Sampling Schedule and Frequency

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

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.i.
- e. If the Permittee, using approved analytical methods as specified in Part I.C.6., monitors any discharge from a point source identified on Page 1 of this Permit and describe more fully in the Permittee's application more frequently than required by this Permit; the results of such monitoring shall be included in the calculation and reporting of values on the DMR Form, and the increased frequency shall be indicated on the DMR Form.
- f. In the event no discharge from a point source identified on Page 1 of this Permit and described more fully in the Permittee's application occurs during a monitoring period, the Permittee shall report "No Discharge" for such period on the appropriate DMR Form.
- g. Each DMR Form submitted by the Permittee to the Department in accordance with Part I.D.1. must be legible and bear an original signature or electronic signature. Photo and electronic copies of the signature are not acceptable and shall not satisfy the reporting requirements of this Permit.
- h. All reports and forms required to be submitted by this Permit, the AWPCA, and the Department's rules and regulations, shall be signed by a "responsible official" of the Permittee as defined in ADEM Admin. Code r. 335-6-6-.09 or a "duly authorized representative" of such official as defined in ADEM Admin. Code r. 335-6-6-.09 and shall bear the following certification:

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

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

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

Certified and Registered Mail shall be addressed to:

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

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

2. Noncompliance Notification

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

The Permittee shall orally or electronically report any of the above occurrences, describing the circumstances and potential effects of such discharge to the Director within 24-hours after the Permittee becomes aware of the occurrence of such discharge. In addition to the oral or electronic report, the Permittee shall submit to the Director a written report as

provided in Part I.D.2.c., no later than five (5) days after becoming aware of the occurrence of such discharge.

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

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

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

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

E. OTHER REPORTING AND NOTIFICATION REQUIREMENTS

1. Anticipated Noncompliance

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

2. Termination of Discharge

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

3. Updating Information

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

Permittee shall furnish the Director with an update of any information provided in the permit application.

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

4. Duty to Provide Information

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

F. SCHEDULE OF COMPLIANCE

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

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

PART II OTHER REQUIREMENTS, RESPONSIBILITIES, AND DUTIES

A. OPERATIONAL AND MANAGEMENT REQUIREMENTS

1. Facilities Operation and Management

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

2. Pollution Abatement and/or Prevention Plan

- a. 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:
 - (1) The information indicated in ADEM Admin Code r. 335-6-9-.03 and ADEM Admin. Code ch. 335-6-9 and its Appendices A and B;
 - (2) A description of methods which will be implemented to prevent offsite vehicle tracking onto roadways and/or into ditches at the entrances and/or exits of the Permittee's operations;
 - (3) A description of setbacks from waters of the State in units of linear feet on the horizontal plane; a description of the methods taken to visibly delineate setbacks from waters of the State; and a description of any other actions taken to prevent encroachment upon setbacks;
 - (4) A description of the methods used to delineate the boundaries of coverage under this Permit such that the boundaries are readily visible during the life of the operation;
 - (5) A description of any other Best Management Practices (BMPs) which will be implemented to provide control of all nonpoint source pollution that is or may be associated with the Permittee's operations;
- 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). The PAP Plan shall be amended if the Department determines that the existing sediment control measures, erosion control measures, or other site management practices are ineffective or do not meet the requirements of this Permit.
- c. For existing sources, the PAP Plan shall be updated to include all requirements of this section within 180 days of the effective date of this permit. New sources shall submit the PAP plan with the NPDES Individual Permit application prior to coverage under this Permit.

3. Best Management Practices (BMPs)

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

The Permittee shall prepare, implement, and maintain a Spill Prevention, Control and Countermeasures (SPCC) Plan acceptable to the Department that is prepared and certified by a Professional Engineer (PE), registered in the State of Alabama, for all onsite petroleum product or other pollutant storage tanks or containers as provided by ADEM Admin. Code r. 335-6-6-.08(j)5. The Plan shall describe and the Permittee shall implement appropriate structural and/or non-structural spill prevention, control, and/or management pursuant to ADEM Admin. Code r. 335-6-6-.12 (r) sufficient to prevent any spills of pollutants from entering a ground or surface water of the State or a publicly or privately owned treatment works. The Plan shall include at a minimum, the engineering requirements provided in 40 C.F.R. §§112.1. Any containment system used to implement this requirement shall be constructed of materials compatible with the substance(s) contained and shall prevent the contamination of groundwater. Such containment systems shall be capable of retaining a volume equal to 110 percent of the capacity of the largest tank for which containment is provided. The Plan shall list any materials which the Permittee may utilize to contain and to absorb fuel and chemical spills and leaks. The Permittee shall maintain sufficient amounts of such materials onsite or have sufficient amounts of such materials readily available to contain and/or absorb fuel and chemical spills and leaks. Soil contaminated by chemical spills, oil spills, etc., must be immediately cleaned up or be removed and disposed of in a manner consistent with all State and federal regulations.

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

discharge would exceed any applicable discharge limitation specified in Part I.A. of this Permit.

4. Biocide Additives

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

5. Facility Identification

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

6. Removed Substances

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

7. Loss or Failure of Treatment Facilities

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

8. Duty to Mitigate

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

B. BYPASS AND UPSET

1. Bypass

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

b. A bypass is not prohibited if:

- (1) It does not cause any applicable discharge limitation specified in Part I.A. of this Permit to be exceeded;
- (2) The discharge resulting from such bypass enters the same receiving water as the discharge from the permitted outfall;
- (3) It is necessary for essential maintenance of a treatment or control facility or system to assure efficient operation of such facility or system; and
- (4) The Permittee monitors the discharge resulting from such bypass at a frequency, at least daily, sufficient to prove compliance with the discharge limitations specified in Part I.A. of this Permit.

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

- (1) It is unavoidable to prevent loss of life, personal injury, or severe property damage;
- (2) There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the Permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
- (3) The Permittee submits a written request for authorization to bypass to the Director at least ten (10) days, if possible, prior to the anticipated bypass or within 24 hours

of an unanticipated bypass, the Permittee is granted such authorization, and Permittee complies with any conditions imposed by the Director to minimize any adverse impact to waters resulting from the bypass.

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

2. Upset

- a. The Permittee may seek to demonstrate that noncompliance with technology-based effluent limits occurred as a result of an upset if the conditions of Part II.B.2.b are met and if the Permittee complies with the conditions provided in Part II.B.2.c.
- b. If the Permittee wishes to establish the affirmative defense of an upset for technology-based effluent limit noncompliance, the Permittee must demonstrate through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and that the Permittee can identify the specific cause(s) of the upset;
 - (2) The wastewater treatment facility was at the time being properly operated in accordance with Part II.B.d.
 - (3) The Permittee submitted notice of the noncompliance during the upset as required by Part II.B.2.c; and
 - (4) The Permittee complied with any remedial measures required under Part II.A.7. of this Permit.
- c. If the Permittee wishes to establish the affirmative defense of an upset for technology-based effluent limit noncompliance, the Permittee shall:
 - (1) No later than 24-hours after becoming aware of the occurrence of the upset, orally report the occurrence and circumstances of the upset to the Director in accordance with Part I.G.2.; and
 - (2) No later than five (5) days after becoming aware of the occurrence of the upset, furnish the Director with evidence, including properly signed, contemporaneous operating logs, design drawings, construction certification, maintenance records, weir flow measurements, dated photographs, rain gauge measurements, or other relevant evidence, demonstrating that:
 - (i) An upset occurred;
 - (ii) The Permittee can identify the specific cause(s) of the upset;
 - (iii) The Permittee's treatment facility was being properly operated at the time of the upset; and
 - (iv) The Permittee promptly took all reasonable steps to minimize any adverse impact to waters resulting from the upset.

- d. A discharge which is an overflow from a treatment facility or system, or an excess discharge from a point source associated with a treatment facility or system and which results from a 24-hour precipitation event larger than a 10-year, 24-hour precipitation event is not eligible to be considered as a result of an upset unless:
 - (1) The treatment facility or system is designed, constructed, and maintained to contain the maximum volume of wastewater which would be generated by the facility during a 24-hour period without an increase in volume from precipitation and the maximum volume of wastewater resulting from a 10-year, 24-hour precipitation event or to treat the maximum flow associated with these volumes. In computing the maximum volume of wastewater which would result from a 10-year, 24-hour precipitation event, the volume which would result from all areas contributing runoff to the individual treatment facility must be included (i.e., all runoff that is not diverted from the mining area and runoff which is not diverted from the preparation plant area); and
 - (2) The Permittee takes all reasonable steps to maintain treatment of the wastewater and minimize the amount of overflow or excess discharge.
- e. The Permittee has the burden of proof in defense of any enforcement action as a result of noncompliance of technology-based effluent limits the Permittee proposes to attribute to an upset.

C. PERMIT CONDITIONS AND RESTRICTIONS

1. Prohibition against Discharge from Facilities Not Certified

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

2. Permit Modification, Suspension, Termination, and Revocation

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

3. Automatic Expiration of Permits for New or Increased Discharges

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

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

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

4. Transfer of Permit

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

5. Groundwater

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

6. Property and Other Rights

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

D. RESPONSIBILITIES

1. Duty to Comply

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

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

2. Change in Discharge

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

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

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

void to the extent that any discharge limitation on such pollutant in Part I.A. of this Permit exceeds or is inconsistent with the established toxic or other pollutant effluent standard or prohibition.

4. Compliance with Water Quality Standards and Other Provisions

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

5. Compliance with Statutes and Rules

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

6. Right of Entry and Inspection

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

- a. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the Permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;

- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by the AWPCA, any substances or parameters at any location.

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

- a. If the Permittee intends to continue to discharge beyond the expiration date of this Permit, the Permittee shall file with the Department a complete permit application for reissuance of this Permit at least 180 days prior to its expiration. **Applications must be submitted electronically via the Department's current electronic permitting system. The Department's current online permitting system, Alabama Environmental Permitting and Compliance System (AEPACS), can be found online at <https://aepacs.adem.alabama.gov/nviro/ncore/external/home>.**
- b. If the Permittee does not desire to continue the discharge(s) allowed by this Permit, the Permittee shall notify the Department at least 180 days prior to expiration of this Permit of the Permittee's intention not to request reissuance of this Permit. This notification must include the information required in Part I.D.4.a. and be signed by an individual meeting the signatory requirements for a permit application as set forth in ADEM Admin. Code r. 335-6-6-.09.
- c. Failure of the Permittee to submit to the Department a complete application for reissuance of this Permit at least 180 days prior to the expiration date of this Permit will void the automatic continuation of this Permit provided by ADEM Admin. Code r. 335-6-6-.06; and should this Permit not be reissued for any reason, any discharge after the expiration of this Permit will be an unpermitted discharge.

PART III ADDITIONAL REQUIREMENTS, CONDITIONS, AND LIMITATIONS

A. CIVIL AND CRIMINAL LIABILITY

1. Tampering

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

2. False Statements

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

3. Permit Enforcement

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

4. Relief From Liability

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

B. OIL AND HAZARDOUS SUBSTANCE LIABILITY

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

C. AVAILABILITY OF REPORTS

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

D. DEFINITIONS

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

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

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

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

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

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

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

E. SEVERABILITY

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

F. PROHIBITIONS AND ACTIVITIES NOT AUTHORIZED

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

G. DISCHARGES TO IMPAIRED WATERS

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

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

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION**

NPDES INDIVIDUAL PERMIT RATIONALE

Company Name: Reed Materials, LLC.

Facility Name: Gum Pond Quarry

County: Morgan

Permit Number: AL0084479

Prepared by: Robert Glover

Date: September 15, 2023

Receiving Waters: Mud Creek

Permit Coverage: Limestone Quarry, Wet Preparation, Transportation and Storage, and Associated Areas

SIC Code: 1422

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

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

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

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

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

Information provided in the Permittee's application indicated that Outfall 001-1 could discharge chronically when the discharge/stream flow ratio may be high; therefore, discharge limitations for pH of 6.0 – 8.5 s.u. are proposed for Outfall 001 -1 per ADEM Admin Code r. 335-6-10-.09.

The TBELs for 40 CFR 436 Subpart B do not include limitations for Total Suspended Solids (TSS). TSS is classified as a conventional pollutant in 40 CFR 401.16 and is expected to be discharged from this type

of facility. Therefore, monthly average and daily maximum effluent limitations for TSS are those proposed by the EPA for crushed stone mine drainage in the *Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Mineral Mining and Processing Point Source Category* (July 1979).

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

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

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

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

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

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

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

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

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

has determined, based on the applicant's demonstration, that the proposed new discharges to the Tier II waters are necessary for important economic or social development in the area in which the waters are located.

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION**

ANTIDEGRADATION RATIONALE

Company Name: Reed Materials, LLC.

Facility Name: Gum Pond Quarry

County: Morgan

Permit Number: AL0084479

Prepared by: Robert Glover

Date: September 15, 2023

Receiving Waters: Mud Creek

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

Discharge Description: This proposed permit covers a limestone quarry, wet preparation, transportation and storage, and associated areas which discharge to surface waters.

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

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

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

1. The Permittee submits that the discharger will pay approximately \$143,750.00 per year in state and local taxes.
2. The Permittee submits that the discharger of crushed limestone products to be used for construction and farming activities in the community and surrounding areas.
3. The Permittee submits the discharger will provide area residents with 8 different job opportunities and pay local and state taxes.

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

Reviewed By: 

Date: 9/18/2023

NPDES Individual Application - Mining (Form 315)

version 3.4

(Submission #: HPR-2X33-ERS0H, version 2)

Digitally signed by:
AEPACS
Date: 2023.09.08 14:13:15 -05:00
Reason: Submission Data
Location: State of Alabama

Details

Submission ID HPR-2X33-ERS0H

Form Input

Processing Information

Is this a coalbed methane operation?

No

Please indicate the purpose of this application:

Initial Permit Application for New Facility

General Instructions

NPDES Individual Permit Application  Mining Operations (Form 315)

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.

Incomplete or incorrect answers or missing signatures will delay processing. Attach additional comments or information as needed. Commencement of activities applied for as detailed in this application are not authorized until permit coverage has been issued by the Department.

[For assistance, please click here to determine the permit staff responsible for the site or call \(334\) 394-4372.](#)

[Please click here for the Alabama 303\(d\) list of Impaired Waters](#)

[Please click here for information on Alabama TMDLs](#)

Permittee Information

Permittee

Permittee Name

Reed Materials, LLC.

Mailing Address

1039 Bean Rock Road

Union Grove, AL 35175

Responsible Official

Prefix

Mr.

First Name Last Name

Chastin *Reed*

Title

Member

Organization Name

Reed Materials, LLC.

Phone Type Number Extension

Business 256-990-4331

Email

chastinr@cctrucking.org

Mailing Address

1039 Bean Rock Road

Union Grove, AL 35175

Facility/Operations Information

Facility/Operations Name

Gum Pond Quarry

Permittee Organization Type

LLC

Parent Corporation and Subsidiary Corporations of Applicant, if any:

N/A

Landowner(s) Name, Address and Phone Number:

Burden Childers Land Company, LLC.

4610 Pleasant Valley Road

Union Grove, AL 35175

256-586-1224

CORRECTION REQUEST (APPROVED)

Landowner Phone Number

Please include phone number for the landowner.

Created on 6/14/2023 11:48 AM by Clint Dear

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

N/A

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

Yes

Facility/Operations Address or Location Description

183 Gum Pond Road

Baileyton, AL 35019

Facility/Operations County (Front Gate)

Morgan

Do the operations span multiple counties?

No

Detailed Directions to the Facility/Operations

Take I65N, turn right onto Highway 36 heading east, turn right onto Highway 67 heading southeast, turn right onto Gum Pond Road heading south, and the site is on your right immediately after the Lawrence Cove Road and Gum Pond Road intersection.

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

[Map Instruction Help](#)

Facility/Operations Front Gate Latitude and Longitude

34.36724,-86.64853

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

Township 8 South, Range 1 West , Section 4

SIC Code(s) [Please select your primary SIC code first]:

1422-Crushed and Broken Limestone

NAICS Code(s) [Please select your primary NAICS code first]:

212312-Crushed and Broken Limestone Mining and Quarrying

Facility/Operations Contact

Prefix

Mr.

First Name Last Name

Chastin Reed

Title

Member

Organization Name

Reed Materials, LLC.

Phone Type Number Extension

Business 256-990-4331

Email

chastinr@crtrucking.org

Member Information

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

List of Names/Titles/Addresses, as described in the instructions above, will be entered by:

Manually Entering in Table

Name	Title/Position	Physical Address of Residence
Chastin Reed	Member	1039 Bean Rock Road, Union Grove, AL 35175 Marshall County
Ashley Reed	Member	1039 Bean Rock Road, Union Grove, AL 35175 Marshall County

Other than the "Company/Permittee", identify the name of each corporation, partnership, association, and single proprietorship for which any individual identified above is or was an officer, general partner, LLP partner, LLC member, investor, director, or individual performing a function similar to a director, or principal (10% or more) stockholder, that had an Alabama NPDES permit at any time during the five year (60 month) period immediately preceding the date on which this form is signed (if this does not apply, then enter N/A after selecting "Manually Enter in Table"):

List of Corporations/Partnerships/etc, Names and Titles, as described in the instructions above, will be entered by:

Manually Entering in Table

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

Additional Contacts (1 of 1)

ADDITIONAL CONTACTS: Consultant

Contact Type

Consultant

Contact

First Name Last Name

Patti Kelly

Title

Environmental Scientist

Organization Name

Kelly EcoSource, LLC.

Phone Type Number Extension

Mobile 256-426-8699

Email

patti@kellyecosource.com

Address

106 Alice Lane
Athens, AL 35611

Compliance History

Has the applicant ever had any of the following:

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

Has the applicant, parent corporation, subsidiary, general partner, LLP partner, or LLC Member had any Warning Letters, Notice of Violations (NOVs), Administrative Actions, or litigation filed by ADEM or EPA during the three year (36 month) period preceding the date on which this form is signed?

No

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

This company has recently opened and has not yet established a compliance history.

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

This company has recently opened and has not yet established a compliance history.

Anti-Degradation Evaluation

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

Yes

NOTE

If the discharge is to a Tier II waterbody as defined in ADEM Admin. Code r. 335-6-10-.12(4), complete questions below, ADEM Form 311-Alternatives Analysis, and either ADEM Form 312 or ADEM Form 313- Calculation of Total Annualized Project Costs (Public-Sector or Private-Sector Projects, whichever is applicable). ADEM Form 312 or ADEM Form 313, whichever is applicable, must be provided for each treatment discharge alternative considered technically viable. [ADEM forms can be found on the Department's website here.](#)

What environmental or public health problem will the discharger be correcting?

There is no public health problem related to the subject site. The discharge is not pertinent to correcting a problem.

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

Reed Materials, LLC. will be providing 8 new jobs to area residents.

How much reduction in employment will the discharger be avoiding?

N/A

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

An estimated \$143,750.00 will be paid annually in state and local taxes.

What public service to the community will the discharger be providing?

Reed Materials, LLC will supply crushed limestone products to be used for construction and farming activities in the community and surrounding areas.

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

Reed Materials, LLC will provide area residents with 8 different job opportunities and pay local and state taxes .

Attach Form 311 (Alternative Analysis)

[Gum Pond Form311.pdf - 02/03/2023 05:10 PM](#)

Comment

NONE PROVIDED

Please attach Form 312 (Public Sector Projects) or Form 313 (Private Sector Projects).

[Gum Pond Form313.pdf - 06/14/2023 02:14 PM](#)

Comment

NONE PROVIDED

CORRECTION REQUEST (APPROVED)

Form 312/313

Is this a private company? If so, Form 313 should be filled out instead of 312. If not, then no change is needed.

Created on 6/14/2023 11:50 AM by Clint Dear

Activity Description & Information

Narrative description of activity(s):

The products to be mined will be limestone gravel. The mined limestone rock will be crushed, screened, washed, and stockpiled on-site. Water will be utilized for dust suppression. The water will be obtained by recycling and reusing surface water from washing and dust suppression along with water obtained from the local water utility. The limestone gravel will be transported by truck.

Total Facility/Operations Area (acres)

87.38

Total Disturbed Area (acres)

87.38

Anticipated Commencement Date

05/01/2023

Anticipated Completion Date

05/01/2028

Please identify which of the following apply to this operation:

Activity/Condition	Apply?
An existing facility/operation which currently results in discharges to State waters?	No
A proposed facility/operation which will result in a discharge to State waters?	No
Be located within any 100-year flood plain?	Yes
Discharge to Municipal Separate Storm Sewer?	No
Discharge to waters of or be located in the Coastal Zone?	No
Need/have ADEM UIC permit coverage?	No
Be located on Indian/historically significant lands?	No
Need/have ADEM SID permit coverage?	No
Need/have ASMC permit coverage?	No
Need/have State Oil & Gas Board permit coverage?	No
Need/have ADOL permit coverage?	No
Generate, treat, store, or dispose of hazardous or toxic waste?	No
Be located in or discharge to a Public Water Supply (PWS) watershed or be located within 1/4 mile of any PWS well?	No
Incised pit	Yes

Does your facility/operation use cooling water?

No

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

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

Proposed Activity To Be Conducted**Type(s) of activity presently conducted at applicant's existing facility or proposed to be conducted at facility (Select Yes or No):**

Activity	Apply?
Adjacent/associated asphalt/concrete plant(s)	No
Alternative fuels operation	No
Auger mining	No
Cement production	No
Chemical processing or leaching	No
Chemicals used in process or wastewater treatment (coagulant, biocide, etc.)	No
Construction related temporary borrow pits/areas	No

Activity	Apply?
Creek/stream crossings	No
Excavation	Yes
Grading, clearing, grubbing, etc.	Yes
Hydraulic mining	No
Hydraulic mining, dredging, instream or between stream-bank mining	No
Lime production	No
Low volume sewage treatment package plant	No
Mineral dry processing (crushing & screening)	Yes
Mineral loading	Yes
Mineral storing	Yes
Mineral transportation	Yes
Mineral wet preparation	Yes
Onsite construction debris or equipment storage/disposal	Yes
Onsite mining debris or equipment storage/disposal	Yes
Other beneficiation & manufacturing operations	No
Pre-construction ponded water removal	Yes
Pre-mining logging or land clearing	Yes
Preparation plant waste recovery	No
Quarrying	Yes
Reclamation of disturbed areas	No
Solution mining	No
Surface mining	Yes
Synthetic fuel production	No
Underground mining	No
Waterbody relocation or other alteration	No
Within-bank mining	No

If the operation will include activities other than those listed above, please describe them below:
NONE PROVIDED

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

Method	Apply?
Barge	No
Rail	No
Truck	Yes

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

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

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

Volume (gallons)	Contents
12,000	Diesel Fuel (Off-Road)
1,000	Waste Oil
55	Hydraulic Oil

Volume (gallons)	Contents
55	Hydraulic Oil
55	Hydraulic Oil
325	DEF Fluid
325	DEF Fluid

SPCC Plan

[SIGNED 20230622 Gum Pond SPCC R1.pdf - 06/28/2023 09:06 AM](#)
Comment
 NONE PROVIDED

CORRECTION REQUEST (APPROVED)
SPCC Plan

Document is a draft version. Document is missing signatures. Needs to submit design plans for secondary containment for any fuel/oil/chemicals that is not in a double walled tank.
 Created on 6/14/2023 11:55 AM by Clint Dear

ASMC Regulated Entities

Is this a coal mining operation regulated by ASMC?
 No

Topographic Map Submittal

Topographic Map

Attach to this application a 7.5 minute series U.S.G.S. topographic map(s) or equivalent map(s) no larger than, or folded to a size of 8.5 by 11 inches (several pages may be necessary), of the area extending to at least one mile beyond property boundaries. The topographic or equivalent map(s) must include a caption indicating the name of the topographic map, name of the applicant, facility name, county, and township, range, & section(s) where the facility are located. Unless approved in advance by the Department, the topographic or equivalent map(s), at a minimum, must show: a) An accurate outline of the area to be covered by the permit (b) An outline of the facility (c) All existing and proposed disturbed areas (d) Location of intake and discharge areas (e) Proposed and existing discharge points (f) Perennial, intermittent, and ephemeral streams (g) Lakes, springs, water wells, wetlands (h) All known facility dirt/improved access/haul roads (i) All surrounding unimproved/improved roads (j) High-tension power lines and railroad tracks (k) Contour lines, township-range-section lines (l) Drainage patterns, swales, washes (m) All drainage conveyance/treatment structures (ditches, berms, etc.) (n) Any other pertinent or significant feature.

Topographic Map

[OFFICIAL TOPO Gum Pond Quarry R1.png - 06/28/2023 08:54 AM](#)
Comment
 NONE PROVIDED

Detailed Facility Map Submittal

Detailed Facility Map

[20230622 Gum Pond PAP Drawings.pdf - 06/27/2023 06:45 PM](#)
Comment
 NONE PROVIDED

Outfalls (1 of 1)

Outfall Identifier: 001

Feature Type
Outfall (External)

Outfall Identifier
001

Outfall Status
Proposed

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

Receiving Water
Mud Creek

Check below if the discharge enters the receiving water via an unnamed tributary.
NONE PROVIDED

Location of Outfall
34.362906997509825,-86.65061334722138

303(d) Segment?
No

TMDL Segment?
No

Discharge Characterization

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

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

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

Required attachment:

[GumPond Metals Characterization Structure.xlsx - 06/28/2023 09:13 AM](#)
Comment
NONE PROVIDED

<p>CORRECTION REQUEST (APPROVED) Characterization Structure Use estimated values. If possible, use sites in the area as a representative sample. Created on 6/14/2023 12:12 PM by Clint Dear</p>
--

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

Required attachment:

[GumPond Pollution Characterization.xlsx - 06/28/2023 09:15 AM](#)
Comment
NONE PROVIDED

Discharge Structure Description & Pollutant Source

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

Required attachment:

[GumPondDischargeStructureDescription.xlsx - 06/28/2023 09:53 AM](#)

Comment
 NONE PROVIDED

CORRECTION REQUEST (APPROVED)
Structure Description
 For description of origin of pollutants, use numbers 1 -10.
 Created on 6/14/2023 12:22 PM by Clint Dear

Variance Request

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

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

Outfall(s):
 001P

Outfall Questions:	Please select one:
Runoff from all areas of disturbance is controlled	Yes
Drainage from pit area, stockpiles, and spoil areas directed to a sedimentation pond	Yes
Sedimentation basin at least 0.25 acre/feet for every acre of disturbed drainage	Yes
Sedimentation basin cleaned out when sediment accumulation is 60% of design capacity	Yes
Trees, boulders, and other obstructions removed from pond during initial construction	Yes
Width of top of dam greater than 12'	N/A
Side slopes of dam no steeper than 3:1	Yes
Cutoff trench at least 8' wide	N/A
Side slopes of cutoff trench no less than 1:1	N/A
Cutoff trench located along the centerline of the dam	N/A
Cutoff trench extends at least 2' into bedrock or impervious soil	N/A
Cutoff trench filled with impervious material	N/A
Embankments and cutoff trench 95% compaction standard proctor ASTM	Yes
Embankment free of roots, tree debris, stones >6" diameter, etc.	Yes
Embankment constructed in lifts no greater than 12"	Yes
Spillpipe sized to carry peak flow from a one year storm event	Yes
Spillpipe will not chemically react with effluent	Yes
Subsurface withdrawal	Yes
Anti-seep collars extend radially at least 2' from each joint in spillpipe	Yes
Splashpad at the end of the spillpipe	Yes
Emergency Spillway sized for peak flow from 25-yr 24-hr event if discharge not into PWS classified stream	Yes
Emergency spillway sized for peak flow from 50-yr 24-hr event if discharge is into PWS classified stream	N/A
Emergency overflow at least 20' long	Yes

Outfall Questions:	Please select one:
Side slopes of emergency spillway no steeper than 2:1	Yes
Emergency spillway lined with riprap or concrete	Yes
Minimum of 1.5' of freeboard between normal overflow and emergency overflow	Yes
Minimum of 1.5' of freeboard between max. design flow of emergency spillway and top of dam	Yes
All emergency overflows are sized to handle entire drainage area for ponds in series	Yes
Dam stabilized with permanent vegetation	Yes
Sustained grade of haul road <10%	Yes
Maximum grade of haul road <15% for no more than 300'	Yes
Outer slopes of haul road no steeper than 2:1	Yes
Outer slopes of haul road vegetated or otherwise stabilized	Yes
Detail drawings supplied for all stream crossings	N/A
Short-Term Stabilization/Grading And Temporary Vegetative Cover Plans	Yes
Long-Term Stabilization/Grading And Permanent Reclamation or Water Quality Remediation Plans	Yes

Identify and provide detailed explanation for any **◆N◆** or **◆N/A◆** response(s):
There is no cutoff trench or stream crossing.

Pollution Abatement & Prevention (PAP) Plan Review Checklist

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

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

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

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

Schematic Diagram:	Please select one:
Points of Waste Origin	Yes

Schematic Diagram:	Please select one:
Collection System	Yes
Disposal System	Yes

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

Description of Waste Treatment Facility:	Please select one:
Pre-Treatment Measures	Yes
Recovery System	Yes
Expected Life of Treatment Basin	Yes
Measures for Ensuring Access to All Treatment Structures and Related Appurtenances including Outfall Locations	Yes
Schedule of Cleaning and/or Abandonment	Yes

Other:	Please select one:
Precipitation/Volume Calculations/Diagram Attached	Yes
BMP Plan for Haul Roads	Yes
Measures for Minimizing Impacts to Adjacent Stream (e.g., Buffer Strips, Berms)	Yes
Measures for Ensuring Appropriate Setbacks are Maintained at All Times	Yes
Methods for Minimizing Nonpoint Source Discharges	Yes
If Chemical Treatment Used, Methods for Ensuring Appropriate Dosage	N/A
Facility Closure Plans	Yes
PE Rationale(s) For Alternate Standards, Designs or Plans	Yes

Identify and provide detailed explanation for any "N" or "N/A" response(s):
No chemical treatment will be used at this facility.

Pollution Abatement & Prevention (PAP) Plan

Is this a coal mining operation regulated by ASMC?
No

For non-coal mining facilities, has a PAP Plan in accordance with ADEM Admin. Code r. 335-6-9-.03 been completed?
Yes

PAP Plan (non-coal mining facilities)

SIGNED 20220622 Gum Pond Quarry PAP R1 Combined.pdf - 06/28/2023 09:05 AM
Comment
NONE PROVIDED

CORRECTION REQUEST (APPROVED)
PAP Plan
The PAP version is a draft. Document is missing signatures. Setback needs to state that the 50 foot buffer will apply to streams also. The PAP Plan is missing design drawings for the outfalls.
Created on 6/14/2023 12:44 PM by Clint Dear

Professional Engineer (PE)

Registration License Number

27801

Professional Engineer

Prefix

Mr.

First Name Last Name

William Black

Title

Professional Engineer

Organization Name

Kelly EcoSource, LLC.

Phone Type Number Extension

Mobile 256-874-3144

Email

hblack.kes@gmail.com

Address

18957 Wentworth Drive

Athens, AL 35613

Information for the Applicant

Please read the following information and acknowledge below:

Contact the Department prior to submittal with any questions or to request acceptable alternate content/format.

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

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

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

The applicant is advised to contact:

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

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

Acknowledgement

I acknowledge I have read and understand the information above.

Additional Attachments

Additional Attachments

NONE PROVIDED
Comment
NONE PROVIDED

Application Preparer

Application Preparer

Prefix
Mr.
First Name **Last Name**
Chandler *Dutton*
Title
Environmental Scientist
Organization Name
Kelly EcoSource, LLC.
Phone Type **Number** **Extension**
Mobile *256-221-0890*
Email
cmd55.kes@gmail.com
Address
107 Beacon Street
Moulton, Alabama 35650

Fees Assessed

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

Wet Preparation, Processing, Beneficiation:
6860

Greenfield Site Fee:
1610

Fee

Fee
8470

Revisions

Revision	Revision Date	Revision By
Revision 1	1/30/2023 11:38 AM	CHANDLER DUTTON
Revision 2	6/14/2023 1:03 PM	CHANDLER DUTTON

Agreements and Signature(s)

SUBMISSION AGREEMENTS

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

Professional Engineer

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 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.

Signed By William Black on 06/29/2023 at 9:07 AM

Responsible Official

This application must be signed and initialed by a Responsible Official of the applicant pursuant to ADEM Admin. Code Rule 335-6-6-.09 who has overall responsibility for the operation of the facility. I certify under penalty of law that this document, including technical information and data, the PAP Plan, including any SPCC plan, maps, engineering designs, and all other attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the PE and other person or persons under my supervision who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine or imprisonment for knowing violations. A comprehensive PAP Plan to prevent and minimize discharges of pollution to the maximum extent practicable has been prepared at my direction by a PE for this facility utilizing effective, good engineering and pollution control practices and in accordance with the provisions of ADEM Admin. Code Division 335-6, including Chapter 335-6-9 and Appendices A & B, and information contained in this application, including any attachments. I understand that regular inspections must be performed by, or under the direct supervision of, a PE and all appropriate pollution abatement/prevention facilities and structural & nonstructural management practices or Department approved equivalent management practices identified by the PE must be fully implemented prior to and concurrent with commencement of regulated activities and regularly maintained as needed at the facility in accordance with good sediment, erosion, and other pollution control practices and ADEM requirements. I understand that the PAP Plan must be fully implemented and regularly maintained so that discharges of pollutants can reasonably be expected to be effectively minimized to the maximum extent practicable and according to permit discharge limitations and other requirements to ensure protection of groundwater and surface water quality. I understand that failure to fully implement and regularly maintain required management practices for the protection of groundwater and surface water quality may subject the Permittee to appropriate enforcement action. I certify that this form has not been altered, and if copied or reproduced, is consistent in format and identical in content to the ADEM approved form. I further certify that the discharges described in this application have been tested or evaluated for the presence of non-stormwater discharges and any non-mining associated beneficiation/process pollutants and wastewaters have been fully identified. 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. 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. 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.

Responsible Official

Signed By Chastin Reed on 06/28/2023 at 12:55 PM

Attachment 1 to Supplementary Form ADEM Form 311

Alternatives Analysis

Applicant/Project: Gum Pond Quarry

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	Overall flow is too great
2 Pretreatment/Discharge to POTW		X	No POTW available
3 Relocation of Discharge		X	Discharge is proposed at the lowest elevation at this facility shown by topographical maps
4 Reuse/Recycle	X		Facility will reuse/recycle captured runoff at quarry and to control dust
5 Process/Treatment Alternatives		X	Settlement of the sediment is the best available treatment method
6 On-site/Sub-surface Disposal		X	Overall flow is too great
<i>(other project-specific alternatives considered by the applicant; attach additional sheets if necessary)</i>			
7			
8			
9			

<p><i>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.</i></p>	<p style="text-align: center;"><i>Signature:</i> _____ <i>(Professional Engineer)</i></p> <p style="text-align: center;"><i>Date:</i> _____</p>
--	---

(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)	\$ 500,000 (1)
Interest rate for Financing (Expressed as a decimal)	0.0575 (i)
Time Period of Financing (Assume 10 years*)	10 years (n)
Annualization Factor = $\frac{i}{(1+i)^{10} - 1} + i$	0.1344 (2)
Annualized Capital Cost [Calculate: (1) x (2)]	\$ 67,200. (3)
Annual Cost of Operation and Maintenance (including but not limited to monitoring, inspection, permitting fees, waste disposal charges, repair, administration and replacement)**	\$ 40,000. (4)
Total Annual Cost of Pollution Control Project [(3) + (4)]	\$ 107,200 (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).

The applicant is required to supply the following information separately for every proposed of any other pollutant(s) listed in EPA Form 2C Tables A, B, C, D, and E that are not referred 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
001P	NON BELIEVED TO BE PRESENT			

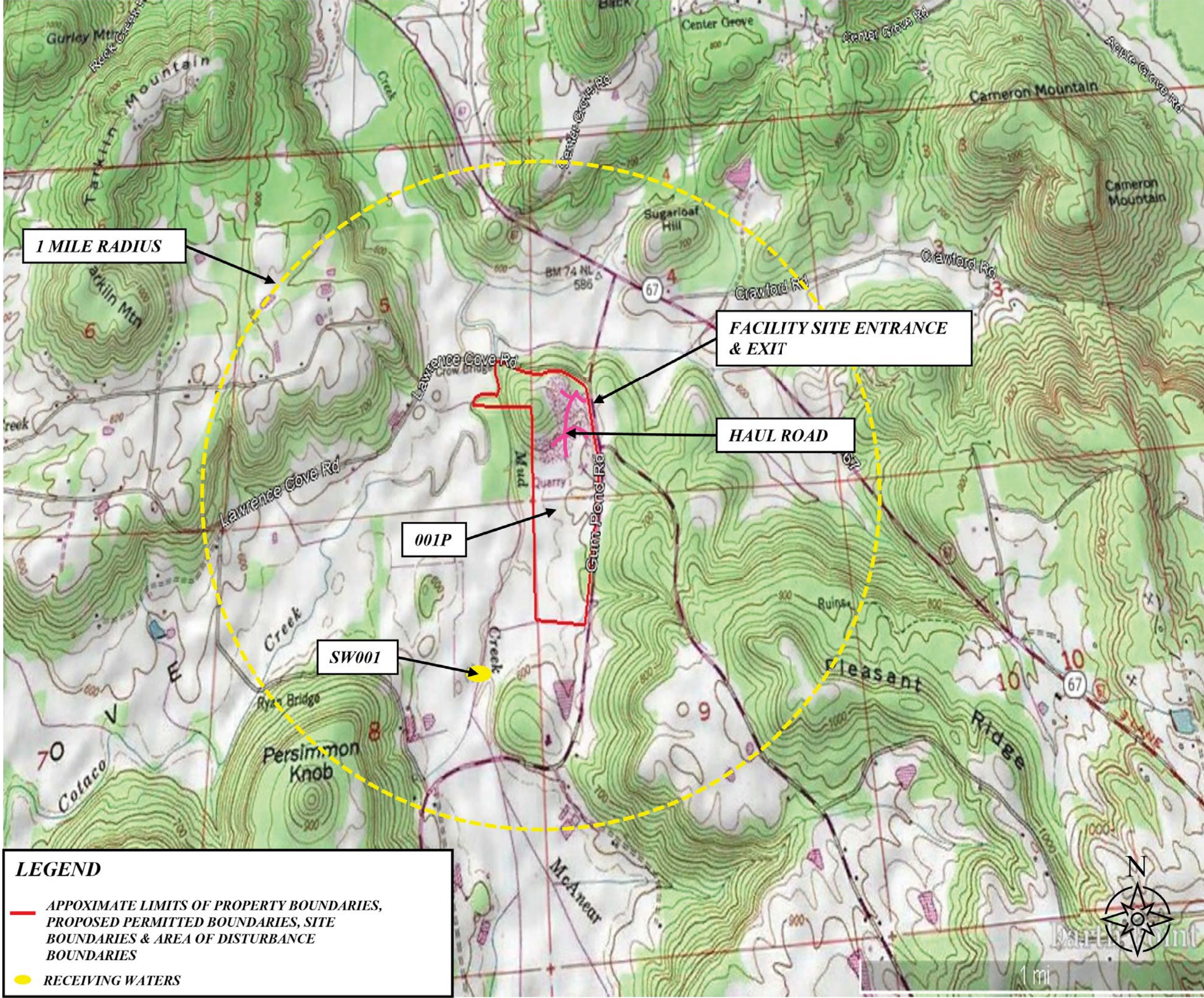
or existing outfall. Identify and list expected average daily discharge
ned in Part XVI.B. or otherwise submitted elsewhere, that you know

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

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.

Description of 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):

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
001P	Outlet/Pipe	4 & 7	Outlet/Pipe	N/A	N/A	N/A	N/A



LEGEND

- APPROXIMATE LIMITS OF PROPERTY BOUNDARIES, PROPOSED PERMITTED BOUNDARIES, SITE BOUNDARIES & AREA OF DISTURBANCE BOUNDARIES
- - - RECEIVING WATERS

PREPARED BY:

Kelly EcoSource, LLC.

DATE:01/12/2023

SITE LOCATION / TOPOGRAPHIC MAP

REED MATERIALS, LLC
 GUM POND ROAD SITE
 MORGAN COUNTY, ALABAMA
 S4, T8S, R1W
 KES PROJECT #K21-65

SOURCE: GOOGLE EARTH PRO

SCALE: NOT TO SCALE

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

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

GUM POND QUARRY

Baileyton, Morgan County, Alabama
KES Project # K21-65

FOR
Reed Materials, LLC.
1039 Bean Rock Road
Union Grove, Marshall County, AL 35175
256-990-4331

January 2023
Revised June 2023

PREPARED BY

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

EMERGENCY QUICK REFERENCE LIST

1. U.S. Environmental Protection Agency – Regional Office (404) 347-4062
2. U.S. Coast Guard National Response Center (800) 424-8802
3. ADEM – Decatur Field Office (8:00 am – 5:00 pm) (256) 353-1713
4. Alabama Emergency Response Commission (800) 843-0699
5. ADEM – Montgomery Office (8:00 am – 5:00 pm) (334) 271-7700
6. Department of Public Safety (after 5:00 pm) (334) 242-4378
7. Morgan Co. Emergency Management Agency (256) 532-7290
8. Spill Recovery or Clean-up Services:
 - a. Action Environmental (Hanceville, AL) (256) 352-2350
24-hour hotline (800) 228-8845 x 7093
 - b. SWS First Response
Billy Farris 303 Beltline Pl, Decatur AL (256) 355-7900
24-hour line, Panama City, FL (800) 852-8878
9. Morgan County Emergency Management Agency (EMA) (256) 351-4620
10. Morgan County Sheriff's Department (256) 498-3011
11. Madison County Emergency Response Commission (256) 722-7120

I. ASSESSMENT AND PLANNING

Kelly EcoSource, LLC. (KES) has prepared this Spill Prevention Control and Countermeasure (SPCC) Plan for the Gum Pond Quarry located in Baileyton, Morgan County, Alabama. The purpose of this Spill Prevention Control and Countermeasure (SPCC) Plan is to describe measures implemented by Reed Materials, LLC. to prevent oil discharges from occurring, and to prepare Reed Materials to respond in a safe, effective, and timely manner to mitigate the impacts of a potential discharge from the Gum Pond Quarry. This SPCC Plan has been prepared and implemented in accordance with the SPCC requirements contained in 40 CFR part 112. This Plan was prepared at the request of Mr. Chastin Reed of Reed Materials, LLC.

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

II. LOCATION AND TYPE OF FACILITY

Gum Pond Quarry is located at Section 4, Township 8 South, Range 1 West at 183 Gum Pond Road in Baileyton, Morgan County, Alabama. The Gum Pond Quarry property is 87.38 acres with a previously mined 8-acre limestone quarry on the east portion of the site. Gum Pond Quarry is planning to re-open and expand the 8-acre limestone quarry that was last in operation sometime in the early 1980's. The facility will contain one basin (001P) located west or southwest of the limestone quarry. (See Appendix A)

III. NAME AND ADDRESS OF OWNER/OPERATOR

Chastin Reed, Member
Reed Materials, LLC.
1039 Bean Rock Road
Union Grove, AL 35175
256-990-4331

IV. DESIGNATED EMERGENCY COORDINATORS

Chastin Reed, Member
Reed Materials, LLC.
1039 Bean Rock Road
Union Grove, AL 35175
256-990-4331

V. SPILL HISTORY

According to the information provided by the land owners and Reed Materials, there have been no spills on the property.

VI. SURFACE WATER FEATURES

Based on the topography and current conditions, the land surrounding the project has a general higher elevation to the east, northeast portion of the site, and a lower elevation to the west, southwest portion of the site. Drainage from all general operations, ASTs, drums, spoil,

stockpile areas, excavation areas, preparation facilities, loading areas, and other areas of disturbance relating to the mining and processing site will be directed to the incised quarry and/or sediment basin (001P) before discharging through a permitted outfall. Any locations that cannot be diverted to the sediment basin will be seeded for temporary vegetation to control non-point source pollution from leaving the site. The topographic map depicts Mud Creek near the west boundary of the property. (Refer to Maps)

It is noted that Kelly EcoSource has performed a wetland delineation at Gum Pond Quarry and is waiting on a site verification meeting with the U.S. Army Corps of Engineers to determine where, if any, jurisdictional waters of the U.S. are located on the property. The sediment basin for the quarry will be field located based on guidance pertaining to potential wetland areas on the site from the U.S. Army Corps of Engineers

VII. DISCHARGE PREVENTION MEASURES

Petroleum products will be stored and used in the aboveground storage tank area noted on the Site Layout Drawing in Appendix A. The following petroleum products will be used for the proposed facility at this time:

TYPE OF PETROLEUM	QUANTITY
Diesel Fuel Tank (Off-Road)	(1) 10,000-gallon double wall compacity
Hydraulic Oil	(3) 55-gallon drums
DEF Fluid	(2) 275-gallon tote tanks
Waste Oil	(1) 1,000-gallon double wall tank

1. AST SECONDARY CONTAINMENT

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

The (1) 10,000-gallon tank of off-road diesel fuel and the (1) 1,000-gallon waste oil tank ASTs that will be located on site are double-walled and do not require secondary containment unless otherwise instructed by the engineer signing the SPCC, as per 40 CFR 112. The tanks are considered to be sufficient to contain the diesel and a secondary containment is not needed at this time. The remaining tanks within Gum Pond Quarry consist of: waste oil, DEF fluid, and hydraulic oil. These will be stored on the east side of the Office/Shop building. These tanks are single-walled and will have an earth berm placed around their general location until the shop is constructed and has a concrete containment area for the petroleum products stored in single walled containers. The earth berm shall be 15 ft by 15 feet (lateral dimensions) and shall have a two (2) foot high berm around its perimeter. Used drums are anticipated to be stored at this location as well, however, but will be disposed of routinely. Residual storm water, if any, contacting these tanks and drums will ultimately discharge into the existing incised quarry, the sediment basin (001P) located south of the shop, or the wheel wash basin located southeast of the shop. The locations of the ASTs are shown in Appendix A. Possible sources for leakage in

this area include tank leakage from corrosion or rupture and piping failure from corrosion, joint failure or rupture, equipment failure, and/or operations error. (See Appendix A for reference.)

Gum Pond Quarry facility is located adjacent to Mud Creek, and in the unlikely event of the diesel leaking or overflowing, the flow would be directed south into the existing incised quarry, proposed sediment basin (001P), or the wheel wash basin located southeast of the shop. The site is graded in a manner that precludes runoff from leaving the site without flowing through these features so that most solids and suspended solids are removed from the effluent.

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

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

The ASTs and piping are coated and/or painted to inhibit rust. Facility personnel will conduct biweekly inspections of the ASTs and piping for signs of leakage and/or physical deterioration. Facility personnel will use sorbent booms and/or material to absorb visible free product.

2. PERSONNEL

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

3. SECURITY

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

4. FACILITY INSPECTIONS

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

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

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

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

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

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

VIII. SPILL COUNTERMEASURE PROCEDURES

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

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

1. DISCOVERY AND NOTIFICATION

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

Spill Notification Form is included in Appendix B. Completed Spill Notification Forms shall be kept on file in Appendix B.

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

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

Please note that "on-site" releases must be a solid or liquid and contained in a cemented, diked area. Releases that enter the air or soil are automatically considered "off-site" release, regardless of where the accident occurs. Offsite releases require notice to the local emergency planning commission (Morgan County Emergency management agency, 256-351-4620) and the state emergency response center (Alabama Emergency Response Commission, 800-843-0699) as well as the NRC. Written follow up reports may also be required.

Notification should include the following information:

1. Name, address, and telephone # of person reporting spill
2. Name and address of the facility
3. Date and time of the incident
4. Location of the incident
5. Type of material released or spilled
6. Estimated quantity of materials released or spilled
7. Source of spill and cause, if known
8. Nearest downstream body of water
9. Weather conditions at the incident location
10. NPDES Permit #
11. Any other information that may help emergency personnel respond to the incident
12. Request advice on clean-up measures to take

- D. Based on the above information, the emergency coordinator must determine the extent of possible hazards to human health or the environment inside and outside of the facility area. The emergency coordinator may, if considered necessary, evacuate employees or if such hazards exist outside of the facility area, evacuation of local areas may be needed and reports to governmental emergency centers may be required.

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

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

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

National Response Center (NRC) 800-424-8802

Alabama Emergency Management Agency 800-843-0699

Madison County Emergency Management 256-427-5130

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

Spills Endangering Human Life	911
Morgan County Sheriff's Department	256-498-3011
Bethel Gum Pond Fire Department	256-796-8800
Huntsville Hospital (Emergency)	256-517-8133
U.S. EPA Region IV (24hr Spill)	404-562-8700
U.S. EPA Region IV	404-562-9900
ADEM Decatur Field office	256-353-1713
AL Dept of Public Safety (Huntsville)	256-427-7138

2. CONTAINMENT AND COUNTERMEASURES

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

3. CLEAN UP AND DISPOSAL

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

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

IX. SPILL EVENT REPORTS

1. OIL SPILLS

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

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

2. SPILLS OF HAZARDOUS SUBSTANCES

Federal regulations require the reporting of spills of hazardous substances into navigable waters if quantities equal to or exceeding the reportable quantity released in any 24hr period. Such notice should be given by telephoning the U.S. Coast Guard National Response Center (800-424-8802), the State Emergency Response Commission (800-843-0699), and the Local Emergency Management Agency (205532-7290).

X. CERTIFICATION OF QUALIFIED CREDENTIALLED PROFESSIONAL

I certify under penalty of law that this SPCC Plan was prepared in accordance with good engineering practices under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiring of the person or persons who directly gathered the enclosed information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information.

This document is subject to revision based on feedback from review by federal, state, and local agencies having jurisdiction over site conditions and/or activities conducted on the subject site.



William H Black

6/22/23

William H. Black, P.E. # 27801

XI. ACKNOWLEDGEMENT

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

Kelly EcoSource, LLC.

Patti Kelly

Patti A. Kelly

Environmental Scientist

MANAGEMENT APPROVAL

40 CFR 112.7

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

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

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

Emergency Coordinator:

Chastin Reed

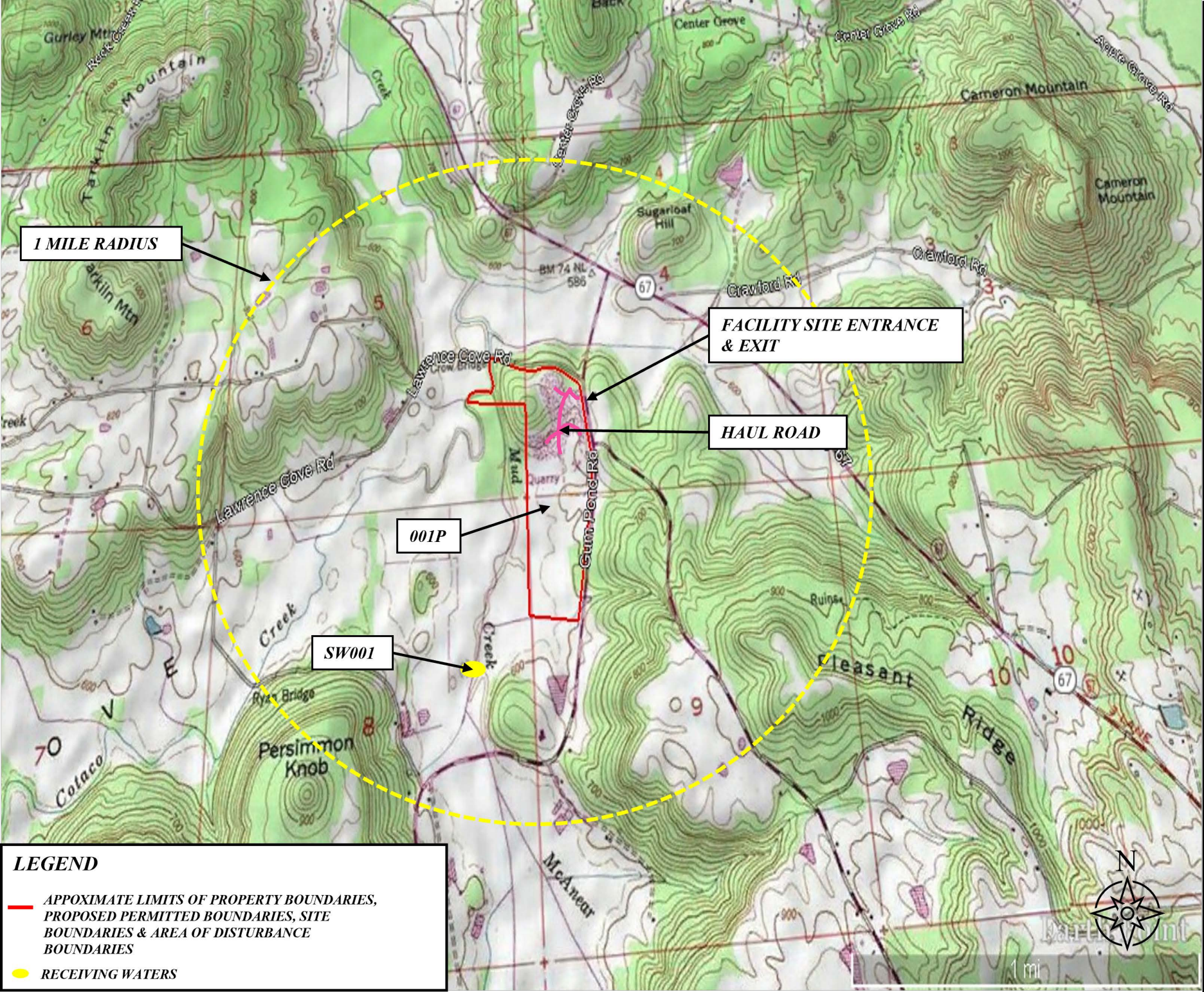
Date 6.26.23

Facility Manager:

Chastin Reed

Date 6.26.23

APPENDIX A



PREPARED BY:

Kelly EcoSource, LLC.

DATE:01/12/2023

SITE LOCATION / TOPOGRAPHIC MAP

REED MATERIALS, LLC
 GUM POND ROAD SITE
 MORGAN COUNTY, ALABAMA
 S4, T8S, R1W
 KES PROJECT #K21-65

SOURCE: GOOGLE EARTH PRO

SCALE: NOT TO SCALE

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

LEGEND

- APPROXIMATE LIMITS OF PROPERTY BOUNDARIES, PROPOSED PERMITTED BOUNDARIES, SITE BOUNDARIES & AREA OF DISTURBANCE BOUNDARIES
- - - RECEIVING WATERS



1 mi

POLLUTION ABATEMENT PLAN (PAP PLAN)

Gum Pond Quarry

Baileyton, Morgan County, Alabama
KES Project # K21-65

FOR
Reed Materials, LLC.
1039 Bean Rock Road
Union Grove, Marshall County, AL 35175
256-990-4331

January 2023
Revised June 2023

PREPARED BY

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

1.0 INTRODUCTION

Kelly EcoSource, LLC. (KES) has prepared this Pollution Abatement Plan (PAP) for Gum Pond Quarry in Baileyton, Morgan County, Alabama. PAP Plans are required by the Alabama Department of Environmental Management (ADEM) National Pollutant Discharge Elimination System (NPDES) Individual Permit for surface and underground mineral and ore or mineral product mining, quarrying, excavation, borrowing, processing, preparation, recovery, handling, loading, storing or disposing activities and associated areas including pre-mining site development, construction, excavation, clearing, disturbance, reclamation, and associated areas. This plan was prepared at the request of Mr. Chastin Reed of Reed Materials, LLC.

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

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

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

This PAP plan has been prepared to implement the following:

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

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

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

- ADEM NPDES Discharges from the State of Alabama 335-6-9;
- Storm water Pollution Prevention Plan (SWPPP) EPA, Jan. 2007;
- Information provided by Reed Materials, LLC.;
- Site Plan Drawing, prepared by - RHS Services, LLC. January 2023.
- Process Schematic, prepared by - RHS Services, LLC. January 2023.
- Topographic Map, prepared by KES, LLC.

1.2 Contact Information/ Responsible Parties

Responsible Official:

Chastin Reed, Member
Reed Materials, LLC.
1039 Bean Rock Road
Union Grove, AL 35175
256-990-4331

Project Manager(s) or Site Supervisor(s):

Chastin Reed, Member
Reed Materials, LLC.
1039 Bean Rock Road
Union Grove, AL 35175
256-990-4331

PAP Contact(s) / QCP:

Kelly EcoSource, LLC.
William Black, P.E./ Patti Kelly, Sr. Environmental Scientist
106 Alice Lane
Athens, AL 35611
256-426-8699

This PAP was Prepared by:

Kelly EcoSource, LLC.
Patti Kelly, Sr. Environmental Scientist
Chandler Dutton, Environmental Scientist
256-426-8699

Emergency 24-Hour Contact:

Reed Materials, LLC.
Chastin Reed
256-990-4331

1.3 Site Description

Gum Pond Quarry is located at Section 4, Township 8 South, Range 1 West at 183 Gum Pond Road in Baileyton, Morgan County, Alabama. The Gum Pond Quarry property is 87.38 acres with a previously mined 8-acre limestone quarry on the east portion of the site. Gum Pond Quarry is planning to re-open and expand the 8-acre limestone quarry that was last in operation sometime in the early 1980's. The facility will contain one basin (001P) located west and southwest of the limestone quarry. (See Appendix A of this report for a Site Location/Topographic Map and for the Site Plan Drawing.)

1.4 Site Activities

The products to be mined will be limestone gravel. The mined limestone rock will be crushed and screened on-site and water will be utilized for dust suppression. This water will be obtained from the public water utility. The limestone gravel will be stored on site. The limestone gravel will be transported by truck. (See Appendix A of this plan for the Site Plan prepared by RHS Services, LLC.)

1.5 Site Drainage

Based on the topography and current conditions, the land surrounding the project has a general higher elevation to the east, northeast portion of the site, and a lower elevation to the west, southwest portion of the site. Drainage from all spoil, stockpile areas, excavation areas, preparation facilities, loading areas, and other areas of disturbance relating to the mining and processing site will be directed to a sediment basin before discharging through a permitted outfall. Any locations that cannot be diverted to a sediment basin will be seeded for temporary vegetation to control non-point source pollution from leaving the site. The topographic map depicts Mud Creek near the west boundary of the property. (Refer to Appendix A)

Gum Pond Quarry will contain one permitted outfall: 001P. Site drainage from operations in the east will flow to the basin (001P) west of the quarry. The basin is not anticipated to discharge through surface flow but is anticipated to discharge mostly by evaporation and absorption into the subgrade. The wheel wash drainage basin upon overflow, will flow into the quarry.

It is noted that Kelly EcoSource has performed a wetland delineation at Gum Pond Quarry and is waiting on a site verification meeting with the U.S. Army Corps of Engineers to determine where, if any, jurisdictional waters of the U.S. are located on the property. The sediment basin for the quarry will be field located based on guidance pertaining to potential wetland areas on the site from the U.S. Army Corps of Engineers. (Refer to Appendix A)

1.6 Spills and Leaks

According to the information provided by the land owners and Reed Materials, there have been no known spills on the property. Reed Materials will store petroleum onsite, therefore a SPCC plan is required.

2.0 Operations

The gate to the project will be open mostly between 6am and 6pm Monday- Friday for trucks to transport material from the quarry. The operations will employ approximately 10 people but this is subject to change at owner's discretion. The operations will include removing and transporting various sizes of limestone rock from the quarry by trucks. Once the land has been used to the full capacity by Reed Materials, LLC., the land will be stabilized accordingly.

3.0 Potential Sources of Pollution

Potential sources for pollution at Gum Pond Quarry include but are not limited to:

- Storm water runoff of material stockpiles, if any
- Dust emissions from site activity
- Spill/ leakage from equipment or AST
- Haul road sediment

3.1 Material Stockpiles

Potential pollution includes sediment runoff from material stockpiles. Limestone gravel, dirt, chert, and yard dust that leave the yard in runoff can contribute sediment to nearby water bodies. The site will be graded in a manner that precludes runoff from leaving the site without flowing through a sediment basin (001P) so that most solids and suspended solids are removed from the effluent. A

silt fence will be placed around any stockpiles in which the stormwater runoff cannot be diverted to a sediment basin. Additional BMPs will be added if necessary.

3.2 Aboveground Storage Tank (AST)

Gum Pond Quarry intends to store:

TYPE OF PETROLEUM	QUANTITY
Diesel Fuel Tank (Off-Road)	(1) 10,000-gallon double wall compacity
Hydraulic Oil	(3) 55-gallon drums
DEF Fluid	(2) 275-gallon tote tanks
Waste Oil	(1) 1,000-gallon double wall tank

The ASTs are constructed from materials that are compatible with the product stored, and are the appropriate pressure and temperature ratings. All ASTs will be located in the north portion of the site near the shop.

3.3 Dust Emissions

In the event of dust emissions, water trucks should routinely drive the pit area and haul road in order to maintain and prevent dust emissions. Water will also be sprayed onto any necessary areas used for processing limestone rock to prevent dust from leaving the site.

3.4 Equipment Spill/Leaks

All equipment should be inspected routinely to prevent any unforeseen spills or leaks of fluids. In the event a spill occurs, immediate containment will be controlled utilizing drip pans or absorbent materials. Waste generated from the cleanup efforts will be appropriately contained, labeled, stored and disposed of or recycled. If a spill or release does occur, the first priority will be to eliminate the spill and stop the flow of the pollutants. In the event that the flow of the spill cannot be contained, the project will typically flow towards the sediment basin (001P) located in the west portion of the site. If the spill discharges from the sediment basin (001P), ADEM will be notified immediately. If deficiencies are noticed, they should be reported to the Owner, Chastin Reed/ Reed Materials to be immediately corrected.

3.5 Haul Road

The mined product (limestone rock) will be excavated, crushed, screened, and placed directly onto a truck and hauled off to nearby projects. Sediment runoff from the haul road is unlikely and will be directed to a sediment basin. The haul road will be maintained and routinely inspected for deficiencies. Gravel will be routinely monitored and replaced to stabilize the haul road, the facility entrance, and the facility exit.

4.0 Sedimentation Control

Gum Pond Quarry is an incised pit and is graded in a manner that precludes stormwater runoff from leaving the site. Stormwater runoff will be directed to the basin located west of the quarry (001P). Any locations that cannot be diverted to the sediment basin will either be surrounded by a silt fence or seeded for temporary vegetation to control non-point source pollution from leaving the site.

4.1 Stormwater Discharge

Gum Pond Quarry will contain one permitted outfall: 001P. Site drainage from operations in the east will flow to the basin (001P) west of the quarry. The basin is not anticipated to discharge through surface flow but is anticipated to discharge mostly by evaporation and absorption into the subgrade. The wheel wash drainage basin upon overflow, will flow into the quarry.

4.2 Non-stormwater discharge

There are no process systems that include discharge of wastewater planned for this facility.

4.3 Site BMP's

The following BMPs will be implemented, but are not limited to the ones listed below during operation. The need for additional BMPs may also be required by ADEM or recommended by the Qualified Credentialed Professional if the currently proposed BMPs appear to be ineffective.

4.3.1 Sediment Basin

Gum Pond Quarry stormwater runoff and the site drainage system discharges into the sediment basin located west of the quarry (001P). Wheel wash drainage will be directed to an intermediate basin northwest of the quarry that will overflow into the quarry pit if its capacity is exceeded. The sediment basins act to slow the flow of water from storm systems and allow the heavier suspended matter to settle out. The sediment basins are expected to remove approximately 80% of all storm water pollutants from the site. Both basins are not anticipated to discharge since the pit areas will be completely incised. Both basins are anticipated to discharge by evaporation and absorption into the subgrade.

Sediment basins require scheduled inspection and maintenance to function properly. In addition to routine maintenance, the sediment basins located at the Gum Pond Quarry shall be inspected after all major storm events to ensure that the incised pits remain intact and that the sediment storage volume has not been exceeded. The sediment basins shall be cleaned out when they have reached 50 percent of sediment storage capacity.

It is noted that Kelly EcoSource has performed a wetland delineation at Gum Pond Quarry and has scheduled a site verification meeting with the U.S. Army Corps of Engineers to determine where, if any, jurisdictional waters of the U.S. are located on the property. Depending on the U.S. Army Corps of Engineers determination, the sediment basin (001P) may be moved southwest of the quarry rather than directly west of the quarry. (Refer to Appendix A)

4.3.2 Gravel Construction Entrances

Stabilized construction entrances are installed to reduce the amount of soil tracked off the construction site by vehicles leaving the site and to reduce erosion and rutting on the portion of the road where it is installed. Design and maintenance considerations include the following:

- Gravel construction entrances should be installed using crushed aggregate (two to three inch stone) at all locations where construction traffic will be entering and exiting the site.

- Construction entrances used for removal of on-site materials shall extend to the loading area, but in no case shall any construction entrance be less than 50 feet in length and 6 inches in depth.
- Width shall not be less than 20 feet and should be wide enough so that the largest construction vehicle may fit with room to spare.
- The construction entrance should be maintained in a condition that will prevent tracking or flow of mud onto public rights-of-way.
- Mud and debris tracked onto roadways should be removed immediately.

The construction entrance should be periodically dressed with 2 to 3 inch stone as needed.

4.3.3 Vegetation

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

- Provide immediate cover with grass or mulch on any land stripped of vegetation and not under construction for 21 days. Critical areas should be stabilized as soon as possible.
- Temporary seedings made in fall or winter and in hot and dry summer months should be mulched. Mulch adhesives shall not be asphalt-based.

Vegetative Lining consists of grass, which lines the waterways. Vegetative lining reduces the erosion along the channels and provides for the filtration of sediment. Design considerations include:

- Selection of grass to line the channels should be based on the maximum velocity of the runoff.
- Sod may be used if vegetative protection is immediately required.
- Maximum slopes of drainage ways should not exceed 4:1 if the grass is to be mowed.
- Jute netting, fiberglass netting, and mulch blankets can be used to provide temporary erosion control until vegetation is established.

Permanent seeding includes soil preparation, fertilization, liming, seeding, and mulching.

Installation considerations include the following:

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

The recommended minimum depth of the finished topsoil is 3 inches.

ADDITIONAL BMPs

The need for additional BMPs may occur as the construction project advances to later phases. The need for additional BMPs may also be required by ADEM or recommended by the Qualified Credentialed Professional if the currently proposed BMPs appear to be ineffective. Some of these BMPs are listed below.

4.3.4 Silt Fences

Silt fences are temporary structures to catch sediment and prevent gully erosion in (a) temporary channels during construction, and (b) permanent channels which are not vegetated and temporarily unable to handle design flows. Additional recommendations for installing and maintaining silt fences are as follows:

- Silt fencing should be properly installed and consistent with the recommendations.
- Sediment should be removed and disposed of when sediment reaches one-third to one-half fence height.
- Silt fencing damaged during rain events or construction activities should be repaired promptly.

4.3.5 Straw Bale Barriers/Dams

Straw bale barriers are temporary sediment traps, which retain sediment on site by retarding and filtering stormwater runoff. Installation and maintenance considerations include the following:

- Barriers are best used to trap sediments on stripped areas of ½ acre or less, long slopes in excess of 100 feet, at storm drain inlets, drainage ways, and rights-of-way.
- Bales should be either hay or straw containing 5 cubic feet of material and weighing not less than 35 pounds.
- Bales should be bound with nylon or wire.
- Bales should be anchored (two anchors per bale) to the ground with steel rods, fence posts, rebar, or wooden stakes.

4.4 Haul Road

All haul roads need to maintain a grade of no greater than 10% with a maximum grade no greater than 15% or 300 feet. At least 80% of the slopes need to be vegetated. The haul road along Gum Pond Quarry will be stabilized and shall be maintained routinely to prevent sediment runoff.

4.5 Stream Crossings

There are no stream crossings planned at this time for the site. The project is currently under review with the U.S. Army Corps of Engineers (USACE) and upon their review, will determine all Waters of the U.S. within project limits. An overall site plan will reflect their review and approval.

4.6 GOOD HOUSEKEEPING AND GENERAL FACILITY BMPS

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

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

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

- BMPs to control runoff are also often effective in managing storm water flow. The primary purpose of storm water management BMPs is to reduce and/or control the flow volumes and peak flow rates for storm water as it leaves the site.
- There should be no visible dust emissions beyond the property line while the equipment is being operated. Work area should be sprayed with water to maintain dust emissions from site activity as needed. Minimize dust production to the extent possible.
- To the extent possible, minimize exposure of materials to precipitation and storm water run-on.
- All areas of transfer of materials and product shall be inspected for evidence of spills or releases.
- ADEM Admin. Code r. 335-6-9-.07 states that all setbacks established under Alabama Law are incorporated by reference. Ala. Code§ 9-16-7(a)(3) requires the operator to conduct surface mining operations in a manner as to leave a minimum 50-foot setback. Based on current development plans, a minimum setback of 60 shall be maintained between the property boundaries on the west, south, and eastern sides of the quarry and the disturbed mining area.

5.0 INSPECTIONS AND MAINTENANCE

5.1 Inspections and Sampling

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

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

Information recorded during the inspection shall include:

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

5.2 Documentation

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

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

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

5.2.1 Personnel Training

Reed Materials, LLC. shall review this PAP plan on an annual basis and certify that it is consistent with and in compliance with the project operations. Gum Pond Quarry personnel will be trained by Reed Materials, LLC. to implement this PAP plan. Training should be

performed at hire and annually thereafter. All personnel should be instructed in proper spill prevention and counter measure procedures, emergency evacuation procedures, and best management practices.

5.3 Plan Updates

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

6.0 ACKNOWLEDGEMENT

KES represents that the information provided in this BMP Plan reflects the conditions reported, encountered, and discovered at the time of Plan preparation.

This document is subject to revision based on feedback from review by federal, state, and local agencies having jurisdiction over site conditions and/or activities conducted on the subject site.

Kelly EcoSource, LLC.

Chandler Dutton

Chandler M. Dutton
Environmental Scientist

Patti Kelly

Patti A. Kelly
Sr. Environmental Scientist

William H Black

William H. Black
Professional Engineer

6/22/23



7.0 CERTIFICATION OF RESPONSIBLE PARTY

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

Chastin Reed

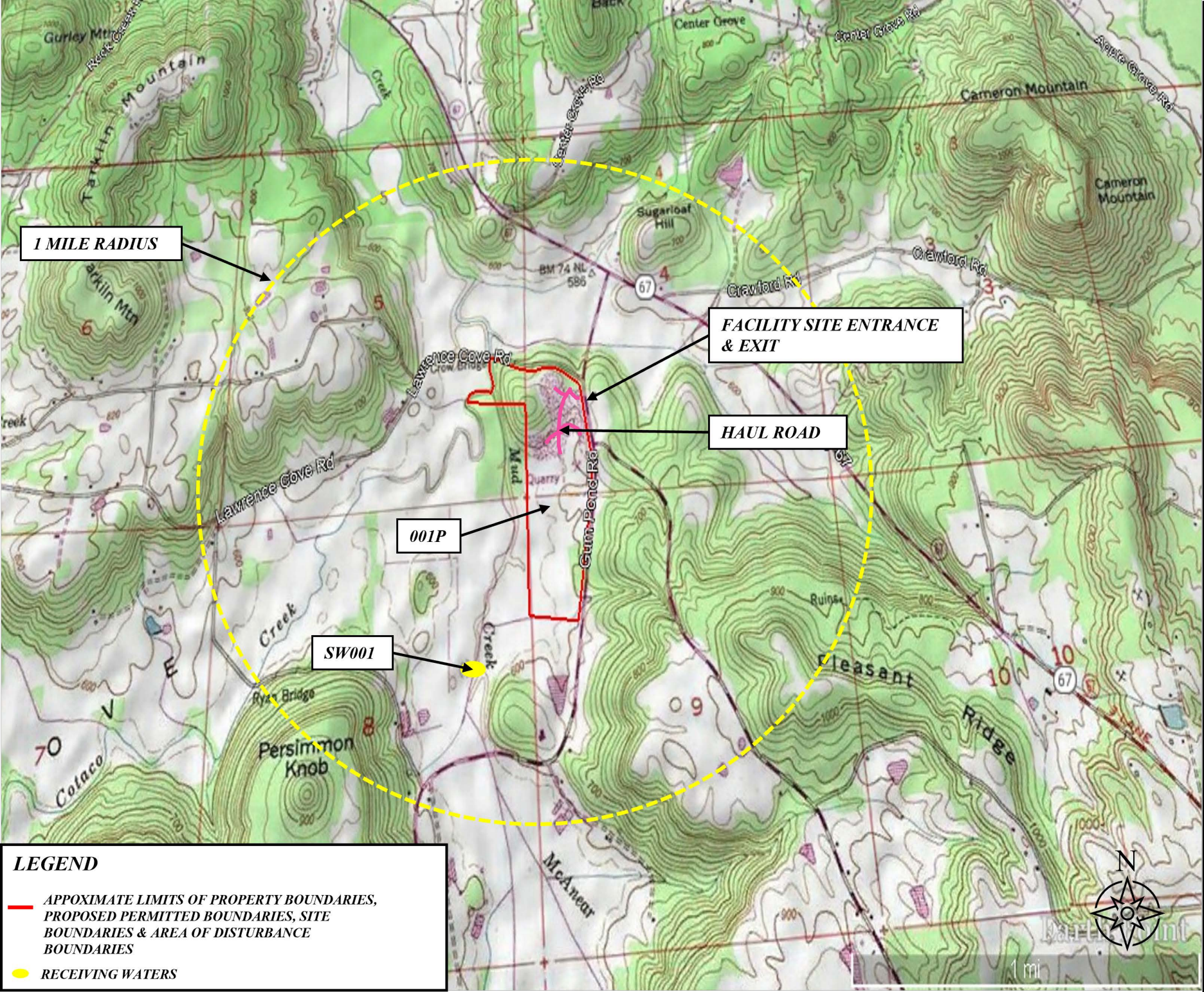
Mr. Chastin Reed, Member

TABLE OF CONTENTS

1.0	SITE EVALUATION, ASSESSMENT, AND PLANNING	1
1.1	Introduction	1
1.2	Contact Information/ Responsible Parties	2
1.3	Site Description.....	3
1.4	Site Activities.....	3
1.5	Site Drainage	3
1.6	Spills and Leaks	3
2.0	OPERATIONS	4
3.0	POTENTIAL SOURCES OF POLLUTION.....	4
3.1	Material Stockpiles	4
3.2	Aboveground Storage Tanks	4
3.3	Dust Emissions.....	4
3.4	Equipment Spill/Leaks	4
3.5	Haul Road	4
4.0	SEDIMENTATION CONTROL	5
4.1	Stormwater Discharge	5
4.2	Non-Stormwater Discharge.....	5
4.3	Site BMPs	5
4.3.1	Sediment Basin	5
4.3.2	Gravel Construction Entrance.....	5
4.3.3	Vegetation	6
4.3.4	Silt Fence	7
4.3.5	Straw Bale Barriers/ Dams.....	7
4.4	Haul Roads	7
4.5	Stream Crossings.....	8
4.6	Good Housekeeping BMPS	8
5.0	INSPECTIONS AND MAINTENANCE	9
5.1	Inspections and Sampling	9
5.2	Documentation.....	9
5.2.1	Personnel Training.....	9
5.3	Plan Updates	10
6.0	ACKNOWLEDGEMENT	10
7.0	CERTIFICATION OF RESPONSIBLE PARTY.....	11

APPENDIX A

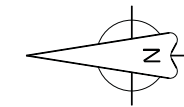
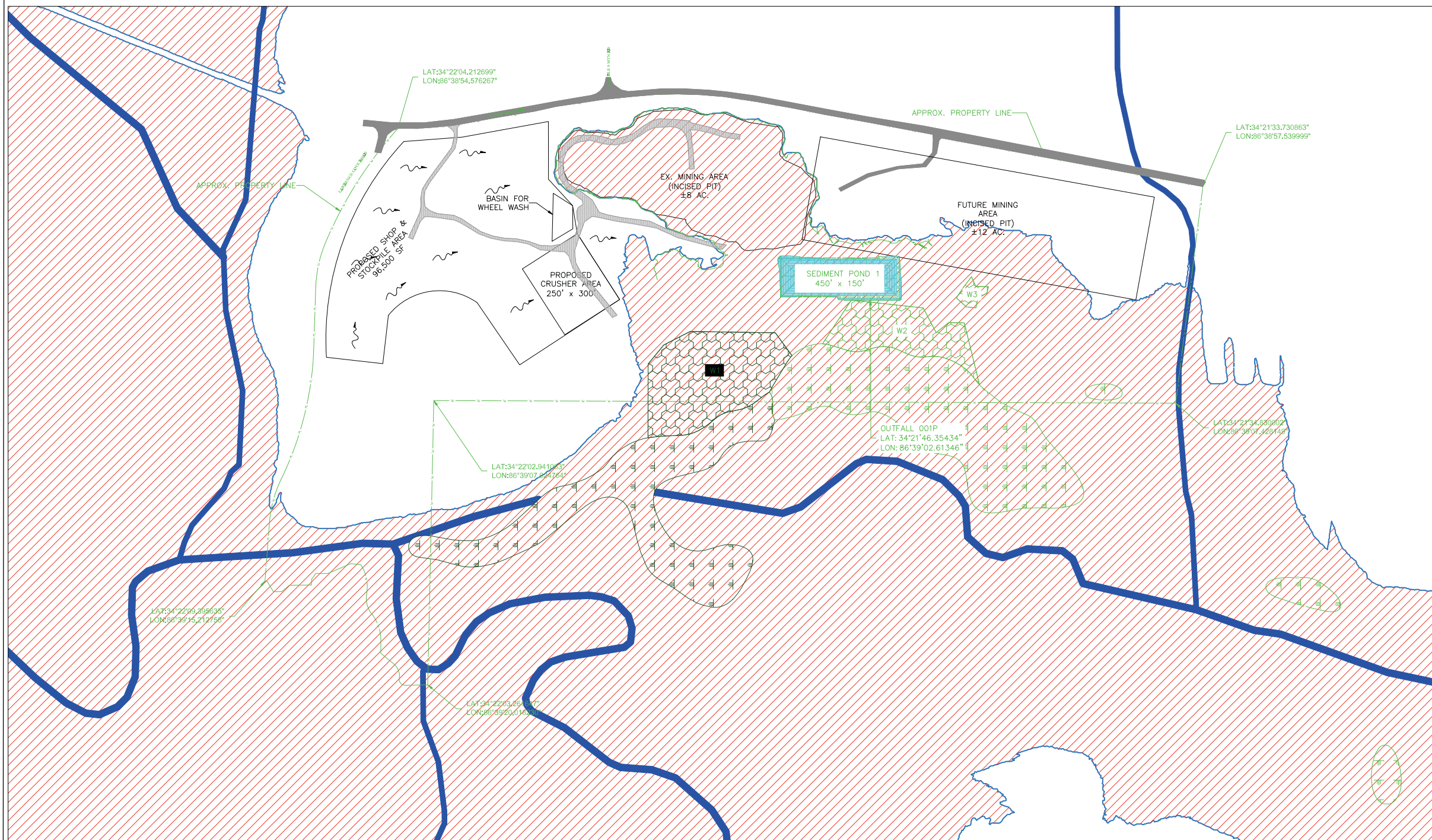
Site Location/Topographic Map
Site Location/ Aerial Map
Site Plan Drawing prepared RHS Services, LLC. January 2023.
Process Schematic



LEGEND

- APPROXIMATE LIMITS OF PROPERTY BOUNDARIES, PROPOSED PERMITTED BOUNDARIES, SITE BOUNDARIES & AREA OF DISTURBANCE BOUNDARIES
- - - RECEIVING WATERS

PREPARED BY: <b style="color: green; font-size: 1.2em;">Kelly EcoSource, LLC.	DATE: 01/12/2023
SITE LOCATION / TOPOGRAPHIC MAP REED MATERIALS, LLC GUM POND ROAD SITE MORGAN COUNTY, ALABAMA S4, T8S, R1W KES PROJECT #K21-65	SOURCE: GOOGLE EARTH PRO SCALE: NOT TO SCALE <i>This drawing was prepared for the purpose of visually representing information collected by KES for this project. No other use for this drawing is expressed or implied. All drawing features, locations and dimensions are approximate.</i>



Prepared By:
RHB Services, LLC
18957 Wentworth Dr.
Athens, AL 35613
(256) 434-1634

DATE: 1/31/23
DESIGN BY: WHB
DRAWN BY: WHB
SCALE: 1"=200'
MEDIA SIZE: 24 x 36

DATE	DESCRIPTION

KELLY ECOSOURCE, LLC
GUM POND QUARRY
PRELIMINARY DRAWINGS - NOT FOR CONSTRUCTION
CONCEPTUAL SITE LAYOUT

GENERAL NOTES:

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WETLAND NOTES:

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FEMA FLOOD ZONE A (100 YR FLOOD)

WETLAND AREAS W1, W2, & W3 (UNDER REVIEW BY USACE)

PUBLISHED WETLAND AREAS MAPPED BY U.S. FISH & WILDLIFE


PUBLISHED RIVERINE AREAS MAPPED BY U.S. FISH & WILDLIFE

BAR IS ONE INCH ON ORIGINAL DRAWING
0 1"
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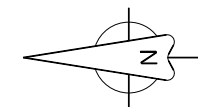
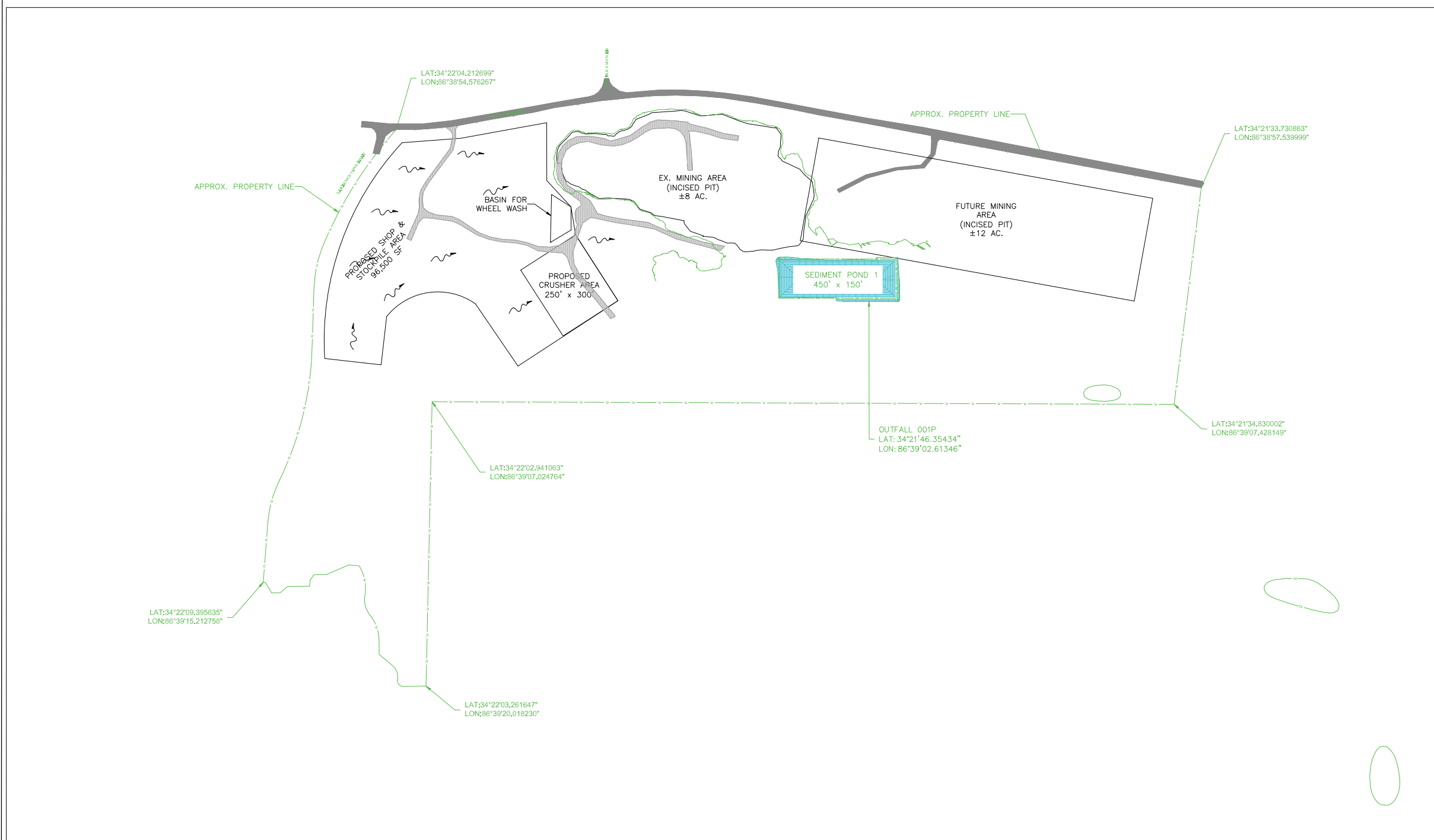
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DATE	DESCRIPTION

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GUM POND QUARRY
PRELIMINARY DRAWINGS - NOT FOR CONSTRUCTION
CONCEPTUAL SITE LAYOUT

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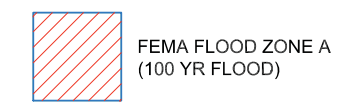
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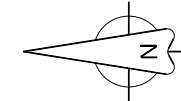
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Athens, AL 35613
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DATE: 1/31/23
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DRAWN BY: WHB
SCALE: 1"=200'
MEDIA SIZE: 24 x 36

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KELLY ECOSOURCE, LLC
GUM POND QUARRY
PRELIMINARY DRAWINGS - NOT FOR CONSTRUCTION
CONCEPTUAL SITE LAYOUT W/AERIAL BACKGROUND

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
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
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
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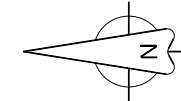
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TOPOGRAPHIC MAP

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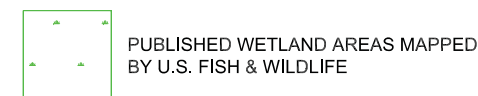
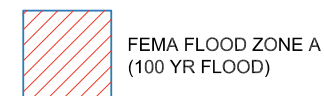
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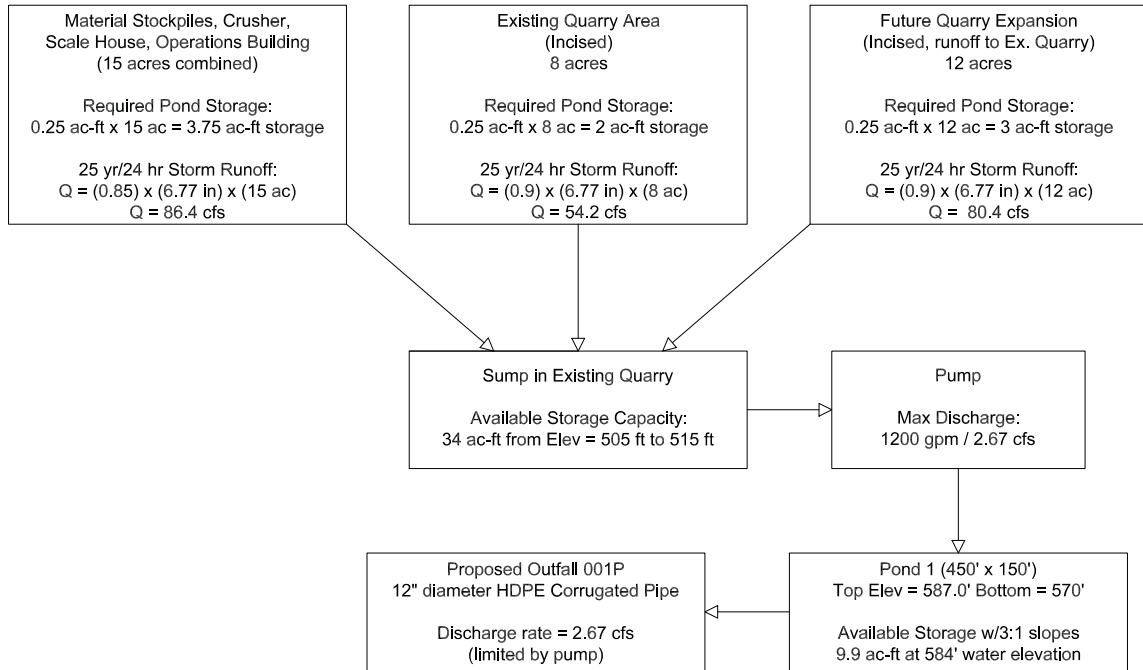
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3. THE PREFERRED LOCATION OF THE SEDIMENT BASIN (OUTFALL 001P) IS THE EXISTING BASIN ALONG THE WEST SIDE OF THE MINING AREA CONSTRUCTED DURING PREVIOUS MINING OF THE AREA. THE CORPS OF ENGINEERS IS REVIEWING THIS AREA FOR JURISDICTIONAL DETERMINATION. IN THE EVENT THE EXISTING BASIN IS FOUND TO BE JURISDICTIONAL, A NEW BASIN WILL BE EXCAVATED SOUTH OF THE EXISTING BASIN. THIS SECONDARY LOCATION IS LABELED AS "PROVISIONAL SEDIMENT BASIN / OUTFALL 002P". ONLY ONE BASIN WILL BE EMPLOYED ONCE A JURISDICTIONAL DETERMINATION HAS BEEN MADE.



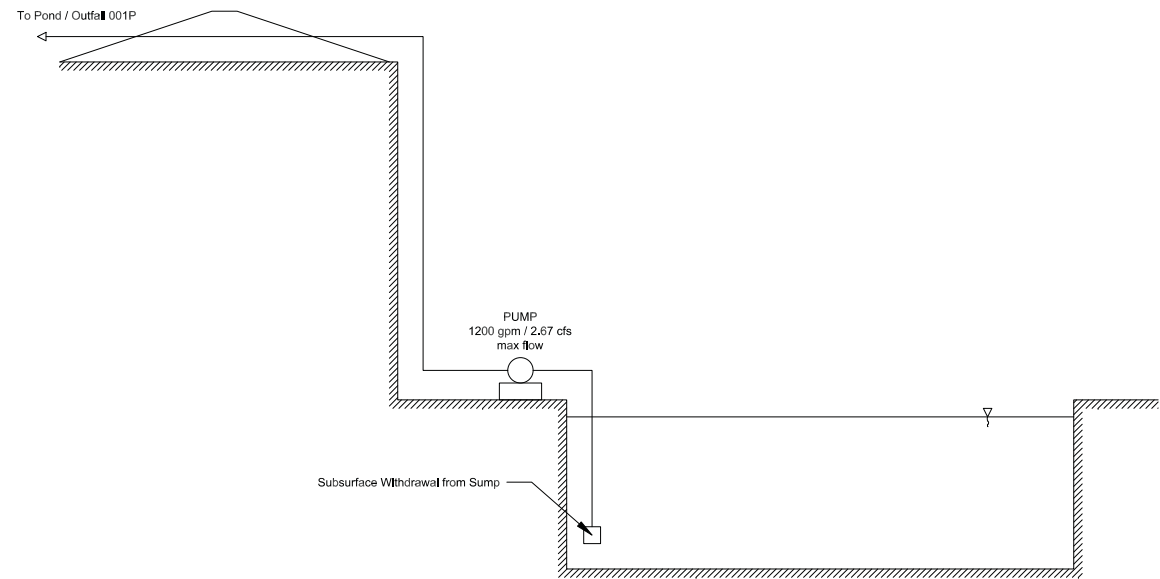
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IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

Drawing Number
C-1.0

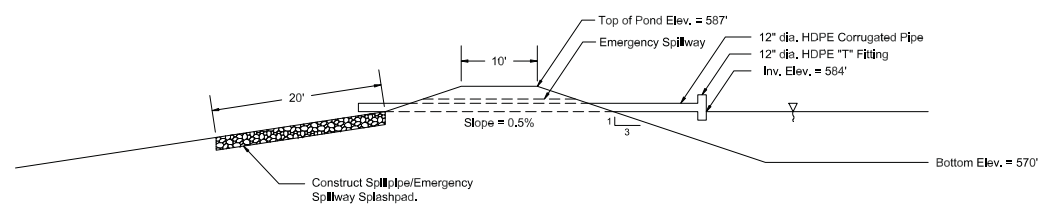


Note - Runoff from the undisturbed area of the future expansion will sheet flow over undisturbed ground until the quarry begins expanding into the future area. At that time, runoff will be diverted into the existing quarry area where water will be pumped from the quarry sump and routed through Pond 1 before being discharged through Outfall 001P.

Stormwater Runoff Schematic for Ultimate Development

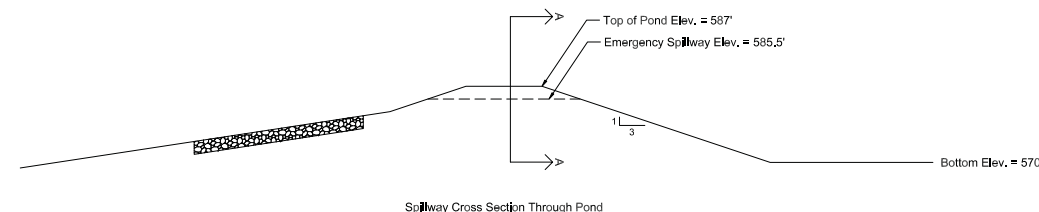


Quarry Sump Detail (NTS)



- Notes:
- Construct splashpad for spillpipe/emergency spillway using Class 1 Riprap.
 - Place 140N (or equivalent) filter fabric between subgrade and riprap. Toe free ends of filter fabric at least 12 inches into subgrade to minimize scour beneath riprap.
 - Area for pond shall be cleared and grubbed prior to excavating pond. All boulders, tree root mats and root balls, and any organic or other objectionable material shall be removed from the footprint of the pond.
 - All suitable material excavated from the pond shall be used to construct the perimeter of the pond to a uniform elevation as shown in the detail above. Excess material may be used to construct stormwater diversion structures for the quarry.
 - If embankment is required to construct pond, it shall consist of cohesive soil, placed in 8 to 10 inch loose lifts, and compacted to at least 95% of Maximum Dry Density as determined by Standard Proctor (ASTM D698). Fill material shall be free of organic materials, roots and tree debris, and stones greater than 6 inches in diameter.
 - Anti-seep collars shall be placed at all joints in spillpipe and shall extend 2 foot radially from the joint. All connections shall be watertight.

Pond 1 Spillpipe Detail



- Notes:
- Spillway shall be at least 15' wide.
 - The splashpad shall be at least 15' wide and shall extend at least 20' in length from the outside toe of the pond slope.
 - Riprap shall be Class 1 Riprap.

Pond 1 Emergency Spillway Detail

Prepared By:
RHB Services, LLC
18957 Wentworth Dr.
Athens, AL 35613
(256) 434-1634

DATE: 6/22/23
DESIGN BY: WHB
DRAWN BY: WHB
SCALE: Not to Scale
MEDIA SIZE: 24x36

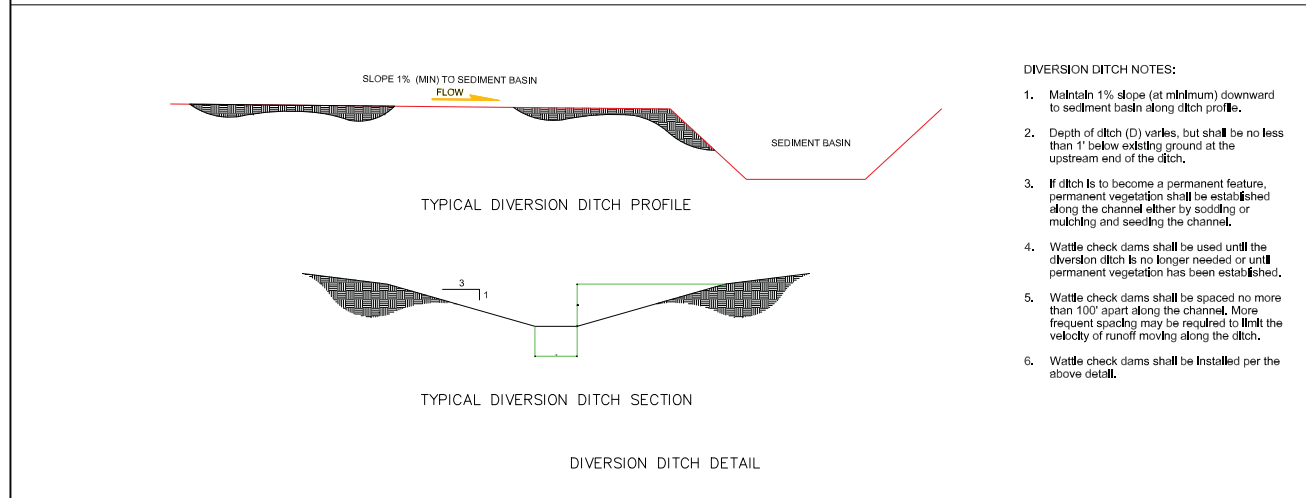
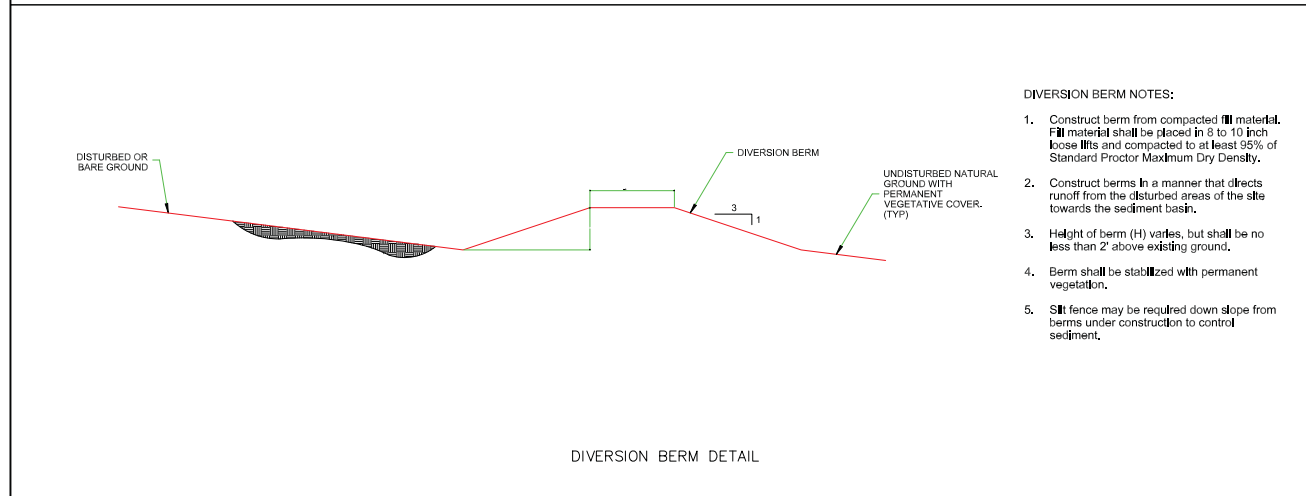
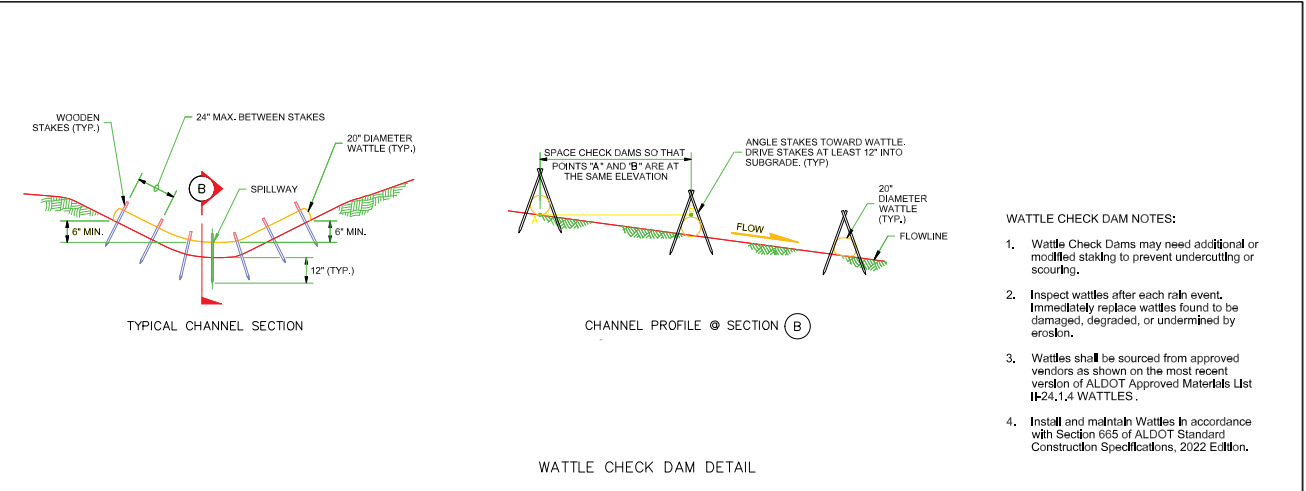
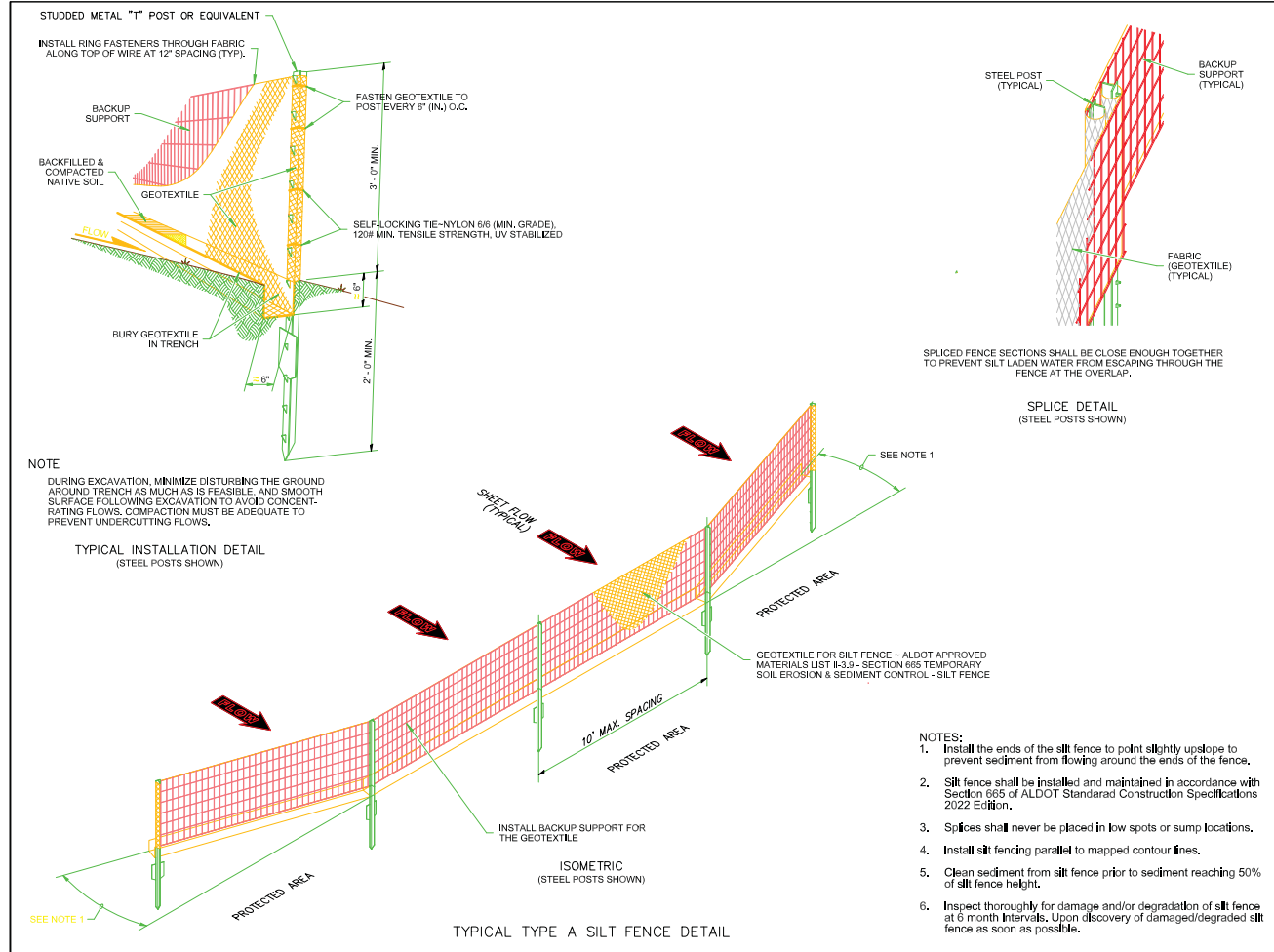
DESCRIPTION	DATE

Kelly Ecosource, LLC
Gum Pond Quarry

PAP Plan Quarry Details

BAR IS ONE INCH ON ORIGINAL DRAWING
0 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

Drawing Number
D-1.0



Prepared By:
 RHB Services, LLC
 18957 Wentworth Dr.
 Athens, AL 35613
 (256) 434-1634

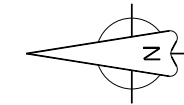
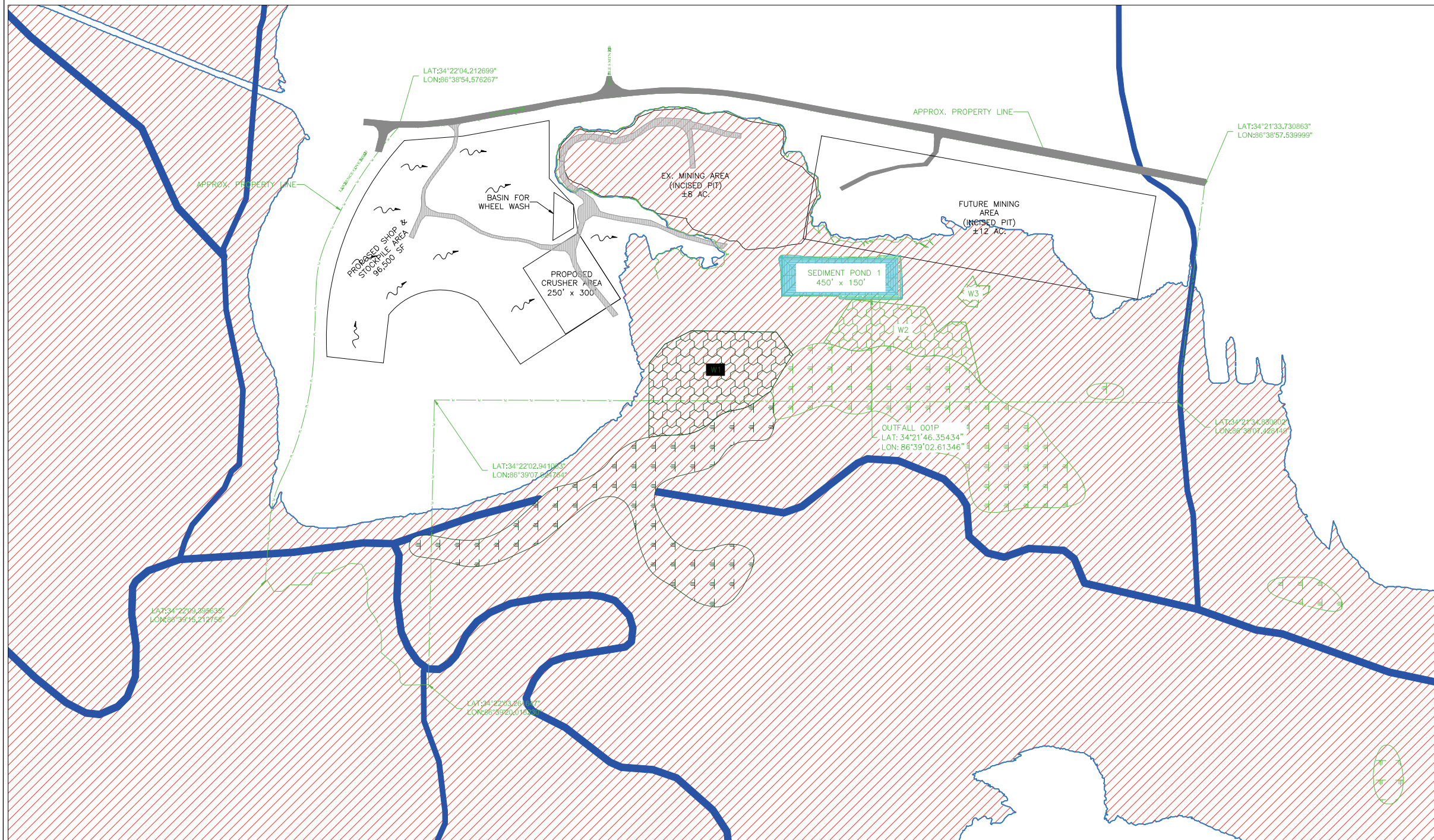
DATE: 6/22/23
 DESIGN BY: WHB
 DRAWN BY: WHB
 SCALE: Not to Scale
 MEDIA SIZE: 24x36

DESCRIPTION	DATE

Kelly Ecosource, LLC
 Gum Pond Quarry
 Erosion Control/BMP Details

BAR IS ONE INCH ON ORIGINAL DRAWING
 0 1"
 IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

Drawing Number
 D-1.1



Prepared By:
RHB Services, LLC
18957 Wentworth Dr.
Athens, AL 35613
(256) 434-1634

DATE: 1/31/23
DESIGN BY: WHB
DRAWN BY: WHB
SCALE: 1"=200'
MEDIA SIZE: 24 x 36

DATE	DESCRIPTION

KELLY ECOSOURCE, LLC
GUM POND QUARRY
PRELIMINARY DRAWINGS - NOT FOR CONSTRUCTION
CONCEPTUAL SITE LAYOUT

GENERAL NOTES:

1. TOPOGRAPHIC SURVEY PROVIDED BY JOEY PERKINS, PLS, DATED 8/18/22. RHB SERVICES HAS RELIED ON THIS INFORMATION FOR DESIGN PURPOSES AND ASSUMES NO LIABILITY FOR ANY ERRORS RESULTING FROM ERRORS IN THE SURVEY.
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3. PORTIONS OF THE SITE ARE LOCATED WITHIN THE 100 YEAR FLOOD PROJECT PER FEMA MAP # 01103C0385F, DATED 8/16/18.
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5. THE OWNER, QUARRY OPERATOR, AND ANY CONTRACTORS PERFORMING WORK ON THE SITE SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE, & LOCAL SAFETY REQUIREMENTS.


WETLAND NOTES:

1. RIVERINE, FRESHWATER FORESTED/SHRUB, & FRESHWATER EMERGENT WETLAND AREAS ARE SHOWN BASED ON CURRENT MAPPINGS FROM GIS DATA OBTAINED FROM U.S. FISH & WILDLIFE.
2. ADDITIONAL POTENTIAL WETLAND AREAS W1, W2, & W3 ARE UNDER REVIEW BY THE U.S. ARMY CORPS OF ENGINEERS.

SEDIMENT BASIN/OUTFALL NOTES:

1. THE PROPOSED MINING AREA IS INCISED AND OF SUFFICIENT CAPACITY TO CONTAIN STORMWATER RUNOFF FROM A 50 YEAR, 24 HOUR RAIN EVENT.


2. STORMWATER WILL BE REMOVED FROM THE MINING AREA AS NEEDED BY PUMPS USING SUBSURFACE WITHDRAWAL METHODS. STORMWATER WILL BE PUMPED INTO A SEDIMENT BASIN BEFORE BEING DISCHARGED FROM THE SITE THROUGH A PLANNED OUTFALL.
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 FEMA FLOOD ZONE A (100 YR FLOOD)

 WETLAND AREAS W1, W2, & W3 (UNDER REVIEW BY USACE)

 PUBLISHED WETLAND AREAS MAPPED BY U.S. FISH & WILDLIFE


 PUBLISHED RIVERINE AREAS MAPPED BY U.S. FISH & WILDLIFE

BAR IS ONE INCH ON ORIGINAL DRAWING
0  1"
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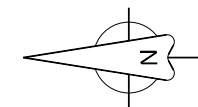
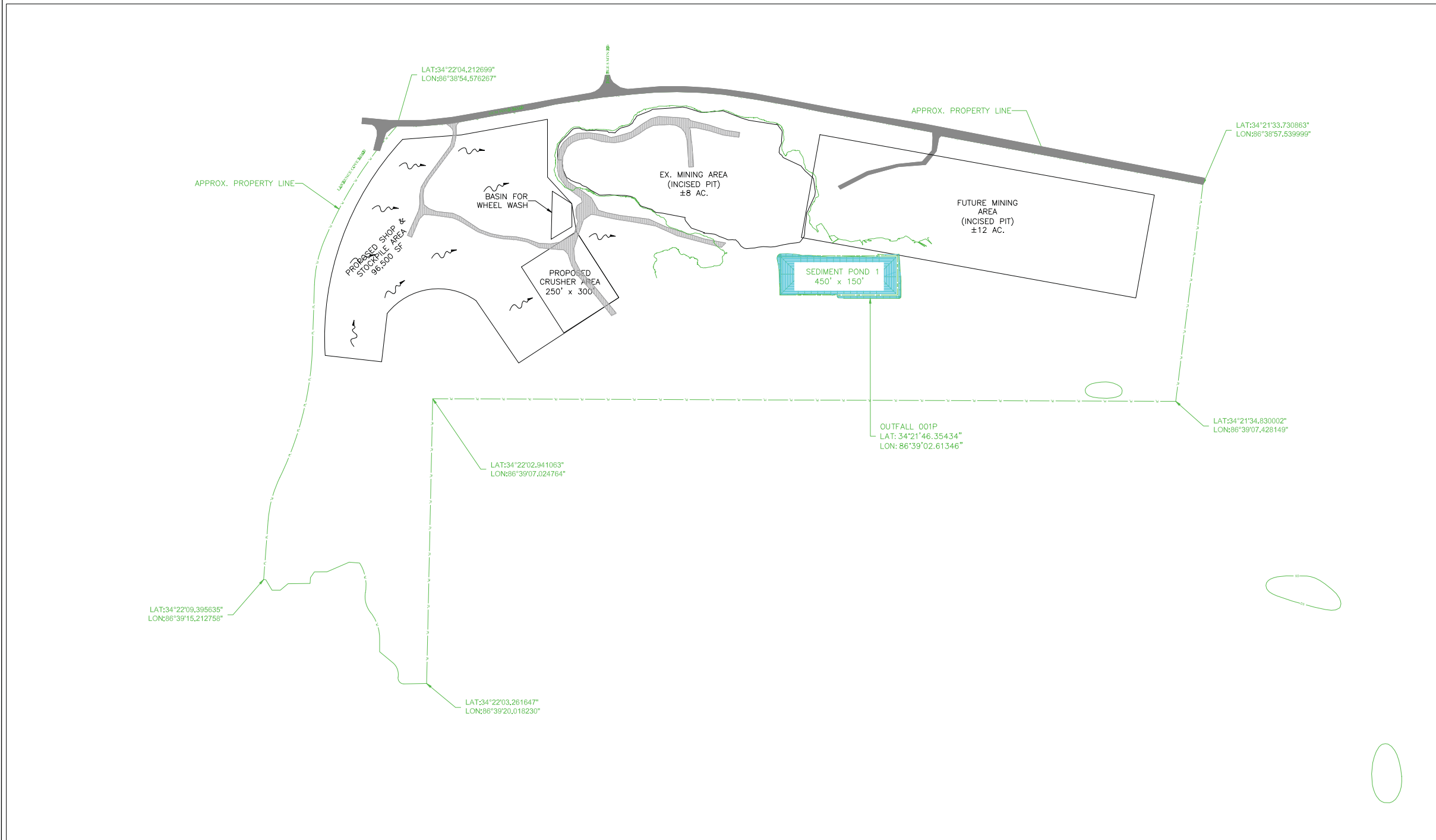
Drawing Number
C-0.1

DATE	DESCRIPTION

KELLY ECOSOURCE, LLC
GUM POND QUARRY
PRELIMINARY DRAWINGS - NOT FOR CONSTRUCTION
CONCEPTUAL SITE LAYOUT

BAR IS ONE INCH ON ORIGINAL DRAWING
0  1"
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Drawing Number
C-0.2



GENERAL NOTES:

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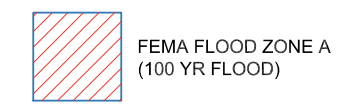
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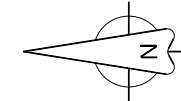
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Prepared By:
RHB Services, LLC
18957 Wentworth Dr.
Athens, AL 35613
(256) 434-1634

DATE: 1/31/23
DESIGN BY: WHB
DRAWN BY: WHB
SCALE: 1"=200'
MEDIA SIZE: 24 x 36

DATE	DESCRIPTION

KELLY ECOSOURCE, LLC
GUM POND QUARRY
PRELIMINARY DRAWINGS - NOT FOR CONSTRUCTION
CONCEPTUAL SITE LAYOUT W/AERIAL BACKGROUND

GENERAL NOTES:

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



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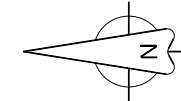
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 FEMA FLOOD ZONE A (100 YR FLOOD)
 WETLAND AREAS W1, W2, & W3 (UNDER REVIEW BY USACE)
 PUBLISHED WETLAND AREAS MAPPED BY U.S. FISH & WILDLIFE
 PUBLISHED RIVERINE AREAS MAPPED BY U.S. FISH & WILDLIFE

BAR IS ONE INCH ON ORIGINAL DRAWING
0  1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

Drawing Number
C-0.3



Prepared By:
RHB Services, LLC
18957 Wentworth Dr.
Athens, AL 35613
(256) 434-1634

DATE: 1/31/23
DESIGN BY: WHB
DRAWN BY: WHB
SCALE: 1"=200'
MEDIA SIZE: 24 x 36

DATE	DESCRIPTION

KELLY ECOSOURCE, LLC
GUM POND QUARRY
PRELIMINARY DRAWINGS - NOT FOR CONSTRUCTION
TOPOGRAPHIC MAP

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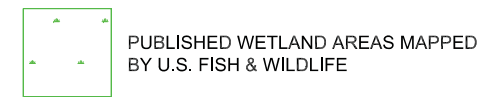
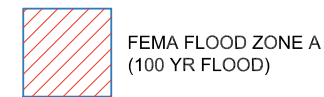
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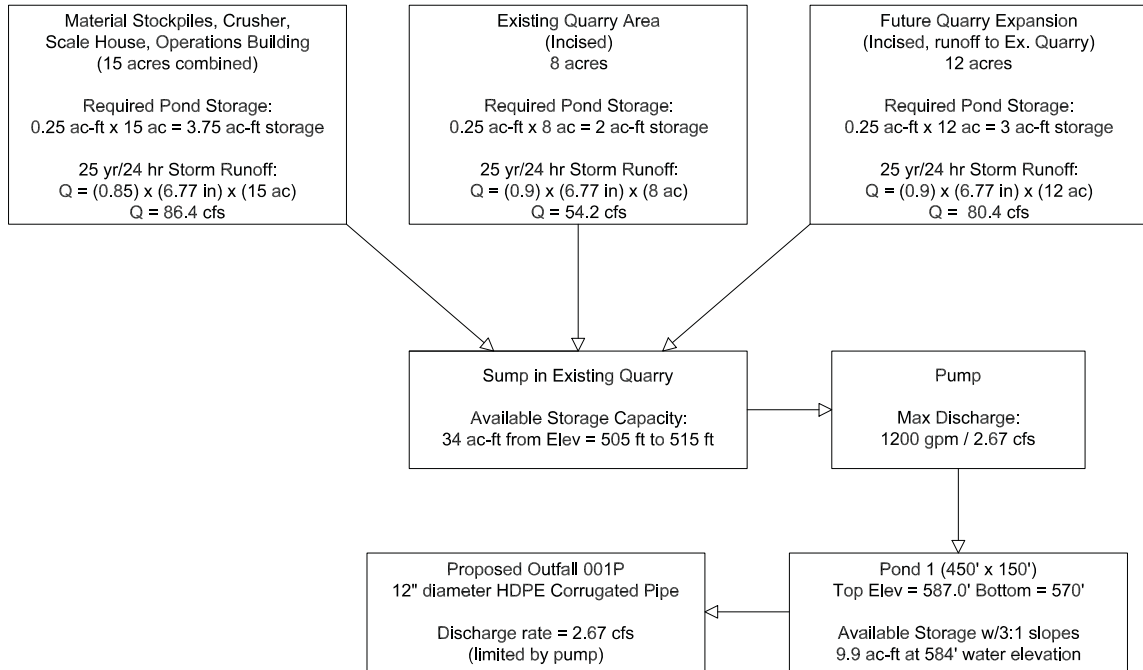
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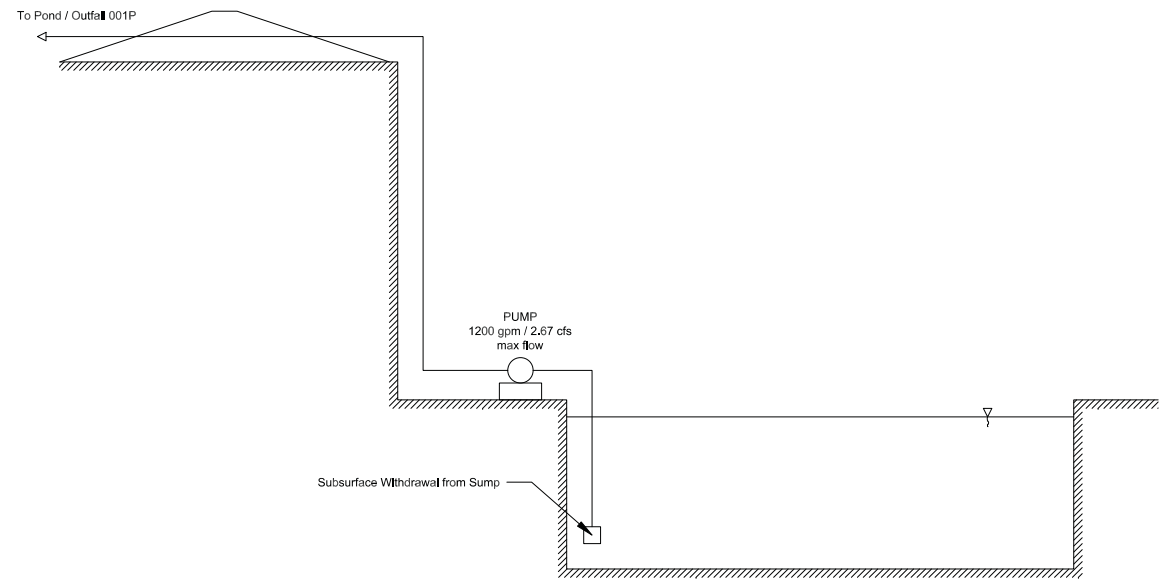
BAR IS ONE INCH ON ORIGINAL DRAWING
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Drawing Number
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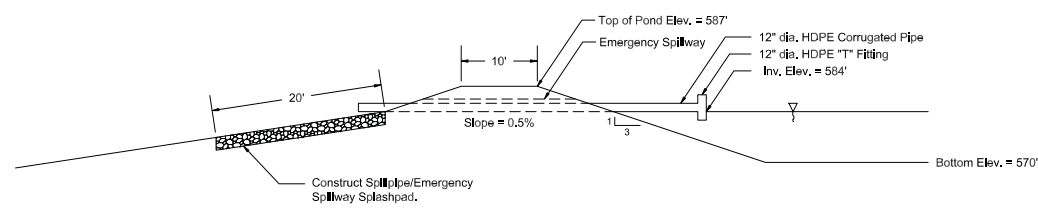


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Stormwater Runoff Schematic for Ultimate Development

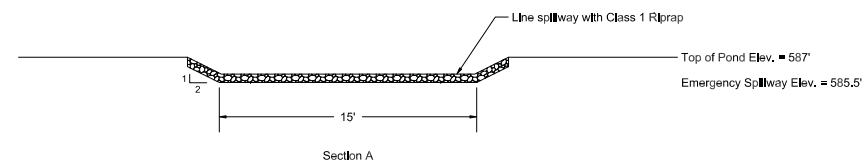
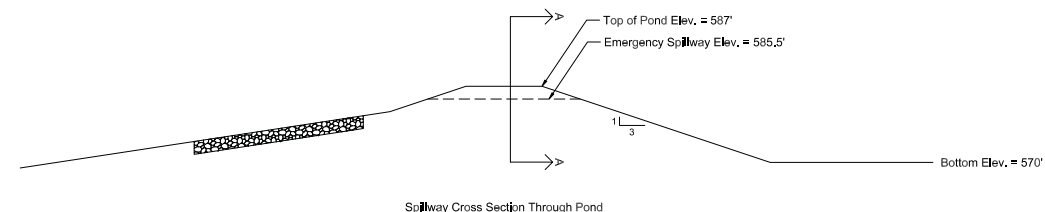


Quarry Sump Detail (NTS)



- Notes:
- Construct splashpad for spillpipe/emergency spillway using Class 1 Riprap.
 - Place 140N (or equivalent) filter fabric between subgrade and riprap. Toe free ends of filter fabric at least 12 inches into subgrade to minimize scour beneath riprap.
 - Area for pond shall be cleared and grubbed prior to excavating pond. All boulders, tree root mats and root balls, and any organic or other objectionable material shall be removed from the footprint of the pond.
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 - Anti-seep collars shall be placed at all joints in spillpipe and shall extend 2 foot radially from the joint. All connections shall be watertight.

Pond 1 Spillpipe Detail



- Notes:
- Spillway shall be at least 15' wide.
 - The splashpad shall be at least 15' wide and shall extend at least 20' in length from the outside toe of the pond slope.
 - Riprap shall be Class 1 Riprap.

Pond 1 Emergency Spillway Detail

Prepared By:
RHB Services, LLC
18957 Wentworth Dr.
Athens, AL 35613
(256) 434-1634

DATE: 6/22/23
DESIGN BY: WHB
DRAWN BY: WHB
SCALE: Not to Scale
MEDIA SIZE: 24x36

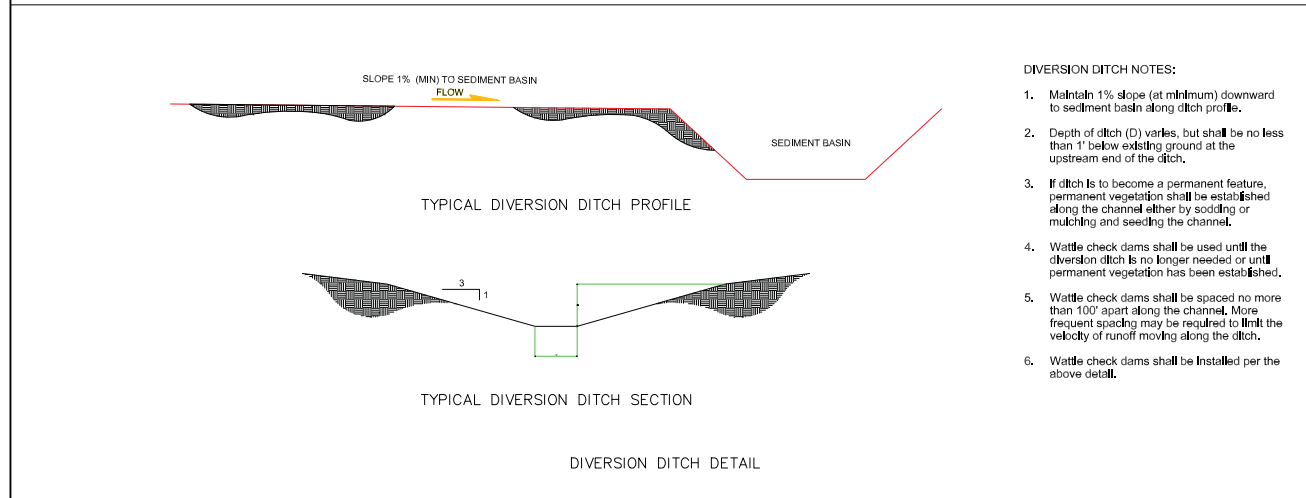
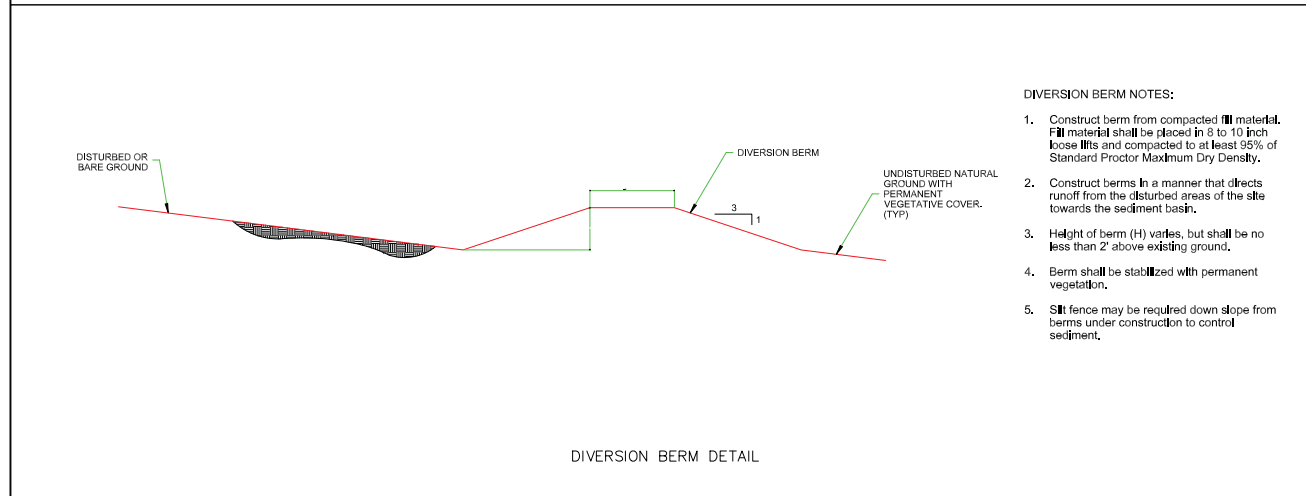
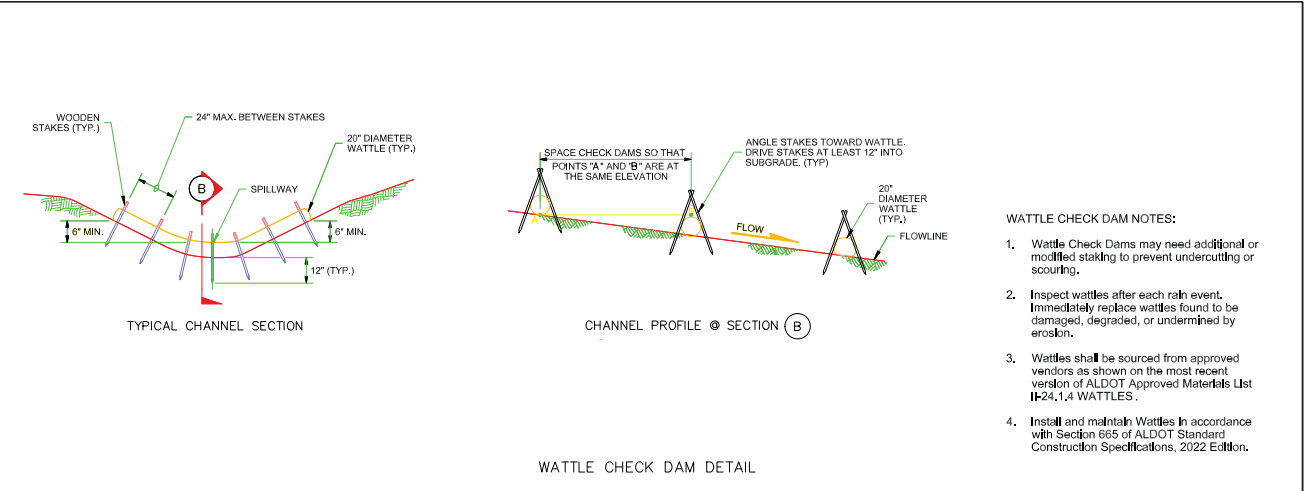
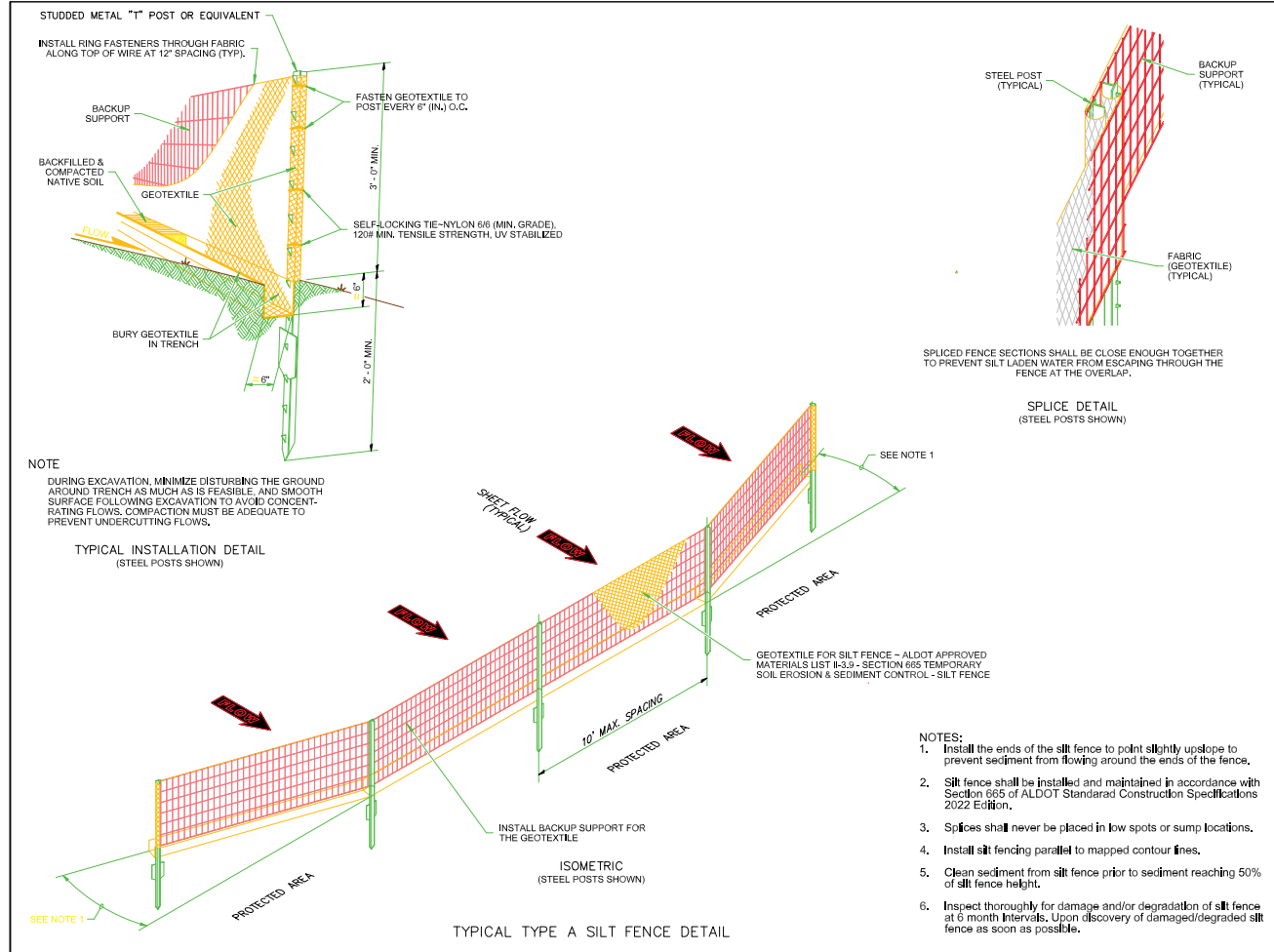
DESCRIPTION	DATE

Kelly Ecosource, LLC
Gum Pond Quarry

PAP Plan Quarry Details

BAR IS ONE INCH ON ORIGINAL DRAWING
0 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

Drawing Number
D-1.0



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 18957 Wentworth Dr.
 Athens, AL 35613
 (256) 434-1634

DATE: 6/22/23
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DESCRIPTION	DATE

Kelly Ecosource, LLC
 Gum Pond Quarry
 Erosion Control/BMP Details

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Drawing Number
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