LANCE R. LEFLEUR
DIRECTOR

KAY IVEY
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Alabama Department of Environmental Management
adem.alabama.gov

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

April 21, 2025

Charlie Stephens
Environmental Manager
Midsouth Paving, Inc.
500 Riverhills Park, Suite 590
Birmingham, AL 35242

RE: Draft Permit
Alexander City Quarry
NPDES Permit Number AL0056448
Coosa County (037)

Dear Mr. Stephens:

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

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

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

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

Should you have any questions concerning this matter, please contact Skylar Wilson at (334) 274-4231 or eva.wilson@adem.alabama.gov.

Sincerely,

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

WDM/esw File: DPER/3740

cc: Skylar Wilson, 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
U.S. Army Corps of Engineers Mobile District
Alabama Department of Labor

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

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

Coastal Office
1615 South Broad Street
Mobile, AL 36605
(251) 450-3400
(251) 479-2593 (FAX)

ADEM
Alabama Department of Environmental Management

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

PERMITTEE:	Midsouth Paving, Inc. 500 Riverhills Park, Suite 590 Birmingham, AL 35242
FACILITY LOCATION:	Alexander City Quarry 625 Coosa County Road 32 Alexander City, AL 35010 Coosa County T22S, R20E, S23 T22S, R20E, S26
PERMIT NUMBER:	AL0056448

DSN & RECEIVING STREAM:	001 - 1	Unnamed Tributary to Oakachoy Creek
	002 - 1	Unnamed Tributary to Oakachoy 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

Crushed and Broken Granite Mining, Dry and Wet Processing, Mineral Loading, Mineral Storage, Mineral Transportation, and Associated Areas

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PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

1. 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 **Outfall 001-1** 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
Oil & Grease 00556	-------	-------	15.0 mg/L	Grab	1/6 months
Flow, In Conduit or Thru Treatment Plant[2] 50050	-------	Report MGD	Report MGD	Instantaneous	2/Month
Chemical Oxygen Demand (COD) 81017	-------	-------	Report mg/L	Grab	1/6 months

2. 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 **Outfall 002-1** 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[3]
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[4] 50050	-------	Report MGD	Report MGD	Instantaneous	2/Month

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

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

3 See Part I.C.2. for further measurement frequency requirements.

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

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.

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. An electronic Noncompliance Notification Form in a Department-approved format must be submitted to the Director in accordance with Parts I.D.2.a. and b. The completed form must document 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. 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.

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

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

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

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

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

15. 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).

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

17. DO - means dissolved oxygen.

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

19. 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.

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

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

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

23. 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).

24. 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.

25. 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.

26. 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.

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

28. MGD - means million gallons per day.

29. 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.)

30. 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.

31. 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.

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

33. 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.

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

35. 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).

36. 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.

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

38. 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

39. 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.

40. 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.

41. 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".

42. 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.

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

44. 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.

45. 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.

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

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

48. TRC - means Total Residual Chlorine.

49. TSS – means the pollutant parameter Total Suspended Solids

50. 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.

51. 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.

52. 24-hour precipitation event - means that amount of precipitation which occurs within any 24-hour period.

53. 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.

54. 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.

55. 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.

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

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

Sunday is in one month and the Saturday in the following month), the weekly average calculated for the calendar week shall be included in the data for the month that contains the Saturday.

E. SEVERABILITY

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

F. PROHIBITIONS AND ACTIVIES NOT AUTHORIZED

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

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

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

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

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

G. DISCHARGES TO IMPAIRED WATERS

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

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

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

by the TMDL, if necessary. Any revised BMP plans must be submitted to the Department for review. The facility must include in the BMP plan a monitoring component to assess the effectiveness of the BMPs in achieving the allocations.

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION

NPDES INDIVIDUAL PERMIT RATIONALE

Company Name:	Midsouth Paving, Inc.
Facility Name:	Alexander City Quarry
County:	Coosa
Permit Number:	AL0056448
Prepared by:	Skylar Wilson
Date:	April 1, 2025
Receiving Waters:	Unnamed Tributary to Oakachoy Creek
Permit Coverage:	Crushed and Broken Granite Mining, Dry and Wet Processing, Mineral Loading, Mineral Storage, Mineral Transportation, and Associated Areas
SIC Code:	1423

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

This proposed permit covers crushed and broken granite mining, dry and wet processing, mineral loading, mineral storage, mineral transportation, and associated areas which discharge to surface waters of the state.

The Permittee has indicated that the associated asphalt plant will be covered under a separate NPDES permit, ALG020209, which addresses any potential discharges from the facility.

The proposed permit authorizes treated discharges into an unnamed tributary to Oakachoy 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.

The instream WQS for pH, for streams classified as Fish and Wildlife, are 6.0 - 8.5 s.u per ADEM Admin Code r. 335-6-10-.09. Information provided in the Permittee's application indicated that Outfalls 001-1 and 002-1 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 and 002-1 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 Pont Source Category* (July 1979).

A portion of the acreage covered under this permit is leased to Gary Ingram Grading & Paving, Inc. to produce asphalt. The applicant does not have control over the operation of the asphalt plant, therefore the applicant has requested the leased area to be excluded from the coverage area. However, drainage from the asphalt plant flows to the quarry basin associated with Outfall 001-1. Due to this drainage semi-annual monitoring and Daily Maximum limitations for Oil and Grease (O&G) and Chemical Oxygen Demand (COD) are required for Outfall 001-1 due to stormwater runoff from the onsite asphalt plant. The O&G and COD requirements are based on Best Professional Judgement (BPJ) and are similar to those found in the Department's NPDES General Permit (ALG020000) for discharges associated with manufacturing asphalt.

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

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

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

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

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

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

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

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

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

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

version 4.5

(Submission #: HPR-6423-Z6TA6, version 1)

Details

Submission ID HPR-6423-Z6TA6

Form Input

General Instructions

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

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

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

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

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

Applicable Fees:
Minor Modifications
$3,400 (Mineral/Resource Extraction Mining, Storage Transloading, Dry Processing)
$3.940 (Wet Preparation, Processing, Beneficiation)
$3,940 (Coalbed Methane Operations)
Major Modifications
$5,820 (Mineral/Resource Extraction Mining, Storage Transloading, Dry Processing)
$6,860 (Wet Preparation, Processing, Beneficiation)
$6,860 (Coalbed Methane Operations)
Reissuances
$5,820 (Mineral/Resource Extraction Mining, Storage Transloading, Dry Processing)
$6,860 (Wet Preparation, Processing, Beneficiation)
$6,860 (Coalbed Methane Operations)
Potential Add-on Fees for Major Modifications and Reissuances
$1,015 (Biomonitoring & Toxicity Limits)
$2,705 (Review of Model Performed by Others)
$4,855 (Modeling desktop)
For assistance, please click here to determine the permit staff responsible for the site or call (334) 394-4372.

Processing Information

Purpose of Application
Reissuance of Permit Due to Approaching Expiration

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

Action Type
Reissuance with NOC

Briefly describe any planned changes at the facility that are included in this reissuance application:
Update permittee name to remove dba portion.

Is this a coalbed methane operation?
No

Permit Information

Permit Number
AL0056448

Current Permittee Name
Midsouth Paving, Inc. dba Midsouth Aggregates

Permittee

Permittee Name
Midsouth Paving, Inc.

Mailing Address

500 Riverhills Park, Suite 590

Birmingham, AL 35242

Responsible Official

Prefix
Mr.

First Name	Last Name
Charlie	*Stephens*

Title
Environmental Manager

Organization Name
Midsouth Paving, Inc.

Phone Type	Number	Extension
Business	2563290455	

Email
Charlie.Stephens@midsouthpaving.com

Mailing Address

500 Riverhills Parkway, Suite 590

Birmingham, AL 35242

Existing Permit Contacts

Affiliation Type	Contact Information	Remove?
DMR Contact	Charlie Stephens, Midsouth Paving, Inc. dba Midsouth Aggregates	NONE PROVIDED
Notification Recipient,Responsible Official	John K. Harrington, Midsouth Paving, Inc. dba Midsouth Aggregates	NONE PROVIDED
Permittee	Midsouth Paving, Inc. dba Midsouth Aggregates	NONE PROVIDED

Facility/Operations Information

Facility/Operations Name
Alexander City Quarry

Permittee Organization Type
Corporation

Parent Corporation and Subsidiary Corporations of Applicant, if any:
NONE PROVIDED

Landowner(s) Name, Address and Phone Number:
STONECO INC
P O BOX 385025
BIRMINGHAM, AL 35238

Sub-contractor(s)/Operator(s), if known:
NONE PROVIDED

Is the ﷺCompany/Permitteeﷺ properly registered and in good standing with the Alabama Secretary of Stateﷺs office?
Yes

Facility/Operations Address or Location Description

> 625 Coosa County Road 32
> Alexander City, AL 35010

Facility/Operations County (Front Gate)
Coosa

Do the operations span multiple counties?
No

Detailed Directions to the Facility/Operations
Take US231 North from Montgomery. Keep right onto Hwy 9 in Wetumpka. Continue north on Hwy 9 for 28.3 miles then turn right on AL259N. continue 9.6 miles then turn left onto CR32. Site entrance is 0.6 miles ahead on the left.

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

Facility/Operations Front Gate Latitude and Longitude
32.87666700000000,-86.03461100000001

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)
T22S,R20E,S23; T22S,R20E,S26

SIC Code(s) [Please select your primary SIC code first]:
1423-Crushed and Broken Granite

NAICS Code(s) [Please select your primary NAICS code first]:
212313-Crushed and Broken Granite Mining and Quarrying

Facility/Operations Contact

Prefix
Mr.

First Name	Last Name
Charlie	*Stephens*

Title
Environmental Manager

Organization Name
Midsouth Paving, Inc.

Phone Type	Number	Extension
Business	2563290455	

Email
Charlie.Stephens@midsouthpaving.com

Member Information

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

List of Names/Titles/Addresses will be entered by:
Providing as an Attachment

Provide a list of names with titles and addresses as an attachment.
Midsouth Paving Inc. - Annual Consent Current 2022 Election of Officers.pdf - 02/28/2023 03:22 PM
Comment
NONE PROVIDED

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

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

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

Additional Contacts (1 of 1)

ADDITIONAL CONTACTS:

Contact Type
NONE PROVIDED

Contact

First Name
NONE PROVIDED

Last Name
NONE PROVIDED

Title
NONE PROVIDED

Organization Name
NONE PROVIDED

Phone Type **Number** **Extension**

NONE PROVIDED

Email
NONE PROVIDED

Address

[NO STREET ADDRESS SPECIFIED]

[NO CITY SPECIFIED], AL [NO ZIP CODE SPECIFIED]

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:
ADIR Permit#9040; #9348; #10233; #10783; #11175

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:
See attached

Anti-Degradation Evaluation

Pursuant to ADEM Admin. Code ch. 335-6-10-.12(9), responses to the following questions must be provided by the applicant requesting NPDES permit coverage for new or expanded discharges of pollutant(s) to Tier 2 waters (except discharges eligible for coverage under general permits). As part of the permit application review process, the Department is required to consider, based on the applicant's demonstration, whether the proposed new or increased discharge to Tier 2 waters is necessary for important economic or social development in the area in which the waters are located. Does this modification/reissuance include new or expanded discharges to Tier II water(s)?
No

Activity Description & Information

Narrative description of activity(s):
Stone is quarried, crushed to size, sorted, and stockpiled on site before being sold and hauled via truck for various area projects.

Total Facility/Operations Area (acres)
315.00

Total Disturbed Area (acres)
100.00

Anticipated Commencement Date
08/01/2002

Anticipated Completion Date
08/01/2075

Please identify which of the following apply to this operation:

Activity/Condition	Appy?
An existing facility/operation which currently results in discharges to State waters?	Yes
A proposed facility/operation which will result in a discharge to State waters?	No
Be located within any 100-year flood plain?	No
Discharge to Municipal Separate Storm Sewer?	No
Discharge to waters of or be located in the Coastal Zone?	No
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?	Yes
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 ½ mile of any PWS well?	No
Incised pit	No

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)	%
Granite	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

Activity	Apply?
Chemical processing or leaching	No
Chemicals used in process or wastewater treatment (coagulant, biocide, etc.)	No
Construction related temporary borrow pits/areas	Yes
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	No
Pre-mining logging or land clearing	No
Preparation plant waste recovery	No
Quarrying	Yes
Reclamation of disturbed areas	Yes
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:

Barge	Apply?
Barge	No
Rail	No
Truck	Yes

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

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

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

Volume (gallons)	Contents
10,000	Off road diesel
2,000	Gasoline
1,000	Hydraulic oil
1,000	Motor oil
500	Transmission oil
500	Transmission oil
500	Used oil
500	Diesel fuel
100	Crusher oil
55	Oils
55	Oils
55	Oils
55	Oils

SPCC Plan

Alex City QuarrySPCC Plan 2021.pdf - 02/27/2023 04:28 PM
Comment
NONE PROVIDED

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

Alex City Quarry NOI map 2023.pdf - 03/30/2023 07:53 AM
Comment
NONE PROVIDED

Detailed Facility Map Submittal

Detailed Facility Map

Alex City Quarry PAP map 2023.pdf - 03/30/2023 07:53 AM
Comment
NONE PROVIDED

Outfalls (1 of 2)

Outfall Identifier: 001

Feature Type
Outfall (External)

Outfall Identifier
001

Outfall Status
Existing

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

Permit Action
Reissue

Receiving Water
Oakachoy Creek

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

Location of Outfall
32.87138900000000, -86.03972200000000

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

Distance to Receiving Water (ft)
50

Disturbed Area (acres)
108

Drainage Area (acres)
210

303(d) Segment?
No

TMDL Segment?
No

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

Outfalls (2 of 2)

Outfall Identifier: 002

Feature Type
Outfall (External)

Outfall Identifier
002

Outfall Status
Existing

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

Permit Action
Reissue

Receiving Water
Oakachoy Creek

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

Location of Outfall
32.86375000000000, -86.03786100000001

Are the location coordinates above still correct for this outfall?
No

New/Corrected Lat/Long Coordinates
32.8636, -86.0380

Distance to Receiving Water (ft)
1,300

Disturbed Area (acres)
10

Drainage Area (acres)
60

303(d) Segment?
No

TMDL Segment?
No

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

Discharge Characterization

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

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

Required attachment:
Form315TableB (3).xlsx - 02/06/2023 02:25 PM
Comment
NONE PROVIDED

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

Required attachment:
Form315TableC.xlsx - 02/06/2023 02:25 PM
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:
Form315DischargeStructure (1).xlsx - 02/06/2023 02:47 PM
Comment
NONE PROVIDED

Variance Request

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

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

Outfall(s):
001,002

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'	Yes
Side slopes of dam no steeper than 3:1	Yes
Cutoff trench at least 8' wide	Yes
Side slopes of cutoff trench no less than 1:1	Yes
Cutoff trench located along the centerline of the dam	Yes
Cutoff trench extends at least 2' into bedrock or impervious soil	Yes
Cutoff trench filled with impervious material	Yes
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

Outfall Questions:	Please select one:
Emergency overflow at least 20' long	Yes
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):
Not a PWS
No stream crossings planned

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	No
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

Identify and provide detailed explanation for any "N" or "N/A" response(s):
Ponds are pre existing and old pits serve as additional basins. No cross sections available.

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

Narrative of Operations:	Please select one:
Products Defined	Yes

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

Identify and provide detailed explanation for any ﷿N﷿ or ﷿N/A﷿ response(s):
No chemical treatment proposed
No alternatives proposed

Pollution Abatement & Prevention (PAP) Plan

Is this a coal mining operation regulated by ASMC?
No

PAP Plan (non-coal mining facilities)
Alex City Quarry PAP 3.2023 signed.pdf - 03/30/2023 07:54 AM
Comment
NONE PROVIDED

Professional Engineer (PE)

Registration License Number
20897

Professional Engineer

Prefix
Mr.

First Name	Last Name
Steven	*Speaks*

Title
President

Organization Name
Larry E. Speaks & Associates, Inc.

Phone Type	Number	Extension
Business	3342621091	

Email
sspeaks@lespeaks.com

Address

535 Herron St

Montgomery, AL 36104

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
ADEM Duly Authorized Rep Letter - Charlie Stephens-v1.pdf - 02/27/2023 04:37 PM
Midsouth AL Permits 2023.pdf - 03/01/2023 01:35 PM
Comment
Authorization letter and permit list

Application Preparer

Application Preparer

Prefix
Mr.

First Name	Last Name
Dillon	*Taylor*

Title
Environmental Scientist

Organization Name
Larry E. Speaks & Associates, Inc

Phone Type	Number	Extension
Business	3342621091	

Email
dtaylor@lespeaks.com

Address
535 Herron St
Montgomery, AL 36104

Fees Assessed

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

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

Wet Preparation, Processing, Beneficiation:
6860

Fee

Fee
6860

Agreements and Signature(s)

SUBMISSION AGREEMENTS

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

Professional Engineer (PE)

A detailed, comprehensive Pollution Abatement & Prevention (PAP) Plan must be prepared, signed, and certified by a professional engineer (PE), registered in the State of Alabama, and the PE must certify as follows: I certify under penalty of lawthat the technical information and data contained in this application, and a comprehensive Pollution Abatement & Prevention (PAP) Plan, including any attached SPCC plan, maps, engineering designs, etc. acceptable to ADEM, for the prevention and minimization of all sources of pollution in stormwater and authorized related process wastewater runoff has been prepared under my supervision for this facility utilizing effective, good engineering and pollution control practices and in accordance with the provisions of this Permit, and ADEM Admin. Code Division 335-6, including Chapter 335-6-9 and Appendices A & B. If the PAP Plan is properly implemented and maintained by the Permittee, discharges of pollutants can reasonably be expected to be effectively minimized to the maximum extent practicable and according to permit discharge limitations and other permit requirements. The applicant has been advised that appropriate pollution abatement/prevention facilities and structural & nonstructural management practices or Department approved equivalent management practices as detailed in the PAP Plan must be fully implemented and regularly maintained as needed at the facility in accordance with good sediment, erosion, and other pollution control practices, permit requirements, and other ADEM requirements to ensure protection of groundwater and surface water quality.

Signed By Steven Speaks on 03/30/2023 at 5:40 PM

Responsible Official

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

Signed By Charlie Stephens on 04/01/2023 at 1:19 PM

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
001E	Pipe/Spillway	8,9,10	X	N/A	X	X	N/A
002E	Pipe/Spillway	8,9,10	X	N/A	X	X	N/A
		10: Ganite mining and crushing					

The applicant is required to supply the following information separately for every proposed (P) or existing (E) outfall. List expected average daily discharge flow rate in cfs and gpd; frequency of discharge in hours per day and days per month; average summer and winter temperature of discharge(s) in degrees centigrade; average pH in standard units; and average daily discharges in pounds per day of BOD5, Total Suspended Solids, Total Iron, Total Manganese, and Total Aluminum (if bauxite or bauxitic clay or if otherwise believed present):

Outfall E/P	Information Source - # of Samples	Flow (cfs)	Flow (gpd)	Frequency (hours/day)	Frequency (days/month)	Sum/Win Temp, (°C)	pH (s.u.)	BOD5 (lbs/day)	TSS (lbs/day)	Tot Fe (lbs/day)	Tot Mn (lbs/day)	Tot Al (lbs/day)
001E	DSP-1	0.02	13,005	24/7 Precip Driven	30/12 Precip Driven	26°/10°	6.5	0.027	2.172	0.109	0.027	N/A
002E	DSP-1	0.01	5,894	24/7 Precip Driven	30/12 Precip Driven	26°/10°	6.5	0.012	0.985	0.049	0.012	N/A

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

Outfall E/P	Reason Believed Present	Information Source - # of Samples									
			lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L
001E	None Expected									
002E	None Expected									

Appendix - B (Page 1 of 2)

Midsouth Paving, Inc.

AL Facility Permit List

AL NPDES Water Permits

State	Facility	Permit #	Permitting Authority
AL	Bessemer Asphalt Plant	ALG02-0089	ADEM
AL	Birmingport Liquid Terminal	ALG14-0036	ADEM
AL	Brantley Asphalt Plant	ALG02-0131	ADEM
AL	Castleberry Asphalt Plant	ALG02-0018	ADEM
AL	Childersburg Asphalt Plant	ALG02-0073	ADEM
AL	Dothan Asphalt Plant	ALG02-0094	ADEM
AL	East Thomas Asphalt Plant	ALG02-0060	ADEM
AL	Eufaula Asphalt Plant	ALG02-0010	ADEM
AL	Evergreen Asphalt Plant	ALG02-0197	ADEM
AL	Flomaton Asphalt Plant	ALG02-0116	ADEM
AL	Greenville #2 Asphalt Plant	ALG02-0221	ADEM
AL	Helena Asphalt Plant	ALG02-0005	ADEM
AL	Huntsville Asphalt Plant	ALG02-0051	ADEM
AL	Mt. Meigs Asphalt Plant	ALG02-0002	ADEM
AL	Ohatchee Asphalt Plant	ALG02-0087	ADEM
AL	Oxford Asphalt Plant	ALG02-0126	ADEM
AL	Tarrant Asphalt Plant	ALG02-0004	ADEM
AL	Tocwah Asphalt Plant	ALG02-0093	ADEM
AL	Troy Asphalt Plant	ALG02-0124	ADEM
AL	Tuscumbia Asphalt Plant	ALG02-0021	ADEM
AL	Tuscumbia #2 Asphalt Plant	ALG02-0109	ADEM
AL	Vance Asphalt Plant	ALG02-0111	ADEM
AL	Wedowee Asphalt Plant	ALG02-0182	ADEM
AL	Alexander City Quarry	AL0056448	ADEM
AL	Wedowee Quarry	AL0075191	ADEM
AL	Andalusia Shop	ALG14-0949	ADEM
AL	Dothan Shop	ALG14-0950	ADEM
AL	Huntsville Shop	ALG14-0152	ADEM
AL	Montgomery Shop	ALG14-0624	ADEM
AL	Tarrant Shop	ALG14-0035	ADEM
AL	Nell Gary Pit	AL0060984	ADEM
AL	Ward Pit	AL0069949	ADEM
AL	Southeast AL Regional C&D Landfill (Box Pit)	AL16-0107	ADEM
AL	Boone Pit	ALG850131	ADEM
AL	Sanders Pit	ALG890357	ADEM
AL	Griffin Pit	ALG890143	ADEM
AL	Pugh Pit (N of 231 Plant A/S)	ALG890205	ADEM
AL	Reese Disposal Site	ALG890142	ADEM
AL	Graham Pit	ALG890231	ADEM
AL	Stephenson Pit	ALG890458	ADEM
AL	Kirkland Pit	ALG890487	ADEM
AL	McLane Trucking	ALR10BBM3	ADEM
AL	Waldrop Pit	ALG890567	ADEM
AL	Dothan City Utilities	ALRBCIC	ADEM
AL	Weedon Field	ALR10BCKS	ADEM
AL	Dothan Airport	ALR10B328	ADEM

Appendix - B (Page 2 of 2)

Midsouth Paving, Inc.

AL Facility Permit List

AL Air Permits

State	Facility	Air Permit	Air Permit Extension	Permitting Authority
AL	Bessemer Asphalt Plant	4-07-0413	02	Jefferson Cnty
AL	Brantley Asphalt Plant	204-0007	X002	ADEM
AL	Castleberry Asphalt Plant	103-0022	X001	ADEM
AL	Childersburg Asphalt Plant	309-0033	X004, X005	ADEM
AL	Dothan Asphalt Plant	607-0010	X004	ADEM
AL	East Thomas Asphalt Plant	4-07-0435	01	Jefferson Cnty
AL	Eufaula Asphalt Plant	601-0022	X005	ADEM
AL	Evergreen Asphalt Plant	103-0028	X001	ADEM
AL	Flomaton Asphalt Plant	502-0083	X004	ADEM
AL	Greenville #2 Asphalt Plant	203-0003	X002	ADEM
AL	Helena Asphalt Plant	411-0037	X003	ADEM
AL	Huntsville Asphalt Plant	7-09-P129	Z001	Huntsville DNR
AL	Mt. Meigs Asphalt Plant	209-0046	X002	ADEM
AL	Ohatchee Asphalt Plant	301-0040	X002	ADEM
AL	Oxford Asphalt Plant	301-0061	X003	ADEM
AL	Tarrant Asphalt Plant	4-07-0428	02	Jefferson Cnty
AL	Tocwah Asphalt Plant	209-0045	X002, X003	ADEM
AL	Troy Asphalt Plant	210-0016	X003	ADEM
AL	Tuscumbia Asphalt Plant	701-0026	X004	ADEM
AL	Tuscumbia #2 Asphalt Plant	701-0047	X004	ADEM
AL	Vance Asphalt Plant	413-0080	X001	ADEM
AL	Wedowee Asphalt Plant	308-0025	X011	ADEM
AL	Alexander City Quarry	306-0001	X017, X019, X021	ADEM
AL	Wedowee Quarry	308-0025	X012, X013, X014	ADEM

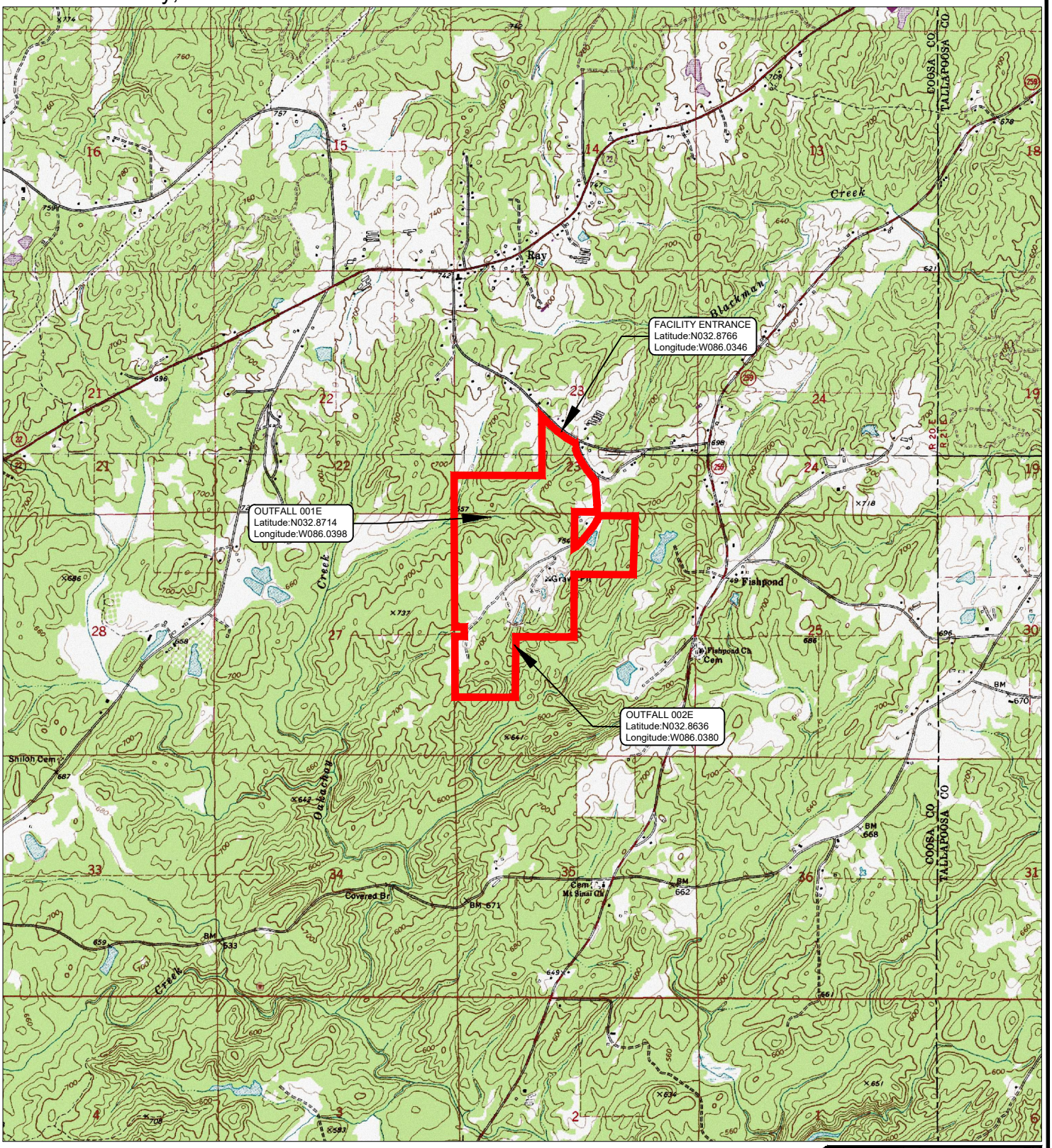
AL Mine Permits

State	Facility	Mine Permit #	File #	Permitting Authority
AL	Alexander City Quarry	12691	22-APAC-1	ADOL
AL	Wedowee Quarry	12763	56-APAC-1	ADOL
AL	Griffin Pit	13344	19-APAC-1	ADOL
AL	Gary Pit	13342	26-APAC-1	ADOL
AL	Ward Pit	13417	26-APAC-2	ADOL
AL	Reese Pit	13341	38-APAC-3	ADOL
AL	Boone Pit	14269	38-Midsouth-1	ADOL

MIDSOUTH PAVING INC.
ALEXANDER CITY QUARRY
Located in Sections 23 & 26, T-22-N, R-20-E
Equality and Kellyton Quadrangles
Coosa County, Alabama

0 3000 6000 Feet

N W E S



PERMIT BOUNDARY

DATE: 02/03/2023

LARRY E. SPEAKS
&
ASSOCIATES, INC.
CONSULTING ENGINEERS
&
LAND SURVEYORS
535 HERRON STREET
MONTGOMERY, AL. 36104
TEL.(334)262-1091

MIDSOUTH PAVING INC.
AN OLDCASTLE COMPANY
500 Riverhills Park ▲ Suite 590 ▲ Birmingham, AL 35242 ▲ [205] 995-5900

June 30, 2022

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

RE: Signatory Authority

To: Jeffrey W. Kitchens, Chief

Midsouth Paving, Inc. would like to inform the Alabama Department of Environmental Management (ADEM) that Charlie Stephens, Senior Environmental Manager, will be a duly authorized representative for the Responsible Official for all environmental permits and Department. Mr. Stephens will have signatory authority and will be an authorized representative, over all Midsouth Paving, Inc. Water Division Permits to include being a signatory authority and authorized user of the AEPACS system. His contact information is listed below.

Charlie Stephens, REM
Senior Environmental Manager
Midsouth Paving, Inc.
2700 Corporate Drive, Suite 250
O: 205.995.5885 / C: 205.533.4390
charlie.stephens@midsouthpaving.com

Thank you for your time and assistance with this matter.

Sincerely,

Bret Thornton
President
Midsouth Paving, Inc.

Sincerely,

Charlie Stephens, REM
Senior Environmental Manager
Midsouth Paving, Inc.

CC: Lee Warren
Eric Reidy

ACTION BY WRITTEN CONSENT
OF THE BOARD OF DIRECTORS
OF
MIDSOUTH PAVING, INC.

The undersigned, being all of the members of the Board of Directors of Midsouth Paving, Inc., a Delaware corporation (the "***Corporation***"), do hereby, pursuant to applicable law, give this written consent to the taking of the following actions, such actions to have the same force and effect had a meeting been duly called and held:

RESOLVED, that effective September 26, 2022, the following persons be, and hereby are, elected to serve as officers of the Corporation (each individually, an ***"Officer"*** and collectively, the ***"Officers"***) in the capacities set forth opposite their respective names until such time as their successors shall be elected and qualified:

Timothy G. Mullendore	President
Kendall Gregory	Secretary
Bobby J. Dykes	Vice President /Assistant Secretary
Charles S. Cook	Vice President /Assistant Secretary
Dwayne Boyd	Vice President /Assistant Secretary
Jerry Ray Doss	Vice President /Assistant Secretary
Jeffrey L. Janeway	Vice President /Assistant Secretary
Jeffery L. Smith	Vice President/ Assistant Secretary
Michael B. Thornton	Vice President /Assistant Secretary
R. Glenn Phillips	Vice President /Assistant Secretary
Graham Wiseman	Vice President /Assistant Secretary
Milan Andrin	Treasurer/Assistant Secretary
Kurt S. Olis	Assistant Treasurer/Assistant Secretary
Tim George	Assistant Secretary
David M. Toolan	Assistant Secretary
David C. Lewis	Assistant Secretary
Michael F. Deaton	Assistant Secretary
William P. Jones	Assistant Secretary
Anita M. Billingsley	Assistant Secretary
Ricky D. Cross	Assistant Secretary
Charlotte S. Garvin	Assistant Secretary
R. Delane Hartzog	Assistant Secretary
Turhan Moore	Assistant Secretary
Robert Watson	Assistant Secretary
Matthew A. Phillips	Assistant Secretary
Eric McCord	Assistant Secretary
Greg Foreman	Assistant Secretary
Shelby Odell McDonald III	Assistant Secretary

FURTHER RESOLVED, that the Officers be, and each of them hereby is, authorized to execute and deliver agreements, contracts, documents, certificates, and other instruments, under the seal of the Corporation if required, for the purpose of conducting the Corporation's business, including without limitation, selling products and securing construction work, and to take such other action, as they may deem necessary, advisable, convenient, or appropriate to carry out and fully perform duties incident to the office

or offices so appointed, and such other duties as may be prescribed by the Board of Directors from time to time;

FURTHER RESOLVED, that the President of the Corporation may, from time to time, without further action by the Board of Directors, appoint other persons to serve as authorized employees, or remove any individuals from this capacity, and to direct those appointed to take such action, as he may deem necessary, advisable, convenient or appropriate to carry out and fully perform the duties incident to the office of President.

FURTHER RESOLVED, that the activities and operations of the Corporation may be carried on in any of the following manners or styles as may from time-to-time be deemed necessary or appropriate:

Midsouth Paving
Midsouth Aggregates
Mid-South Materials
APAC Mid-South, Inc.
SRM Aggregates
Couch Construction

FURTHER RESOLVED, that all actions previously taken by any Officer or Authorized Employee of the Corporation appointed hereunder in his/her capacity as such Officer or Authorized Employee be, and each of them hereby is, adopted, ratified, confirmed and approved in all respects as the authorized acts and deeds of the Corporation;

FURTHER RESOLVED, that each undersigned agrees that electronic signatures, whether digital or encrypted, of the Directors are intended to authenticate this consent and to have the same force and effect as manual signatures. As used in the previous sentence, the term "electronic signatures" means any electronic sound, symbol or process attached to or logically associated with this consent and executed and adopted by a Director with the intent to sign such consent, including, but not limited to, e-mail electronic signatures executed through DocuSign services; and

FURTHER RESOLVED, that this Consent, following execution by each of the Directors, be filed in appropriate order in the minute book of the Corporation.

DocuSigned by:
Barnes Barton
70570BB37285454...
Barnes Barton

DocuSigned by:
John Keating
6DBD0A4A9D404EA...
John J. Keating

Pollution Abatement Plan with Integrated Spill Prevention, Control, and Countermeasures Plan

MIDSOUTH PAVING INC.
A CRH COMPANY

Midsouth Aggregates, Inc.
Alexander City Quarry
625 Coosa County Road 32
Alexander City, Alabama 35010

September 2021

POLLUTION ABATEMENT PLAN WITH INTEGRATED SPILL PREVENTION, CONTROL, AND COUNTERMEASURES PLAN

Midsouth Aggregates, Inc. – Alexander City Quarry
Alexander City, Coosa County, Alabama

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Figure 1 – Topographic Location Map
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Appendix I NPDES Permit and Discharge Monitoring Reports
Appendix II Certification of Substantial Harm
Appendix III Five Year Review Log and Technical Ammendment Log
Appendix IV Discharge Notification Forms
Appendix V Inspection Logs
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b. Containment Drainage Log
c. Equipment Modification Form
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Appendix VI Sampling Requirements
Appendix VII Personnel Training Log
Appendix VIII Storage Tank Inspection Schedule
Appendix IX Basin Design Data and Certification From the 2011 PAP

REFERENCE TABLE

Section in Regulation	Section Title	Section Referenced in Report
40 CFR 112.1 through 112.4	Introduction	Section 1.0
40 CFR 112.3	Professional Engineer Certification	Section 2.0
40 CFR 112.5	5 Year Summary Plan	Section 3.0
40 CFR 112.7	SPCC Plan Management Approval	Section 4.0
40 CFR 112.7(a)(1) and (a)(2)	Conformance and Past Discharge History	Appendix IV
40 CFR 112.7(a)(3)	General Description of Facility	Sections 1.0, 5.0, 6.0, 7.0, 9.0, 11.0, 15.0, 16.0, 18.0, 19.0, and 20.0
40 CFR 112.7 (a)(3)(iv) and (v)	Countermeasures for Discharge Discovery, Response, and Pick-up	Section 8.0
40 CFR 112.7(a)(4) and (5)	Reporting Procedures	Section 10.0
40 CFR 112.7(b)	Potential Discharge Volumes and Rates	Section 11.0
40 CFR 112.7(c)	Secondary Containment and Diversionary Structures	Sections 6.0 and 19.0
40 CFR 112.7(d)	Demonstration of Practicability	Section 12.0
40 CFR 112.7(e)	Inspections, Tests, and Records	Sections 13.0 and Appendices V, VI, and VIII
40 CFR 112.7 (f)	Personnel, Training, and Discharge Prevention Procedures	Section 14.0 and Appendix VII
40 CFR 112.7(g)	Security	Section 15.0
40 CFR 112.7(h)	Tank Truck Loading/Unloading Dock	Section 16.0
40 CFR 112.7(i)	Brittle Fracture Evaluation	Section 17.0
40 CFR 112.7(j)	Conformance to Applicable Guidelines	Section 1.0
40 CFR 112.8 (b)	Facility Drainage	Section 18.0
40 CFR 112.8(c)	Bulk Storage Containers	Section 19.0
40 CFR 112.8(d)	Transfer Operations, Pumping, and In-Plant Processes	Section 20.0
40 CFR 112.9	SPCC Plan Requirements for Onshore Oil Production Facilities	N/A
40 CFR 112.10	SPCC Plan Requirements for Onshore Oil Drilling and Workover Facilities	N/A
40 CFR 112.11	SPCC Plan Requirements for Offshore Oil Drilling and Workover Facilities	N/A
40 CFR 112, SUBPART C	Requirements for Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils, and for Vegetable Oils	N/A
40 CFR 112, SUBPART D	Response Requirements	Section 8.0

POLLUTION ABATEMENT PLAN WITH INTEGRATED SPILL PREVENTION, CONTROL, AND COUNTERMEASURES PLAN

Midsouth Aggregates, Inc. – Alexander City Quarry
Alexander City, Coosa County, Alabama

1.0 Introduction *[§112.1 through §112.4 and §112.7 (a) (3) and AL0056448]*

Facility Name:	Midsouth Aggregates, Inc. – Alexander City Quarry			
Facility Address:	625 Coosa County Road 32			
City:	Alexander City	State:	Alabama	ZIP: 35010
County:	Coosa	Tel. Number:	(256) 329-0455	
Front Gate Latitude:	32° 52' 35.7" N	Front Gate Longitude:	86° 02' 04.6" W	

The Midsouth Aggregates, Inc. – Alexander City Quarry is construction grade granite quarry located in Alexander City, Alabama. The site consists of fuel storage, a processing plant, equipment shop, and an office. A Topographic Location Map and Site Map are attached as Figures 1 and 2. The facility occupies approximately 315 acres.

Stormwater is primarily sheet flow into conveyance ditches across the facility and discharges through the permitted stormwater outfall.

This Pollution Abatement Plan (PAP) with Integrated Spill Prevention, Control and Countermeasures (SPCC) Plan was designed for the Alexander City Quarry in Alexander City, Alabama. The plan was designed as part of compliance with the requirements of 40 Code of Federal Regulations (CFR) 112 and with the NPDES Permit AL0056448. A copy of the NPDES Permit and Discharge Monitoring Reports can be found in Appendix I of this plan.

The owners and operators of a facility that are required to prepare an SPCC plan are also required to complete and sign the Certification of Substantial Harm Determination Form provided in Appendix II (referenced in Appendix C of 40 CFR 112). If the facility answers 'no' to each question provided in this form, the facility is not required to submit a Facility Response Plan.

2.0 Professional Engineer Certification *[§112.3(d) and AL0056448]*

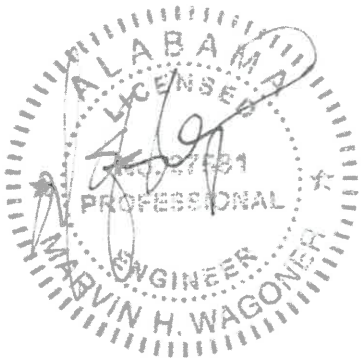
CERTIFICATION: *By means of this certification, I attest that I am familiar with the requirements of provisions of 40 CFR Part 112, that I or my designated agent have visited and examined the facility, that this SPCC Plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards, and with the requirements of this Part, that procedures for required inspections and testing have been established and that the Plan is adequate for the facility.*

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 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 imprisonment for knowing violations.

Engineer: M. Hagan Wagoner, P.E. Registration Number: P.E. 27581 State: AL

Company: ProgreCiv Group, Inc.

Seal and Signature:



Date of Plan Certification: September 28, 2021

3.0 Five Year Review *[§112.5 and AL0056448]*

Midsouth will complete a review and evaluation of this Plan at least once every five years. As a result of the review, Midsouth will amend this Plan within six months to include more effective prevention and control measures for the facility, if applicable. Midsouth will implement any PAP and/or SPCC Plan amendments as soon as possible, but no later than six months following Plan amendments. Midsouth will document completion of the review and evaluation, and complete the Five Year Review Log in Appendix III.

This PAP with Integrated SPCC Plan will be amended when there is a change in the facility design, construction, operation, or maintenance that materially affects the potential for a discharge to navigable waters or adjoining shorelines. Examples include adding or removing containers, reconstruction, replacement, or installation of piping systems, changes to secondary containment systems, changes in product stored at this facility, or revisions to standard operating procedures.

Any technical amendments to this Plan will be re-certified in accordance with §112.6(a)(2) [See Technical Amendment Log in Appendix III].

4.0 Management Approval *[§112.7 and AL0056448]*

The SPCC regulations (40 CFR 112) require the owners/operators of the Alexander City Quarry to prepare a SPCC Plan, in accordance with good engineering practices, to prevent, to the maximum extent possible, a potential oil spill onto protected waters. This plan must have the full approval of management at a level of authority to commit the necessary resources to fully implement the plan. As required by the regulations, this plan follows the sequence of the requirements in 40 CFR 112. As required under 40 CFR 112.7, the following certification is provided:

As operator of this facility, I certify under penalty of law that this SPCC Plan and all appendices have been prepared in accordance with good engineering practices, and that the Plan has the full approval of management at the level of authority to commit the necessary resources to fully implement the Plan. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, that 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.

The NPDES Permit AL0056448 requires the following certification:

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

Steve Horne
Steve Horne ~ VP Operations, Aggregates

10-12-21
Date

5.0 Oil Storage Containers *[§112.7(a)(3)(i)]*

This table includes a complete list of all oil storage containers (aboveground containers and completely buried tanks) with a capacity of 55 U.S. gallons or more, unless otherwise exempt from the rule. For mobile/portable containers, an estimated number of containers, types of oil, and anticipated capacities are provided. Figure 2 shows the locations of these storage containers.

Oil Storage Container	Type of Oil	Shell Capacity (gallons)
AST	Gasoline	2,000
AST	Off-Road Diesel Fuel	10,000
AST	Transmission Oil	500
AST	Transmission Oil	500
AST	Hydraulic Oil	1,000
AST	Motor Oil	1,000
AST	Used Oil	500
AST	Crusher Oil	100
AST	Diesel Fuel	500
Numerous Drums	Various Oils	55 each

Total Aboveground Storage Capacity	~16,320 gallons
Total Completely Buried Storage Capacity	None
Facility Total Oil Storage Capacity	~16,320 gallons

Aboveground containers that must be included when calculating total facility oil storage capacity include: tanks and mobile or portable containers; oil-filled operational equipment (e.g. transformers); other oil-filled equipment, such as flow-through process equipment. Exempt containers that are not included in the capacity calculation include: any container with a storage capacity of less than 55 gallons of oil; containers used exclusively for wastewater treatment; permanently closed containers; motive power containers; hot-mix asphalt containers; heating oil containers used solely at a single-family residence; and pesticide application equipment or related mix containers.

6.0 Secondary Containment *[§112.7(a)(3)(iii) and §112.7(c)]*

The following is a discussion of secondary containment and other discharge/drainage controls in use at the facility. *[§112.7(a)(3)(iii)].* Secondary containment is required for all ASTs of 55-gallons or greater in capacity. Secondary containment must be sized to contain the volume of the single largest tank stored within the containment unit. If the tank and containment unit are stored outdoors, the containment unit must be sized to have appropriate freeboard for the 25-year, 24-hour storm event and the volume of the single largest container in the unit.

Appropriate secondary containment and/or diversionary structures or equipment is currently provided for all oil handling containers, equipment, and transfer areas to prevent a discharge to navigable waters or adjoining shorelines.

Acceptable methods of secondary containment include: (1) dikes, berms, or retaining walls sufficiently impervious to contain oil; (2) curbing; or drip pans (3) culverting, gutters, or other drainage systems; (4) weirs, booms, or other barriers; (5) spill diversion ponds; (6) retention ponds; or (7) sorbent materials. [§112.7(c)]

For those tanks or containers that are deficient in secondary containment, if any are identified during an annual review, the Responsible Official (reference Section 9.0) will address correcting them.

Culverting, gutters, or other drainage systems are not generally used at the Alexander City Quarry for oil containment.

Booms and other absorbent materials are available in several locations of the facility. These will be used during unloading of tank trucks, other oil transfer operations, and spill control as required.

All ASTs are stored in a covered, impervious, concrete secondary containment structure capable of containing the volume of the largest AST stored within the structure as well as sufficient freeboard for the 25-year, 24-hour storm event.

Sorbent materials such as oil dry and absorbent pads are available throughout the facility. These materials would be used generally to contain smaller spills both interior and exterior to the facility buildings.

7.0 Oil Spill Contingency Plan *[§109]*

According to the final rule signed in December 2006, the EPA made changes to secondary containment requirements for oil-filled operational equipment. This section describes the requirements and provides a contingency plan to meet the requirements EPA has set forth.

7.1 Storage Containers

7.1.1 Oil-Filled Operational Equipment

Oil-filled operational equipment has been exempted from secondary containment requirements provided that the facility has not had a discharge from any oil-filled operational equipment (1) more than 1,000 U.S. gallons of oil in a single discharge to navigable waters, or (2) discharge more than 42 U.S. gallons of oil in each of two discharges to navigable waters, within any twelve-month period, in the three years prior to the SPCC Plan certification date and an Oil Spill Contingency Plan has been prepared for the facility.

ASTs associated with the processing plant are considered oil filled operational equipment. A crusher oil AST (100 gallons) and a diesel fuel AST (500 gallons) are integral parts of the equipment in the plant. Additional protection is provided by the process water ponds at the plant and the active pit area. Both provide containment in the event of a release.

Spill kits will be located throughout the facility to be used in the event of a release.

7.2 Commitment of Manpower and Equipment

The Alexander City Quarry employs numerous personnel. Key personnel members located throughout the facility are equipped with mobile telephones for communication purposes. A list of emergency contact phone numbers is provided in Section 9.0. In the event of a release, the Responsible Official will be notified immediately and steps will be taken to contain the spill and initiate cleanup as soon as possible. Spill kits are located throughout the facility. Section 10.0 of this Plan outlines steps to be taken in the event of a spill.

In addition, there are numerous pieces of equipment on-site. In the event of a significant release, this equipment can be mobilized to respond quickly.

7.3 Inspections

Section 13.0 of the Plan addresses the inspection program the facility has established.

8.0 Countermeasures For Discharge Discovery, Response, and Cleanup *[§112.7(a)(3)(iv) and (v) and AL0056448]*

This Plan is required to address the countermeasures for discharge discovery, response, and cleanup *[§112.7(a)(3)(iv)]*. This section describes the process to be taken to contain a spill and cleanup the material that has spilled.

Spills/releases of petroleum products that occur at the facility will be cleaned up immediately upon discovery. In the event of a release, the Responsible Person will be notified immediately, and the following steps will be taken, provided the response to the event falls within the training and experience of the responder:

- Attempt to determine the source, volume and extent of the release;
- Determine the safest and quickest way to stop the release (i.e., provide appropriate containment, pump product out of leaking tank into a structurally sound tank, etc.);
- Contain the release as close to the source as possible. This can be done by using an earthen berm, a ditch, a boom, or other means to restrict the flow of the fluid;
- After the flow of the product has been restricted, remove the product;
- If a small volume of product is spilled inside of the secondary containment areas, absorbent booms, absorbent pads, oil dry or other suitable material will be used to absorb the product. For larger volumes of product, a pump, bucket, or other similar equipment will be used to transfer the product into a structurally sound container, and from there it can be properly disposed;
- In the event of a release of product that reaches the soils outside of the secondary containment areas, absorbent booms or a portable skimmer will be used to remove the product. Recovered petroleum products will be used, if possible, or transported to a permitted recycling or disposal facility. If possible, spill residue will be placed in a DOT-approved 55-gallon drum for transportation.
- Prior to disposal of materials used to cleanup spills (sawdust, booms, etc.), the facility Manager will be contacted for approval of the disposal method. Oil-contaminated booms/absorbents will be disposed of in accordance with ADEM regulations. *[§112.7(a)(3)(v)]*

In the event responding to a release is beyond the scope of training and experience of the responder, outside response agencies (i.e. Fire Department, emergency response service provider) will be notified.

9.0 Contact List *[§112.7(a)(3)(vi) and AL0056448]*

Contact Organization / Person	Telephone Number
National Response Center (NRC)	800.424.8802
CHEMTREC	800.424.9300
Response / Cleanup Contractor(s) SWS Environmental Services 1814 Highway 14 Elmore, Alabama 36025	877.742.4215
HEPACO	800.888.7689
Responsible Official / Emergency Coordinator: Shane Horton ~ Plant Manager	Mobile: 205.641.3396
Alternate Emergency Coordinator: Steve Horne ~ Area Manager	Office: 334.749.0003
	Mobile: 334.224.7305
Corporate Notification: Charlie Stephens ~ Division Environmental Manager	Office: 205.995.5885
	Mobile: 205.533.4390
State Oil Pollution Control Agencies Alabama Department of Environmental Management	334.271.7700
Other State, Federal, and Local Agencies Alabama Department of Public Safety	256.234.7311
Alabama Emergency Management Agency	800.843.0699
Coosa County Emergency Management Agency	256.377.2418
Local Fire Department	911
Local Police Department	911
Hospital Russell Medical Center	256.329.7100

10.0 Notification Procedure *[§112.7(a)(4) and (a)(5) and AL0056448]*

The following describes the steps to be taken to report a release to the appropriate agencies. Each person responsible for oil handling operations must be familiar with these steps and be able to execute them in the event of a release.

In the event of a discharge of oil to navigable waters or adjoining shorelines, the following information identified which is also provided in Appendix IV will be provided to the National Response Center immediately following identification of a discharge to navigable waters or adjoining shorelines [See Discharge Notification Form in Appendix IV]: *[§112.7(a)(4) and (a)(5)]*

- The exact address or location and phone number of the facility;
- Date and time of the discharge;
- Type of material discharged;
- Estimate of the total quantity discharged;
- Estimate of the quantity discharged to navigable waters;
- Source of the discharge;
- Description of all affected media;
- Cause of the discharge;
- Any damages or injuries caused by the discharge;
- Actions being used to stop, remove, and mitigate the effects of the discharge;
- Whether an evacuation may be needed; and
- Names of individuals and/or organizations who have also been contacted.

Submit information to the EPA Regional Administrator (RA) and the appropriate agency or agencies in charge of oil pollution control activities in the State in which the facility is located within 60 days from one of the following discharge events:

- A single discharge of more than 1,000 U.S. gallons of oil to navigable waters or adjoining shorelines or
- Two discharges to navigable waters or adjoining shorelines each more than 42 U.S. gallons of oil occurring within any twelve month period

You must submit the following information to the RA:

- Name of the facility;
- Your name;
- Location of the facility;
- Maximum storage or handling capacity of the facility;
- Corrective action and countermeasures you have taken, including a description of equipment repairs and replacements;
- An adequate description of the facility, including maps, flow diagrams, and topographical maps, as necessary;
- The cause of the reportable discharge, including a failure analysis of the system or subsystem in which the failure occurred; and
- Additional preventive measures you have taken or contemplated to minimize the possibility of recurrence;
- Such other information as the RA may reasonably require pertinent to the Plan or discharge.

If a violation of the NPDES Permit occurs, an oral report of the occurrence shall be given to the ADEM within twenty-four (24) hours of the time the Alexander City Quarry becomes aware of the circumstances (by calling 334-271-7700), followed by a written report within five (5) days of becoming aware of such circumstances. In addition, any non-compliant discharge shall be reported with the next Discharge Monitoring Report (DMR) to be submitted utilizing the Noncompliance Notification Report found on ADEM's website.

11.0 Potential Discharge Volumes *[§112.7(b)]*

This table outlines the potential discharge volumes from containers, the direction of flow, and information regarding secondary containment.

Containers with Potential for an Oil Discharge					
Area	Type of failure (discharge scenario)	Potential discharge volume (gallons)	Direction of flow for uncontained discharge	Secondary containment method[a]	Secondary containment capacity (gallons)
Bulk Storage Containers and Mobile/Portable Containers[b]					
(1) Gasoline AST	Tank Puncture	0 – 2,000	North	Concrete Secondary Containment Structure[c]	~43,500
(1) Off-Road Diesel Fuel AST	Tank Puncture	0 – 10,000			
(1) Transmission Fluid AST	Tank Puncture	0 – 500			
(1) Transmission Fluid AST	Tank Puncture	0 – 500			
(1) Hydraulic Oil AST	Tank Puncture	0 – 1,000			
(1) Motor Oil AST	Tank Puncture	0 – 1,000			
(1) Used Oil AST	Tank Puncture	0 – 500			
Numerous Drums	Tank Puncture	0 – 55			
(1) Crusher Oil	Tank Puncture	0 – 100	South and East	None[d]	NA
(1) Diesel Fuel	Tank Puncture	0 – 500	Within Pit	None[d]	NA
Piping, Valves, etc.					
Fuel Storage Area	Piping or Hose Rupture, Valve Failure	Varies	North	Earthen / Aggregate Berms, Quarry Pit, and Partially within Concrete Containment Structure	NA
Processing Plant and Pit	Piping or Hose Rupture, Valve Failure	Varies	Varies	Earthen / Aggregate Berms, Quarry Pit, and Process Water Ponds	NA

Product Transfer Areas (location where oil is loaded to or from a container, pipe or other piece of equipment.)					
Fuel Storage Area	Piping or Hose Rupture	Varies	South	Earthen / Aggregate Berms, Quarry Pit, and Partially within Concrete Containment Structure	NA
Processing Plant and Pit	Piping or Hose Rupture, Valve Failure	Varies	Varies	Earthen / Aggregate Berms, Quarry Pit, and Process Water Ponds	NA

[a] Use one of the following methods of secondary containment or its equivalent: (1) Dikes, berms, or retaining walls sufficiently impervious to contain oil; (2) Curbing; (3) Culverting, gutters, or other drainage systems; (4) Weirs, booms, or other barriers; (5) Spill diversion ponds; (6) Retention ponds; or (7) Sorbent materials.
[b] For storage tanks and bulk storage containers, the secondary containment capacity must be at least the capacity of the largest container plus additional capacity to contain rainfall or other precipitation.
[c] See Section 6.0 and 19.0 of this Plan for details regarding secondary containment for this AST.
[d] See Section 7.0 and 19.0 of this Plan for details regarding secondary containment for this AST.

12.0 Demonstration of Practicability *[§112.7(d)]*

A demonstration of practicability of the measures outlined in this plan to prevent a release or discharge to the facility is required as part of the SPCC Plan. If the prevention, control, and response measures are not practicable to the facility, the reasons must be explained in this section. [§112.7(d)]

Secondary containment and diversionary structures identified in this plan or other equipment used to prevent discharged oil from reaching navigable water appear to be practicable and effective for the needs of this facility.

13.0 Inspections, Testing, and Recordkeeping *[§112.7(e), §112.8(c)(6) and (d)(4), §112.9(c)(3), §112.12(c)(6) and (d)(4) and AL0056448]*

An inspection and/or sampling program is required to be implemented for all aboveground bulk storage containers and piping at this facility as well as the stormwater discharge. The following is a description of the inspection and/or sampling program for all aboveground bulk storage containers and piping at this facility as well as the inspection and/or sampling program required as part of the NPDES Permit for the facility.

Visual inspections consist of a complete walkthrough of the facility property to check for stained or discolored soils or concrete and/or leaks or damages to ASTs. ***Inspections will be conducted daily when the quarry is in operation or once per month if the quarry is not operational***. These inspections should be used to notify the Responsible Person of problems with the tanks or the on-site equipment.

PAP inspections should be conducted along with the above-mentioned inspections. PAP inspections include inspections of vehicles or equipment for leaks, which could cause surficial staining, inspections of stormwater management devices, inspections of stormwater outfalls, and routine visual inspection of the facility.

Routine, thorough, visual inspections of the ASTs on-site will be conducted according to the schedule provided in Appendix VIII.

The inspection forms provided as Appendix V are used during these inspections. The completed forms are maintained on the Midsouth computer system. A copy of the forms is provided in this plan for review. Midsouth personnel should be contacted for copies of the completed forms from the computer system. The forms are maintained on-site for a minimum period of three years.

Monthly and quarterly sampling of the outfalls is required for the duration of the five-year NPDES discharge permit period. The facility is permitted for two outfalls associated with the quarry.

The sampling parameters and frequency requirements are listed in Appendix VI.

Stormwater samples from the outfall will be collected in properly labeled and preserved bottles provided by the contract laboratory and sent to the laboratory for analysis. Laboratory results will be transferred to the Discharge Monitoring Report (DMR) forms supplied by ADEM and/or through the eDMR system provided by ADEM. Three months of sampling results will be submitted to ADEM quarterly and also kept on file (Appendix I) at the facility for a minimum of three years. DMRs are due to ADEM no later than the 28th day of the month following the quarterly reporting period (i.e., on the 28th of January, April, July, and October of each year).

14.0 Personnel Training and Discharge Prevention Procedures *[§112.7(f) and AL0056448]*

Oil-handling personnel are required to be trained in the operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules, and regulations; general facility operations; and, the contents of the facility SPCC Plan on an annual basis.

Discharge prevention briefings are conducted for oil-handling personnel annually to assure adequate understanding of the SPCC Plan for that facility. Such briefings highlight and describe past reportable discharges or failures, malfunctioning components, and any recently developed precautionary measures. [See Personnel Training Log in Appendix VII]

During the orientation of each new employee, instruction is given verbally in the proper operation and maintenance of equipment necessary for his or her job function. At this time, the employee is instructed in the general importance of preventing, controlling, containing, and cleaning up discharges of oil, chemicals, or hazardous substances.

A training program will be established to familiarize the appropriate personnel with emergency procedures. Employees will be instructed in the use of procedures, which must be followed in the event of an emergency, and will be made aware of applicable pollution control laws and regulations. Spill prevention briefings to familiarize appropriate personnel with this SPCC Plan will be scheduled to coincide with safety meetings. Additional briefings will be held whenever changes, which affect the SPCC Plan, are made and as deemed necessary by management.

Any contractor, subcontractor or temporary personnel whose work could cause a spill are informed of facility operating features and spill prevention features, which they must know in order to prevent, control, contain, and clean up a spill.

Training in the operation and maintenance of oil pollution prevention equipment and pollution control laws and regulations is given to all applicable employees on a yearly basis.

Twenty-four hour contact numbers are provided for guidance and consultation. Instructions and telephone numbers regarding the reporting of a spill to the National Response Center and the state are listed in Sections 9.0 and 10.0.

In accordance with the NPDES Permit, the permittee shall provide training for any personnel required to implement the PAP and shall retain documentation of such training at the facility. This documentation shall be available for inspection by representatives of the Department. Training shall be performed prior to the date that implementation of the PAP is required. *[AL0056448]*

15.0 Security *[§112.7(g)]*

Regulations require that the facility secure and control access to all oil handling, processing, and storage areas; secure master flow and drain valves; prevent unauthorized access to starter controls on oil pumps; secure out-of-service and loading/unloading connections of oil pipelines; and address facility lighting to prevent acts of vandalism and detect the presence of a release.

Security measures are implemented at this facility to prevent unauthorized access to oil handling, processing, and storage areas.

Dispensers on ASTs are locked and/or de-energized when not in use.

The loading and unloading connections are capped when not in service or when in standby service for an extended time. Fill lines are manned the entire time oil is being transferred to or from a container.

16.0 Tank Car and Tank Truck Loading/Unloading Rack *[§112.7(h)]*

This section discusses tank truck loading/unloading racks. If a rack does not drain to a treatment system or catchment basin, the designed containment system must contain the volume of the single largest compartment in the tank truck. The facility must also provide an interlocked warning light or physical barrier system, warning signs, wheel chocks, or a vehicle brake interlock system to prevent vehicles from departing prior to disconnecting hoses. The lowermost drain and all outlets of the tank truck must be inspected prior to filling and departure for any leaks.

There is no tank car loading or unloading done at this facility. Therefore, the following statements apply to tanker trucks only and not tanker cars.

The tanker truck loading and unloading procedures meet the minimum requirements of the U.S. Department of Transportation.

Chock blocks or dock locks are provided during loading/unloading to prevent premature vehicular departure. During unloading, the tank driver is required to supervise and monitor unloading and remain in the area until transfer is complete with no signs of leakage.

The lower most drain and all outlets on tank trucks are inspected prior to filling and departure by the contracted transfer/hauling company.

A fully supplied spill kit will be maintained at the petroleum transfer locations equipped with booms and other spill response equipment. This kit is to be deployed in the event of a release during petroleum loading or unloading operations. In the event of a release larger than the spill kit can contain, equipment and personnel on-site are capable of responding quickly to contain released material on-site.

17.0 Brittle Fraction Evaluation *[§112.7(i)]*

If an aboveground container undergoes a repair, alteration, reconstruction, or a change in service that might affect the risk of a discharge or failure due to brittle fracture failure or other catastrophe, the container will be evaluated for risk of discharge or failure due to brittle fracture or other catastrophe, and corrective action will be taken as necessary.

18.0 Facility Drainage *[§112.8(b) and §112.12(b) and AL0056448]*

This section describes the drainage controls in operating areas of the facility. Operating areas include oil storage areas. Drainage from diked and undiked storage areas are also discussed in this section.

The facility must restrain drainage from diked storage areas by a manual, open-and-closed valve (not a flapper-type valve) unless the facility has an effluent treatment system capable of handling such a discharge. The water must be inspected prior to discharging for the presence of a sheen. [§112.8(b) and (b)(2)]

Diked areas may be emptied by pumps that must be manually activated or by valves that are manually opened after inspecting the condition of the accumulated stormwater to ensure no oil will be discharged. The diked petroleum storage area at the Alexander City Quarry is covered. Should stormwater collect in the containment unit, a pump will be used to pump the water out after it has been inspected, the sheen, if present, has been properly cleaned, and the discharge is logged in the Containment Drainage Log Provided in Appendix V.

Alabama NPDES Permit AL0056448 has been issued for the facility with two monitored outfalls.

Two lift pumps should always be maintained on-site when treatment takes place in two stages and lift pumps are required to transfer water between the stages. One of these pumps should be permanently installed. [§112.8(b)(5)]

A lift pump is not used at this facility as part of a spill control system.

Undiked areas should drain to ponds, catchment basins, or lagoons, which are not located in a flood prone area. If the facility is not engineered to contain a release as indicated in this paragraph, diversion ditches should be constructed to divert oil that is spilled and contain it until cleanup has occurred. [§112.8(b)(3) and (b)(4)]

Stormwater from the facility primarily flows to detention ponds onsite and through the NPDES permitted outfalls.

19.0 Bulk Storage Containers *[§112.8(c) and §112.12(c)]*

Containers must be compatible with the material stored within them. Secondary containment must be provided for each bulk container that is sized to contain the entire capacity of the single largest container stored within the secondary containment and sufficient freeboard to contain precipitation if the tank is stored outdoors. [§§112.8(c)(1) and 112.8(c)(2)]

All tanks and containers are built of materials compatible with oil stored within the tank. The portable tanks are constructed of plastic or metal, which is compatible with the material stored and conditions of storage. The smaller containers are constructed of plastic or metal per manufacturer's specifications.

The gasoline (2,000 gallons) AST, off-road diesel fuel (10,000 gallons) AST, two transmission fluid (500 gallons each) ASTs, hydraulic oil (1,000 gallons) AST, motor oil (1,000 gallons) AST, used oil (500 gallons) AST, and drums (55 gallons each) ASTs are located on the equipment yard. These ASTs are contained in a concrete secondary containment structure that is capable of containing approximately 43,500 gallons, which is sufficient to contain the volume of the largest container stored within the containment unit as well as sufficient freeboard to contain stormwater from a 25-year, 24-hour storm event.

The crusher oil (100 gallons) AST and diesel fuel (500 gallons) AST stored in the processing plant area are considered oil filled operational equipment components and are not subject to sized secondary containment requirements. These ASTs, in the event of a release, would flow towards a process water pond (crusher oil AST) or the active pit area (diesel fuel AST) which would contain the material onsite.

The facility must protect any buried or partially buried tanks from corrosion by coatings or cathodic protection. [§§112.8(c)(4) and 112.8(c)(5)]

There are no buried or partially buried tanks on-site.

Each aboveground bulk container is required to be tested or inspected for integrity on a regular schedule and whenever material repairs are made. Scope and frequency of the inspections and inspector qualifications should be in accordance with industry standards. Container supports and foundations should be regularly inspected. [§§112.8(c)(6)]

ASTs on-site will be inspected according to the schedule outlined in Appendix VIII.

20.0 Transfer Operations, Pumping, and In-Plant Processes *[§112.8(d) and §112.12(d)]*

Facility transfer operations, including pumping and in-plant processes, are the transfer of oil by pipelines. During the site visit, the facility was evaluated for the following:

- Buried piping installation protection and examination procedures;
- Not-in-service and standby service terminal connections;
- Pipe support design;
- Aboveground valve and pipeline examination; and
- Aboveground piping protection from vehicular traffic.

If buried pipes are/were installed or replaced on or after August 16, 2002, and are used for the transfer or pumping of oils through the facility or for loading/unloading operations, the facility must provide protective wrapping, coating, and cathodic protection to prevent corrosion. If the pipe is exposed to the surface anywhere, that section must be inspected periodically for corrosion. [§112.8(d]

Buried piping is not used at this facility.

The facility must cap or blank-flange the terminal connection at the transfer point and mark it as to origin when piping is not in service or is in standby for an extended period of time. [§112.8(d)(2)]

Terminal connections at the ASTs will remain capped except when adding or removing contents.

The facility must design pipe supports to minimize abrasion and corrosion and allow for expansion and contraction. [§112.8(d)(3)]

Pipe supports are designed to allow for expansion and contraction and minimize abrasion and corrosion.

The piping must be periodically inspected. Aboveground piping, valves and appurtenances must be assessed for the general condition of items such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking valves, and metal surfaces. Underground piping must be integrity and leak tested at the time of installation, modification, construction, relocation, or replacement. [§112.8(d)(4)]

All aboveground piping will be periodically inspected utilizing the inspection log provided in Appendix V.

Vehicles entering the facility must be warned of any aboveground piping or other oil transfer operations so they are not damaged. [§112.8(d)(5)]

All aboveground piping is located in areas not accessible by vehicles; therefore warning signs are not necessary.

21.0 Pollution Prevention and Abatement *[AL0056448]*

Best Management Practices (BMPs) are measures used to prevent or reduce the amount of pollution entering surface water. A BMP may be a process, activity, or physical structure.

Facility operations consist of blasting granite material. The blasted material is loaded in trucks and hauled to the processing plant where it is dumped into the jaw crusher. It is then screened to remove unwanted material. It then goes to various other crushers where it is sorted into various sizes and stockpiled to be hauled offsite at a later time.

21.1 Baseline BMPs

21.1.1 Good Housekeeping

Good housekeeping involves operations and maintenance activities, material storage practices, material inventory procedures, and employee participation. Good housekeeping BMPs include:

- Maintain outside grounds and storage areas in a neat and orderly condition.
- Regularly pick up garbage and waste material and dispose of properly.
- Close covers over outside garbage barrels, trash dumpsters and/or other waste receptacles so that stormwater does not contact waste material.
- Inspect for signs of leaks or spills underneath and beside vehicles.
- Make sure that drums and other storage containers are sealed when not in use.
- Drums and other storage containers will be stored away from traffic routes to prevent accidental spillage.
- Metal drums and other metal containers will be stored on pallets or other material to help prevent corrosion of the container from direct contact with ground moisture.
- Maintain an updated inventory list of all chemicals present at the facility and obtain MSDS sheets for each.
- Read MSDS sheets for safety instructions, recommended storage conditions, and first aid information, to facilitate spill prevention and safety objectives.
- Ensure all 55-gallon drums and other storage containers are properly labeled.
- Ensure all 55-gallon drums containing petroleum products are stored on containment pallets or within a containment unit so that no leak or release from these drums would exit the containment structure.

21.1.2 Preventive Maintenance

Preventive maintenance involves inspection and testing of facility equipment to evaluate conditions, which could cause a malfunction or breakdown, resulting in a discharge of pollutants to surface water. Preventive Maintenance BMPs include:

- Inspect and maintain stormwater management devices.
- Inspect for leaks and spills, as well as deteriorating conditions of equipment that might lead to leaks or spills, around outdoor product transfer hoses, pumps, piping, valves and ASTs.
- Develop a schedule for routine preventive maintenance identifying the equipment/device to be maintained and personnel responsible for the same.
- Develop and maintain preventive maintenance records to include equipment or system inspected, date inspected, personnel involved, test results, follow-up or corrective actions that were performed, etc.
- Promptly repair or replace defective pumps, valves, seals and other equipment components found to be defective.

21.2 Site Specific BMPs

- Inspect areas where vehicles and equipment are parked for signs of leaks on a daily basis when the facility is operational and monthly if the facility is not operational. Clean small oil spills by using absorbent materials and disposing as a solid waste. Monitor areas where asphalt paving is in place for signs of deterioration, and where necessary repair/replace with concrete. Asphalt soaks up chemicals and can be degraded by certain fluids, becoming a source for stormwater contamination.
- Eliminate stormwater flow into storage sheds by construction of concrete berms or stormwater conveyances around the sheds. Chemicals stored in these sheds should be moved to a building or structure which would not be affected by stormwater, placed in portable containment basins to contain spills and leaks and/or placed on top of pallets inside of the storage sheds so that these chemicals will not come into contact with stormwater.
- Maintain a clean ground surface.
- A minimum 50 feet buffer will be provided for all surface waters and property lines.
- All drainage onsite will be diverted through a detention basin. Berms and ditches will be used to divert stormwater into the detention basins. Berms and ditches will be inspected periodically to ensure they are functioning properly and repairs are not needed.
- Haul roads will be maintained with slopes no greater than 10%. The maximum grade for any 300 feet segment will not exceed 15%. To the maximum extent practicable, stormwater from haul roads will be diverted to a detention basin prior to discharging. Outer slopes of haul roads will be no greater than 2:1 and will be seeded and mulched to stabilize the soils.

- BMPs such as check dams and silt fence will be utilized as sediment control as needed to treat stormwater.

- The detention basins and outfalls (001 and 002) were in-place prior to the development of this plan. Please refer to Appendix IX for the previous PAP detention basin information.

21.3 Activity-Specific BMPs

21.3.1 BMPs for Liquids Stored in Aboveground Storage Tanks

- Ensure that the tanks meet federal requirements for SPCC Plans, which includes secondary containment and inspections.

- Protect the ASTs from vehicle damage by installing protective guards or posts.

- Label and tag valves and piping to reduce human error.

- Perform visual inspections of tanks, piping, valves, fittings, support structures, etc. for evidence of corrosion, leaks, scratches, etc.

- Visually inspect the integrity of the tank.

- Install passive secondary containment (where practicable) around the tanks to contain leaks or spills. Methods of passive secondary containment include berms, dikes, liners, vaults and double-walled tanks.

- Drain accumulated rainwater from secondary containment areas (if applicable) after inspecting the water for evidence of oil sheens or spills. Document the draining of the rainwater on the Containment Drainage Log provided in Appendix V.

- Ensure that drain valves from the secondary containment and product valves remain locked when they are not in use. It is important that these valves remain locked and not just closed, due to the relative ease in which a valve could be opened.

- Discuss valve locations, fueling procedures, and visual inspections with employees as part of employee training.

21.3.2 BMPs for Equipment Maintenance Areas

- If oil drip pans are used in changing oil or parts, immediately following the draining, transfer the oil from the drip pan to the used oil AST to prevent the oil from being released to the ground.

- Spill kits should be maintained in the area to be utilized in the event of small releases.

21.3.3 BMPs for Outside Storage of Raw Materials

- Where practicable, prevent stormwater from coming in contact with raw materials stored outdoors. This can be accomplished by grading, berming, curbing, etc.

21.3.4 Sediment and Erosion Control

- Sediment and erosion control measures are used to protect surface waters from suspended material, which can affect water quality.
- Identify areas that may be susceptible to erosion as a result of topography or other activities.
- Plant vegetation and/or place other protective ground cover to control erosion and create a natural barrier against sediment.
- Construct structural control features such as dikes, drains, barriers, traps, swales, etc., to limit erosion.

21.3.5 Management of Runoff

Traditional stormwater management practices used to divert, infiltrate, reuse, or otherwise manage stormwater runoff as a means to reduce pollutants in stormwater discharges have been considered. Such traditional runoff management controls typically involve vegetative swales, reuse of collected stormwater, inlet controls such as oil/water separators, detention and retention devices, and similar measures.

The need for possible supplemental runoff management BMPs will continue to be evaluated in concert with periodic PAP with Integrated SPCC Plan review and revision. Measures determined to be reasonable and appropriate will be implemented and maintained.

FIGURES

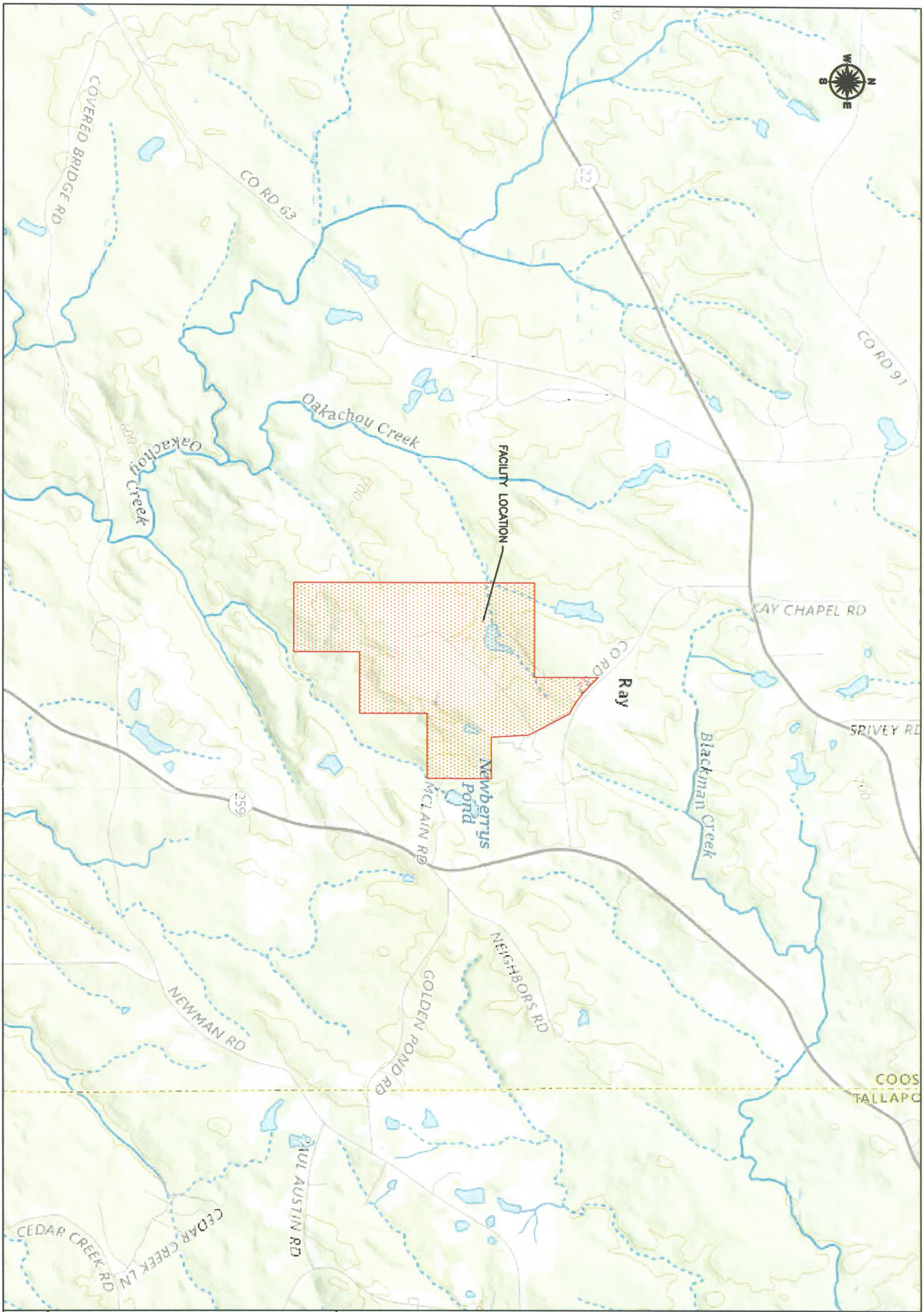


FIGURE NO. 1	MIDSOUTH AGGREGATES., INC. ALEXANDER CITY QUARRY 625 COOSA COUNTY ROAD 32 ALEXANDER CITY, AL 35010 SPCC with Integrated BMP Plan	USGS TOPOGRAPHIC LOCATION MAP EQUALITY QUADRANGLES COOSA COUNTY, ALABAMA SECTION 23 & 26, TOWNSHIP 22N, RANGE 23E

DESIGN BY:
DRAWN BY:
REVIEWED BY:
DATE: SEPTEMBER 2021

DESIGN BY:
DRAWN BY:
REVIEWED BY:
DATE: SEPTEMBER 2021

SITE MAP

MIDSOUTH AGGREGATES, INC.
ALEXANDER CITY QUARRY
625 COOSA COUNTY ROAD 32
ALEXANDER CITY, AL 35010

SPCC with Integrated BMP Plan

FIGURE NO. 2

APPENDIX I

NPDES PERMIT

AND

DISCHARGE MONITORING REPORTS

APPENDIX II

CERTIFICATION OF SUBSTANTIAL HARM

CERTIFICATION OF SUBSTANTIAL HARM DETERMINATION FORM

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

   Yes _____ No ___X___

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

   Yes _____ No ___X___

3. Does the facility have a total oil storage capacity greater to or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Appendix C-III to this appendix or a comparable formula) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments? For further description of fish and wildlife and sensitive environments, see Appendices I, II and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plan" Fish and Wildlife Sensitive Environments" (see Appendix E to this part, section 10, for availability) and the applicable Area Contingency Plan.

   Yes _____ No ___X___

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

   Yes _____ No ___X___

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

   Yes _____ No ___X___

CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document. Based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate and complete.

_____ _____

Signature Date

APPENDIX III

FIVE-YEAR REVIEW LOG

AND

TECHNICAL AMENDMENT LOG

Five-Year Review Log

I have completed a review and evaluation of the SPCC Plan for this facility, and will/will not amend this Plan as a result.

Review and Evaluation of SPCC Plan for Facility			
Review Date	Plan Amendment		Name and signature of person authorized to review this Plan
	Will Amend	Will Not Amend	
	☐	☐	
	☐	☐	
	☐	☐	
	☐	☐	
	☐	☐	
	☐	☐	
	☐	☐	
	☐	☐	
	☐	☐	
	☐	☐	
	☐	☐	
	☐	☐	
	☐	☐	
	☐	☐	

Technical Amendment Log

Any technical amendments to this Plan will be re-certified in accordance with Section I of this Plan template.

Description and Certification of Technical Amendments		
Review Date	Description of Technical Amendment	Name and signature of person certifying this technical amendment

APPENDIX IV

DISCHARGE NOTIFICATION FORMS

Discharge Notification Form

In the event of a discharge of oil to navigable waters or adjoining shorelines, the following information will be provided to the National Response Center **[also see the notification information provided in Section 10 of the Plan]**:

Information provided to the National Response Center in the Event of a Discharge			
Discharge/Discovery Date		Time	
Facility Name			
Facility Location (Address/Lat-Long/Section Township Range)			
Name of reporting individual		Telephone #	
Type of material discharged		Estimated total quantity discharged	Gallons/Barrels
Source of the discharge		Media affected	☐ Soil ☐ Water (specify) ☐ Other (specify)
Actions taken			
Damage or injuries	☐ No ☐ Yes (specify)	Evacuation needed?	☐ No ☐ Yes (specify)
Organizations and individuals contacted	☐ National Response Center 800-424-8802 Time		
	☐ Cleanup contractor (Specify) Time		
	☐ Facility personnel (Specify) Time		
	☐ State Agency (Specify) Time		
	☐ Other (Specify) Time		

APPENDIX V

INSPECTION LOGS

Daily Inspection Form

MIDSOUTH PAVING INC.
A CRH COMPANY

DAILY INSPECTION FORM

Facility _____ Inspector _____ Date _____

STORMWATER

No.	Item	Status
1	Stormwater pond functioning, no excessive sediments	Y N
2	Pond or outfall(s) free of oil sheen	Y N
3	Outfall(s), swales, and inlets free of debris	Y N
4	Outfall discharge area free from excessive erosion (scouring)	Y N
5	All berms maintained & in good condition	Y N
6	All check dams maintained & kept clear of sediment	Y N
7	All storm water runoff directed to designated outfall(s) - not bypassing	Y N
8	Entire property line free of erosion issues	Y N
9	Entrance "track out" controlled	Y N
10	Batteries stored in a covered area, not exposed to rain water	Y N

SPILL PREVENTION & CONTROL

No.	Item	Status
11	All safety and tank content labels in place & legible	Y N
12	No visible signs of leaks from tanks, piping, and/or valves	Y N
13	No excessive corrosion or excessive paint wear on tanks & pipes	Y N
14	Ground around containment & equipment areas free of leaks, spills, or stains	Y N
15	Containment free of cracks or damage	Y N
16	Inside of containment free of debris	Y N
17	Water drained from containment? If yes, fill out the Drainage Log	Y N
18	Drain valve closed & locked	Y N
19	Dispenser nozzle(s) stored in vertical position & secured	Y N
20	Tank guages operating properly	Y N
21	Tank vents operational & free of obstructions	Y N
22	Emergency spill kit located at the containment area	Y N
23	55 gal drums containing petroleum in secondary containment	Y N

AIR QUALITY

No.	Item	Status
24	Visible stack emissions less than 20% opacity	Y N
25	No fugitive emissions or holes in ductwork, piping, baghouse, cylcone, etc.	Y N
26	Baghouse differential pressure guage functioning properly	Y N

DEFICIENCIES & CORRECTIVE ACTION

No.	Description	Date To Correct

SIGNATURE _____

Midsouth Paving, Inc.

Containment Drainage Log

MIDSOUTH PAVING INC.
A CRH COMPANY

CONTAINMENT DRAINAGE LOG

All oil or oil sheen must be removed from water before it is drained from the diked area.

This record must be completed when rainwater from diked areas is drained into a storm drain or into an open watercourse, lake, pond, stream, etc. and bypasses the water treatment system. The bypass valve must normally be a closed and locked position and returned to this position immediately following drainage of the area. These operations must be performed under the supervision of a responsible employee who has been trained in the proper procedures.

Date	Time	Presence of Oil	Oil Removed	Valve Secured	Employee Signature
		☐ Y ☐ N	☐	☐	
		☐ Y ☐ N	☐	☐	
		☐ Y ☐ N	☐	☐	
		☐ Y ☐ N	☐	☐	
		☐ Y ☐ N	☐	☐	
		☐ Y ☐ N	☐	☐	
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		☐ Y ☐ N	☐	☐	
		☐ Y ☐ N	☐	☐	
		☐ Y ☐ N	☐	☐	
		☐ Y ☐ N	☐	☐	
		☐ Y ☐ N	☐	☐	
		☐ Y ☐ N	☐	☐	

Equipment Modification Form

MIDSOUTH PAVING INC.
A CRH COMPANY

EQUIPMENT MODIFICATION FORM

Facility: _____ Date: _____

Complete this form for any change to process equipment at your facility. This includes the removal, addition, relocation, or modification of any piece of process equipment. This includes *"like for like"* replacements.

Examples include: crushers, screens, conveyors, feeders, bins, portable plants, etc.

*** Equipment changes must be reported to the Environmental Department a minimum of 90 days prior to installation to allow for permit modifications.**

Process Equipment Changes

New		Old	
Equipment		Equipment	
Size		Size	
Manufacturer		Manufacturer	
Model Number		Model Number	
Asset Number		**Asset Number**	
Manufacture Date		Manufacture Date	
Maximum TPH		Maximum TPH	
Expected TPH		Average TPH	
Construct Date			
Start Date			

Expected Operating Schedule: Hr/Day _____ Days/Wk _____ Wk/Yr _____

*** A flow diagram should be submitted with all equipment changes. It must show the location of all existing and proposed wet suppression points (water spray bars).**

*** Send the completed form to the Environmental Department for permit review.**

*** Remember: Equipment changes must be reported to the Environmental Department a minimum of 90 days prior to installation to allow for permit modifications.**

pH Meter Calibration Log

MIDSOUTH PAVING INC.
A CRH COMPANY

pH Meter Calibration Log

Facility: _____

Date	Time	pH 4.01 Reading	pH 7.0 Reading	pH 10.0 Reading	pH of Sample	Sampler's Initials

Action Log

MIDSOUTH PAVING INC.
A CRH COMPANY

ACTION LOG

Date	Description

APPENDIX VI

SAMPLING REQUIREMENTS

Midsouth Aggregates, Inc. - Alexander City Quarry
NPDES Permit Number AL0056448

Outfall ID	Sampling Frequency	Parameters
001-1	Twice Per Month	pH
		Total Suspended Solids
		Flow
002-1	Twice Per Month	pH
		Total Suspended Solids
		Flow

APPENDIX VII

PERSONNEL TRAINING LOG

MIDSOUTH PAVING INC.
A CRH COMPANY

BMP & SPCC TRAINING LOG

Location: _____ Date: _____
Trainer: _____
Material Covered: _____
_____

Attendee - Printed Name	Attendee - Signature	Position

*Retain a copy of this log in the plant's Best Management Practices Plan (BMP) for a minimum of three years.

APPENDIX VIII

STORAGE TANK INSPECTION SCHEDULE

Midsouth Aggregates, Inc. - Alexander City Quarry
Storage Tank Inspection Schedule

Tank Location	Tank Description	Tank Inspection Requirements
Petroleum Storage Area	(1) 2,000-gallon Gasoline AST	Monthly Inspection By Facility Personnel, External Inspection and a Leak Test By a Certified Inspector Every 10 Years
	(1) 10,000-gallon Off-Road Diesel AST	Monthly Inspection By Facility Personnel, External Inspection By a Certified Inspector Every 5 Years, and a Leak Test By a Certified Inspector Every 10 Years
	(2) 500-gallon Transmission Oil AST	Monthly Inspection By Facility Personnel
	(1) 1,000-gallon Hydraulic Oil AST	
	(1) 1,000-gallon Motor Oil AST	
	(1) 500-gallon Used Oil AST	
	Numerous 55-gallon Drums	
Processing Plant	(1) 100-gallon Crusher Oil AST	
Quarry Pit	(1) 500-gallon Diesel Fuel AST	

This inspection schedule is based on criteria outlined in Steel Tank Institute (STI) SP001: Standard for Inspection of Aboveground Storage Tanks (Fourth Edition, July 2006)

APPENDIX IX

BASIN DESIGN DATA AND CERTIFICATION

FROM THE 2011 PAP

BMP Description: Check Dams	
Installation Schedule:	As necessary; newly constructed haul roads
Maintenance and Inspection:	Remove sediment when over half full, Must be spaced appropriately and properly shaped. Bi-monthly and after significant rain events
Responsible Staff:	Plant Manger / Site Contact

BMP Description: Silt fencing	
Installation Schedule:	As necessary, newly constructed haul roads
Maintenance and Inspection:	Remove sediment when over half full, Must be trenched into the ground. Inspect Bi-monthly and after significant rain events
Responsible Staff:	Plant Manger / Site Contact

2.10 Dam for Sediment Basin

The dams for the sediment basins are designed and should be built using the following as minimum criteria:

****The basins and outfalls (001&002) pre-exist the date of this plan. The following are general guidelines for standard dam construction.***

- The dams for the sediment basins are designed for the top width to be no less than 12 feet wide.
- The slopes on either side of the dams are designed for no steeper than 3:1.
- The dams are designed to be constructed with a cutoff trench at least 8 feet wide. The side slopes of the cutoff trench are designed to be no less than 1:1. The cutoff trench shall be located on the dam centerline and be of sufficient depth (not less than 2 feet) to extend into a relatively impervious material from which the core of the dam shall be constructed.
- Trees, boulders and other obstructions are to be removed from the pond area during initial construction.
- The entire embankment and cutoff trench shall be compacted to 95% density.
- The embankment should be free of roots, tree debris, stones >6 inches in diameter and other objectionable materials.
- The fill material should be placed and spread over the entire fill area, starting at the lowest point of the foundation, in layers not to exceed 8 inches in thickness.
- The spillpipe is designed to be sized to adequately carry the expected peak flow from a two-year frequency storm.

- The spillpipes are designed to be made of a material capable of withstanding chemical reactions caused by the quality of water being discharged.

- The spillpipe is designed to be equipped with a device, or constructed, such to ensure that subsurface withdrawal is accomplished in order to help prevent floating solids from discharging.

- The spillpipes are designed to be equipped with anti-seep collars at each joint which radiate at least 2 feet from the pipe in all directions. The collars and their connections to the pipe should be watertight.

- A splash pad or rip-rap is designed to be placed under the discharge of the spill pipe or the location of the discharge set, so as to ensure that the discharge does not erode the dam; or pipe can be constructed to be level with the natural ground.

- The emergency spillway is designed to safely carry the expected peak flow from a 25 year, 24 hour storm or shorter duration. The slope of the entrance and to the exit to the emergency overflow is designed to be constructed with a control section at least 20 feet long. The side slopes of the emergency overflow should not be steeper than 2:1. The emergency overflow should be rip-rapped or concreted in order to prevent erosion.

- The spillway is designed to have a minimum of 1 ½ feet of freeboard between the normal overflow and the emergency overflow. There should be at least 1 ½ feet of freeboard between the maximum design flow elevation in the emergency overflow and the top of the dam.

- If basins are built in a series, then the emergency overflow for each is designed to accommodate the entire drainage area.

- The dam shall be sowed with both perennial and annual grasses in order to ensure erosion is minimized. The necessary erosion control measures should be place at the toe of the dam prior to any construction activity.

- Areas in which surface mined minerals are stockpiled, and areas in which refuse resulting from any type of mining operation is or has been deposited, should be provided with diversion ditches or other appropriate methods of intercepting surface water in such a way as to minimize the possibility of sediment laden, acidic or toxic waters from such areas, being deposited into a stream.

BMP Description: Temporary Seeding and Mulching	
Installation Schedule:	As necessary; newly constructed dams
Maintenance and Inspection:	Re-seed as the grade changes or if bare areas persist. Inspect bi-monthly and after significant rain events

2.12 Waste Treatment Facilities

001 Existing Discharge Structure
Basin/Pipe/Spillway
Energy Dissipation by: Crushed stone

002 Existing Discharge Structure
Basin/Pipe/Spillway
Energy Dissipation by: Crushed stone

General Treatment Setup:

The active and in-active pits serve as make up water for the granite crushing circuit. The granite crushing circuit utilizes water for dust suppression and as an aid to processing/crushing. As a result fine particulate matter is generated and is suspended in the water. This water flows into 2 recycle/re-use ponds near the crushing circuit. Stormwater runoff from the plant and stockpile area is diverted using berms to prevent non-point source discharges from the area and site in general.

Berms must be inspected bi-monthly as discussed in this plan to ensure their functionality and structural stability.

Fines are dipped from the pond and disposed of in the construction of berms, stabilization of slopes or backfill (reclamation) of old pits. Fines must be incorporated into clay soils and fines cannot be the major component. Temporary BMPs must be utilized if drainage from fines applications does not drain to an approved and certified outfall.

SECTION 8: CERTIFICATION AND NOTIFICATION

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 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 imprisonment for knowing violations.

Name: Gregory M. Gillian Title: PE/PLS

QCP Designation or Description: Professional Engineer and Professional Land Surveyor Registration/Certification: 16163

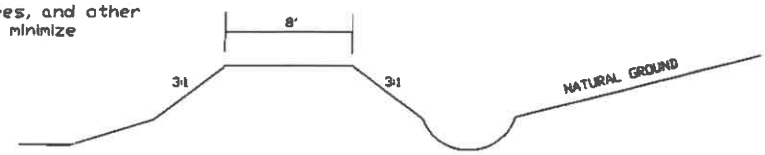
Address: 535 Herron Street
Montgomery, Al 36104 Phone Number: 334-262-1091

Signature: Date: 8-9-2011

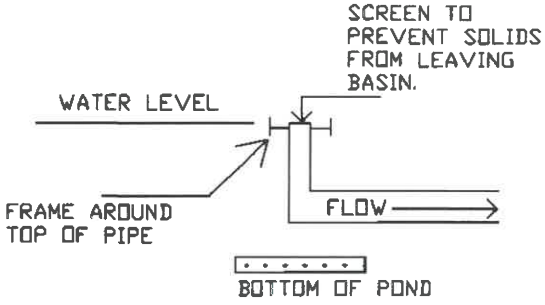
TYPICAL SECTION FOR DITCH AND OR BERM TO DIVERT WATER

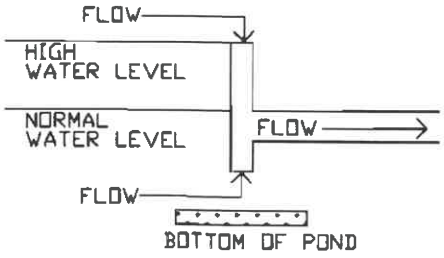
EROSION CONTROL AND RECLAMATION PROCEDURE

1. The areas not being used for daily mining or haul roads shall be grassed with both perennial and annual grasses to ensure erosion is kept to a minimum. The grassed areas shall be limed and fertilized as necessary to establish and maintain an adequate stand of grass.
2. As mining is completed in an area, the area shall be dressed to eliminate any piles of dirt, or low areas which will hold water, with terraces to keep erosion to a minimum, and grassed as detailed in Paregraph 1 above. A sump shall be maintained at the low end of all reclamation work until a satisfactory stand of grass is obtained.
3. During construction and reclamation, erosion control measures such as hay bales, riprap, cleared trees, and other acceptable methods will be utilized as needed to minimize erosion.

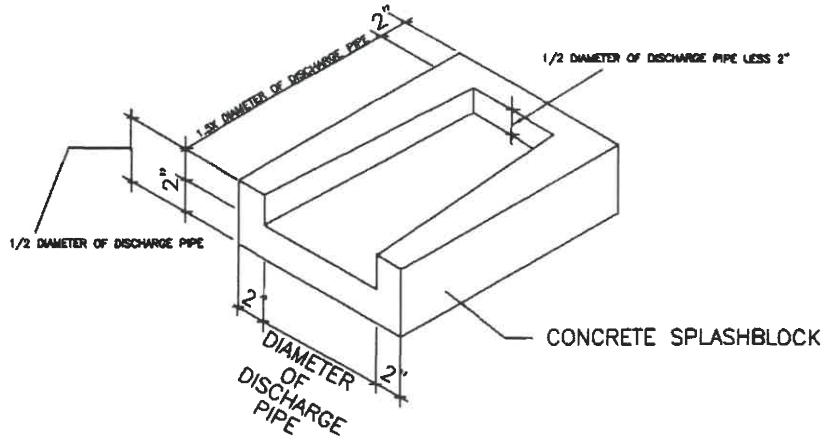


TYPICAL SECTION FOR PIPE/OUTFALL CONSTRUCTION





TYPICAL SECTION FOR SPLASHPAD CONSTRUCTION

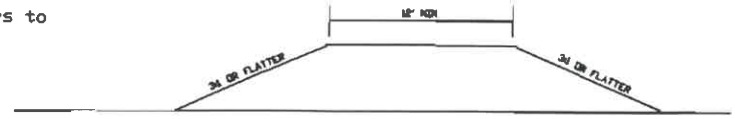


LARRY E. SPEAKS & ASSOCIATES
CONSULTING ENGINEERS & LAND SURVEYORS
535 HERRON STREET
MONTGOMERY, AL. 36104
TEL.-334/262-1091

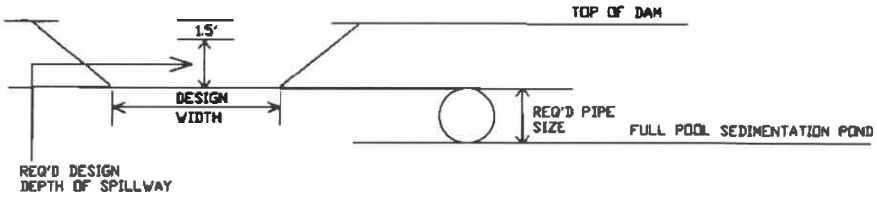
TYPICAL SECTION FOR DAM CONSTRUCTION

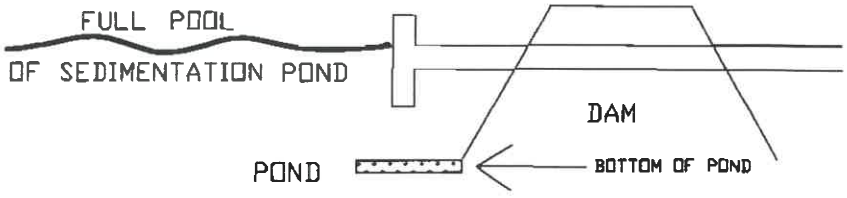
CONSTRUCTION REQUIREMENTS FOR DAM

1. All trees, boulders and other obstructions to be removed from proposed pond area.
2. All materials excavated from pond shall be placed up stream from the pond so any silt from the excavated material will go back into the pond.
3. All embankment shall be compacted to 95 percent density.
4. Spillpipe shall be equipped with anti-seep collars at each joint to radiate at least 2 feet from the pipe in all directions. All connections shall be watertight.
5. The spillpipe shall be laid as shown in detail to prevent any floating solids from being discharged.
6. Final elevation of all dams, pipes and emergency spillways to be determined in field, depending upon size of pond.



TYPICAL SECTION FOR SPILLWAY & SUBSURFACEWITHDRAWAL CONSTRUCTION





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CONSULTING ENGINEERS & LAND SURVEYORS
535 HERRON STREET
MONTGOMERY, AL. 36104
TEL.-334/262-1091

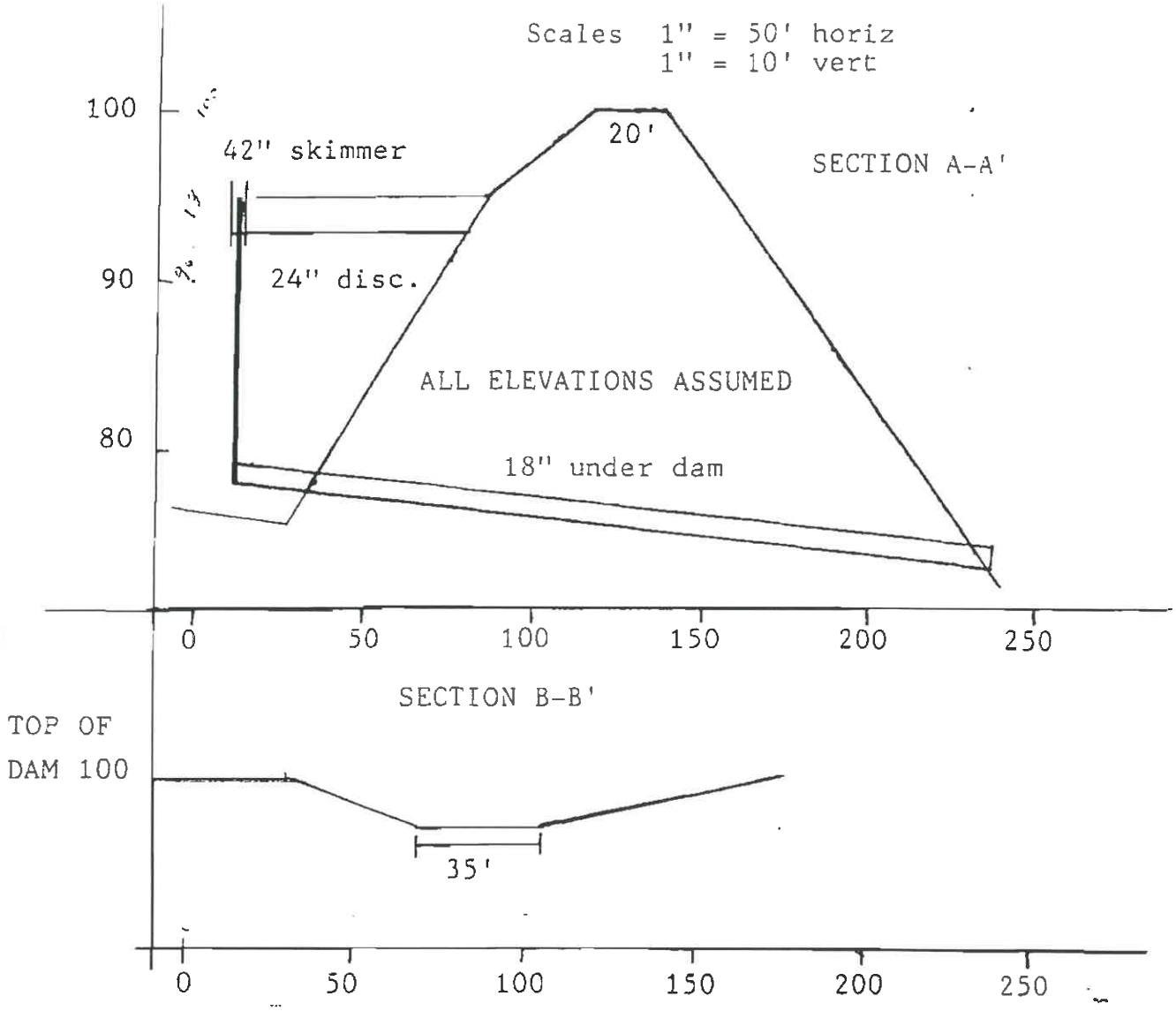
POND 001E

Oldcastle Materials Southeast, Inc.

ALEXANDER CITY QUARRY

LARGE POND CROSS SECTIONS

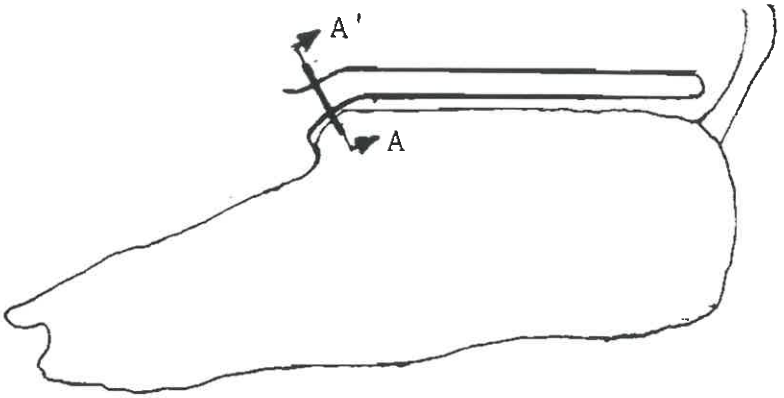
Scales 1" = 50' horiz
1" = 10' vert



Previous Engineer's drawing

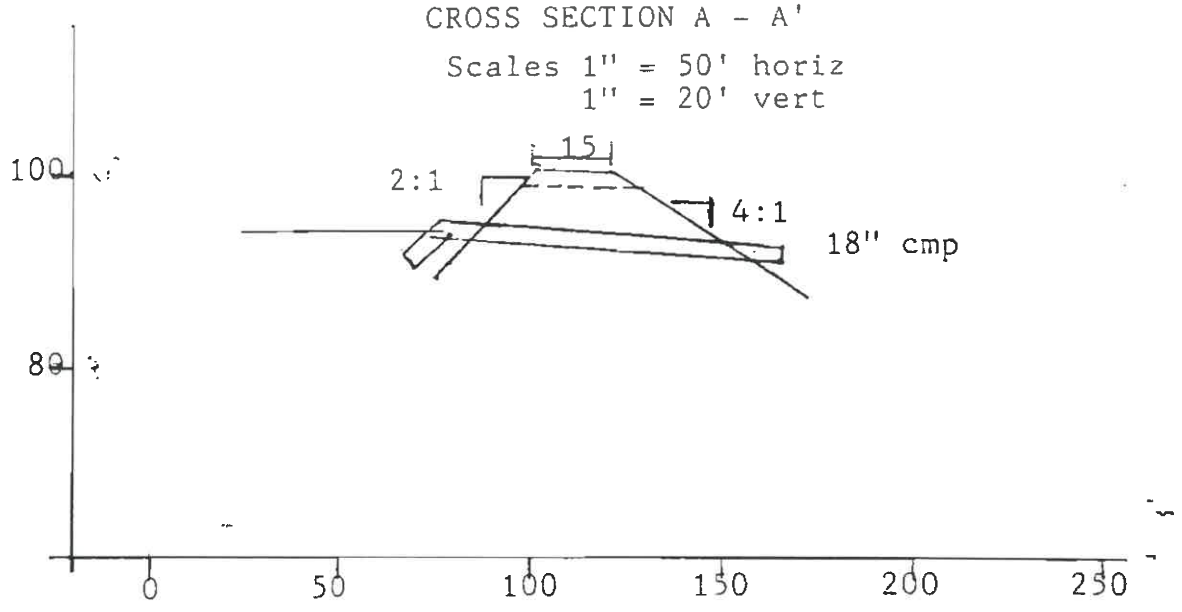
SITE PLAN POND 002E

Scales 1" =100' horiz
1" = 20' vert

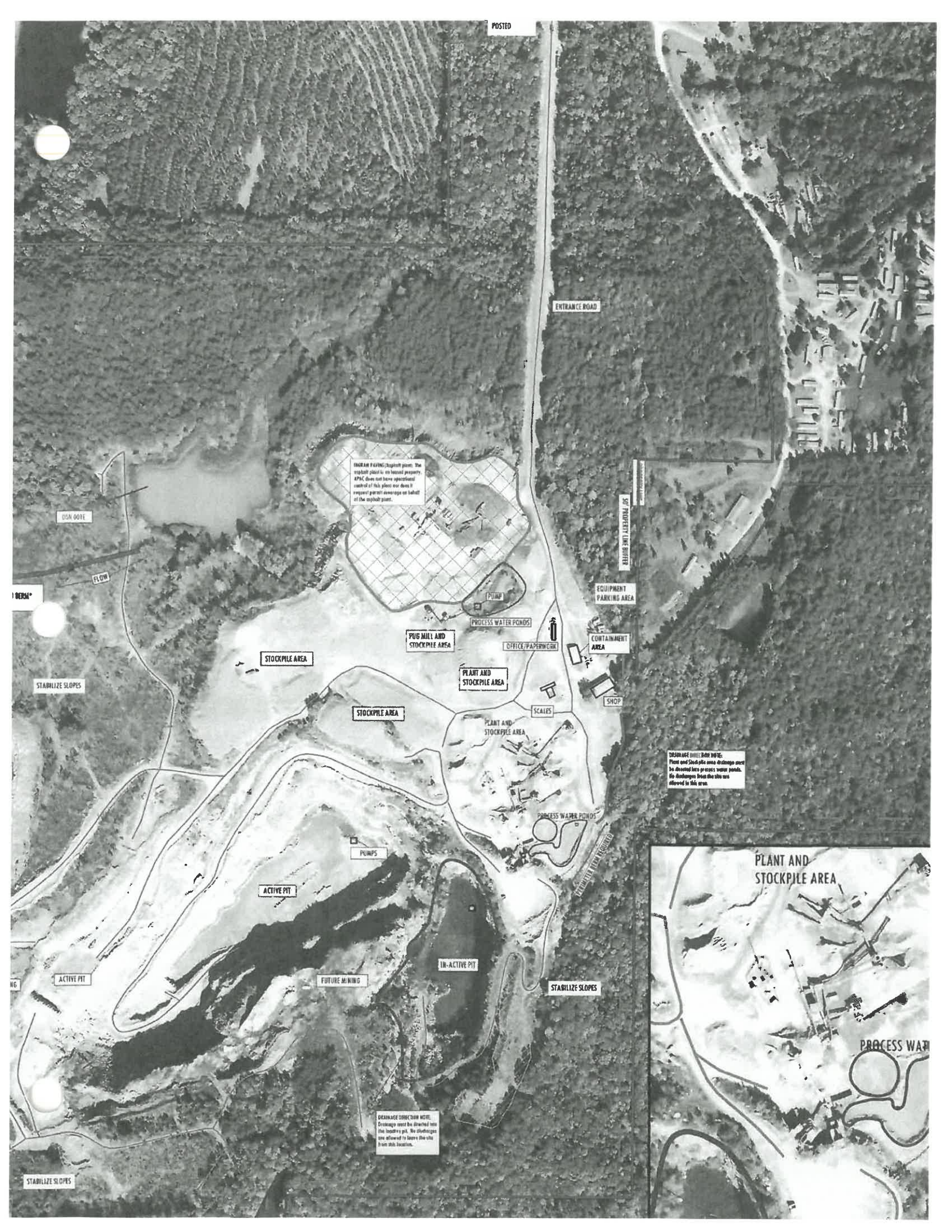


CROSS SECTION A - A'

Scales 1" = 50' horiz
1" = 20' vert



Previous Engineer's Drawing


POSTED
ENTRANCE ROAD
50' PROPERTY LINE BUFFER
EQUIPMENT PARKING AREA
CONTAINMENT AREA
SHOP
SCALES
OFFICE/PAPERWORK
PUMP
PROCESS WATER PONDS
PUG MILL AND STOCKPILE AREA
STOCKPILE AREA
PLANT AND STOCKPILE AREA
STOCKPILE AREA
PLANT AND STOCKPILE AREA
STABILIZE SLOPES
DRAINAGE DIRECTION NOTE: Plant and Stockpile area drainage must be directed into process water ponds. No discharges from the site are allowed in this area.
PROCESS WATER PONDS
PUMPS
ACTIVE PIT
ACTIVE PIT
FUTURE MINING
IN-ACTIVE PIT
STABILIZE SLOPES
DRAINAGE DIRECTION NOTE: Drainage must be directed into the inactive pit. No discharges are allowed to leave the site from this location.
STABILIZE SLOPES
FLOW
DISH DOME
PLANT AND STOCKPILE AREA
PROCESS WA

FACILITY ENTRANCE
Latitude:N032.8766
Longitude:W086.0346

PERMIT NUMBER POSTED

FACILITY ID

COUNTY ROAD 32

SKYLER PARK DRIVE

ENTRANCE ROAD

N HWY 259

OUTFALL 001E
Latitude:N032.8714
Longitude:W086.0398

PROPERTY LINE

50' PROPERTY LINE BUFFER

FLOW

PROPOSED BERM*

INGRAM PAVING/Asphalt plant: The asphalt plant is on leased property. APAC does not have operational control of this plant nor does it request permit coverage on behalf of the asphalt plant.

PROCESS WATER PONDS

EQUIPMENT PARKING AREA

SCALES

PUMP

OFFICE

CONTAINMENT AREA

STOCKPILE AREA

PUG MILL AND STOCKPILE AREA

SHOP

OVERBURDEN AREA

STOCKPILE AREA

DRAINAGE DIRECTION NOTE: Plant and Stockpile area drainage must be directed into process water ponds. No discharges from the site are allowed in this area.

PLANT AND STOCKPILE AREA

PROCESS WATER PONDS

PERIMETER BERM

PUMPS

ACTIVE PIT

ACTIVE PIT

FUTURE MINING

INACTIVE PIT

STABILIZE SLOPES

DRAINAGE DIRECTION NOTE: Drainage must be directed into the inactive pit. No discharges are allowed to leave the site from this location.

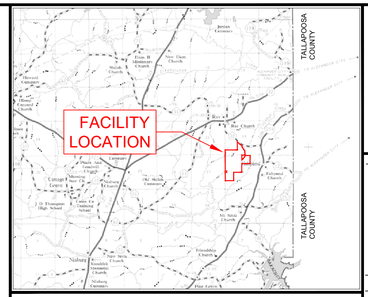
STABILIZE SLOPES

OUTFALL 002E
Latitude:N032.8638
Longitude:W086.0380

Newsarms Pond

AL HWY 259

AL HWY 259



LOCATION MAP
COOSA COUNTY, AL

NORTH

N
W
E
S

0 600 1200 Feet

1" = 300'

PERMIT BOUNDARY

50' PROPERTY BUFFER

PONDS

FACILITY ROAD

LARRY E. SPEAKS ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
535 HERRON STREET
BIRMINGHAM, AL 35204
TEL (334)262-1091

ALEXANDER CITY QUARRY
MIDSOUTH PAVING, INC.
LOCATED IN SECTIONS 23 & 26
T-22-N, R-20-E
COOSA COUNTY, ALABAMA

REVISIONS

No.	DATE	DESCRIPTION

Project No.	14732-A
Dwg Name:	Alex City Quarry PAP 2023.dwg
Scale:	1"=300'
Drawn By:	DRT
Reviewed By:	SCS
Date Issued:	02/09/2023

ALEXANDER CITY QUARRY:

POLLUTION ABATEMENT PLAN OVERVIEW

SHEET 1 OF TOTAL 1

POLLUTION ABATEMENT PLAN

for

Alexander City Quarry
625 Coosa County Road 32
Alexander City, Alabama 35010

Prepared for:
Midsouth Paving, Inc.
500 Riverhills Parkway, Suite 590
Birmingham, AL 35242

Company Contact:
Charlie Stephens
Environmental Manager
charlie.stephens@midsouthpaving.com
(205) 533-4390

Prepared by:
Larry E. Speaks & Associates, Inc.
535 Herron Street
Montgomery, AL 36104

Certified by:
Steven E. Speaks
Professional Engineer and Professional Land Surveyor
No. 20897

Reissuance: March 2023
Reissuance: January 2017
Initial Issuance: August 2011

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Appendix A ..... *NOI Map scale 1"=3000'*

Appendix B ..... *PAP Map*

Appendix C ..... *Flow Schematic*

Appendix D ..... *Design Details for Pollution Abatement Structures and Routine Forms*

Appendix E ..... *Property Description*

I. INTRODUCTION

This document has been prepared as a re-issuance to the existing Pollution Abatement Plan regarding NPDES Permit (AL0056448) for the Midsouth Paving, Inc. – Alexander City Quarry, which is located in Sections 23 & 26, Township 22-North, Range 20-East, Coosa County, Alabama. This application is being prepared in accordance with the rules and regulations of the Alabama Department of Environmental Management. A thorough field review has been accomplished preceding the approval and submittal of this application. Field checks were made of the entire sedimentation basin system to determine compliance with ADEM rules and regulations.

The pollution abatement plan is presented in two parts which includes a brief narrative presented herein and the Pollution Abatement plans which are attached hereto. The narrative is intended to address the format as outlined by the ADEM Field Operations Division – Mining and Nonpoint Source Program, Rules and Regulations, as well as present the basis for the designs as further detailed in the "Pollution Abatement Plan". Drawings as presented in the "Pollution Abatement Plan" were derived from rules and regulations of the ADEM as well as from other generally accepted design data sources primarily from the U.S. Department of Agriculture Soil Conservation Service. Generally, the narrative will follow the outline of chapter 6-9 -.03, Surface Mining Rules and Regulations from the ADEM Rules and Regulations.

II. OPERATOR

The operator of this pit is Midsouth Paving, Inc., who has their local business address as follows:

Midsouth Paving, Inc.
500 Riverhills Parkway, Suite 590
Birmingham, AL 35242

The pit will lie within Coosa County in the State of Alabama. The boundaries of this permit are shown on the attached maps. A legal description of the property boundaries may be found in Appendix E.

ADEM requires the permitted boundaries to be delineated and readily visible during the life of the operation. Boundaries will be clearly demarcated by surveying marks, fence lines, perennial waterways, and other readily visible, semi-permanent features. The permittee and on-site personnel must be knowledgeable of the location of the permitted boundaries and ensure the boundaries are maintained so they remain readily visible at all times.

III. GENERAL INFORMATION

The facility employs approximately ten (10) individuals from the surrounding area. Midsouth Paving, Inc. is a foreign corporation registered in Delaware. Midsouth Paving, Inc. Alexander City Quarry will mine crushed granite. The stone is quarried on site, where it is

then crushed to size, sorted, and stockpiled before being sold and hauled via truck for use on various area projects. Hours of operation are generally six to seven days a week from 5:00 a.m. to 4:00 p.m. All surface water from the stockpile area, haul roads and pit area is directed through ditches or berms to the pits and sedimentation ponds shown on the plan. This allows all solids to settle before discharging into unnamed tributaries to Oakachoy Creek.

IV. SITE MAP

Design plans submitted with this document provide an aerial map. The "Pollution Abatement" layout shows the planned general layout of the mined area, plant, stockpile area, sedimentation pond and the runoff locations.

V. METHOD OF DIVERTING SURFACE WATER RUNOFF

The "Pollution Abatement Plan" shows the contours of the land. All disturbed areas are graded and diverted through the use of berms and/or swales to drain to the mined pit which will be excavated as work progresses or into a constructed sedimentation basin. A sedimentation basin is a settling pond used to capture and hold runoff from disturbed areas. Holding the water allows soil particles, including fines, to precipitate to the bottom of the basin while allowing the cleaner water at the top of the water column to be discharged. All discharges must be within the effluent limits required by the ADEM permit to protect water quality. Stockpiles and overburden piles are situated so any silt carried by drainage will be treated in the sediment basin(s) or in the sumps within the mined areas.

VI. NARRATIVE OF OPERATIONS

Crushed stone is the only raw material mined at this facility. The material is excavated and crushed to size in the wet plant on site. A flow schematic has been provided on the Pollution Abatement Plan. The main waste product that results from the mining is overburden from the mining operation. The overburden is to be used to construct the sedimentation pond dams, fill the old pit, and/or stockpiled as shown on the plans. All water which must be removed from any of the pit areas will be pumped to a sediment pond. Any water used at the crushing plant will be allowed settle before being used again or pumped to sediment basins to settle before being discharged through certified outfalls.

VII. REQUIRED ROUTINE INSPECTIONS

The permittee is required to inspect each permitted outfall and treatment system(s)/structure(s) at least twice per month. The permittee is required to keep a written log of these inspections documenting the date and time of the inspection, whether or not there was discharge at each permitted outfall at the time of the inspection, whether or not a sample of the discharge was collected at the time of the inspection, and whether the treatment system(s)/structure(s) are working as effectively and efficiently as possible. Any problems or deficiencies must be described in the log. Action must be taken to resolve the problem or deficiency. The log must contain the name and signature of the person performing the inspection.

VIII. QUALITY AND QUANTITY CHARACTERISTICS OF THE WASTE

The only waste product which is a by-product of this operation is the overburden. Clays and sands will settle into the sediment ponds. The ponds will be cleaned out as needed to provide adequate sediment area for incoming materials. Regarding pH, the waste effluent is neutral in nature and should be in the range of 6 to 8.5. TSS should not exceed 35mg/ml (daily). The calculated flow varies and depends upon weather conditions, amount of rain, etc. Use an EPA approved flow measurement method such as a calibrated weir or flow meter to measure volumetric flow rate. The temperatures should be around 85°F (25°C) summer, 50°F (10°C) winter (ambient temps).

IX. WASTE TREATMENT FACILITIES

As previously discussed, the treatment process for water quality control is to be the constructed sedimentation pond. Details are presented in the "Pollution Abatement Plans".

Pollution abatement facilities should be designed and constructed so as to control both spoil runoff and pit drainage.

The sediment basin should have a minimum capacity to store 0.25-acre feet/ acre of disturbed area in the drainage area. Removal of solids should be accomplished where the sediment accumulation reaches 60% of the design capacity. Basin cleanout is required to be scheduled by the permittee and recorded as directed (if required) by the permit issued by ADEM. Solids removed from the pit should be stockpiled on site for later use or spread for ground cover in dormant portions of the site. The fines must be handled and stabilized to minimize reintroduction into runoff.

The expected life of the treatment basin is for the life of the permit and/or facility if properly maintained.

Pipe Calculations Rational Method Q= CIA
Q=cfs C=Runoff Coefficient I=Rainfall Intensity in/per/hr (1yr) A=Area (Acres)

001E	0.35 x 1.6 x 210 = 120.8 cfs	Existing pipe/spillway
002E	0.35 x 2.1 x 60 = 44.9 cfs	Existing pipe/spillway

Note: All treatment structures are existing and were designed by a prior engineer. The above are estimated design flows in accordance with current permit requirements.

X. SEDIMENT CONTROL FOR HAUL ROADS

Haul roads are designed and should be built using the following as minimum criteria:

a) The grade is designed not to exceed 10 percent.
b) The maximum grade is designed not to exceed 15 percent for 300 feet.

c) The roads are designed not to be more than 300 feet of 15 percent maximum grade for each 1,000 feet of road constructed.
d) The haul roads are required to be located so that runoff from the road enters a sediment basin or pit area constructed for the mining operation.
e) Outer slopes for haul roads out of the permitted area are designed not to be steeper than 2:1 and are required to be seeded with annual and perennial grasses with at least 80 percent cover to avoid erosion and sedimentation. Where this is not possible, basins, check dams or diversion ditches should be cut, built or placed to intercept runoff. Details outlining control measures must be included with the abatement plan. Contact the Engineer for plan amendments.
f) No stream crossings are planned for this site at this time. Should plans change the Engineer must be contacted immediately prior to any crossing construction so detailed drawings can be developed, and the U.S. Army Corps of Engineers can be contacted for permitting requirements.
g) Roads are to be treated or otherwise maintained to control dust in order to minimize fine particles in the air and water on site. The typical method of control is operating a water truck or sprinkler system to lightly wet the roads and suppress the production of dust during dry conditions.

Pit roads will be ditched and stabilized so that runoff will be a collected as illustrated on the site plan map (in mined/mining areas, abandoned pits, sumps or other similar site features) and treated by the final sedimentation basin in any series combination. If haul roads or minor areas do not drain to a basin, then temporary BMPs are required to prevent sediment loss from the site. Contact the Engineer for placement instructions and PAP Map updates if necessary.

The permittee is to prevent offsite vehicle tracking onto roadways and/or into ditches at the entrances and exits of the facility.

- Restrict vehicle use to designated entrances and exits.
- Use appropriate stabilization techniques at all entrances and exits onto paved roads.
- Unpaved entrances and exits and transitions from dirt to pavement are to be covered with a minimum of 1 to 3-inch diameter aggregate, 6-inches thick. The aggregate should extend the full width of the access road and be a minimum of 50-feet in length from the edge of pavement. A geotextile filter fabric is recommended between the aggregate fill and the soil surface to reduce the migration of the underlying soil into the stone and vice versa.
- Topdressing with clean stone will be required to maintain the effectiveness of a stone entrance/exit.
- Use of commercially available rumble grates, plates, and pads is acceptable. The devices must be adequately sized to accommodate the largest vehicle entering and exiting the site. The devices must be maintained per the manufacturer's recommendations to remain effective.
- If the majority of mud is not removed from vehicle tires by stone or other rumble devices, then tires are to be washed prior to the vehicle entering the roadway. Washing is to be strictly limited to tires only. The use of solvents, detergents and/or

petroleum products is strictly prohibited. All wash water must be captured on site and directed to catch basins or other control BMPs such as filtration devices, filter bags, or other similar effective controls to remove sediment prior to discharging through a permitted outfall.

- Concrete and asphalt aprons at roadways are to be swept, shoveled, or vacuumed regularly to prevent tracking onto roadways. The removed sediment is to be taken back onto facility property for disposal as clean fill dirt.
- The State prohibits removal by hosing or sweeping tracked out sediment to any stormwater conveyance, storm drain inlet, or water of the State.
- The ditches of the haul road and all surrounding earthen areas near the entrances and exits are to be permanently stabilized with perennial vegetation. Temporary BMPs such as silt fence, check dams, grassed berms etc. are to be used to prevent sediment from entering the roadway until permanent stabilization is achieved.

XI. DAM FOR THE SEDIMENT BASIN

The dam for the sediment basin is designed and is required to be built using the following as minimum criteria:

a) The dam for the sediment basin's top width is to be no less than 12 feet wide.
b) The slope on either side of the dam no steeper than 3:1.
c) The dam is to be constructed with a cutoff trench at least eight (8) feet wide. The side slopes is designed to be no less than 1:1. The cutoff trench shall be located on the dam centerline and be of sufficient depth (not less than 2 feet) to extend into a relatively impervious material from which the core of the dam shall be constructed.
d) Trees, boulders and other obstructions removed from the pond during initial construction.
e) The entire embankment and cutoff trench shall be compacted to 95% density.
f) The fill material should be placed and spread over the entire fill area, starting at the lowest point of the foundation, in layers not to exceed 12 inches in thickness.
g) The spill pipe is designed to be sized to adequately carry the expected peak flow from a two-year frequency storm and should be sized according to the design data section of this plan.
h) The spill pipes are to be made of a material capable of withstanding any chemical reactions caused by the quality of water being discharged.
i) The spill pipe is to be equipped with a device, or constructed, such to ensure that subsurface withdrawal is accomplished in order to help prevent floating solids from discharging (usually a "T" or "90" joint).
j) The spill pipes are designed to be equipped with anti-seep collars at each joint which radiate at least 2 feet from the pipe in all directions. The collars and their connections to the pipe should be watertight.
k) A splash pad of rip-rap is required to be placed under the discharge of the spill pipe, or the location of the discharge set, so as to ensure that the discharge does not erode the dam; or pipe can be constructed to be level with the natural ground.
l) The emergency spillway is designed to safely carry the expected peak flow from a 25-year, 24-hour storm or shorter duration. When designing spillways that are in the

drainage course of a public water supply, then 50-year, 24-hour or shorter duration storm data should be used. The slope of the entrance and to the exit of the emergency overflow is to be constructed with a control section at least 20 feet long. The side slopes of the emergency overflow should not be steeper than 2:1. The emergency overflow should be rip-rapped, heavily vegetated or concreted in order to prevent erosion.

m) The spillway is required to have a minimum of 1 ½ feet of freeboard between the normal overflow and the emergency overflow. There should be at least 1 ½ feet of freeboard between the maximum design flow elevation in the emergency overflow and the top of the dam.
n) If basins are built in a series, then the emergency overflow for each is required to accommodate the entire drainage area for that structure.
o) The dam is required to be sowed with both perennial and annual grasses in order to ensure erosion is minimized. The necessary erosion control measures should be placed at the toe of the dam prior to completion of construction activity.
p) Areas in which surface mined minerals are stockpiled, and areas in which refuse resulting from any type of mining operation is or has been deposited, should be provided with diversion ditches or other appropriate methods of intercepting surface water in such a way as to minimize the possibility of sediment laden, acidic or toxic waters from such areas, being deposited into a stream.

XII. LOCATION OF ALL STREAMS ADJACENT TO MINING AREA AND MEASURES TO MINIMIZE IMPACTS TO ADJACENT STREAMS

Included with the NPDES application preceding this pollution abatement plan is a drawing which has been reproduced from the USGS quad sheet at a 1" = 3000' scale showing the adjacent streams. Also, included with the application is a 1" = 300' scale aerial photographic map presenting the same information as required with the application. The mining operation is required to provide a minimum 50-foot buffer zone around any streams, property boundaries and wetlands that may be identified in the project area. Buffer zones need to be surveyed and clearly identified with bright flagging or paint so areas to avoid are clearly visible. Equipment operators are to be educated as to the reason for the buffers, the location of the buffers, and the identification technique used to demarcate the buffers.

XIII. NON-POINT SOURCE POLLUTION

By virtue of the fact that all disturbed areas are graded such that the drainage will carry yard dust to the excavated basins, non-point sources of pollution do not result from this project If non-point sources arise due to changes in the mining plan or other reasons not known at the time of the plan and these minor areas of disturbance cannot feasibly be routed to the active pit or sedimentation pond, then the area must be graded and vegetated with annual and perennial grasses and have effective Best Management Practices (BMPs) for the control of non-point source pollution (typically check dams and silt fencing).

XIV. WATER SUPPLY AND DISPOSITION

The eventual receiving waters will be unnamed tributaries to Oakachoy Creek, classified as fish and wildlife. All discharge to the creeks will meet effluent limitations due to settling time required in the sedimentation ponds. The receiving waters are not public water supplies.

XV. RECLAMATION PROCEDURE

As mining is completed in an area, the area shall be dressed to eliminate any piles of dirt, or low areas that will hold water, with terraces to keep erosion to a minimum, and grassed. A sump shall be maintained at the low end of all reclamation work until a satisfactory stand of grass is obtained. Disturbed areas such as waste stockpile slopes, haul roads, sloped areas with drainage not going back to the quarry should be directed to the sediment ponds and have permanent vegetation (fertilizing may be required to obtain grass cover). Reclamation procedures will meet DOL regulations. Disturbed areas without mining activity for more than 21 days are to be temporarily seeded and fertilized.

XVI. DESIGN DATA

001E:
DISTURBED AREA = 108 AC.
THEREFORE 1/4 AC/FT x 108 AC. = 27 AC. /FT POND REQ'D

002E:
DISTURBED AREA = 10 AC.
THEREFORE 1/4 AC/FT x 10 AC. = 2.5 AC. /FT POND REQ'D

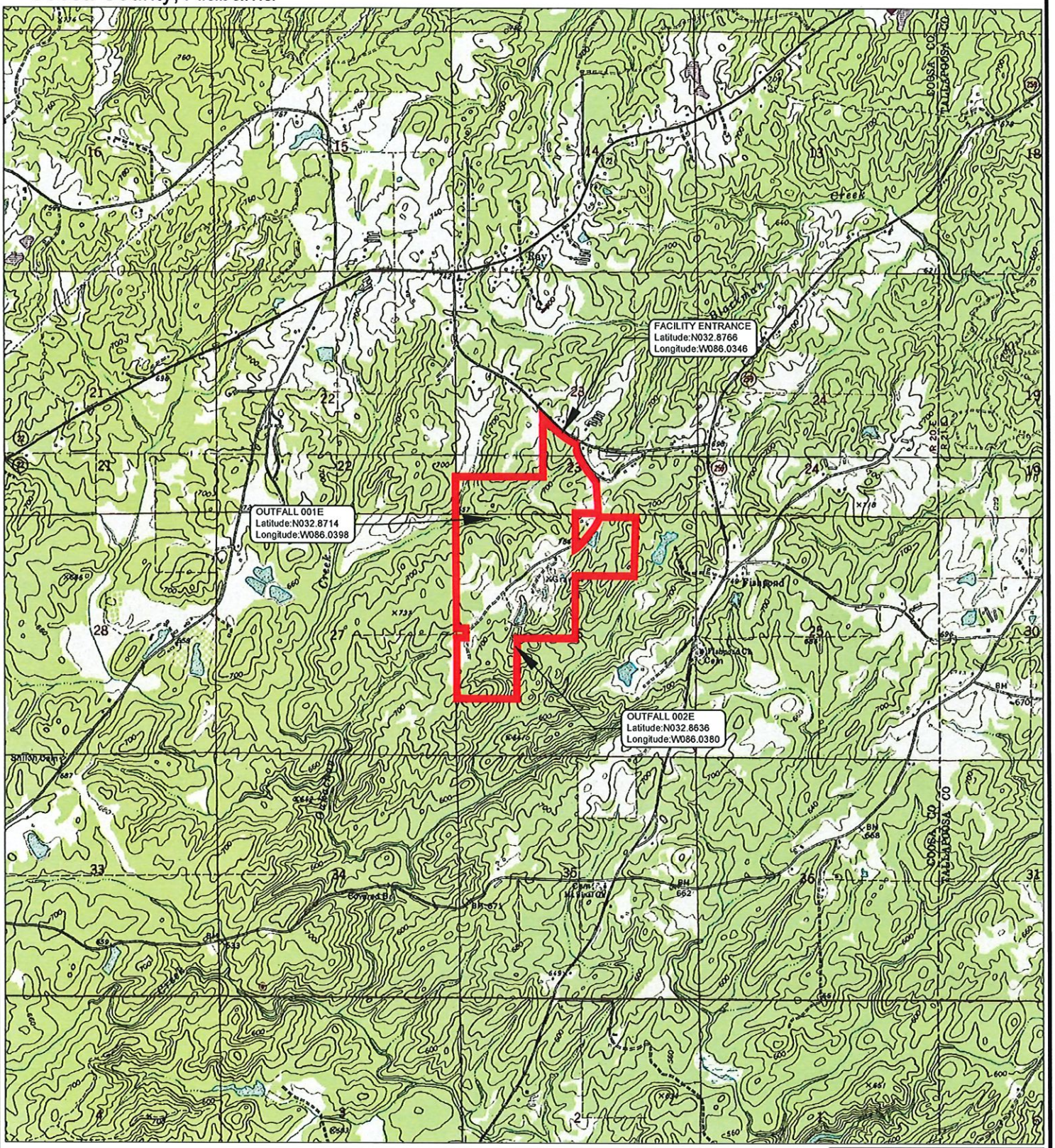
Note: All treatment structures are existing and were designed by a prior engineer. The above calculations would be the recommended volume to meet current permit requirements.

APPENDIX A

MIDSOUTH PAVING INC.
ALEXANDER CITY QUARRY
Located in Sections 23 & 26, T-22-N, R-20-E
Equality and Kellyton Quadrangles
Coosa County, Alabama

0 3000 6000 Feet

N W E S



PERMIT BOUNDARY

DATE: 02/03/2023

LARRY E. SPEAKS
&
ASSOCIATES, INC.
CONSULTING ENGINEERS
&
LAND SURVEYORS
535 HERRON STREET
MONTGOMERY, AL 36104
TEL.(334)262-1091

APPENDIX B

FACILITY ENTRANCE
Latitude:N032.8766
Longitude:W086.0346

PERMIT NUMBER POSTED

FACILITY ID

COUNTY ROAD 32

SKYLER PARK DRIVE

ENTRANCE ROAD

N HWY 259

OUTFALL 001E
Latitude:N032.8714
Longitude:W086.0398

PROPERTY LINE

50' PROPERTY LINE BUFFER

FLOW

PROPOSED BERM*

INGRAM PAVING/Asphalt plant: The asphalt plant is on leased property. APAC does not have operational control of this plant nor does it request permit coverage on behalf of the asphalt plant.

PROCESS WATER PONDS

EQUIPMENT PARKING AREA

SCALES

PUMP

OFFICE

CONTAINMENT AREA

STOCKPILE AREA

PUG MILL AND STOCKPILE AREA

SHOP

OVERBURDEN AREA

STOCKPILE AREA

DRAINAGE DIRECTION NOTE: Plant and Stockpile area drainage must be directed into process water ponds. No discharges from the site are allowed in this area.

PLANT AND STOCKPILE AREA

PROCESS WATER PONDS

PERIMETER BERM

PUMPS

ACTIVE PIT

ACTIVE PIT

FUTURE MINING

INACTIVE PIT

STABILIZE SLOPES

DRAINAGE DIRECTION NOTE: Drainage must be directed into the inactive pit. No discharges are allowed to leave the site from this location.

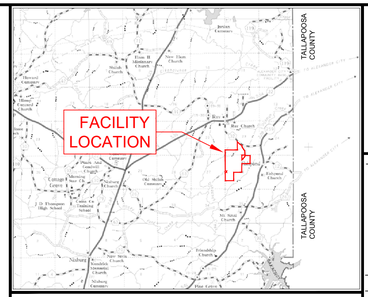
STABILIZE SLOPES

OUTFALL 002E
Latitude:N032.8638
Longitude:W086.0380

Newsarms Pond

AL HWY 259

AL HWY 259



LOCATION MAP
COOSA COUNTY, AL

NORTH

N
W
E
S

0 600 1200 Feet

1" = 300'

PERMIT BOUNDARY

50' PROPERTY BUFFER

PONDS

FACILITY ROAD

LARRY E. SPEAKS ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
535 HERRON STREET
BIRMINGHAM, AL 35204
TEL (334)262-1091

ALEXANDER CITY QUARRY
MIDSOUTH PAVING, INC.
LOCATED IN SECTIONS 23 & 26
T-22-N, R-20-E
COOSA COUNTY, ALABAMA

REVISIONS

No.	DATE	DESCRIPTION

Project No.	14732-A
Dwg Name:	Alex City Quarry PAP 2023.dwg
Scale:	1"=300'
Drawn By:	DRT
Reviewed By:	SCS
Date Issued:	02/09/2023

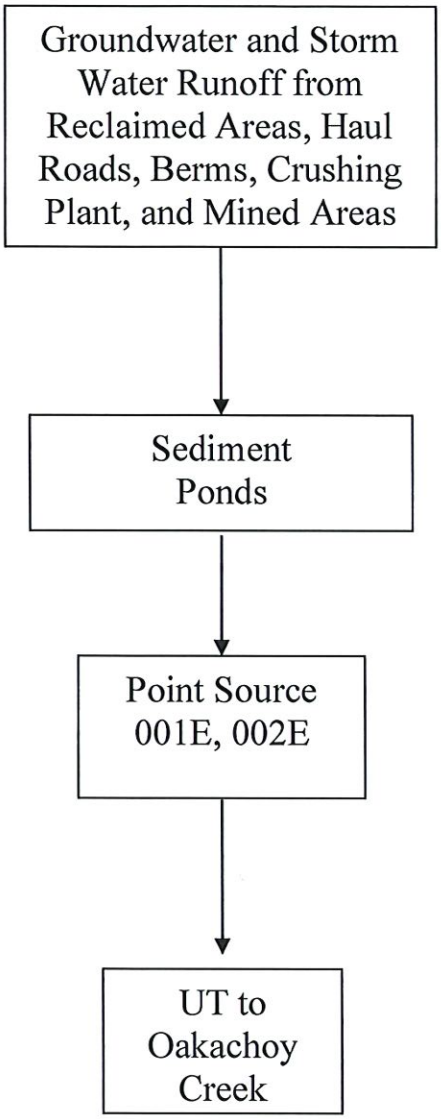
ALEXANDER CITY QUARRY:

POLLUTION ABATEMENT PLAN OVERVIEW

SHEET 1 OF TOTAL 1

APPENDIX C

SCHEMATIC DIAGRAM FOR ALEXANDER CITY QUARRY
A CRUSHED STONE MINING OPERATION
POINT SOURCES 001E, 002E



APPENDIX D

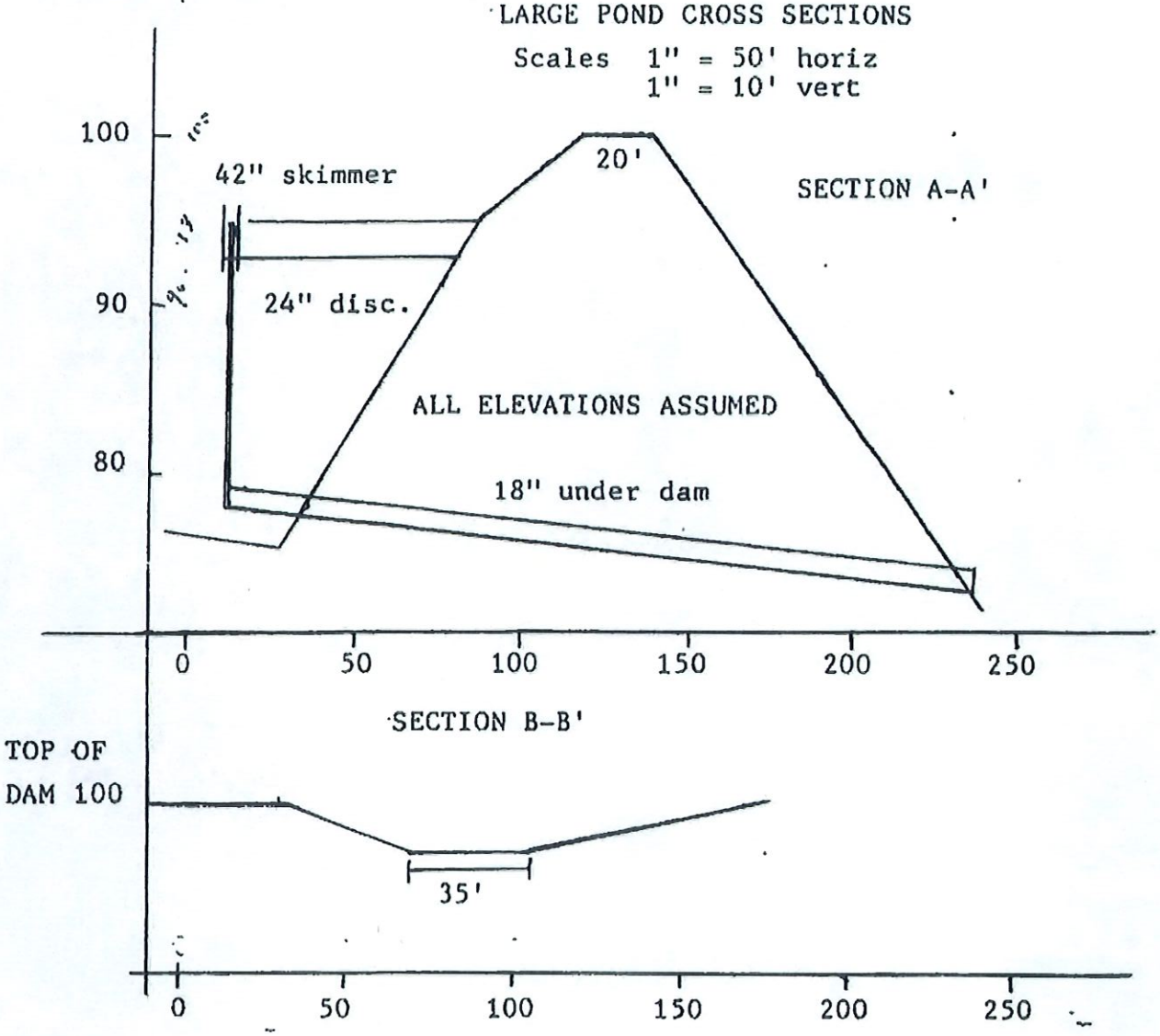
POND 001E

Oldcastle Materials Southeast, Inc.

ALEXANDER CITY QUARRY

LARGE POND CROSS SECTIONS

Scales 1" = 50' horiz
1" = 10' vert

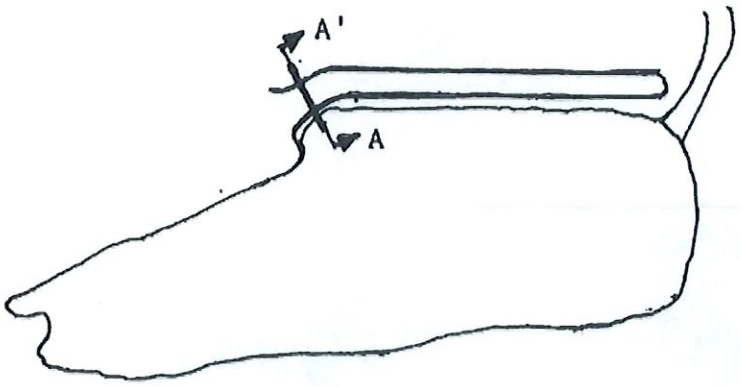


Previous Engineer's drawing

NOTE: THIS STRUCTURE WAS DESIGNED AND CERTIFIED BY A PREVIOUS ENGINEER.

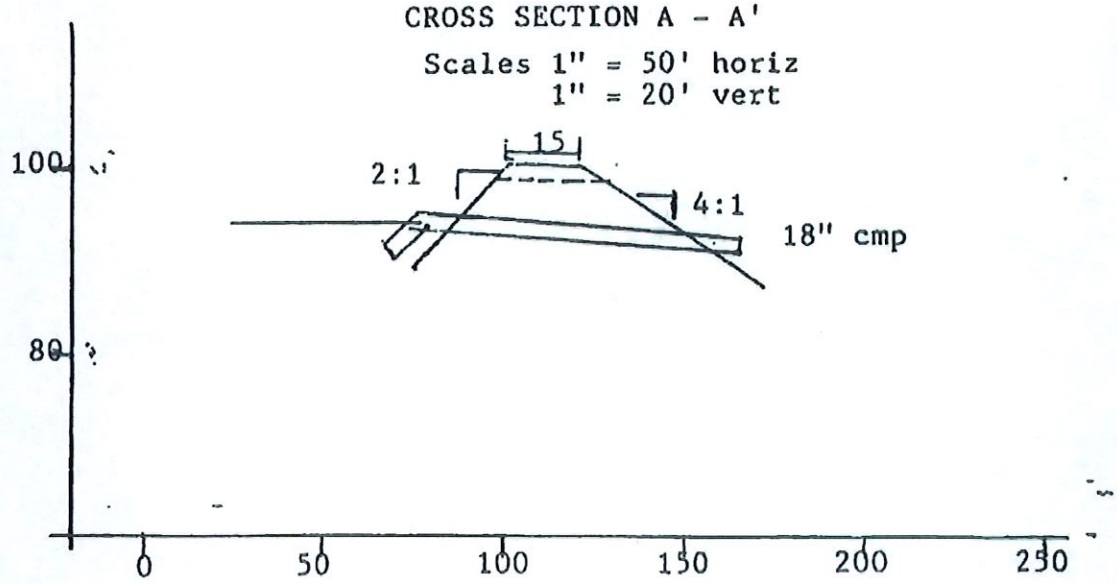
SITE PLAN POND 002E

Scales 1" =100' horiz
1" = 20' vert



CROSS SECTION A - A'

Scales 1" = 50' horiz
1" = 20' vert

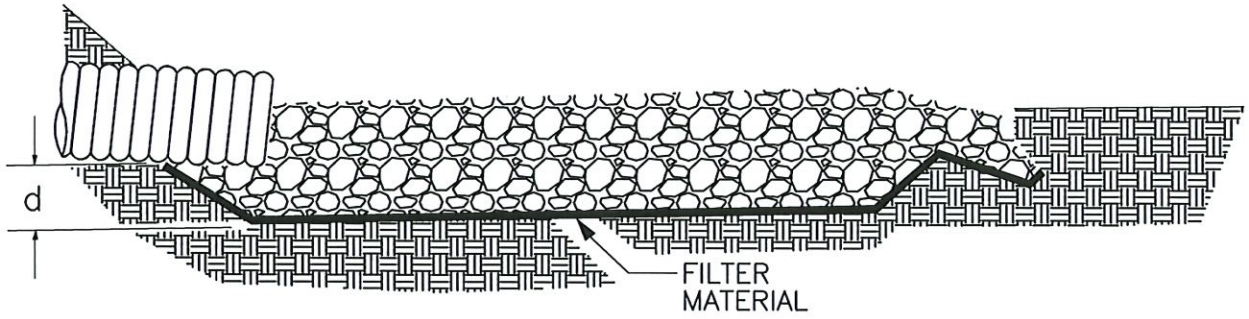


Previous Engineer's Drawing

NOTE: THIS STRUCTURE WAS DESIGNED AND CERTIFIED BY A PREVIOUS ENGINEER.

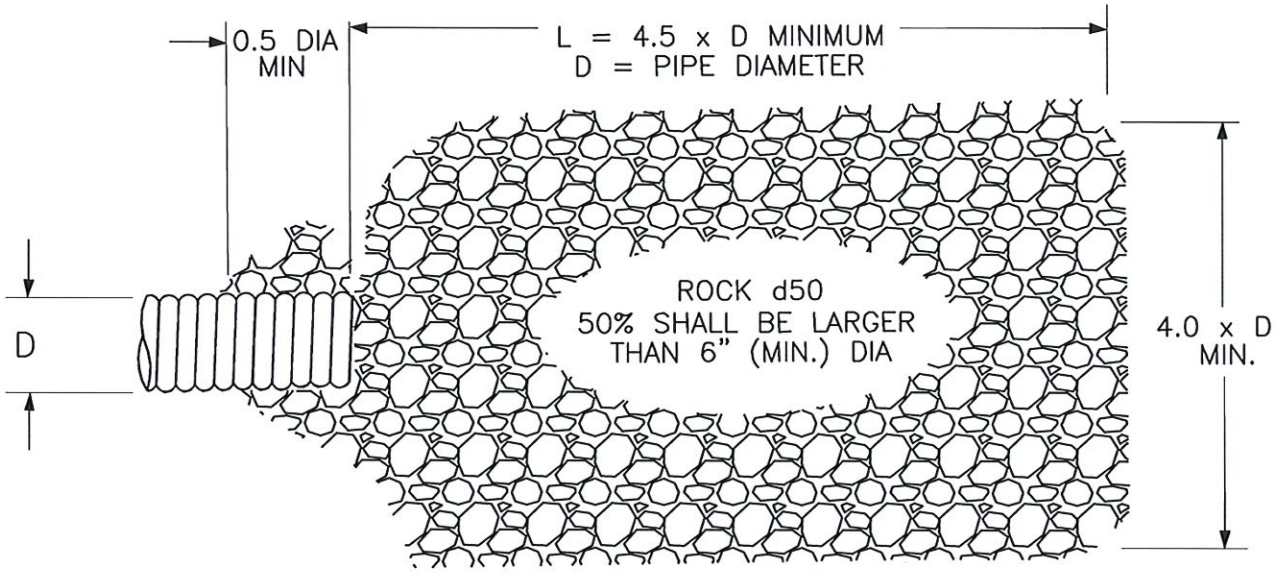
OUTLET PROTECTION

SIDE VIEW



THICKNESS (d) = 1.5 x MAX ROCK DIAMETER (6" MIN.)

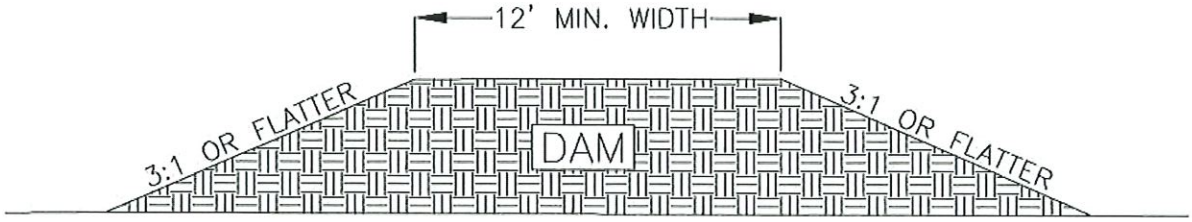
OVERHEAD VIEW

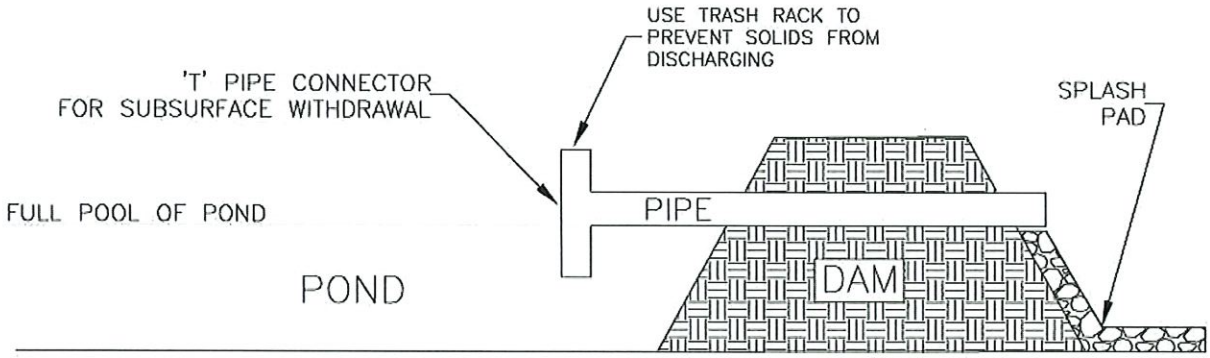


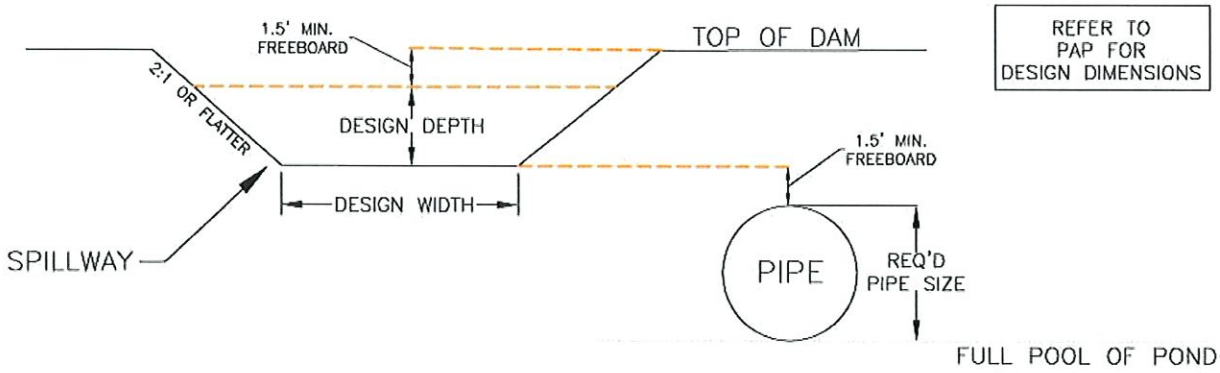
NOTES:

1. "L" = LENGTH OF APRON. DISTANCE "L" SHALL BE SUFFICIENT TO DISSIPATE ENERGY AND MINIMIZE EROSION DAMAGE.
2. APRON SHALL BE SET AT A ZERO GRADE WITH NO OVERFALL AND ALIGNED STRAIGHT.
3. FILTER MATERIAL SHALL BE FILTER FABRIC OR MINIMUM 6" THICK GRADED GRAVEL LAYER. AVOID DAMAGE TO THE FABRIC WHEN PLACING ROCK.
4. A CONCRETE SPLASH BLOCK MAY ALSO BE USED.
5. AFTER RAIN EVENTS, CHECK FOR EROSION AROUND OR BENEATH AND FOR ROCK DISPLACEMENT.
6. DETAILS FOR SPECIFICATION CAN BE FOUND ON THE CONSTRUCTION DRAWINGS. SPECIFICATIONS LISTED HERE ARE A MINIMUM REQUIRED FOR EROSION CONTROL PURPOSES ONLY.

TYPICAL SECTION FOR DAM CONSTRUCTION







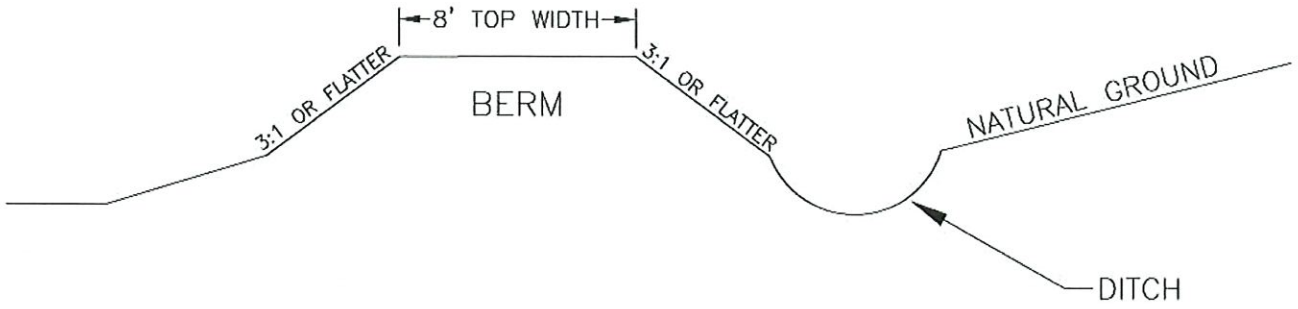
REFER TO PAP FOR DESIGN DIMENSIONS

CONSTRUCTION REQUIREMENTS FOR DAM:

1. All trees, boulders, and other obstructions are to be removed from proposed pond area.
2. All materials excavated from pond shall be placed up stream from the pond so any silt from the excavated material will runoff back into the pond.
3. All embankments are to be constructed in lifts no greater then 12-inches and compacted to 95 percent density.
4. Spill pipe is to be equipped with anti-seep collars at each joint to radiate at least 2 feet from the pipe in all directions. All connections are to be water tight.
5. Spill pipe is to be laid as shown in detail to prevent any floating solids from being discharged.
6. Final elevation of all dams, pipes, and emergency spillways is to be determined in the field, depending upon the size of the pond.
7. Topsoil and grass dam immediately upon completion of construction.
8. Splash pad minimum length should be 4.5 times the diameter of the pipe. The minimum width should be 4 times the diameter of the pipe.

LARRY E. SPEAKS & ASSOCIATES
CONSULTING ENGINEERS & LAND SURVEYORS
535 HERRON STREET
MONTGOMERY, AL. 36104
TEL.-334/262-1091

TYPICAL SECTION FOR DITCH AND/OR BERM TO DIVERT RUNOFF



NOTES FOR BERM / DITCH CONSTRUCTION:

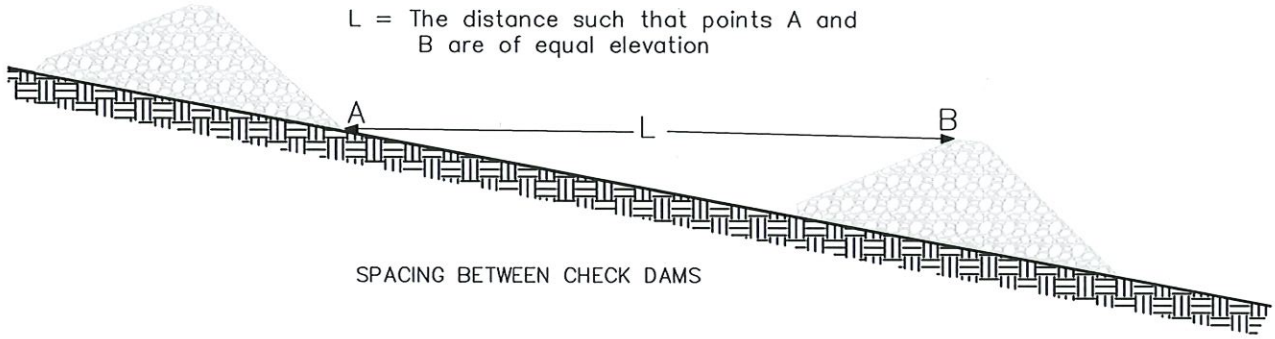
1. Use soil free of roots, large rocks, vegetation, organic matter, and other non-soil materials for construction. Berms must be substantial enough to maintain structural integrity.
2. Stabilize berm and ditch with grass or erosion control blanket immediately upon completing construction to prevent erosion of structures from becoming a source of sediment runoff.
3. Soils with sand content exceeding 70 percent may not be effective for berms experiencing high velocity flows.
4. Install energy dissipation at the outlet of the ditch if scour or erosion may occur.
5. Structures must be inspected and maintained after rain events.
6. Clean out accumulated sediment and debris once the depth reaches one-half the height of the structure.

RECLAMATION PROCEDURE:

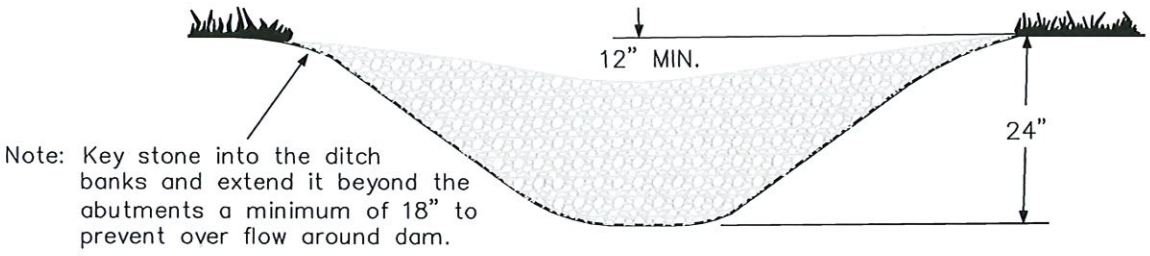
1. Areas not being used for daily mining or haul roads must be grassed with both perennial and annual grasses to ensure erosion is kept to a minimum. Grassed areas are to be limed and fertilized as necessary to establish and maintain an adequate stand of grass.
2. Disturbed and bare areas without grading/mining activity for more than 21 days are to be temporarily seeded and fertilized until activity resumes.
3. As mining is completed in an area, the area is to be dressed to eliminate any piles of dirt, or low areas which will hold water, with terraces to keep erosion to a minimum, and grassed as detailed in paragraph 1 above. A sump shall be maintained at the low end of all reclamation work until a satisfactory stand of grass is obtained. Established vegetation is considered satisfactory when 100 percent of the soil surface is uniformly covered in perennial vegetation with a density of 85 percent or greater.
4. During mining and reclamation, all erosion controls necessary to minimize erosion on site are required to be used. This may include silt fences, wattles, hay bales, rip-rap, cleared trees, erosion control blanket, and other acceptable methods.

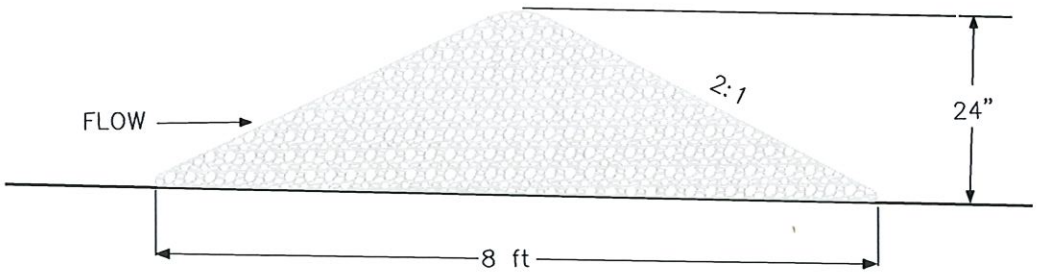
LARRY E. SPEAKS & ASSOCIATES
CONSULTING ENGINEERS & LAND SURVEYORS
535 HERRON STREET
MONTGOMERY, AL. 36104
TEL.-334/262-1091

CROSS SECTION OF TYPICAL ROCK CHECK DAM



PROFILE OF TYPICAL ROCK CHECK DAM



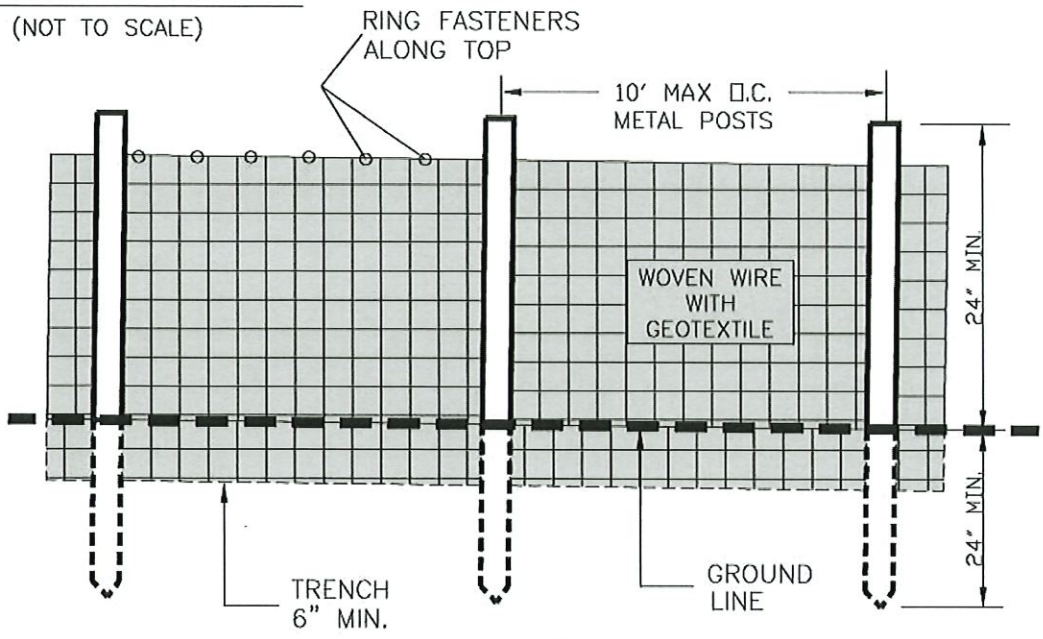


NOTES:
1. INSTALLED TO REDUCE CHANNEL EROSION
2. A SMALL BARRIER/DAM CONSTRUCTED ACROSS SWALES, DRAINAGE DITCHES, OR OTHER AREAS OF CONCENTRATED FLOW.
3. CHECK DAMS ARE USUALLY CONSTRUCTED WITH STONE, BUT MAY BE HAY BALES, LOGS, SILT FENCE, AND OTHER SUITABLE MATERIALS.
4. DO NOT USE IN LIVE STREAMS!

CHECK DAM

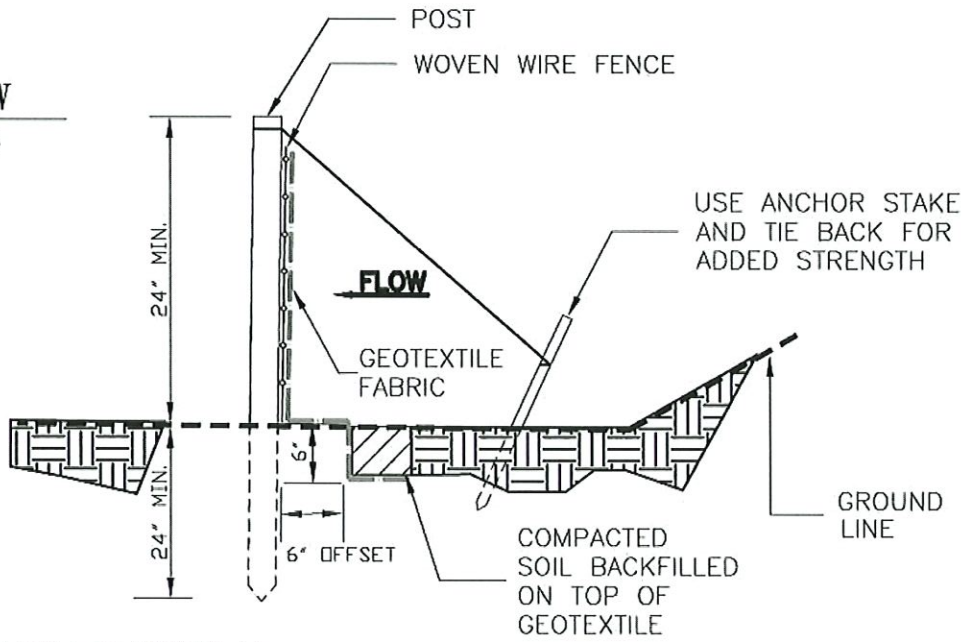
FRONT VIEW

(NOT TO SCALE)



SIDE VIEW

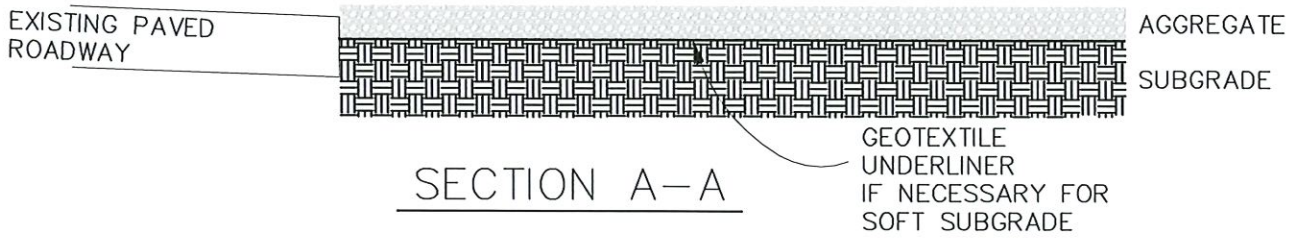
(NOT TO SCALE)



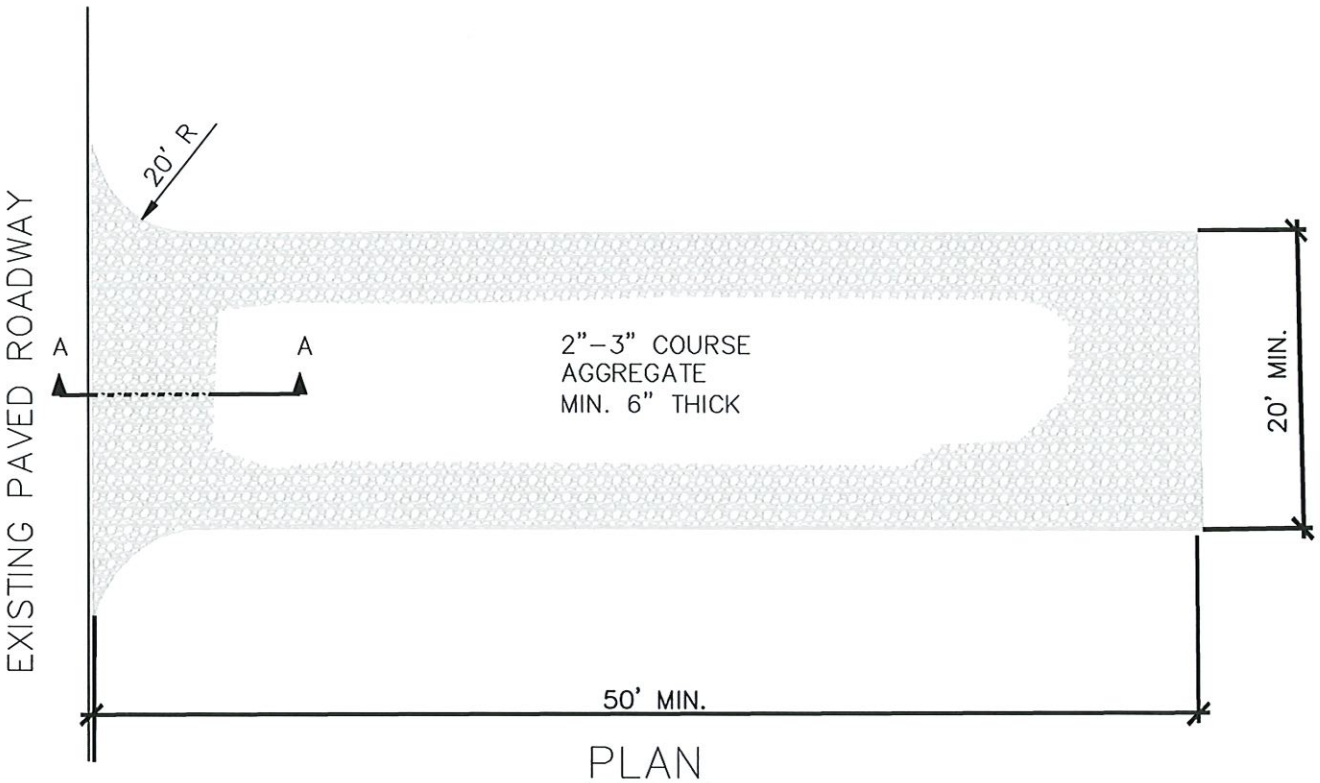
NOTES:

1. THE WOVEN WIRE FENCING SHALL BE MINIMUM 14 GAUGE, 6" X 6", AND FASTENED TO THE UPSTREAM SIDE OF POSTS BY STAPLES OR WIRE TIES.
2. GEOTEXTILE FABRIC SHALL BE SECURELY FASTENED TO THE WOVEN WIRE FENCING.
3. POSTS SHALL BE MADE OF STEEL AND BE A MINIMUM OF 4 FEET IN LENGTH.
4. THE GEOTEXTILE FABRIC SHALL BE 36 INCHES MINUMUM IN WIDTH.
5. SILT FENCE MUST BE TACKED TO THE STAKE IN AT LEAST 3 LOCATIONS EQUIDISTANT FROM ONE ANOTHER. THE TIES MUST BE VISIBLE ABOVE THE GROUND SURFACE FOR INSPECTOR VERIFICATION.

SILT FENCE TYPE A



SECTION A–A



PLAN

NOTES:
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS–OF –WAY. THIS MAY REQUIRE TOP DRESSING WITH CLEAN GRAVEL, REPAIRING RUTS, AND/OR REMOVAL OF CAKED SOIL AND DIRT CLODS.

2. AN ALDOT COARSE AGGREGATE NO. 1 OR AN EQUIVALENT IS THE MINIMUM SIZE AGGREGATE RECOMMENDED.

3. IF SOILS UNDER EXIT PAD ARE SOFT AND/OR WILL NOT SUPPORT TRAFFIC WHEN WET, AN UNDERLINER OF CLASS IV NON–WOVEN GEOTEXTILE IS REQUIRED.

TEMPORARY GRAVEL CONSTRUCTION ENTRANCE/EXIT

APPENDIX E

APAC
Alexander City Quarry
Permitted Property Description
August 5, 2011

STATE OF ALABAMA
COOSA COUNTY

Begin at an iron pin known as the Southwest Corner of Section 23, T-22-N, R-20-E, Coosa County, Alabama; thence N 00°00'44" W 886.91' to a point; thence S 89°49'51" E 1,933.65' to a point; thence N 00°08'15" W 1,296.23' to a point on the South side of Coosa County Road No. 36; thence along said South side the following two (2) courses; (1) S 44°52'57" E 227.22' to a point; (2) Chord Bearing S 53°28'56" E, Chord Distance 711.10', Radius 2,402.35' to a point on the West side of a gravel road; thence along said West side the following ten (10) courses: (1) S 06°07'58" E 157.30' to a point; (2) S 19°11'07" E 86.78' to a point; (3) S 29°14'12" E 184.99' to a point; (4) S 32°49'24" E 230.57' to a point; (5) S 38°09'52" E 125.88' to a point; (6) S 35°35'20" E 160.85' to a point; (7) S 19°46'11" E 53.32' to a point; (8) S 03°14'05" E 253.12' to a point; (9) S 05°29'35" E 236.30' to a point; (10) S 00°03'57" W 153.16' to a point; thence leaving said West side N 89°26'33" W 497.98' to a point; thence S 00°24'36" W 791.67' to a point located on the East side of a gravel road; thence along said East side the following six (6) courses: (1) N 58°10'38" E 51.46' to a point; (2) N 46°17'07" E 138.69' to a point; (3) N 40°28'17" E 127.57' to a point; (4) N 38°02'06" E 317.26' to a point; (5) N 31°29'33" E 148.69' to a point; (6) N 23°42'51" E 116.88' to a point; thence leaving said East side S 89°47'23" E 792.86' to a point; thence S 01°53'51" W 1,298.89' to a point; thence N 89°35'24" W 1,299.98' to a point; thence S 00°18'31" W 1,380.79' to a point; thence N 89°44'16" W 1,313.80' to a point; thence S 00°54'41" E 1,334.96' to a point; thence N 89°46'25" W 1,323.81' to a point; thence N 00°18'47" W 1,335.57' to a point; thence S 89°44'16" E 210.00' to a point; thence N 00°14'20" W 210.00' to a point; thence N 89°44'17" W 210.00' to a point; thence N 00°14'20" W 2,454.98' to the point of beginning. Containing 315.90 acres, more or less, and being a part of and lying in the S ½ of Section 23, T-22-N, R-20-E, Coosa County, Alabama and the W ½ and NE ¼ of Section 26, T-22-N, R-20-E, Coosa County, Alabama

LANCE R. LEFLEUR
DIRECTOR

KAY IVEY
GOVERNOR

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

April 21, 2025

Charlie Stephens
Environmental Manager
Midsouth Paving, Inc.
500 Riverhills Park, Suite 590
Birmingham, AL 35242

RE: Draft Permit
Alexander City Quarry
NPDES Permit Number AL0056448
Coosa County (037)

Dear Mr. Stephens:

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

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

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

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

Should you have any questions concerning this matter, please contact Skylar Wilson at (334) 274-4231 or eva.wilson@adem.alabama.gov.

Sincerely,

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

WDM/esw File: DPER/3740

cc: Skylar Wilson, 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
U.S. Army Corps of Engineers Mobile District
Alabama Department of Labor

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

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

Coastal Office
1615 South Broad Street
Mobile, AL 36605
(251) 450-3400
(251) 479-2593 (FAX)

ADEM
Alabama Department of Environmental Management

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

PERMITTEE: Midsouth Paving, Inc.
500 Riverhills Park, Suite 590
Birmingham, AL 35242

FACILITY LOCATION: Alexander City Quarry
625 Coosa County Road 32
Alexander City, AL 35010
Coosa County
T22S, R20E, S23
T22S, R20E, S26

PERMIT NUMBER: AL0056448

DSN & RECEIVING STREAM:
001 - 1 Unnamed Tributary to Oakachoy Creek
002 - 1 Unnamed Tributary to Oakachoy 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

Crushed and Broken Granite Mining, Dry and Wet Processing, Mineral Loading, Mineral Storage, Mineral Transportation, and Associated Areas

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PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

1. 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 **Outfall 001-1** 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
Oil & Grease 00556	-------	-------	15.0 mg/L	Grab	1/6 months
Flow, In Conduit or Thru Treatment Plant[2] 50050	-------	Report MGD	Report MGD	Instantaneous	2/Month
Chemical Oxygen Demand (COD) 81017	-------	-------	Report mg/L	Grab	1/6 months

2. 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 **Outfall 002-1** 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[3]
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[4] 50050	-------	Report MGD	Report MGD	Instantaneous	2/Month

[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.
[3] See Part I.C.2. for further measurement frequency requirements.
[4] Flow must be determined at the time of sample collection by direct measurement, calculation, or other method acceptable to the Department.

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.

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. An electronic Noncompliance Notification Form in a Department-approved format must be submitted to the Director in accordance with Parts I.D.2.a. and b. The completed form must document 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. 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.

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

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

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

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

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

15. 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).

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

17. DO - means dissolved oxygen.

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

19. 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.

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

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

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

23. 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).

24. 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.

25. 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.

26. 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.

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

28. MGD - means million gallons per day.

29. 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.)

30. 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.

31. 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.

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

33. 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.

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

35. 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).

36. 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.

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

38. 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

39. 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.

40. 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.

41. 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".

42. 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.

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

44. 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.

45. 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.

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

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

48. TRC - means Total Residual Chlorine.

49. TSS – means the pollutant parameter Total Suspended Solids

50. 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.

51. 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.

52. 24-hour precipitation event - means that amount of precipitation which occurs within any 24-hour period.

53. 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.

54. 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.

55. 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.

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

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

Sunday is in one month and the Saturday in the following month), the weekly average calculated for the calendar week shall be included in the data for the month that contains the Saturday.

E. SEVERABILITY

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

F. PROHIBITIONS AND ACTIVIES NOT AUTHORIZED

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

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

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

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

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

G. DISCHARGES TO IMPAIRED WATERS

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

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

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

by the TMDL, if necessary. Any revised BMP plans must be submitted to the Department for review. The facility must include in the BMP plan a monitoring component to assess the effectiveness of the BMPs in achieving the allocations.

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION

NPDES INDIVIDUAL PERMIT RATIONALE

Company Name:	Midsouth Paving, Inc.
Facility Name:	Alexander City Quarry
County:	Coosa
Permit Number:	AL0056448
Prepared by:	Skylar Wilson
Date:	April 1, 2025
Receiving Waters:	Unnamed Tributary to Oakachoy Creek
Permit Coverage:	Crushed and Broken Granite Mining, Dry and Wet Processing, Mineral Loading, Mineral Storage, Mineral Transportation, and Associated Areas
SIC Code:	1423

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

This proposed permit covers crushed and broken granite mining, dry and wet processing, mineral loading, mineral storage, mineral transportation, and associated areas which discharge to surface waters of the state.

The Permittee has indicated that the associated asphalt plant will be covered under a separate NPDES permit, ALG020209, which addresses any potential discharges from the facility.

The proposed permit authorizes treated discharges into an unnamed tributary to Oakachoy 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.

The instream WQS for pH, for streams classified as Fish and Wildlife, are 6.0 - 8.5 s.u per ADEM Admin Code r. 335-6-10-.09. Information provided in the Permittee's application indicated that Outfalls 001-1 and 002-1 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 and 002-1 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 Pont Source Category* (July 1979).

A portion of the acreage covered under this permit is leased to Gary Ingram Grading & Paving, Inc. to produce asphalt. The applicant does not have control over the operation of the asphalt plant, therefore the applicant has requested the leased area to be excluded from the coverage area. However, drainage from the asphalt plant flows to the quarry basin associated with Outfall 001-1. Due to this drainage semi-annual monitoring and Daily Maximum limitations for Oil and Grease (O&G) and Chemical Oxygen Demand (COD) are required for Outfall 001-1 due to stormwater runoff from the onsite asphalt plant. The O&G and COD requirements are based on Best Professional Judgement (BPJ) and are similar to those found in the Department's NPDES General Permit (ALG020000) for discharges associated with manufacturing asphalt.

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

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

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

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

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

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

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

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

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