JEFFERY W. KITCHENS
ACTING 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

June 12, 2025

Mr. David McKeown
Director, Environmental Compliance
General Shale Brick, Inc.
5100 Brickyard Road
Columbia, SC 29203

RE: Draft Permit
Uchee Mine
NPDES Permit Number AL0058629
Russell & Lee Counties (113 & 081)

Dear Mr. McKeown:

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/2010

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
& LeeAlabama Department of Environmental Management

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

PERMITTEE:	General Shale Brick, Inc. (Plant 65) dba Columbus Brick 1501 Brickyard Road Phenix City, AL 36869
FACILITY LOCATION:	Uchee Mine Highway 80 Phenix City, AL 36869 Russell & Lee Counties T17N, R29E, S7, S8, S16, S17, S21
PERMIT NUMBER:	AL0058629

DSN & RECEIVING STREAM:		
	001 - 1	Unnamed Tributary to Little Uchee Creek
	002 - 1	Unnamed Tributary to Little Uchee Creek
	003 - 1	Unnamed Tributary to Hospilika Creek
	006 - 1	Little Uchee Creek
	007 - 1	Unnamed Tributary to Little Uchee 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

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

Shale and/or Common Clay Mining, Dry Preparation, Mineral Loading, Mineral Storage, Mineral Transportation, and Associated Areas

TABLE OF CONTENTS

PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

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

B. REQUIREMENTS TO ACTIVATE A PROPOSED MINING OUTFALL

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

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

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

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

C. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS

1. Sampling Schedule and Frequency

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

---

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

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

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

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

2. Measurement Frequency

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

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

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

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

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

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

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

3. Monitoring Schedule

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

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

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

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

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

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

4. Sampling Location

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

5. Representative Sampling

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

6. Test Procedures

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

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

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

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

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

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

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

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

7. Recording of Results

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

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

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

c. The dates and times the analyses were performed;

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

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

f. The results of all required analyses.

8. Routine Inspection by Permittee

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

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

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

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

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

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

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

9. Records Retention and Production

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

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

10. Monitoring Equipment and Instrumentation

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

D. DISCHARGE REPORTING REQUIREMENTS

1. Requirements for Reporting of Monitoring

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

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

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

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

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

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

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

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

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

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

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

Certified and Registered Mail shall be addressed to:

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

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

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

2. Noncompliance Notification

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

(1) Potentially threatens human health or welfare;

(2) Potentially threatens fish or aquatic life;

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

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

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

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

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

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

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

c. 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:	General Shale Brick, Inc. (Plant 65) dba Columbus Brick
Facility Name:	Uchee Mine
County:	Russell & Lee
Permit Number:	AL0058629
Prepared by:	Skylar Wilson
Date:	May 29, 2025
Receiving Waters:	Unnamed Tributaries to Little Uchee Creek, Unnamed Tributary to Hospilika Creek, and Little Uchee Creek
Permit Coverage:	Shale and/or Common Clay Mining, Dry Preparation, Mineral Loading, Mineral Storage, Mineral Transportation, and Associated Areas
SIC Code:	1459

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

This proposed permit covers shale and/or common clay mining, dry preparation, mineral loading, mineral storage, mineral transportation, and associated areas which discharge to surface waters of the state.

The proposed permit authorizes treated discharges into unnamed tributaries to Little Uchee Creek and Hospilika Creek as well as Little Uchee Creek itself 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.

40 CFR 436 Subpart AD is reserved for shale and common clay mineral mining and processing, however Technology Based Effluent Limits (TBELs) for shale/common clay mining have not yet been promulgated. Discharges from a facility of this type, however, are expected to be similar to discharges from facilities mining and processing sand and gravel for use in construction. Therefore, the permit was prepared considering the TBELs in 40 CFR 436 Subpart C.

The instream WQS for pH, for streams classified as F&W, are 6.0 - 8.5 s.u per ADEM Admin Code r. 335-6-10-.09; however, because discharges from Outfalls 001-1, 002-1, 003-1, 006-1, and 007-1 are expected only in response to rain events, it is the opinion of the Department that discharges with an allowable pH daily maximum of 9.0 will not adversely affect the instream pH based on the low discharge/stream flow ratio. The discharge limitations for pH of 6.0 – 9.0 s.u. for Outfalls 001-1, 002-1, 003-1, 006-1, and 007-1

are identical to the existing point source TBELs found in 40 CFR 436 Subpart C. Regardless, the discharge shall not cause the in-stream pH to deviate more than 1.0 s.u. from the normal or natural pH, nor be less than 6.0 s.u. nor greater than 8.5 s.u.

The TBELs for 40 CFR 436 Subpart C 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, the permit was prepared considering the daily maximum effluent limitation for TSS proposed by the EPA for shale and common clay 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).

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 4.6

(Submission #: HPF-B76F-04H69, version 2)

Details

Submission ID HPF-B76F-04H69

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:
Permit Transfer

Action Type
Reissuance with NOC

Please download, print, and sign the following:
Transfer Agreement (Form 466)

Attach Transfer Agreement (Form 466)
Uchee.pdf - 03/19/2024 08:02 AM
Comment
NONE PROVIDED

Briefly describe any planned changes at the facility that are included in this reissuance application:
none

Is this a coalbed methane operation?
No

Permit Information

Permit Number
AL0058629

Current Permittee Name
Meridian Brick LLC

Permittee

Permittee Name
General Shale Brick, Inc. (Plant 65) dba Columbus Brick

Mailing Address
1501 Brickyard Road
Phenix City, AL 36869

Responsible Official

Prefix
Mr.

First Name	Last Name
David	*McKeown*

Title
Director, Environmental Compliance

Organization Name
General Shale Brick, Inc.

Phone Type	Number	Extension
Business	803-691-3121	

Email
David.McKeown@generalshale.com

Mailing Address
5100 Brickyard Road
Columbia, SC 29203

Existing Permit Contacts

Affiliation Type	Contact Information	Remove?
DMR Contact	Delbert Enlow	Keep
Permittee	General Shale Brick, Inc.	Keep

Affiliation Type	Contact Information	Remove?
Responsible Official,Notification Recipient	David McKeown	Keep

Facility/Operations Information

Facility/Operations Name
GSBI (Plant 65) dba Columbus Brick - Uchee Mine

Permittee Organization Type
Corporation

Parent Corporation and Subsidiary Corporations of Applicant, if any:
General Shale Brick, Inc.

Landowner(s) Name, Address and Phone Number:
General Shale Brick, Inc.
PO Box 3547
Johnson City, TN 37602
423-282-4661

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

> Highway 80
>
> Phenix City, AL 36869

Facility/Operations County (Front Gate)
Russell

Do the operations span multiple counties?
Yes

Additional Counties
Lee
Russell

Detailed Directions to the Facility/Operations
T17N-R29E-S7,8,16,17,21 Little Uchee Cr, UTs Little Uchee Cr, UTs Little Hospilika
Regional Production Manager and EH&S Director has signature authority
ADIR Permit#8911 Oct 2, 2001; #9321 Sep 13, 2002 ; #9322 Sep 13, 2002 ; #10286 Dec 22,2004 ; #10293 Dec 30, 2004 ; #10655 Sep 28, 2005 ; #10656 Sep 28, 2005 ; #10654 Sep 28, 2005 ; Trn fm Bickerstaff Clay Products
address change 2/6/97
Trave west from US 280 on US 80 7 miles. Property on north and south after Little Uchee Creek.
57-boral-2

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

Facility/Operations Front Gate Latitude and Longitude
32.46029873632105,-85.14243490219117

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)
T17N,R29E,S7; T17,R29E,S8; T17,R29E,S16; T17,R29E,S17; T17,R29E,S21

> **CORRECTION REQUEST** ***(APPROVED)***
> **TRS**
>
> The TRS locations listed here do not match with the TRS locations of the Transfer/Name change form or the site maps attached to the application
> Created on 1/4/2024 1:22 PM by **Skylar Wilson**

1 COMMENT
Joseph Williams (joseph.williams@generalshale.com) (3/18/2024 8:20 AM)
TRS Locations have been corrected

SIC Code(s) [Please select your primary SIC code first]:
1459-Clay Ceramic and Refractory Minerals

NAICS Code(s) [Please select your primary NAICS code first]:
212320-Sand, Gravel, Clay, And Ceramic And Refractory Minerals Mining And Quarrying

Facility/Operations Contact

Prefix
Mr.

First Name	Last Name
Delbert	*Enlow*

Title
Plant Manager

Organization Name
General Shale Brick, Inc.

Phone Type	Number	Extension
Business	334-480-2440	

Email
bert.enlow@columbusbrick.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.
2022.02.17 List of Officers for Uchee App.pdf - 02/28/2022 10:53 AM
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:
Providing as an Attachment

Provide a list of corporation, partnership etc. and the name and title as an attachment.
2022.02.17 List of Officers for Uchee App.pdf - 02/28/2022 11:05 AM
Comment
NONE PROVIDED

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?
Yes

Identify every Warning Letter, Notice of Violation (NOV), Administrative Action, or litigation issued to the applicant, parent corporation, subsidiary, general partner, LLP partner, or LLC Member and filed by ADEM or EPA during the three year (36 month) period preceding the date on which this form is signed.

Date of Issuance	Type of Action	Briefly describe alleged violations:	Date of Final Resolution
10/03/2023	Warning Letter	ALG230008 - Compliance Evaluation Inspection Letter	10/26/2023
03/26/2021	Warning Letter	ALG230008 - Compliance Evaluation Inspection Letter	NONE PROVIDED

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:
ADOL:
File No. 57-GSBI-1
File No. 57-GSBI-2

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:
Air Quality:
General Shale Brick, Inc. (Plant 65A) - Facility No. 211-0020
General Shale Brick, Inc. (Plant 65B) - Facility No. 211-0019

NDPES:
AL0079324 - Phillips Pit
AL0061361 - Bankston Pit
AL0080012 - Lumpkin Mill Mine
AL0058599 - Hearn Mine
ALG230008 - General Shale Brick, Inc. (Plant 65A) dba Columbus Brick
ALG230007 - General Shale Brick, Inc. (Plant 65B) dba Columbus Brick
AL0084469 - Rainer/Beasley Pit
AL0084476 - Dunning-Flemming Pit

ADOL:
13-General Shale-1 : Lumpkin Mill Mine (Rome, GA plant)
32-Columbus Brick-1: Bankston Pit
54-Columbus Brick-2: Phillips Pit
43-GSBI-2: Hearn Mine
57-GSBI-1: Uchee North Mine
57-GSBI-2: Uchee South Mine

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):
Clay is mined and stockpiled on site, then it is loaded and hauled to Phenix City Plant 4 or other brick manufacturing industries

Total Facility/Operations Area (acres)
1177.00

Total Disturbed Area (acres)
220.00

Anticipated Commencement Date
1/1/1989

Anticipated Completion Date
1/2/2045

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?	Yes
Discharge to Municipal Separate Storm Sewer?	No
Discharge to waters of or be located in the Coastal Zone?	No
Need/have ADEM UIC permit coverage?	No

Activity/Condition	Appy?
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 mile of any PWS well?	No
Incised pit	Yes

Does your facility/operation use cooling water?
No

Material to be Removed, Processed, or Transloaded

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

Mineral(s)/Mineral product(s)	%
Shale and/or Common Clay	100
	Sum: 100

Proposed Activity To Be Conducted

Type(s) of activity presently conducted at applicant's existing facility or proposed to be conducted at facility (Select Yes or No)):

Activity	Apply?
Adjacent/associated asphalt/concrete plant(s)	No
Alternative fuels operation	No
Auger mining	No
Cement production	No
Chemical processing or leaching	No
Chemicals used in process or wastewater treatment (coagulant, biocide, etc.)	No
Construction related temporary borrow pits/areas	No
Creek/stream crossings	Yes
Dredging	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)	No
Mineral loading	Yes
Mineral storing	Yes
Mineral transportation	Yes
Mineral wet preparation	No
Onsite construction debris or equipment storage/disposal	No
Onsite mining debris or equipment storage/disposal	No
Other beneficiation & manufacturing operations	No
Pre-construction ponded water removal	No

Activity	Apply?
Pre-mining logging or land clearing	Yes
Preparation plant waste recovery	No
Quarrying	No
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
660	Diesel Fuel

SPCC Plan
SPCC Plan - 022822.pdf - 02/28/2022 10:54 AM
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

Figure 1 Vicinity Map of Uchee Surface Mine.pdf - 02/28/2022 10:54 AM

Comment

NONE PROVIDED

Detailed Facility Map Submittal

Detailed Facility Map

Figure 2 Detailed Facility Map.pdf - 02/28/2022 10:54 AM

Comment

NONE PROVIDED

Outfalls (1 of 5)

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
Little Uchee Creek

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

Location of Outfall
32.46000000000000, -85.13249999999999

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

Distance to Receiving Water (ft)
0

Disturbed Area (acres)
5.59

Drainage Area (acres)
128

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 5)

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
Little Uchee Creek

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

Location of Outfall
32.46750000000000, -85.14111100000000

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

Distance to Receiving Water (ft)
0

Disturbed Area (acres)
150.6

Drainage Area (acres)
620

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 (3 of 5)

Outfall Identifier: 003

Feature Type
Outfall (External)

Outfall Identifier
003

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
Hospilika Creek

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

Location of Outfall
32.46805600000000, -85.13500000000001

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

Distance to Receiving Water (ft)
0

Disturbed Area (acres)
47.5

Drainage Area (acres)
75

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 (4 of 5)

Outfall Identifier: 006

Feature Type
Outfall (External)

Outfall Identifier
006

Outfall Status
Proposed

> 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
Little Uchee Creek

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

Location of Outfall
32.46472200000000, -85.14805600000000

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

Distance to Receiving Water (ft)
0

Disturbed Area (acres)
37.1

Drainage Area (acres)
42.7

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 (5 of 5)

Outfall Identifier: 007

Feature Type
Outfall (External)

Outfall Identifier
007

Outfall Status
Proposed

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
Delete

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.

Discharge Characterization

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

Please attach EPA Form 2C, EPA Form 2D, and/or ADEM Form 567.
Form315TableB.xlsx - 02/28/2022 10:56 AM
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:
Form315TableB.xlsx - 02/28/2022 10:55 AM
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:
DMRsummary2020-2021.JEPeditxlsx.xlsx - 02/28/2022 10:56 AM
Comment
NONE PROVIDED

Discharge Structure Description & Pollutant Source

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

Required attachment:
Form315DischargeStructure.xlsx - 02/28/2022 10:57 AM
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)

CORRECTION REQUEST *(APPROVED)*

PAP/BMP

On your site maps there is a haul road that crosses Uchee Creek. There needs to be a detailed drawing attached to either the BMP or PAP
Created on 1/4/2024 1:24 PM by **Skylar Wilson**

1 COMMENT
Joseph Williams (joseph.williams@generalshale.com) (3/18/2024 8:18 AM)
Low water bridge detail drawing added to additional attachements section.

Outfall(s):
001E, 002E, 003E, 006P

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	N/A
Side slopes of cutoff trench no less than 1:1	N/A
Cutoff trench located along the centerline of the dam	N/A
Cutoff trench extends at least 2' into bedrock or impervious soil	N/A
Cutoff trench filled with impervious material	N/A
Embankments and cutoff trench 95% compaction standard proctor ASTM	N/A
Embankment free of roots, tree debris, stones >6" diameter, etc.	N/A
Embankment constructed in lifts no greater than 12"	N/A
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	N/A
Splashpad at the end of the spillpipe	No
Emergency Spillway sized for peak flow from 25-yr 24-hr event if discharge not into PWS classified stream	N/A
Emergency spillway sized for peak flow from 50-yr 24-hr event if discharge is into PWS classified stream	N/A
Emergency overflow at least 20' long	No
Side slopes of emergency spillway no steeper than 2:1	Yes
Emergency spillway lined with riprap or concrete	N/A
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	N/A
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):
Outfalls 001, 002, 003 ponds and banks built by others and they are believed to be excavated ponds, BMP improvements planned for outfall 001 spillpipe and spillway, Splashpad for spill pipe for outfall 002 and construction of outfall 006P planned with subsequent certification, Overflow berms and spillways replaced as needed due to frequent upset flood events,

Pollution Abatement & Prevention (PAP) Plan Review Checklist

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

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

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

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

Schematic Diagram:	Please select one:
Points of Waste Origin	Yes
Collection System	Yes
Disposal System	Yes

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

Identify and provide detailed explanation for any "N" or "N/A" response(s):
Iron not required in effluent monitoring

Description of Waste Treatment Facility:	Please select one:
Pre-Treatment Measures	Yes
Recovery System	N/A
Expected Life of Treatment Basin	Yes

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

Identify and provide detailed explanation for any "N" or "N/A" response(s):
No recovery System proposed

Other:	Please select one:
Precipitation/Volume Calculations/Diagram Attached	No
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	No
Facility Closure Plans	Yes
PE Rationale(s) For Alternate Standards, Designs or Plans	No

Identify and provide detailed explanation for any "N" or "N/A" response(s):
No chemical treatment used,
No alternate standards, designs or plans proposed

Pollution Abatement & Prevention (PAP) Plan

Is this a coal mining operation regulated by ASMC?
No

PAP Plan (non-coal mining facilities)
PAP Plan - 022822.pdf - 02/28/2022 10:58 AM
Comment
NONE PROVIDED

Professional Engineer (PE)

Registration License Number
AL22251

Professional Engineer

Prefix
Mr.

First Name JOSEPH
Last Name *PATRICK*

Title
Vice President

Organization Name
Tom Joiner & Associates, Inc.

Phone Type	Number	Extension
Business	2053452311	

Email
jpatrick@tjacge.com

Address
1803 Lake Avenue
Tuscaloosa, AL 35401

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

BMP Plan - 022822.pdf - 02/28/2022 11:00 AM
7UCHEE2023062 TOPO-03-13-24-24x36.pdf - 03/18/2024 08:10 AM

Comment
Low water bridge crossing detail attached.

Application Preparer

Application Preparer

Prefix
Mr.

First Name	Last Name
Joseph	*Williams*

Title
Environmental Engineer

Organization Name
General Shale Brick, Inc.

Phone Type	Number	Extension
Business	8033942128	

Email
joseph.williams@generalshale.com

Address
5100 Brickyard Road
Columbia, SC 29078

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.

Mineral/Resource Extraction Mining, Storage Transloading, Dry Processing:
5820

Fee

Fee
5820

Revisions

Revision	Revision Date	Revision By
Revision 1	2/8/2022 1:31 PM	JOSEPH PATRICK
Revision 2	3/18/2024 8:03 AM	Joseph Williams

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 Steve Wyse on 03/26/2024 at 3:22 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 David McKeown on 04/10/2024 at 8:28 AM

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
001 E	Spill Pipe	9,10	yes	no	no	no	no
002 E	Spill Pipe	9,10	yes	no	no	no	no
003 E	Spill Pipe	9,10	yes	no	no	no	no
006P	Spill Pipe	9,10	yes	no	no	no	no

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	Outfall-22	0.000402	0.26	Stormwater	Stormwater	28/7	7.88	3.26 e-6	0.0696	0.008678	0.00071	0.003651
002E	Outfall-31	0.011435	7.39	Stormwater	Stormwater	28/7	7.36	9.33 e-5	0.9965	0.24666	0.020177	0.103782
003E	Outfall-7	0.000279	0.18	Stormwater	Stormwater	28/7	7.34	2.27 e-6	0.0202	2.27 e-6	0.000491	0.002528
006P	Outfall 002 -31	0.011435	7.39	Stormwater	Stormwater	28/7	7.36	9.33 e-5	0.9965	0.24666	0.020177	0.103782

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	Outfall-22	0.000402	0.26	Stormwater	Stormwater	28/7	7.88	3.26 e-6	0.0696	0.008678	0.00071	0.003651
002E	Outfall-31	0.011435	7.39	Stormwater	Stormwater	28/7	7.36	9.33 e-5	0.9965	0.24666	0.020177	0.103782
003E	Outfall-7	0.000279	0.18	Stormwater	Stormwater	28/7	7.34	2.27 e-6	0.0202	2.27 e-6	0.000491	0.002528
006P	Outfall 002 -31	0.011435	7.39	Stormwater	Stormwater	28/7	7.36	9.33 e-5	0.9965	0.24666	0.020177	0.103782

General Shale

GENERAL SHALE BRICK, INC
P.O. Box 3547, Johnson City, TN 37602 Ph. (423) 282-4661 / FAX (423) 952-4160
www.generalshale.com

March 2, 2023

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

RE: Transfer of Ownership and Name Change
Meridian Brick LLC-Uchee Mine
NPDES Permit AL0058629

To Whom It May Concern:

Effective March 1, 2023, General Shale Brick, Inc. (GSBI) acquired the Meridian Brick LLC Uchee Mine. GSBI would like to request that the name of the acquired facilities be changed as follows.

NDPES Permit No.	Former Name	New Name
ALG0058629	Meridian Brick LLC - Uchee Mine	GSBI (Plant 65) dba Columbus Brick – Uchee Mine

Permit responsibility, coverage, and liability was transferred on the March 1, 2023, acquisition date. No changes to the operational processes are scheduled to occur. Please find enclosed, the completed Permit Transfer Agreement form as well as the GSBI corporate entity documents from the Alabama Secretary of State website.

Thank you, and if you require any additional information, please do not hesitate to contact me at (803) 691-3121.

Sincerely,

J. David McKeown

enclosure

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
(ADEM) NPDES/SID/UIC PERMIT TRANSFER AGREEMENT

Instructions: This form should be submitted when a National Pollutant Discharge Elimination System (NPDES), State Indirect Discharge (SID), or Underground Injection Control (UIC) permit is being transferred from one entity to another. Permit transfers are subject to an application fee as prescribed in ADEM Admin. Code r. 335-1-6-.04. Applicants should contact the appropriate permitting section of the Water Division to determine if other information or forms may be required in addition to this form. If immediate operational changes that warrant a permit modification are planned, an application for such changes should be submitted with this transfer agreement. **Do NOT use this form if only a name change has occurred for the facility.**

Does this transfer agreement apply to more than one facility? ☐ **No** ☒ **Yes** **If Yes, please use the Attachment page to identify the additional facilities.**

Affected NPDES/SID Permit Number(s): AL0058629

Facility Name (as it appears on the permit): Meridian Brick LLC - Uchee Mine

Facility Location Address (as it appears on the permit): US Highway 80, Crawford, AL 36870

This Agreement is entered into this date by Company A and Company B in order to effect a transfer of Alabama Department of Environmental Management NPDES/SID Permit Number(s) referenced above or on the Attachment page of this form and the responsibility, coverage, and liability thereunder from Company A to Company B.

On the date such transfer becomes effective, Company B agrees to assume the responsibility, coverage, and liability of the permit(s). Company B also certifies that operational changes that warrant a permit modification will not be made without submitting the appropriate application. Company A agrees to relinquish all rights which it may have under said permit.

This agreement is entered into by both parties this 2nd day of March, 2023; said transfer is to become effective on March 1st, 2023.

Company A (Name): Meridian Brick LLC
Mailing Address: 5100 Brickyard Road
Columbia, SC 9203

By: J. DML
Signature of Responsible Official
J. David McKeown
Printed Name of Responsible Official
Director, Environmental Compliance
Title of Responsible Official
(803) 691-3121
Telephone Number
david.mckeown@generalshale.com
Email Address

Joseph Williams
Witness Signature

Company B (Name): General Shale Brick, Inc.
Mailing Address: PO Box 3547
Johnson City, TN 37602

By: J. DMc
Signature of Responsible Official
J. David McKeown
Printed Name of Responsible Official
Director, Environmental Compliance
Title of Responsible Official
5100 Brickyard Road
Mailing Address
Columbia, SC 29203
Mailing City, State, Zip Code
(803) 691-3121
Telephone Number
david.mckeown@generalshale.com
Email Address

Joseph Williams
Witness Signature

If the permit contact person for Company B is different from the Responsible Official, please complete the following:

Contact Name | Contact Title

Mailing Address | Mailing City | Mailing State | Mailing Zip

Telephone Number | Email Address

ALABAMA DEPARTMENT OF ENVIRONMENT MANAGEMENT (ADEM)
NPDES/SID/UIC PERMIT TRANSFER AGREEMENT

List the additional facilities to which this transfer agreement applies below:

	Affected NPDES/SID Permit Number(s)	Facility Name	Facility Location Address
2.	ALG230007	Meridian Brick Phenix City 3	1415 Brickyard Road Phenix City, AL 36869
3.	ALG230008	Meridian Brick Phenix City 4	1501 Brickyard Road Phenix City, AL 36869
4.	AL0058599	Hearn Mine	Lee County Road 179 Salem, AL 36874
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			
21.			
22.			
23.			
24.			
25.			
26.			
27.			
28.			
29.			

Outfall		001-1			002-1			003-1	
Date	**Flow (mgd)**	**pH (Std Units)**	**TSS (mg/l)**	**Flow (mgd)**	**pH Std Units**	**TSS (mg/l)**	**Flow (mgd)**	**pH Std Units**	**TSS (mg/l)**
1/3/2020	1.84	7.63	294.00	18.81	6.38	84.00			
1/23/2020	0.58	8.17	13.00	14.62	7.49	21.00			
2/4/2020	0.14	6.97	16.00	0.97	6.47	19.00			
2/21/2020									
3/6/2020									
3/17/2020	0.14	6.94	15.00	14.62	7.69	12.00			
4/15/2020				1.77	7.40	10.00			
4/28/2020	0.05	6.70	19.00	14.62	7.20	15.00	0.32	6.69	27.00
5/12/2020									
5/27/2020									
6/9/2020									
6/26/2020									
7/10/2020									
7/20/2020									
8/5/2020									
8/18/2020									
9/4/2020									
9/16/2020									
10/2/2020				1.77	7.09	12.00	0.14	6.95	12.00
10/15/2020									
11/3/2020				2.78	7.11	5.00			
11/28/2020									
12/7/2020	0.32	8.42	29.00	14.62	7.86	86.00			
12/21/2020	0.14	8.57	11.00	7.01	7.77	22.00			
1/15/2021	0.14	8.84	28.00	14.62	8.03	8.00			
1/26/2021	0.32	7.27	31.00	10.61	6.65	13.00			
2/9/2021	0.14	8.39	0.00	7.01	6.79	0.00			
2/26/2021									
3/15/2021				4.01	8.13	8.00			
3/31/2021	0.14	7.28	36.00	14.62	7.14	7.00	0.05	7.29	4.00
4/6/2021	0.14	8.23	35.00	29.26	7.37	5.00	0.05	7.48	8.00
4/27/2021	0.14	7.60	25.00	7.01	7.10	14.00	0.05	8.10	10.00
5/12/2021	0.32	7.49	20.00	7.01	7.20	11.00	0.05	8.13	6.00
5/25/2021	0.05	8.40	7.00	1.77	7.07	9.00			
6/16/2021	0.05	7.49	19.00	7.01	7.19	14.00			
6/28/2021	0.05	8.53	10.00	22.92	7.54	8.00			
7/13/2021	0.14	7.11	9.00	4.01	6.81	25.00			
7/26/2021	0.05	8.00	0.00	4.01	7.35	0.00			
8/6/2021	0.05	8.42	13.00	0.41	7.25	4.00			
8/25/2021	0.14	8.77	54.00	0.41	9.10	16.00			
9/15/2021				0.41	5.97	8.00			
9/27/2021									
10/12/2021	0.58	8.04	22.00	1.77	6.97	25.00	0.58	6.71	27.00
10/27/2021				0.41	7.16	12.00			
11/11/2021				0.10	8.17	18.00			
11/29/2021				0.10	8.60	5.00			
12/9/2021				0.10	8.05	5.00			
12/29/2021									
Max	1.84	8.84	294	29.26	9.1	86	0.58	8.13	27
Min	0.05	6.7	0	0.1	5.97	0	0.05	6.69	4
Average	0.26	7.88	32.09	7.39	7.36	16.16	0.18	7.34	13.43
Number	22	22	22	31	31	31	7	7	7

84 Exceeds Permit limit

Flooding
no discharge
road work

Question

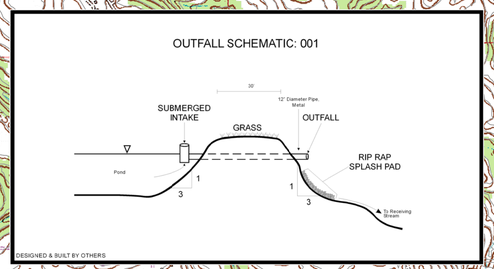
Outfall 001 TSS Load 0.0688921 lbs/day
Outfall 002 TSS Load 0.9969324 lbs/day
Outfall 003 TSS Load 0.0198494 lbs/day
Outfall 006P Same as outfall 002

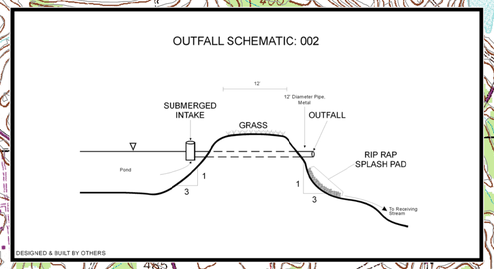
Convert flow from mgd to cfs (avg flow in mgd)*(1 day/86400 sec)*(1 cf/7.48 gal)*1000 gal/mgd

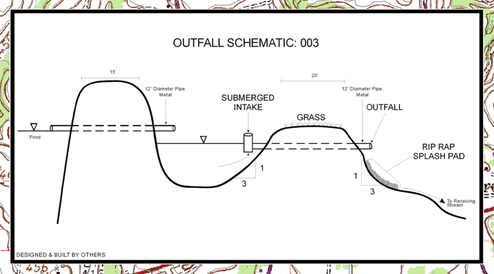
Outfall 001 0.26 mgd 0.00040231 cfs
Outfall 002 7.39 mgd 0.01143481 cfs
Outfall 003 0.18 mgd 0.00027852 cfs

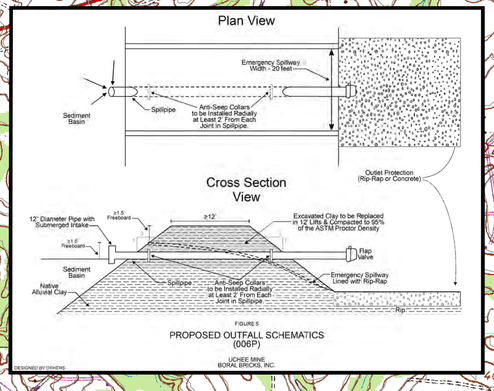
For Fe, Mn, AL, BOD 5 loading rates, Use 10-12-10 lab data and average flow rate to determine the loading rates

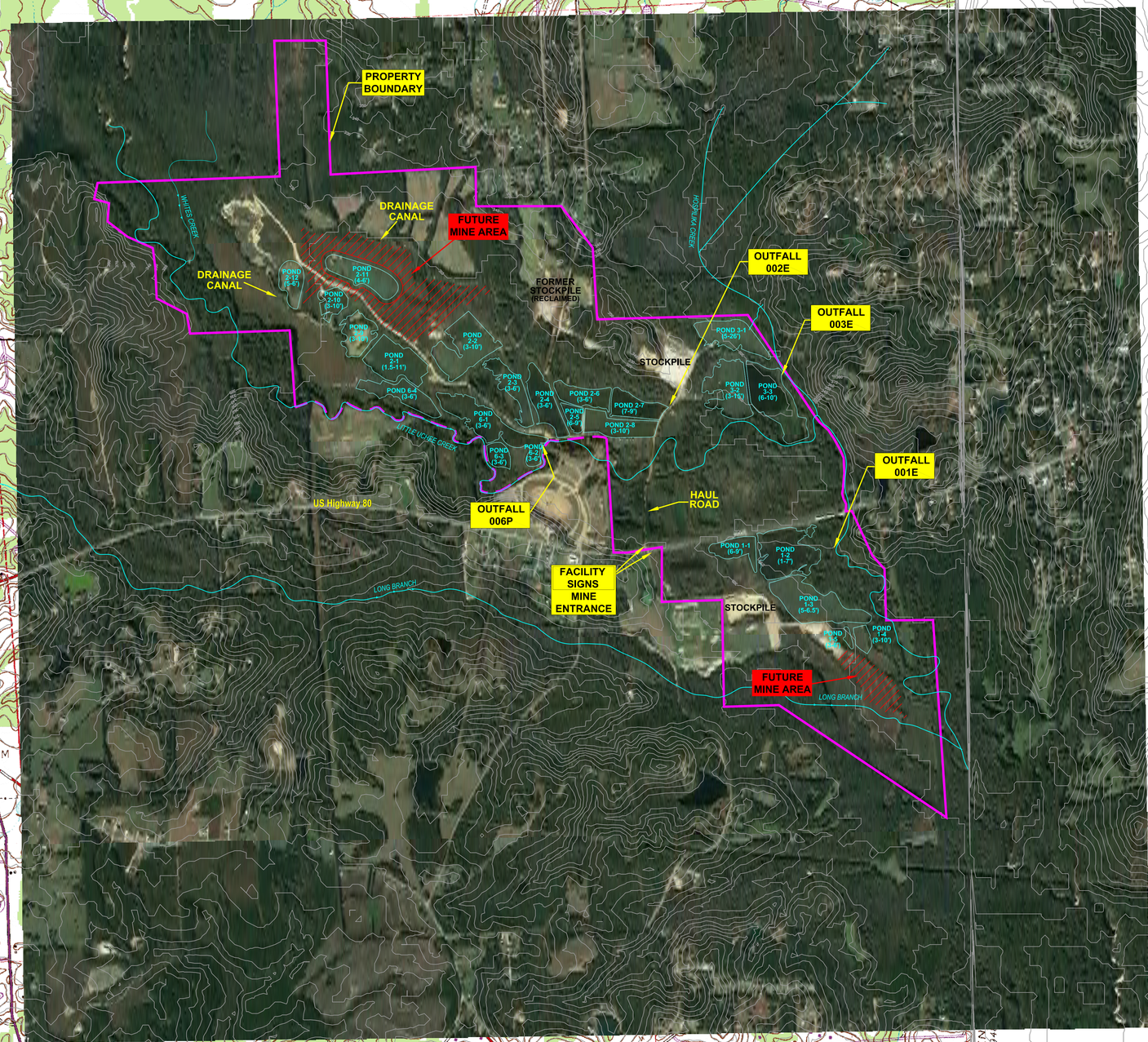
		001 FLOW (MGD)		Loading	002 FLOW (MGD)		Loading	002 FLOW (MGD)		Loading
Al	mg/l	1.683	0.26	0.0036513	1.683	7.39	0.103782	1.683	0.18	0.002528
Fe	mg/l	<4	0.26	0.0086781	<4	7.39	0.2466596	<4	0.18	0.006008
BOD 5	mg/l	0.001513	0.26	3.283E-006	0.001513	7.39	9.330E-005	0.001513	0.18	2.27E-006
MN	mg/l	0.3272	0.26	0.0007099	0.3272	7.39	0.0201768	0.3272	0.18	0.000491











LEGEND

(3-6') - Pond Depth (ft)

N

0 1000'

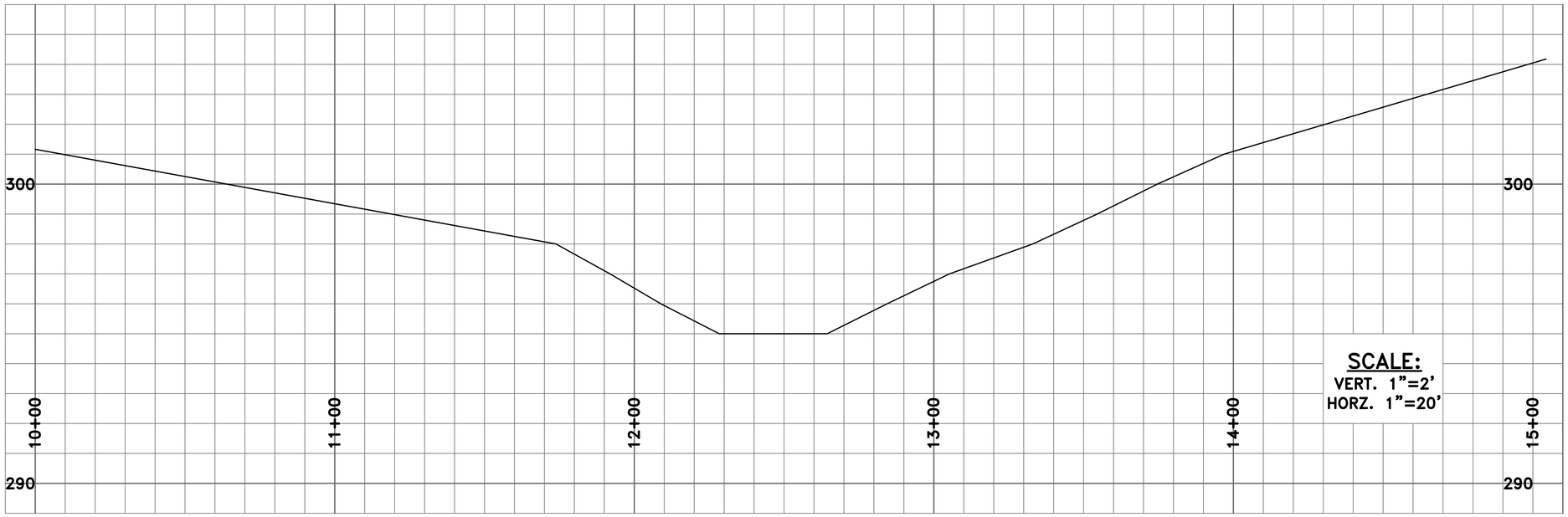
SCALE IN FEET

Modified/Prepared By: Tom Joiner & Associates, Inc. Source: Uchee Mine & 11-12-2020 Google Earth Aerial Photo

FIGURE 2 DETAILED FACILITY MAP

Notes: 1. Angles and distances were measured with a Geomax Zoom 90.
2. Field Survey completed 28 February 2024.
3. Topographic Information Based on NAVD 88 datum.

20 0 20 40
SCALE: 1" = 20'



PROFILE OF ℄ OF EXISTING ROAD

LEGEND

ST STORM SEWER LINE
B BOLLARD

NOTE:
Information regarding the reputed presence, size, character and location of existing underground utilities was obtained from local utility companies and/or available drawings supplied by the owner and shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using drawing. However, MOON MEEKS & ASSOCIATES, INC. has no notice or knowledge of any facts that would lead us to conclude that the information is not accurate. Utilities and structures not shown may be encountered. The owner, his employees and his consultants, his assigns and his contractors shall hereby distinctly understand that MOON MEEKS & ASSOCIATES, INC. is not responsible for the correctness or sufficiency of underground information. Information with respect to above ground monuments of such utilities is based upon actual field measurements and observations and is shown hereon.

ALABAMA REGISTERED No. 37420 PROFESSIONAL LAND SURVEYOR JUSTIN S. PERDUE

I have, this date, examined the FLOOD INSURANCE RATE MAP, dated July 22, 2010, covering Russell County, Alabama (Community No. 010287). Subject area is located on Map No. 01113C0135C of said map. The entire area shown is located in Flood Hazard Zone A.

Justin S. Perdue

Justin S. Perdue, R.L.S. – Alabama Reg. No. 37420

TOPOGRAPHIC SURVEY OF PART OF PROPERTY OF BORAL BRICKS INC., PART OF UCHEE CREEK

SECTION 16, T17N, R29E

RUSSELL COUNTY, ALABAMA

Scale 1" = 20' 15 March 2024

MOON MEEKS & ASSOCIATES, INC.
Civil Engineers – Land Surveyors
100 Southern Way, Suite A, Columbus, Georgia 31904
(706) 327-8306

R 28 E | R 29 E

T 17 N

PROPERTY BOUNDARY

WHITES CREEK

HOSPILIKA CREEK

FORMER STOCKPILE (RECLAIMED)

FUTURE MINE AREA

STOCKPILE

DRAINAGE CANALS

OUTFALL 002E

LITTLE UCHEE CREEK

US HIGHWAY 80

OUTFALL 003E

PONDS

OUTFALL 001E

OUTFALL 006P

STOCKPILE

OVERHEAD POWER LINE

HAUL ROAD

MINE ENTRANCE

FUTURE MINE AREA

LONG BRANCH

LITTLE UCHEE CREEK

US HIGHWAY 80

FIGURE 1

VICINITY MAP OF UCHEE SURFACE MINE

Uchee Mine
Crawford, AL

N

0 3,000'
SCALE IN FEET

SOURCE: CRAWFORD 7.5' USGS QUADRANGLE (1955) PHOTOREVISED 1984
& PHENIX CITY 7.5' USGS QUADRANGLE (1955) PHOTOREVISED 1984.

List of Officers

Charles Smith
President & CEO
3015 Bristol Highway
Johnson City, TN 37601

Dan Green
Chief Technical Officer
3015 Bristol Highway
Johnson City, TN 37601

Scott Dines
Chief Integration Officer
6455 Shiloh Road, Suite D
Alpharetta, Georgia 30005

Andy Hall
Chief Operating Officer
3015 Bristol Highway
Johnson City, TN 37601

Scott Miracle
VP Manufacturing East
3015 Bristol Highway
Johnson City, TN 37601

Jack Bolus
VP Manufacturing West
500 NE 14th Avenue
Mineral Wells, TX 76067

Corky Clifton
VP Sales
3015 Bristol Highway
Johnson City, TN 37601

Best Management Practices Plan

FOR

UCHEE MINE
NPDES Permit No.: AL0058629

RUSSELL & LEE COUNTIES
CRAWFORD, ALABAMA

February 2022

Prepared by:

Tom Joiner & Associates, Inc.
P.O. Box 1490
Tuscaloosa, AL 35403
(205) 345-2311

Contents

Contents *(Continued)*

APPENDICES

About This Plan

This Best Management Practices (BMP) Plan was prepared to help this facility comply with the National Pollutant Discharge Elimination System (NPDES) Permit issued by the Alabama Department of Environmental Management. The permit requires the operator to develop, implement and maintain a BMP plan to reduce or eliminate pollutants in stormwater runoff at the Uchee Mine.

Things, which must be completed, are in bold and italics below:

Some key issues to remember when reviewing this Plan.

1. ***The Regional Manager must certify the Plan by signing the statement on page vi.***

2. ***The Team Leader (or Plant Manager in this case) should complete and the Regional Manager must review and sign Worksheet 3*** (Non-Stormwater Discharge Assessment and Certification). The certification must be completed as accurately as possible.

3. ***Note that the permit requires the daily log in Section 7 to be maintained for petroleum storage areas, stormwater releases from containment units, and a bi-weekly inspection of stormwater systems. These are provided in Section 7.1. An annual certification is required to verify they are being performed and is due by January 28th of each year.*** If not performed and ADEM inspects, you will likely be subject to additional requirements, including quarterly sampling.

4. Note in Section 11, ***you are required to perform Monthly (when the washdown system is used and there is a discharge during the month) and Semi-Annual Sampling and reporting***. Results are also required to ***be submitted semiannually (By January 28th and July 28th*** for the semi-annual time period preceding those dates).

5. Section 8.0 of this Plan describes the ***Comprehensive Site Compliance Evaluation*** (Worksheet 7) that must be completed each year. This is an annual requirement and the section explains the requirements for follow-up.

6. The permit specifies that completed Worksheets automatically become a part of your Plan and must be kept for 3 years from the date of the action (inspection, sample, etc.) or for one year after the expiration of the permit (take whichever is longer for ease of recordkeeping).

Distribution List

Copy	Person	Location
1	Delbert Enlow Plant Manager	Phenix City, Alabama
2	David McKeown Director Environmental Compliance	Corporate Environmental

Document Control and Revision History

Revision Date:	Revision By:	Types of Revisions:
July 2005	J. Patrick (TJA)	2006 NPDES Permit Renewal
January 2011	J. Patrick (TJA)	2011 NPDES Permit Renewal
January 2016	J. Patrick (TJA)	2016 NPDES Permit Renewal
February 2022	J. Patrick (TJA)	2022 NPDES Permit Renewal

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 gathered and evaluated the submitted information. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the submitted information 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 fines and imprisonment for knowing violations.

Signature: Joseph E Patrick

Name: **Joseph E. Patrick, P.E.**

Title: Tom Joiner and Associates, Inc.

Consultant for Meridian Brick, LLC.

ALABAMA LICENSED No. 22251 PROFESSIONAL ENGINEER JOSEPH E. PATRICK

Date: 2-25-2022

Signature: Delbert E

Name: **Delbert Enlow**

Title: Plant Manager, Phenix City Plant

Certification Date: 2/28/2022

Pollution Prevention Team

Name: **Delbert Enlow**
Title: Plant Manger
Phone: 334-480-2440

Responsibilities: The Plant Manager is responsible for stormwater pollution prevention at the Uchee Mine. His role as leader of the Pollution Prevention Team includes the following responsibilities.

1. Evaluating and initiating updating the BMP as required.
2. Ensuring the quarterly inspections of the facility are performed and conducting the annual comprehensive evaluations.
3. Ensuring that stormwater pollution prevention is included in employee training classes.
4. Assisting as warranted in spill and leak cleanup.
5. Working with the facility personnel to aid in implementation of the BMPs and identify facility and procedural changes identified to minimize pollutant exposure to stormwater.

Name: **David McKeown**
Title: Environmental Manager, Meridian Brick, LLC
Phone: 1-803-691-3121
1-803-351-0635

Responsibilities: Development and implementation of the BMPs. Maintain records associated with the PAP. Delegate and oversee the annual employee training, monthly preventative maintenance and quarterly visual inspections, and the annual comprehensive site compliance evaluation.

Section 1
Site Description and Drainage Features

The Uchee Mine consists of approximately 1,177 acres (See Figures 1 and 2). The material mined at this site is alluvial clay. Mining at the site is performed (by a contract mining company) using trac-hoe excavators, trucks and wheel scrapers to remove and stockpile the material. Ordinarily, the anticipated yearly demand will be mined and stockpiled during a four to six-week period in the summer months. The stockpiled material is hauled to the Phenix City plant by contract haulers on an as needed basis.

The topography in the area is generally flat and surface drainage is to Little Uchee Creek or to its unnamed tributaries. Little Uchee Creek drains from the Northwest to the Southeast across the southern portion of the subject property. In general, the site drainage is to the east through three outfalls. The outfall drainages eventually flow into Little Uchee Creek, unnamed tributaries of Little Uchee Creek or Hospilika Creek (that are part of the Chattahoochee River Drainage Basin) through a series of sediment ponds. Each pond is equipped with submerged intake structures (See Figure 1).

Section 2
Inventory of Exposed Materials

Worksheet 1 contains a detailed inventory of significant materials used, stored, or produced onsite that are exposed to stormwater. Note that bricks themselves are not noted as they are not a significant source of stormwater pollutants. The locations of these potential pollutant sources have been identified on the facility diagram included in Appendix A.

Worksheet 1
Significant Materials Exposed to Stormwater

Significant Material[1,2,3]	Purpose[4]	Method of Storage	Control Measures and Management Procedures Employed	Likelihood of Significant Contact with Stormwater	Past Significant Spill or Leak[5]
Clay and other similar materials	Raw material	Stockpiles	The majority of the material is stored under cover or indoors. Material is mined and brought onsite as needed to avoid excess stockpiles. Contact is minimized by covers and handling practices; and runoff is through controlled ditching and a sediment pond.	High. Due to nature of material, dust is generated and some material is exposed at all times.	No
Diesel fuel	Mine Equipment fueling	Aboveground tanks	Mining is conducted seasonally on a contract basis. Mining contractors will fuel their equipment with mobile equipment or with a fixed tank that is brought on site for the mining period. All fueled storage/fueling/handling by mining contractors will be conducted in accordance with the SPCC Plan.	Minimal except for minor spills during fueling/refueling activities which are handled in a timely fashion.	No

[1] These are the significant materials, which have been handled or stored in a manner to allow exposure to precipitation. None of the materials has been treated (other than use in the manufacturing process) or disposed onsite.

[2] The treatment of stormwater presently employed is the use of sedimentation systems and oil/water separators at refueling and wash-down areas. No other treatment processes are employed.

[3] Other materials exposed are not considered significant due to the limited quantity or the inert nature of the material.

[4] See the Facility Diagram for locations.

[5] Considered to be significant if could, or would, affect stormwater and was a result of a sudden, unanticipated action.

Section 3
Significant Spills and Leaks

There have been no significant spills or leaks that have affected stormwater at this facility.

Worksheet 2 is provided to record any significant releases in the future.

Worksheet 2

List of Significant Spills and Leaks

Directions: Record below all significant spills and leaks of toxic or hazardous pollutants.

Definitions: Significant spills include, but are not limited to, releases of oil or hazardous substances in excess of reportable quantities.

Date (m/d/y)	Check One or Both		Location (as indicated on site map)	Description				Response Procedure		Preventive Measures Taken	Completed by (Initials/ Date)
	Spill	Leak		Type of Material	Quantity (Estimate)	Source	Reason	Amount of Material Recovered	Is Material Still Exposed to Stormwater? (Yes or No)		

Section 4
Non-Stormwater Discharges

There are no known unauthorized non-stormwater discharges from this facility.

Section 5
Sampling Data

Stormwater discharges at this site have been sampled. Previous sampling events indicate pH within a normal range and highly varying amounts of TSS.

Section 6
Risk Identification and Summary of Potential Pollutant Sources

In general, the production activities at this site suggest potential problems with erosion, as would be indicated by high total suspended solids (TSS) levels. This Plan therefore focuses primarily on reducing erosion and raw material transport, particularly around outdoor storage and handling areas. Table 1 is a summary of the potential pollutant sources and applicable pollutant indicators for the facility.

The following areas and activities (noted on the Facility Diagram in Appendix A) may act as potential stormwater pollution sources:

- Loading and Unloading Operations. At the mine the loading/unloading areas of concern are for fuels. Raw materials include clay and shale which are in such significant volumes they have the potential to significantly affect stormwater quality if not properly managed. Fuels are managed as described in the SPCC Plan (please refer to it for additional information). Unloading of clay occurs at the stockpile area, but dust generation may result.

- Outdoor Storage. Outdoor storage is limited where possible as moisture is not desirable in the raw materials for production. However, due to the sheer volume of the material utilized, outdoor storage (or covered storage which includes a portion not always under cover) may include some clay and shale. While oils and fuels are stored outdoors, large quantities are stored inside secondary containment where accumulated stormwater is checked for potential contamination prior to release.

- Outdoor Manufacturing or Processing Activities. No actual manufacturing or processing occurs in outdoor, uncovered areas.

- Significant Dust or Particulate Generating Processes. Due to the dry material utilized in the mining process, there is significant dust and particulate material on the site and is (with the associated storage) the most likely source of significant stormwater pollutants on the site. As well as the potential from the Outdoor Storage and Loading/Unloading Areas above, dust and particulates are generated from the vehicle traffic on roadways.

- Onsite Waste Disposal Practices. No solid waste is stored or disposed onsite.

- Fueling. Fueling is performed for seasonal mining equipment only. All fueling operations will be conducted in accordance with the SPCC Plan.

Table 1
Summary of Pollutant Sources and Pollutant Indicators in Stormwater

Source of Pollutant	Pollutant Indicators
General erosion of clay storage areas	TSS
Diesel fuel, lubricants	Semivolatiles, Volatiles, Oil and Grease

Section 7
Best Management Practices

Best Management Practices (BMPs) are measures to prevent or minimize water pollution from sources. BMPs are broad ranging and may include processes, procedures, human actions, or construction. Most BMPs aim at preventing spills and similar environmental incidents by stressing the importance of management and employee awareness of potential spill situations.

7.1 Inspections

The following forms are to be completed. Frequency of completion is noted on the top (daily or when stormwater is released from a containment unit).

Date:_____ Time: _____ Inspector: _____

Worksheet 3

Daily Inspection Log for Petroleum Handling Areas
(Inspection required during Seasonal Mining)

Uchee Mine

Area Inspected	Condition Acceptable?		Comments
	Yes	No	
Diesel Fuel storage (onsite temp AST or Mobile Fuel Truck)			
Excavator diesel fuel			
Chemical Coagulant AST (if in use)			

If you answer "No", complete the following sections:

Area requiring action	Cleanup action required (see codes below)	Time started and stopped	Cleanup Personnel

Cleanup Codes: ABS - Absorbents/Rags Used
CLN - Cleaning Agents/Chemicals Used
SOIL - Excavated Soil
OTHER - Other Cleanup Performed

Note: Spills are significant petroleum releases with the potential of impacting stormwater runoff from the mine.

Worksheet 4

Discharge of Uncontaminated Stormwater
From Secondary Containment Areas for Petroleum Bulk Storage
(required when dikes are drained)

Uchee Mine

Date/Time of Discharge	Containment Area & Estimated Volume of Discharge (Volume = L x W x H (in feet) x 7.5 gal/cu. ft. = gallons)	Initials of Person Making Visual Inspection/Person Authorizing Discharge

NOTE: Per Page 1e of the NPDES permit (Part I.A.DSN006 Requirement 6), the discharge shall have no sheen, and there shall be no discharge of visible oil, floating solids or visible foam in other than trace amounts.

Worksheet 5

Inspection Log for Stormwater Ditches and Sediment Pond

Uchee Mine

Date/Time of Inspection	Cleanup Action Required (see codes below)	Person Performing Inspection

Cleanup Codes: NA - Not Applicable/No Cleanup Required
SOIL - Excavated Soil
OTHER - Other Cleanup Performed
ABS - Absorbents/Rags Used
CLN - Cleaning Agents/Chemicals Used

Note: Spills are significant petroleum releases with the potential of impacting stormwater runoff from the mine.

7.2 Employee Training

Employee training programs are instituted at the facility to inform appropriate employees of environmental considerations including components and goals of the BMP Plan. Training is provided annually to appropriate facility employees. Varying levels of training are provided to employees depending on their responsibilities with regard to implementation or direct impacts of the BMP Plan on their job responsibilities. Records of the topics discussed during employee training and the employees attending each session are stored by the Team Leader when the training is solely provided for the BMP Plan. When training is provided associated with other training records, records may be stored by the Team Leader or in the employee files with Human Resources.

The training program addresses three major areas:

- Spill prevention and response[6]
- Good housekeeping
- Materials management practices

7.3 Sediment and Erosion Control

The areas of the facility that are subject to erosion are the stockpiled clay reserves and roadway dust. The stockpiles are covered and the remaining areas which are uncovered are contoured and sized to prevent formation of significant erosion pathways. In order to reduce the amount of erosion from these smaller sized areas, material is moved in and out on a regular basis to prevent breakdown and other forms of degradation. Any stormwater runoff from these stockpiles drains to the mine sumps and is discharged via the NPDES Outfalls after treatment to remove sediment.

7.4 Management of Runoff

Runoff on the mine sites is managed via drainage swales and ditches. Open ditches are vegetated to minimize erosion and sediment check dams may be used to slow the velocity of water. Stormwater is collected in the mine sumps before being pumped to the sediment pond where it is discharged via the NPDES Outfall.

Based on current evaluation, these measures are sufficient and appropriate for the site.

[6] This is only an awareness training on the subject. Primary training is performed as part of the SPCC Plan implementation. Refer to the SPCC Plan for additional information.

Section 8
Comprehensive Site Compliance Evaluation

Once a year, the Plant Manager or other qualified individual will conduct a comprehensive site inspection to:

1. Confirm the accuracy of the descriptions of potential pollutant sources contained in the BMP.

2. Determine the effectiveness of the Plan.

3. Assess compliance with the terms and conditions of the NPDES permit.

The comprehensive site compliance evaluation is conducted by the Plant Manager or other qualified individual. During the evaluation, material handling and storage areas and other potential sources of pollution are visually inspected for evidence of actual or potential pollutant discharges to the drainage system. Erosion controls and structural stormwater management devices also are inspected to ensure that each is operating correctly. Worksheet 7 is provided at the end of this section to assist in the annual evaluation.

The results of each evaluation are documented in a report signed by the responsible corporate official. The report describes:

- Scope of the evaluation;
- Personnel making the evaluation;
- Date(s) of the evaluation; and
- Major observations relating to the implementation of the BMP.

The evaluation report(s) are retained at the facility for at least one year after the date that the NPDES stormwater permit expires. Annual evaluation reports are stored in Appendix E of the Team Leader's copy of the BMP.

Based on the results of each evaluation, the list of potential pollutant sources and the measures and controls described in this Plan are revised (if appropriate). Any changes in the measures and controls are implemented on the site in a timely manner. In addition, if the evaluation report lists changes at the site that have a significant effect on the potential for the discharge of pollutants to surface waters, the BMP will be amended to describe the changes.

Worksheet 6

Annual Comprehensive Site Compliance Evaluation

For the Year of: _____

Summary of Inspections

Describe the general results and any trends or changes over time. Any noted changes or follow-up on any issues noted. If any specific areas are repeat issues or have become better, summarize that as well.

Summary of Sampling

Describe the general results and any trends or changes over time. *For example, "Outfall 1 appears to be generally turbid with a reddish color with decreasing turbidity over the year. Outfall 2 is a clear discharge with no appearance of contamination. Outfall 3 has increased turbidity, apparently from clay transport, in the fall and spring.*"

Facility Changes

Check the appropriate box.

☐ No significant changes were made to the facility during the reporting period.

☐ The following changes were made:

Describe any facility changes that might affect the potential for stormwater contact with significant exposed materials. *For example, "Concrete containment was constructed around the fuel tank."*

Significant Spills

Check the appropriate box.

☐ No significant spill(s) occurred during the reporting period.

☐ The following spill(s) occurred:

Describe the date, location, quantity, material, and remedial measures for reportable quantities. Include steps taken to prevent recurrence.

Sediment and Erosion Control

Check the appropriate box.

☐ No modifications were necessary and no changes to controls were made.

☐ The following modifications were made or will be made:

_____

_____

_____

_____

_____

_____

_____

Significant Exposed Materials/Potential Stormwater Pollutants

Check the appropriate box.

☐ There was no appreciable change in the quantity, type, or location of significant exposed materials at the site.

☐ The following appreciable change(s) occurred:

If the quantity, type or location of significant exposed materials described in Worksheet 1 has changed, modify the Worksheet by hand and attach a copy to this report. *The text of this section would then say: "Changes to the significant exposed materials on the site have been made on the attached Worksheet 1. The changes are basically..."*

_____

_____

_____

_____

_____

_____

Non-Stormwater Discharges

Check the appropriate box.

☐ No non-stormwater discharges were identified during the reporting period.

☐ The following non-stormwater discharge(s) were identified and handled as noted:

Describe the date and location. Refer to Section 4.0 for more detail.

BMPs/Structural Controls

Check the appropriate box.

☐ No BMPs or structural controls were added or modified at the facility during the reporting period.

☐ The following BMPs or structural controls were added or modified:

Note the date the change or addition was implemented and describe the new practice. See Section 7 for an example of the appropriate level of detail.

Outfalls

Check the appropriate box.

☐ No outfalls were added or removed during the past year.

☐ The following outfalls were added or removed during the past year:

Describe the change. *For example: "The southwest corner of the property was regraded during the spring; as a consequence, stormwater is no longer discharged through outfall 002".*

_____

_____

_____

_____

_____

_____

Additional Comments

_____

_____

_____

_____

_____

Evaluation Completed By: _____

Date Evaluation Completed: _____

Regional Manager Approval: _____

Date Approved: _____

Section 9
Record Keeping and Reporting

A record keeping system has been set up at the facility for documenting spills, leaks, and other discharges, including discharges of hazardous substances in reportable quantities. The records contain the following information:

- Date and time of the incident;
- Duration of the spill/leak/discharge;
- Cause of the spill/leak/discharge;
- Response procedures implemented;
- Persons notified; and
- Environmental problems associated with the spill/leak/discharge.

Records of oil spills and leaks are stored with the records copy of the SPCC Plan, and other releases that are significant to the stormwater system are stored in Section 3.

Other records required under the permit are retained by the Plant Manager for at least one year after the expiration of the permit or 3 years from record generation, whichever is greater.

Section 10
Special Requirements

10.1 Section 313 Special Requirements

This facility does not have Section 313 water priority chemicals that they are required to report under Form "R" that are also exposed to stormwater at the facility.

10.2 Salt Piles

This facility does not have a salt pile.

10.3 Discharges to Large or Medium Separate Stormwater Systems

This facility does not discharge to a municipal separate stormwater system.

10.4 Coal Piles

This facility does not have a coal pile.

Section 11
Monitoring and Reporting Requirements

Requirements for sampling are summarized in your permit.

NOTE: If there is any exceedance (or a bypass) you are required to orally report to the State within 24 hours and submit a written report within 5 days. See page 4 of your permit for written report requirements.

Monitoring requirements will be re-evaluated if the operations or facility drainage patterns are substantially altered.

APPENDICES

Appendix A

Site Location Map and Facility Diagram

Also See Figures 1 & 2 of NPDES Permit

R 28 E | R 29 E

T 17 N

PROPERTY BOUNDARY

WHITES CREEK

HOSPILIKA CREEK

FORMER STOCKPILE (RECLAIMED)

FUTURE MINE AREA

STOCKPILE

DRAINAGE CANALS

OUTFALL 002E

LITTLE UCHEE CREEK

US HIGHWAY 80

OUTFALL 003E

PONDS

OUTFALL 001E

OUTFALL 006P

STOCKPILE

OVERHEAD POWER LINE

HAUL ROAD

MINE ENTRANCE

FUTURE MINE AREA

LONG BRANCH

LITTLE UCHEE CREEK

US HIGHWAY 80

APPENDIX A

SITE LOCATION MAP AND FACILITY DIAGRAM

Uchee Mine
Crawford, AL

N

0 3,000'
SCALE IN FEET

SOURCE: CRAWFORD 7.5' USGS QUADRANGLE (1955) PHOTOREVISED 1984
& PHENIX CITY 7.5' USGS QUADRANGLE (1955) PHOTOREVISED 1984.

Appendix B

Blank and Completed Inspection Reports

Date:_____ Time: _____ Inspector: _____

Daily Inspection Log for Petroleum Handling Areas (inspection required during days of operation)

Uchee Mine

Area Inspected	Condition Acceptable?		Comments
	Yes	No	
Diesel Fuel AST (seasonal)			
Excavator Diesel Fuel			
Chemical Coagulant AST			

If any are is unacceptable (No answer) complete the following sections:

Area requiring action	Cleanup action required (see codes below)	Time started and stopped	Cleanup Personnel

Cleanup Codes: ABS - Absorbents/Rags Used
CLN - Cleaning Agents/Chemicals Used
SOIL - Excavated Soil
OTHER - Other Cleanup Performed

Note: Spills are significant petroleum releases with the potential of impacting stormwater runoff from the plant.

Discharge of Uncontaminated Stormwater From Secondary Containment Areas for Petroleum Bulk Storage

(required when dikes are drained)

Uchee Mine

Date/Time of Discharge	Containment Area & Estimated Volume of Discharge (Volume = L x W x H (in feet) x 7.5 gal/cu. ft. = gallons)	Initials of Person Making Visual Inspection/ Person Authorizing Discharge

NOTE: Per Page 1e of the NPDES permit (Part I.A.DSN006 Requirement 6), the discharge shall have no sheen, and there shall be no discharge of visible oil, floating solids or visible foam in other than trace amounts.

Bi-weekly Inspection Log for Stormwater Ditches and Sediment Pond

Uchee Mine

Date/Time of Inspection	Condition of site?	Person performing Inspection

Appendix C

Blank and Completed Annual Site Compliance Evaluation Forms

Annual Comprehensive Site Compliance Evaluation

For the Year of: _____

Summary of Inspections

Describe the general results and any trends or changes over time. Any noted changes or follow-up on any issues noted. If any specific areas are repeat issues or have become better, summarize that as well.

Summary of Sampling

Describe the general results and any trends or changes over time. For example, "*Outfall 1appears to be generally turbid with a reddish color with decreasing turbidity over the year. Outfall 2 is a clear discharge with no appearance of contamination. Outfall 3 has increased turbidity, apparently from clay transport, in the fall and spring*".

Facility Changes

Check the appropriate box.

☐ No significant changes were made to the facility during the reporting period.

☐ The following changes were made:

Describe any facility changes that might affect the potential for stormwater contact with significant exposed materials. For example*: "Concrete containment was constructed around the fuel tank"*.

Significant Spills

Check the appropriate box.

☐ No significant spill(s) occurred during the reporting period.

☐ The following spill(s) occurred:

Describe the date, location, quantity, material, and remedial measures for reportable quantities. Include steps taken to prevent recurrence.

Sediment and Erosion Control

Check the appropriate box.

☐ No modifications were necessary and no changes to controls were made.

☐ The following modifications were made or will be made:

_____

_____

_____

_____

_____

_____

_____

Significant Exposed Materials/Potential Stormwater Pollutants

Check the appropriate box.

☐ There was no appreciable change in the quantity, type, or location of significant exposed materials at the site.

☐ The following appreciable change(s) occurred:

If the quantity, type or location of significant exposed materials described in Worksheet 1 has changed, modify the Worksheet by hand and attach a copy to this report. The text of this section would then say: *"Changes to the significant exposed materials on the site have been made on the attached Worksheet 1. The changes are basically..."*

_____

_____

_____

_____

_____

_____

Non-Stormwater Discharges

Check the appropriate box.

☐ No non-stormwater discharges were identified during the reporting period.

☐ The following non-stormwater discharge(s) were identified and handled as noted:

Describe the date and location. Refer to Section 4.0 for more detail.

BMPs/Structural Controls

Check the appropriate box.

☐ No BMPs or structural controls were added or modified at the facility during the reporting period.

☐ The following BMPs or structural controls were added or modified:

Note the date the change or addition was implemented and describe the new practice. See Section 7 for an example of the appropriate level of detail.

Outfalls

Check the appropriate box.

☐ No outfalls were added or removed during the past year.

☐ The following outfalls were added or removed during the past year:

Describe the change. For example, *"The southwest corner of the property was regraded during the spring; as a consequence, stormwater is no longer discharged through outfall 002".*

_____

_____

_____

_____

_____

_____

Additional Comments

_____

_____

_____

_____

_____

Evaluation Completed By: _____

Date Evaluation Completed: _____

Regional Manager Approval: _____

Date Approved: _____

Spill Prevention, Control, and Countermeasures Plan

FOR

UCHEE MINE
NPDES Permit No.: AL0058629

RUSSELL & LEE COUNTIES
CRAWFORD, ALABAMA

February 2022

Prepared by:

Tom Joiner & Associates, Inc.
P.O. Box 1490
Tuscaloosa, AL 35403
(205) 345-2311

Contents

Contents *(Continued)*

FIGURE

APPENDICES

REVIEW OF SPCC REGULATORY ELEMENTS CROSS-REFERENCE

Reg Section		Requirement	Plan Sections
112.3		• Reviewed and Certified by P.E • SPCC Plan is Available for review	1.3 4.3
112.4		• Spill Reporting Requirements	3
112.5		• Amended within 6 months of change in spill potential (changed tanks, contents, containments, locations, designated person, drainage patterns, etc.) • Reviewed every 5 years with review statement/log • New P.E. Certification for each amendment	1.5
112.7		Cross-Reference Table provided if not following the sequence provided	
(a)1		Include a discussion of the facility's conformance with this part.	1.4
(a)3		Description of the physical layout of the facility including a facility diagram with: • Location and contents of each container • Include USTs regulated under 40 CFR 280 • Transfer Stations and connecting pipes Discussion must also include: • Type of oil in each containers and storage capacity • Discharge prevention methods including routine handling • Discharge or drainage controls • Countermeasures for release • Methods of disposal of recovered materials • Contact list and phone numbers who must be contacted in case of a discharge	Figure 1 Sections 2.2 & 2.4 Section 3
(a)4		Provide information and procedures to enable a plan reporting a discharge to relate the appropriate information.	Section 3 Appendix A
(b)		Prediction for reasonable releases: • direction • rate • total quantity	Section 2.4
(c)		Appropriate Secondary Containment to prevent discharge	Section 2.4 Appendix B & C
(d)		If not "c" – specify why it is not practical and develop an Oil Spill Contingency Plan with appropriate contracts	N/A
(e)		Inspections and Tests • Written inspection & Test procedures and frequencies • Inspections/records signed by supervisor or inspector • Retained three years	Section 4

REVIEW OF SPCC REGULATORY ELEMENTS CROSS-REFERENCE

Reg Section		Requirement	Plan Sections
(f)		Training 1. Train oil-handling personnel in the O&M of equipment, discharge procedures, & laws, rules, and regulations; general facility operations, and the SPCC Plan 2. Designated person for oil prevention accountability & reports to management 3. Annual Briefings for oil-handling personnel covering known discharges or failures, malfunctioning components and any recently developed precautionary measures.	Section 5
(g)		Security 1. Fenced and/or guarded 2. Valves for outward flow have adequate security to remain in the closed position (e.g., locked) 3. Starter controls locked or inaccessible 4. Loading/unloading connections capped or blank-flanged when not ins service or in standby for extended time 5. Lighting for: 1)discover of spills 2) prevent vandalism	Section 6
(h)		Tank and truck loading/unloading 1. Containment system for loading area that holds the max capacity of largest single tank or compartment or a quick drainage system? 2. Warning system or interlock for hose connections (don't drive off still connected) 3. Inspect bottom connection points prior to filling and prior to departure	Section 2.4
Part B (if Petroleum) then 112.8 Part C (if non-petroleum) than 112.12			
112.8/12(b)		Diked areas restrained by valves and manually activated 1. Pumps or ejectors must be manually activated and must inspect prior to starting pumps 2. Valves: Flapper type not used: open and closed type used. If not to WWTS, inspect retained storm water before discharge 3. Drainage from undiked areas to go to pond or catchment basin designed to retain oil. 4. If not like "3" then final discharge of all ditches have diversion system to retain oil.	Section 2.4

REVIEW OF SPCC REGULATORY ELEMENTS CROSS-REFERENCE

Reg Section		Requirement	Plan Sections
112.8/12(c)		Storage Containers/Tanks 1. Compatible w/ material stored 2. Impervious secondary containment large enough ton contain largest tank (or 10% of total whichever is larger) plus freeboard for precipitation 3. Drainage of rainwater if :1) normally closed valve 2) inspected before discharge 3) drained under supervision 4) records kept 4. Protect Buried tanks 5. No use of bunkered tanks unless buried portions protected 6. ASTs integrity tested regular schedule & when make material repairs. Visual inspection must be combined with other methods 7. Internal heating coils discharge monitored 8. Provide at least one of the following: (i) high level alarms at a constantly attended station; (ii) High level pump cutoff devices; (iii) direct signal communication between container gauge and pumping station; (iv) fast response system for determining liquid level (such as digital computer, telepulse, or direct vision gauges) with a person present to monitor gauges and overall filling during operations. Note liquid level sensing devices must be regularly tested. 9. Check treatment effluents for potential upsets 10. Visible oil leaks promptly corrected and accumulated oils removed promptly 11. Mobile or portable positioned to prevent release to Surface Water and provide secondary containment.	Section 2.4, Section 4.1 & 4.2
112.8/12(d)		Transfer Operations: 1. UST/Exposed pipe examined and fixed if necessary. Underground piping must meet 40 CFR 280 requirements 2. Standby and out of service piping: blind flange or capped and label 3. Design of pipe supports for expansion/contraction/abrasion 4. Regular examination of all piping, valves, and appurtances. 5. Vehicular traffic warned to be sure that no vehicle will endanger piping or other oil transfer operations	Section 2.4
112.20(e)		Completed and signed Certification form for Substantial Harm Determination	Appendix A

Distribution List

Copy	Person	Location
1	**Delbert Enlow** Plant Manager	Phenix City, AL
2	**David McKeown**	Corporate Environmental

Document Control and Revision History

Revision Date:	Revision By:	Types of Revisions:
February 2006	J. Patrick (TJA)	2006 NPDES Permit Renewal
January 2011	J. Patrick (TJA)	2011 NPDES Permit Renewal
January 2016	J. Patrick (TJA)	2016 NPDES Permit Renewal
February 2022	J. Patrick (TJA)	2022 NPDES Permit Renewal

Section 1
General Information

1.1 Facility Information

Company Name:	Meridian Brick
Facility Name:	Uchee Mine
Facility Street Address:	U.S. Highway 80, Crawford, Alabama 36870
Facility Phone Number:	334-291-9935
Latitude/Longitude:	32°27'36" / 85°07'57" (Outfall 001E) 32°28'03" / 85°08'28" (Outfall 002E) 32°28'05" / 85°08'06" (Outfall 003E) 32°27'53" / 85°08'53" (Outfall 006P)
River Drainage Basin:	Chattahoochee River
Nearest Surface Water Body:	Little Uchee Creek or Unnamed Tributaries of Little Uchee Creek
Distance:	None
Owner:	Meridian Brick LLC 6455 Shiloh Road Ste D Alpharetta, GA 30005

The Facility Response Coordinator (or his/her designee) is responsible for the Spill Prevention Program, including employee training and awareness and coordination with management. The Facility Response Coordinator (or his/her designee) is also responsible for coordinating and leading spill response, spill response training, management approvals, and necessary equipment, materials, and outside services.

Facility Response Coordinator:	**Delbert Enlow** **Plant Manager**
Working hours phone number:	334-480-2440
Cellular phone number	812-264-9102
First Alternate:	**Brian Taylor**
Working hours phone number:	334-480-2448
Cellular phone number:	334-664-0615

1.2 Management Approval

I hereby certify that management of this facility extends its full approval of this Spill Prevention, Control, and Countermeasures (SPCC) Plan and will commit the necessary resources for implementation.

Plant Manager: **Delbert Enlow**

Signature: Delbert E

Date: 2/28/2022

1.3 Engineer Certification

I hereby certify that being familiar with the provisions of 40 CFR Part 112, I have visited and examined the facility, and attest that this SPCC Plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards and the requirements of this part, that procedures for required inspections and testing have been established and that the SPCC Plan is adequate for the facility.

Certifying Engineer: **Joseph E. Patrick, P.E.**
Alabama # 22251

Signature: Joseph E Patrick

Engineering Seal:

1.4 Purpose of Plan

This SPCC Plan has been prepared in accordance with the facilities National Pollutant Discharge Elimination System (NPDES) Permit No. AL0058629 and conforms to Title 40 of the U.S. Environmental Protection Agency (EPA) Code of Federal Regulations, Part 112 (40 CFR 112) for the storage of petroleum fuels/lubricants and other pollutant storage tanks. A cross-reference is included in this SPCC Plan that identifies sections that address each requirement in 40 CFR 112.

The SPCC Plan outlines procedures to prevent the discharge of pollutants into the environment and, in particular, to navigable waters of the U.S. (i.e., streams, creeks, rivers, etc.). This type of discharge is specifically prohibited by law if:

- It affects water quality;
- It causes a film, sheen, or discoloration of the water itself;
- It causes a film, sheen, or discoloration upon the water surface;
- It causes a film, sheen, or discoloration upon the adjoining shorelines;
- It causes a sludge or emulsion to be deposited beneath the surface of the water; or
- It causes a sludge or emulsion to be deposited upon adjoining shorelines.

The SPCC Plan creates mechanisms for response to discharges, aiming to minimize any impact to human health, the environment, and employee safety.

Currently, the site does not have any bulk storage of fuels or lubricants that are classified in 40 CFR 112 on this mine site. A chemical coagulant, (polyaluminum chloride), is used as needed for treatment of stormwater runoff that is discharged via permitted NPDES discharge outfalls 001E, 002E, and 003E. Equipment (excavators, bulldozers, etc.) that require fueling with mobile offsite trucks are also used at the site. Tanks and their secondary containment systems are addressed in Sections 2.2 and 2.4.

1.5 Plan Review and Revisions

This SPCC Plan must be kept current. The minimum review and revision requirements are listed below:

1. The SPCC Plan must be amended and recertified by a Professional Engineer (PE) within six months of a change in facility design, construction, operation, or maintenance that materially affects the facility's potential for the discharge of oil or oil products into the environment.

2. The facility must complete a review and evaluation of the SPCC Plan at least once every five years. The review will be documented on a review sheet and placed behind this section. As a result of this review and evaluation, the owner or operator shall amend the SPCC Plan within six months of the review to include more effective prevention and control technology if: (1) Such technology will significantly reduce the likelihood of a spill event from the facility and/or (2) if such technology has been field-proven at the time of the review. Any amendment is then required to be certified by a PE.

3. The SPCC Plan will be revised more often if:

    - The SPCC Plan fails in an emergency.
    - The Response Coordinator or his/her designee information changes.

Section 2
Facility Description

The Uchee Mine is a surface mine for the mining of alluvial clay that is used in the manufacture of clay brick. The facility is approximately 1,180 acres and is located in Russell and Lee Counties, near the community of Crawford, Alabama. The mining at this facility is conducted seasonally. During the seasons when no mining is conducted, oil or fuel storage tanks typically are not stored at this facility; however, when seasonal mining is underway, Site personnel and/or its contractors will abide by the procedures in this SPCC Plan.

The facility location and property boundary are included on Figure 1.

2.1 Facility Drainage

Facility drainage pathways and control structures are illustrated on the facility diagram included in Figure 1. In general, the site drainage is to the east through three outfalls. The outfall drainages eventually flow into Little Uchee Creek or unnamed tributaries of Little Uchee Creek that are part of the Chattahoochee River Drainage Basin through a series of sediment ponds.

2.2 Oil and Chemical Storage Capacity

The site does not typically have any petroleum bulk storage containers or tanks equaling or exceeding 55-gallons on any of the mine sites. Seasonal mining subcontractors may use ASTs for diesel storage during mining operations. The site uses chemical coagulant (polyaluminum chloride), as needed, to aid in the removal of colloidal clay-sized particles from mine water. Whenever chemicals or petroleum products stored in drums or AST systems are utilized, they will be labeled, managed, inspected and secondary containment will be provided in accordance with the SPCC plan.

2.3 Spill History

The facility has had no reportable oil releases within the past 3 years. In the event that a reportable release of oils or fuels occurs in the future, it will be recorded as outlined in Section 3 of this report.

2.4 Potential Causes of Releases and Preventative Controls

Spills and releases are most likely the result of equipment failure or operator error as detailed below:

1. Operator error during loading/unloading or refueling operations. Excavation equipment is used for the mining of shale and clay. This equipment is refueled using mobile fuel equipment that is not stored on site. Potential spills could result from overfills, failure to disconnect fuel lines prior to vehicle departure, or a ruptured fuel or hydraulic line on the excavation equipment. Specific procedures have been developed to minimize this potential in accordance with the requirements of the Department of Transportation. These include regular periodic inspections, locking valves when not in use, and on-the-job training of operators.

2. Rupture of piping, pressure fittings, or tanks, or another form of equipment failure. The potential for such a release will always exist although it is minimized by using tanks for storage that are constructed of materials that are compatible with the material and conditions of storage. The rate and quantity of release would depend on the location of the rupture. To minimize the potential for a significant release, regular inspections and maintenance are performed, and noted problems are addressed in a timely manner by repair, replacement, or removal of equipment from service.

3. Small drips, leaks, and spills from lines or valves. To minimize the potential for a release, equipment is inspected regularly, repaired in a timely manner when a problem is discovered, and released material is cleaned up upon discovery. Drainage from future diked storage areas will be restrained by locked valves to prevent the unauthorized release of materials outside of secondary containment systems.

Preventative controls for areas with the potential for offsite releases are described in the following subsections.

2.4.1 Fuel Storage

Fuel stored on site will be contained above ground storage tanks that will be labeled. Sufficiently impervious secondary containment for fuel tanks will be provided (See Appendix B).

2.4.2 Chemical Storage

Chemicals (such as polyaluminum chloride) stored on site will also be contained in above ground storage tanks that will be labeled, managed and inspected. Sufficiently impervious secondary containment or spill pallets for chemical tanks will be provided (See Appendix C).

2.4.3 Mobile Tank Loading and Unloading

Delivery trucks should be parked with brakes set and wheels blocked before loading and unloading begins. Make sure the tank being loaded is vented before connecting the loading line

and that there is sufficient space available within the AST to receive material being transferred. Attach ground wire to bumper of tank trailer, if required.

Place catch pans under tank trailer connections as needed to catch any liquid that may leak during the transfer. Remove the tank trailer unloading line carefully. If significant leakage occurs, contact your supervisor for instructions. Be sure connections between dispensing and receiving tanks are secured before opening the valves for liquid transfer. Start pump and check to be sure there is no leakage at any of the connections or anywhere along the transfer lines. If a leak is present, immediately stop the pump, shut the valves, and repair the leak.

During loading/unloading, the driver must remain with the vehicle for the entire loading and unloading period. After liquid has been transferred, the driver will stop the pump, close all valves, drain and disconnect loading or unloading line, inspect the lowermost drain and all outlets of vehicle for leakage and correct as necessary before releasing tank truck.

No flame of any kind is permitted near the tank trailer or within the vapor area around the tank trailer. Smoking is strictly forbidden within this area. Only spark-proof tools are to be used.

2.4.4 Vehicle/Equipment Refueling

Refueling vehicles and equipment should park adjacent to the pump or mobile fueling truck, leaving enough space to walk between the pump and the vehicle. Dispenser hoses should be checked for cracks, holes, or leaks. The driver must remain with the refueling vehicle/equipment at all times while fuel is being dispensed.

If material is spilled during refueling (no matter how little), refueling will be stopped, pumps will be shut down and the release will be reported immediately by notifying the Facility Response Coordinator or his/her designee and/or calling the individual listed below. Posted spill response measures should be followed. Vehicle or equipment should not be moved nor should refueling continue until cleared by the following:

Facility Response Coordinator: **Plant Manager**
Delbert Enlow
Working hours phone number: 334-480-2440

First Alternate:

Brian Taylor
Working hours phone number: 334-480-2448
Cellular phone number: 334-664-0615

When refueling is completed, the driver should turn off the pump and inspect the site as described above.

2.5 Future Spill Prevention Plans

This plan will be updated in accordance with 40 CFR 112 as discussed in Section 1.5.

Section 3
Spill Response Plan

3.1 General Initial Response Measures and Spill Reporting

The following actions will be the initial response to any spill or release at the facility. These steps do not provide the necessary actions for remediation of a major release; however, they do provide guidance to minimize potential damage from a release. The intent of this SPCC Plan is to provide appropriate guidance for response to spills of petroleum products. However, this SPCC Plan may not address all compliance issues for spills covered by regulations mandated by laws other than the Clean Water Act (for example, RCRA, CERCLA, or State requirements). These guidelines should be followed to the extent possible and practical.

General guidelines for spill response are outlined in the following numbered items:

3.2 Action Checklist

1. **Stop the Source Immediately**

   If possible, stop the source of the spill immediately. Close the valve, shutdown pumping, or take whatever actions are possible to stop any release. If conditions are hazardous (for example, fire or potential explosion), do not approach the spill. If possible, prevent release into drainage ditches by covering inlets with a rubber mat, berm inlets with clay or other material, or lay oil absorbent socks**.**

2. **Call the Facility Response Coordinator:**

   Call the Facility Response Coordinator or his/her designee. The Facility Response Coordinator (or his/her designee) will designate the appropriate personal safety equipment that must be worn when approaching releases.

   Delbert Enlow
   334-480-2440

   First Alternate:
   Brian Taylor
   334-480-2448
   334-664-0615

   If safety is not an issue, call other nearby employees for assistance to stop the release. Notify the area or shift supervisor as soon as possible.

3. When the Facility Response Coordinator (or his/her designee) arrives, all other response actions are to be under his direction. The Facility Response Coordinator (or his/her designee) should then determine the necessary response actions, including whether evacuation of parts or all of the facility is necessary for employee safety.

In general, the Facility Response Coordinator (or his/her designee) will be required to direct the containment of the release and decide on alternative source control if the source of the release was not controlled by the person(s) discovering it. The release should be confined to the smallest area possible.

Use booms, dig diversion trenches, or place absorbent pads to stop the spread. Take immediate action to prevent the spill from reaching offsite or surface waters. If necessary, block drainage downstream of spill to prevent further discharge.

The facility personnel will immediately report to the Facility Response Coordinator (or his/her designee) all spills of petroleum products:

- Greater than or equal to 10 gallons,
- That leave the site property, or
- That affects surface water (emulsion, sheen, etc.).

The Facility Response Coordinator (or his/her designee) should then immediately report the release to one or both of the following environmental managers:

David McKeown – 803-351-0635 (mobile)

Steve Wyse – 423-534-0919 (mobile)

Reportable releases and the respective responses are listed in the table below:

Reportable Releases - Federal/State Requirement		
Material Spilled	**Trigger**	**Type of Report**
Petroleum product	25 gallons	Oral report to the Alabama Department of Environmental Management (ADEM)
Gasoline, oil, or pollutants	Any spill that affects water quality or puts a sheen on navigable waters of U.S.	Oral and written report to state and federal agencies

4. If it is determined that an oral spill report is required, the Facility Response Coordinator (or his/her designee), with a member of the Corporate Staff, must immediately contact the following for reporting:

   - EPA National Response Center 800-424-8802
   - Alabama Department of Environmental Management 334-271-7700

   Others to Contact, If Necessary

   - Local Fire Department 911
   - Local Police Department 911
   - Lee County Emergency Management 334-749-8161
   - Russell County Emergency Management 334-291-5079
   - State Emergency Management Agency 205-280-2200
   - AL State Police 205-322-4691
   - US EPA Region 4 (Atlanta, Georgia) 404-562-8700

   If any of the above-listed agencies are contacted, give as much of the information included on the "Spill Information Form" (Appendix A) as possible. Under all circumstances, provide only factual information. Do not speculate.

5. If a written report is required, the Facility Response Coordinator (or his/her designee) should complete the "Agency Written Report Form" (Appendix A) and submit it to the US EPA and the Alabama Department of Environmental Management within 60 days of the release.

   Copies of all such notifications filed will be maintained for 3 years in Appendix A of the records copy of the SPCC Plan.

3.3 Remedial Action

Because potential spills can be of a widely varied nature, the range of remedial actions will vary. For small spills, leaks, or drips, the remedial action may include removing the contaminated material (dirt, booms, or other adsorbents) and placing it in an approved container for subsequent treatment or disposal. Such action should be taken upon discovery of a spill or release.

To prevent a spill or release from being caused by accidental or unknowing entry or vandalism, the following security measures may be used:

1. Locking of direct outward flow valves (containers and secondary containment) in the closed position when non-operating or in standby.

2. Capping or blank-flanging piping when not in service or when in standby for more than 6 months.

3. Fueling will be done during daylight hours so adequate lighting for the detection of spills by both facility personnel and the general public will be available.

4. The Mines are gated but not fully fenced due to limited easy access. Based on this and past experience, no additional security measures were deemed necessary.

A large spill, on the other hand, could result in an extensive cleanup of soil, groundwater, and/or surface water and may be beyond the immediately available facility resources.

Section 4
Inspections, Tests, and Records

An effective inspection (including necessary testing) and maintenance program is critical to preventing environmental incidents. Therefore, the main objectives of such a program should be to uncover conditions that could cause breakdowns or failures that could affect the environment, and to have a system to adjust, repair, or replace equipment as necessary. Incidents and repairs are documented in a records system, and the records are analyzed for trends.

4.1 Inspections

4.1.1 Equipment

Equipment is inspected at each shift change, in accordance with the Mine Safety & Health Administration (MSHA) regulations.

4.1.2 Stormwater

After a storm event, water that has accumulated in secondary containment (if present) will be inspected. If there is an absence of a sheen (or other evidence of a release), the water will be released from containment and allowed to flow into the stormwater drainage system or evaporate. If a sheen is noted, the water will not be released, but will be treated or pumped from the containment and managed offsite in accordance with ADEM guidelines and regulations. A form to record the release to the ground or stormwater system is provided as Appendix D.

4.2 Integrity Testing

Since above ground fuel storage tanks are used seasonally, integrity testing of tanks, piping, supports, foundations, and containment units (if present) will be performed during daily inspections of mine personnel. If problems are identified with the tank or fuel dispensing system, it will be promptly repaired or removed from the site.

4.3 Record Keeping

All records generated with this Plan (that is, spill notifications, inspection worksheets, integrity testing results, and training records) are maintained at the Phenix City plant office located at: 1501 Brickyard Rd., Phenix City, AL 36869.

Section 5
Personnel Training

Appropriate personnel (including but not limited to the oil-handling employees) at the facility will be trained in:

- General facility operations,
- The laws and regulations regarding spills, releases, and pollution control,
- The contents of the SPCC Plan,
- Spill response protocols, and
- The operation and maintenance of equipment to prevent discharges.

The level of detail for employee training will depend on the person's level of responsibility for oil handling and spill control. Oil-handling personnel with the day-to-day responsibility for spill prevention and response will be given the greatest degree of training. This may include "dry-run" exercises to ensure that they thoroughly understand spill prevention and response.

Spill prevention and response training will be conducted at least annually for all appropriate personnel. Informal briefings will be held periodically through the year to update employees on changes in the regulations, laws, or in-house procedures and to discuss any failures of the system or any new precautionary measures.

Training records will be maintained with the SPCC Plan in Appendix D for 5 years. If any training records for the facility are maintained in another filing system, this will be noted in Appendix D.

Section 6
Security

To prevent a spill or release caused by accidental or unknowing entry or vandalism, the following security measures may be used:

5. Restricting access to the mine property via gated entrances that are locked when the facility is not manned.

6. When seasonal ASTs are on the property any drain valves will be locked (containers and secondary containment).

7. Capping or blank-flanging piping when not in service or when in standby for more than 6 months.

8. Fueling will be done during daylight hours so adequate lighting for the detection of spills by both facility personnel and the general public will be available.

9. Upon the conclusion of seasonal mining, all fuel storage tanks, if present, will be emptied and removed from the mine site.

FIGURE

R 28 E | R 29 E

T 17 N

PROPERTY BOUNDARY

WHITES CREEK

HOSPILIKA CREEK

FORMER STOCKPILE (RECLAIMED)

FUTURE MINE AREA

STOCKPILE

DRAINAGE CANALS

OUTFALL 002E

LITTLE UCHEE CREEK

US HIGHWAY 80

OUTFALL 003E

PONDS

OUTFALL 001E

OUTFALL 006P

STOCKPILE

OVERHEAD POWER LINE

HAUL ROAD

MINE ENTRANCE

FUTURE MINE AREA

LONG BRANCH

LITTLE UCHEE CREEK

US HIGHWAY 80

FIGURE 1

FACILITY DIAGRAM

Uchee Mine
Crawford, AL

N

0 3,000'
SCALE IN FEET

SOURCE: CRAWFORD 7.5' USGS QUADRANGLE (1955) PHOTOREVISED 1984
& PHENIX CITY 7.5' USGS QUADRANGLE (1955) PHOTOREVISED 1984.

APPENDICES

Appendix A

Spill Information and Agency Written Report Forms

Spill Information Form

Exact Facility Address and Telephone Number:

–
Uchee Mine
U.S. Highway 80
Crawford, AL 36870
334-480-2440 (Delbert Enlow)

Spill Date and Time: _____

Type of Material Spilled (for example, No. 2 Fuel Oil): _____

Estimated Quantity Spilled: _____

Estimated Quantity Entering Navigable Waters (not facility drainage): _____

Source of Spill: _____

Description of Affected Area (for example, spill covered dirt area 80 feet long by 20 feet wide):

_____

_____

Cause of Spill: _____

_____

Injuries or Damages: _____

_____

Corrective Actions Taken: _____

_____

Evacuation Needed? _____

Names of Other Parties Contacted: _____

_____

Names of Other Parties to be Contacted: _____

_____

Agency Written Report Form

Name and Address of Facility:

Uchee Mine
U.S. Highway 80
Crawford, AL 36870

Owner Name and Address Information:

Meridian Brick
6455 Shiloh Road Ste D
Alpharetta, GA 30005

Date of Initial Facility Operation: Early 1950's

Maximum and Average Daily Storage and Handling Capacity of the Facility: To be listed if facility is equipped with bulk storage tanks or drums

Description of the Facility, Including Maps and a Flow Diagram of the Facility Oil Handling Units: See attached current copy of SPCC Plan

Date of Spill or Release: _____

Quantity and Type of Material Spill or Release: _____

_____

Cause of Spill or Release: _____

_____

_____

Corrective Action(s) Taken: _____

_____

_____

Measure(s) Taken to Minimize Recurrence: _____

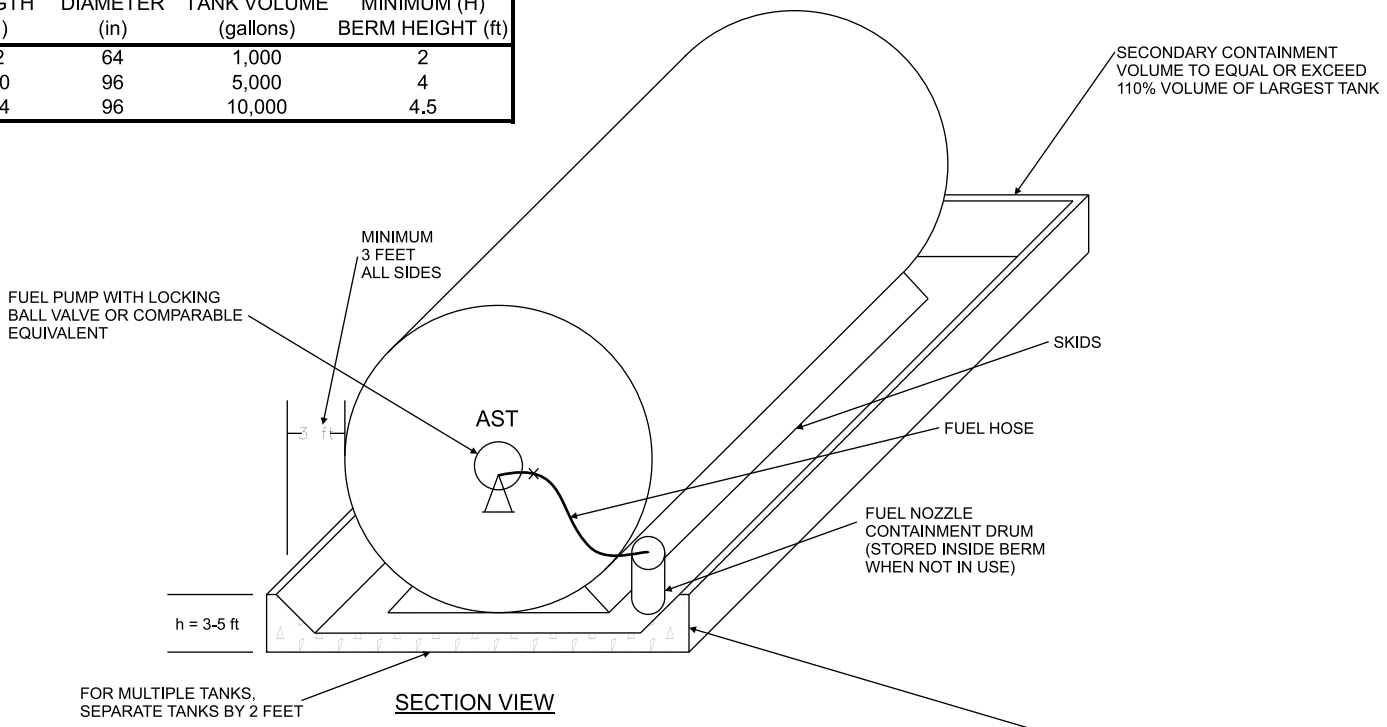
_____

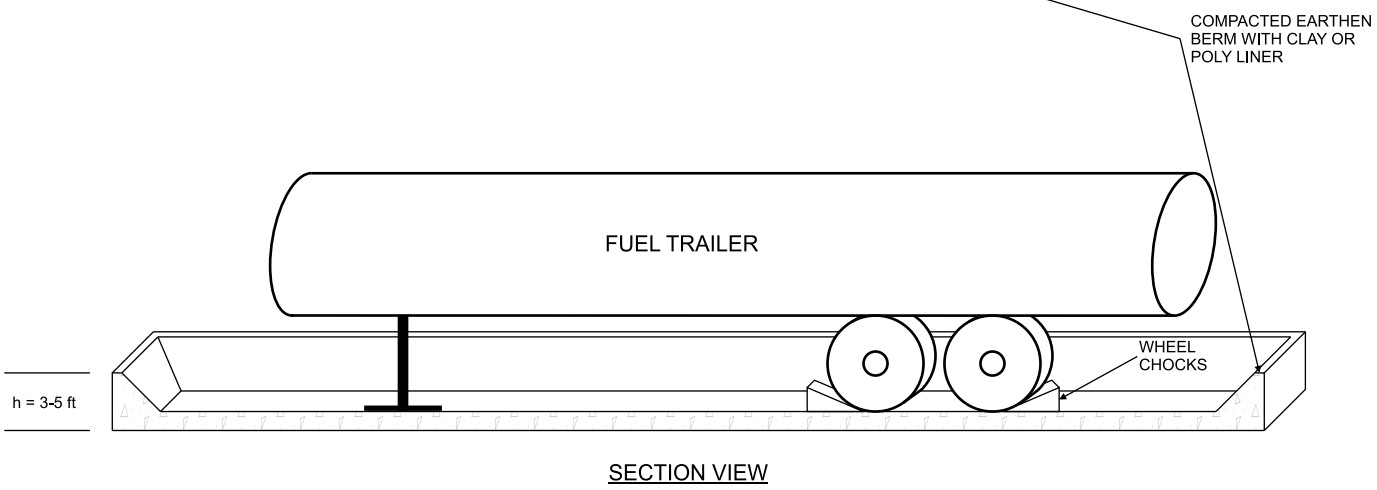
_____

Appendix B

Typical SPCC Secondary Containment for Fuel Storage

TANK LENGTH (in)	TANK DIAMETER (in)	TANK VOLUME (gallons)	MINIMUM (H) BERM HEIGHT (ft)
72	64	1,000	2
160	96	5,000	4
324	96	10,000	4.5





- ALL TANKS TO BE LABELED TO IDENTIFY CONTENTS
- NO SMOKING SIGN MUST BE POSTED
- TANKS MUST BE APPROVED FOR ABOVE GROUND USE
- ALL VALVES ON TANK OR CONTAINMENT MUST BE OF THE MANUAL DESIGN AND MUST BE SECURED WITH A LOCK WHEN FACILITY IS NOT ATTENDED

Appendix B
Typical SPCC Secondary Containment For Fuel Storage

Appendix C

Quarterly Inspection Checklist and Stormwater Release Form

Quarterly Inspection Checklist

Uchee Mine				
Inspector:		**Date:**		
Item No.	**Item**	**Yes**	**No**	**Comments/Resolution of Problems**
Note: For any item answered "No", describe in the right hand column.				
SPCC INSPECTION				
1	Excavator Diesel Tank			
2	Other Equipment			
3	Are spill response materials sufficient?			

DRUM STORAGE AREAS

- Are all drums located within a secondary containment system?
- If some drums are not within secondary containment, are there fewer than 5 total ***and*** in active use in mining processes?
- Are drums intact and free of releases? If not, describe any leakage.
- Are drums stacked or stored according to manufacturers' recommendations?
- Are drums closed/sealed when not in use?
- Is the secondary containment system free of cracks, holes, or other breaches?
- Are containment release valves closed and operating properly?
- Are stormwater releases from containment being properly documented?
- Is water in containment free of any sheen?
- Are the contents of each drum clearly labeled?
- Are the containment units clean and free of debris or other material?

ABOVEGROUND PETROLEUM PRODUCT STORAGE TANKS

- Are tanks, supports, and foundations free of excessive rust or other signs of compromised tank integrity?
- Are all tanks clearly labeled?
- Are all areas free of any evidence of a release?
- Are all pumps, valves, hoses, piping, etc. intact and operating properly?
- Is the secondary containment system free of cracks, holes, or other breaches?
- Are containment release valves closed, locked, and operating properly?
- Are stormwater releases from containment being properly documented?
- Is water in secondary containment free of an oil sheen?

GENERAL

- Are all areas of oil and fuel storage in the SPCC plan still accurate?
- Is the spill response equipment in place at the designated sites?
- Are the effluents free of any evidence (by sheen or emulsion) of oil?

4	Are effluents free of an indication of an oil or fuel release?			

Stormwater Release Form

Uchee Mine				
Date of Release	Area Released from	Quantity Released to Drainage	Description of Water (only stormwater, sheen, etc.) If sheen is present, describe treatment or disposal used	Initials

Appendix D

Environmental Training Records

Environmental Training Records

- Uchee Mine

Date: _____ **Instructor:** _____

Course Title: _____

Attendees:

Name	Name

Topics covered include:

Pollution Abatement and/or Prevention Plan

FOR

UCHEE MINE
NPDES Permit No.: AL0058629

RUSSELL & LEE COUNTIES
CRAWFORD, ALABAMA

February 2022

Prepared by:

Tom Joiner & Associates, Inc.
P.O. Box 1490
Tuscaloosa, AL 35403
(205) 345-2311

Certification

This Pollution Abatement and/or Prevention (PAP) Plan has been prepared based upon field observations, review of available records and discussions with plant personnel. These services have been performed in accordance with good engineering practices.

Certifying Engineer: **Joseph E. Patrick, P.E.**
Alabama # 22251

Signature:

Engineering Seal:

ALABAMA LICENSED No. 22251 PROFESSIONAL ENGINEER JOSEPH E. PATRICK

Contents

I. Introduction

This Pollution Abatement and/or Prevention (PAP) Plan has been prepared in accordance with ADEM Admin Code R. 335-6-9 for the Uchee Mine. This facility is a surface mine permitted by ADEM under NPDES Permit No. AL 0058629. The mine is located to the east of US Highway 280 near Bleecker, AL in Lee County, Alabama.

II. General Information

Name and Address of Operator:		Meridian Brick Uchee Mine U.S. Highway 80 Crawford, AL 36870
Contacts:		
	Operator:	Delbert Enlow, Plant Manager 334-480-2440
	Responsible Official:	David McKeown, Director Environmental Compliance 803-351-0635 Steve Wyse, Environmental Manager 423-534-0919
Number of Employees at Mine Site:		1 full time with up to 5- 6 contract employees during mining operations during and hauling season
Products to be Mined:		Alluvial Clay
Hours of Operation:		7 AM to 7 PM (Seasonal)

III. Background Information and Legal Description

The Uchee Surface Mine is owned and operated by Meridian Brick LLC. This property is located on US Highway 80 approximately 3 miles East of Crawford, Alabama, in Lee and Russell Counties. This property has been used by the Phenix City plant to mine alluvial clays for brick manufacturing since the early 1950s. The surface mine permit boundary contains approximately 1,177 acres of land as described in the legal descriptions (See Appendix A). Key land use designating within the mine boundaries of this property (e.g., stockpiles, haul roads, mine areas and pond areas) is shown on Figures 1 and 2.

IV. Mining Methodology

Alluvial clay is mined and stockpiled seasonably by a mining contractor. Typically, mining occurs during a one to three-month period out of every year. Conventional scrapers and bulldozers are used to mine and stockpile the clay. Approximately seven personnel are employed at the site during these activities working 10-hours/day for five days/week. The stockpiled material is hauled to the Phenix City plant on an as-needed basis using tandem-axial dump trucks. One 8-hour shift is used for loading stockpiled clay for transport off-site.

The mining operations do not include any process water. All discharge associated with this mining operation result from the impoundment of stormwater runoff. Stormwater runoff is directed through a series of ponds to remove colloidal-sized clay particles.

The haul roads are regularly maintained. All haul roads are on a generally flat grade. Haul roads needed for any future mining operations will also be on a generally flat grade and will be constructed/located in accordance with the Best Management Practices (BMP) Plan (See Appendix B).

V. Description of Stormwater Treatment Facilities

Operations at the site include mining and stockpiling of alluvial clays. These activities cause land disturbance that result in the exposure of the disturbed soils to precipitation and stormwater runoff. Pollutants in stormwater runoff include suspended solids. The source areas for the suspended solids are undisturbed and disturbed lands, clay stockpiles, mined-out areas and haul roads.

Stormwater runoff is routed through sedimentation ponds constructed to remove suspended solids via gravitational settling. There are four permitted NPDES Outfalls (designated as 001E, 002E, 003E, and 006P). Outfall 006P was designed by others and is currently permitted but has not been constructed and certified. The sediment basins for each outfall have supply storage capacity in excess of the required volume of 0.25 acre-ft/acre of disturbed area. The pH of the discharge from the sedimentation ponds will be between 6.0 su and 9.0 su. The mine areas, haul

roads, stockpiles, sediment ponds, and outfall locations are shown on Figure 1 and 2. A process flow diagram/schematic is included as Figure 3.

Prior to disturbing a new area, ditches and swales that drain to the mine sumps will be established so that non-point source discharges do not occur. All future land disturbance activities will be conducted in accordance with the facility BMP Plan (See Appendix B).

VI. System Design

The mine site is located adjacent to and lies within the floodplain of Little Uchee Creek and its tributaries. Little Uchee and Long Branch Creeks flow from the northwest to the southeast along the southern portion of the permit boundary (See Figures 1 and 2). Tributaries to Little Uchee Creek (Whites Creek and Hospilika Creek) also flow through the project site. Due to the location of the mine, the mine site can be subject to flooding/due to:

1. Incident rainfall within the permit boundary, or
2. Floodwater due to out of bank flood conditions from Little Uchee Creek and its tributaries, or
3. Both of the above.

The current sediment pond system has been designed to handle stormwater that is generated within the property boundary and its immediate drainage areas. However, flooding of the mine can also occur as a result of overflow or out-of-bank flooding from Little Uchee and Long Branch Creeks and their tributaries. The flooding is subject to the location, duration and intensity of the particular storm or storms. Communication with site personnel indicates that the peak flow of Little Uchee Creek has increased in recent years as land development upstream of the mine site is causing increased stormwater runoff. During upset conditions, site personnel will implement monitoring and sampling as discussed in Section VIII.

The site will implement Best Management Practices (BMPs) (Appendix B) to control all non-point source runoff on their property as well as runoff into disturbed areas. The use of the BMPs and effluent monitoring data will be evaluated by site personnel to determine ways to prevent flooding of the mine, as well as ways to control onsite sediment erosion/deposition.

Stormwater that accumulates within the permit boundary is directed into sediment basins connected in series via drainage pipes in common diked areas. The flow of stormwater through the sediment ponds is listed below in the direction of flow.

Outfall	Pond	Size (Acres)
001E	1-4	2.4
	1-5	0.75
	1-3	16.0
	1-1	5.6
	1-2	14.6
002E	2-12	5.8
	2-11	10.0
	2-10	4.5
	2-9	7.4
	2-1	13.1
	2-2	16.1
	2-3	22.2
	2-4	8.8
	2-5	2.8
	2-8	9.1
	2-6	6.5
	2-7	7.6
006P	6-4	8.7
	6-1	9.7
	6-2	6.4
	6-3	3.3
003E	3-1	10.3
	3-2	13.6
	3-3	18.4

*The pond series associated with Outfall 006P (Ponds 6-1 through 6-4) currently drain to Outfall 002E via sediment pond 2-3.

Existing discharge points (001E, 002E, and 003E) have spill pipes with inverted intakes sized to convey the two-year 24-hour flow and 20-foot stabilized emergency spillways to pass the peak flow from the twenty-five-year 24-hour rain event.

VII. Pollutant Characterization

The primary pollutants at this site are very fine-grained solids (silt and clays) that are sourced from the alluvial clay mines. The existing sediment ponds were created by excavating surface pits into the alluvial clays that filled with water after completion of mining. As a result, the pond system contains enough storage volume that they will never receive enough sediment to encroach to a point where the sediment volume will exceed 60% of the pond storage volume.

Also, operations will continue to create ponds as future mine sites are mined out. Newly created ponds will be stabilized with vegetation and other BMPs and will be operated as sediment basins until the mined areas are reclaimed and released by the Alabama Department of Industrial Relations (ADIR).

VIII. Sampling and Reporting

Water samples will be collected from Outfalls 001E, 002E and 003E in accordance with the NPDES Permit. Water samples are analyzed for total suspended solids (TSS) and pH. In addition, flow measurements will be recorded at the time of sample collection. Water samples will also be collected once construction of Outfall 006P is completed and it is certified.

During upset conditions, site personnel will identify the cause of the upset and then proceed with ADEM notification as required in their NPDES Permit. Upsets that result from the flooding of the mine site by Little Uchee Creek will be handled as follows:

1. Site personnel will notify ADEM within 24-hours of becoming aware of the upset.
2. Within 5 days of the upset, a report that identifies the conditions that were observed at the time of the upset will be submitted to the Department. These items will include rainfall information, sampling conducted, flow measurements, photographs, etc.

IX. Protection of Waterways

In addition to the treatment system listed above, a 50-foot buffer strip will be maintained adjacent to any Waters of the State. All stormwater will be collected in the mined areas and then routed through the sediment ponds prior to discharge via the permitted outfalls.

Site personnel previously installed a low-water ford crossing at Little Uchee Creek. The ford is constructed of a concrete-paved surface that allows passage of stream flow.

X. Pre-Treatment Measures and Closure Plans

191 acres of previously mined areas have been reclaimed since August 2020. The mine operator will continue to reclaim any mined-out areas by seeding and grassing, using NRCS recommended seed mixes that are suitable for the soil conditions and their intended use. To minimize the amount of stormwater to be treated, reclamation of "mined-out" areas will be conducted concurrently with mining activities. Reclamation consists of three basic phases.

1. The first phase is to grade disturbed areas so no slope exceeds a grade of 3:1.
2. The second phase is to establish a vegetated cover. When final grading is complete, a mix of various annual and perennial grasses is planted. Table 1 lists

recommended seed mixtures that have been used successfully on similar soil surfaces.

3. The third and final phase consists of maintenance of the reclaimed areas. Repairs are made as deficiencies are found.

The sediment ponds will be maintained until final grass cover is established on the disturbed areas that are within the drainage area of the pond or pond system. Upon completion of reclamation, the mine operator will apply to the ADIR to release the reclamation bond and submit a NPDES Permit Termination request to ADEM.

Table 1
Typical Planting Schedule

Seeding Material	**Application Rate**
Initial Application	
Rye Grass	15 lbs/acre
Clover	25 lbs/acre
Bermuda	25 lbs/acre
Bahia	25 lbs/acre
Agricultural Lime	2 tons/acre
Fertilizer (17-17-17)	800 lbs/acre
Additional Applications (as warranted)	
Fertilizer (13-13-13)	200 lbs/acre

XI. Spill Prevention Control and Countermeasure (SPCC) Plan

A SPCC Plan is submitted separately with this PAP plan as part of the NPDES Permit Renewal (See Appendix C).

XII. Stormwater Calculations

CH2M HILL was contracted to size the overflow spillways and outlet weirs. CH2M HILL used the Hydrologic Modeling System developed by the Hydrologic Engineering Center of the U.S. Army Corps of Engineers (HEC-HMS). The SCS Curve Number method was used to develop runoff hydrographs. CH2M HILL developed stage-storage relationships for the ponds at the site, using aerial photography as the basis for pond-area measurement.

CH2M HILL's hydrologic analysis indicated that peak discharge from Outfall 001E during a two-year 24-hour rainfall and using three sediment ponds would be approximately 1 cfs, and peak storage would be approximately 26.5 acre-feet with an elevation increase of approximately 0.5 feet. The peak discharge for a twenty-five-year 24-hour rainfall event was estimated at 16.2 cfs, with peak storage of 50 acre-feet with an elevation increase of approximately one foot. The excess storage capacity of the sediment pond for outfall 001E allows adequate retention of stormwater runoff to allow for gravitational settling of sediment prior to discharging the water via outfall 001E.

The watershed contributing runoff to discharge point 002E is also shown in Figure 2. The ponds in the watershed are connected in series. Stormwater runoff is routed from the northwest to the southeast to outfall 002E. This arrangement provides the retention time necessary to obtain a gradual reduction in suspended solids from one pond to the next. Peak discharge at 002E resulting from a two-year 24-hour storm was estimated to be 4 cfs, with a total runoff volume of 65 acre-feet. The peak flow from a twenty-five-year 24-hour storm was estimated at 12.1 cfs with a total watershed runoff volume of 148 acre-feet. Outfalls 006P and 007P were originally permitted in 2001 to allow for diversion of some of the stormwater flowing through the Outfall 002E pond system.

The watershed contributing runoff to discharge point 003 is also shown on Figures 1 and 2. Peak discharge at 003E for the two-year 24-hour storm was estimated to be 1 cfs with a total runoff volume of 20 acre-feet. The twenty-five-year 24-hour storm produces an estimated peak discharge of 2 cfs, and a total runoff volume of 41 acre-feet.

FIGURES

R 28 E | R 29 E

T 17 N

PROPERTY BOUNDARY

WHITES CREEK

HOSPILIKA CREEK

FORMER STOCKPILE (RECLAIMED)

FUTURE MINE AREA

STOCKPILE

DRAINAGE CANALS

OUTFALL 002E

LITTLE UCHEE CREEK

US HIGHWAY 80

OUTFALL 003E

PONDS

OUTFALL 001E

OUTFALL 006P

STOCKPILE

OVERHEAD POWER LINE

HAUL ROAD

MINE ENTRANCE

FUTURE MINE AREA

LONG BRANCH

LITTLE UCHEE CREEK

US HIGHWAY 80

FIGURE 1

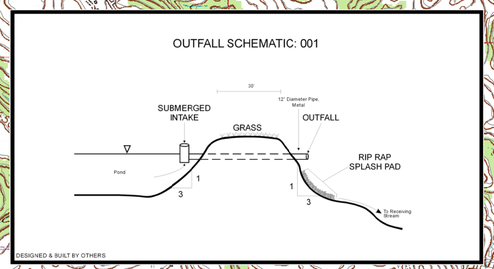
VICINITY MAP OF UCHEE SURFACE MINE

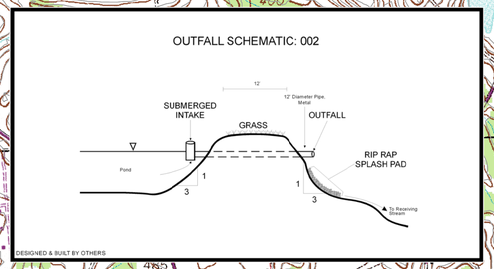
Uchee Mine
Crawford, AL

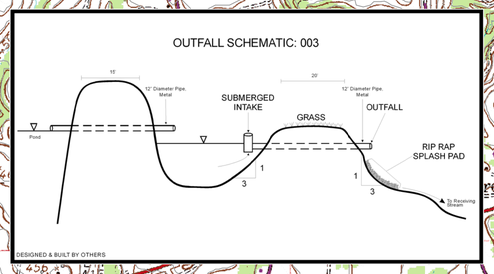
N

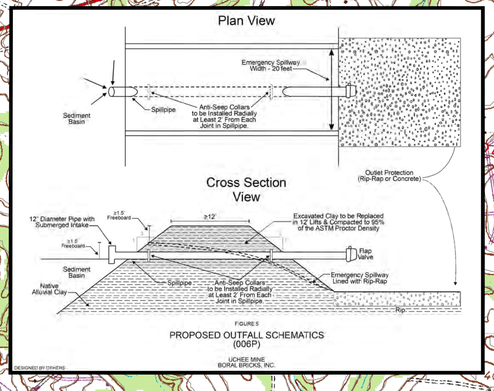
0 3,000'
SCALE IN FEET

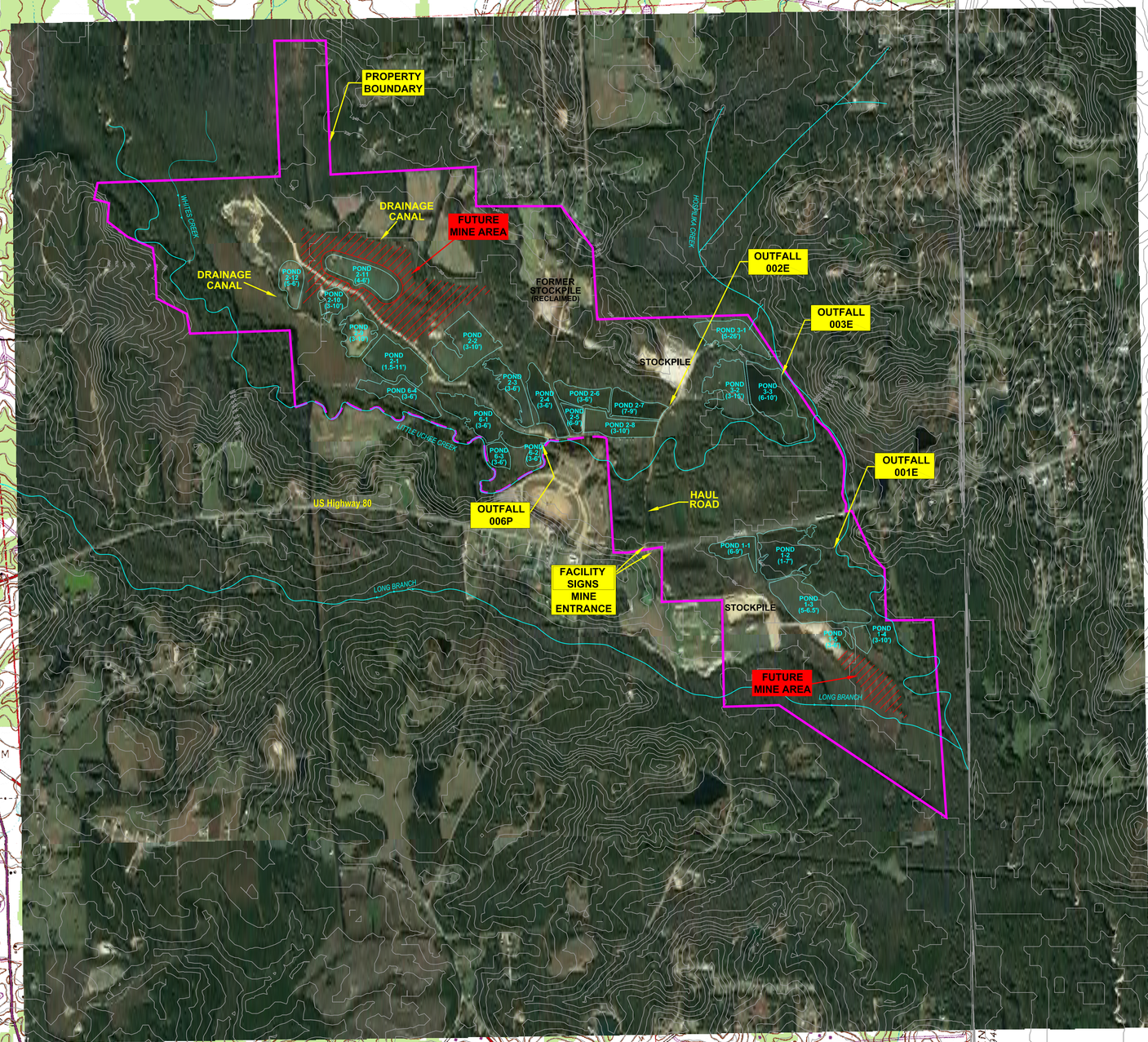
SOURCE: CRAWFORD 7.5' USGS QUADRANGLE (1955) PHOTOREVISED 1984
& PHENIX CITY 7.5' USGS QUADRANGLE (1955) PHOTOREVISED 1984.











LEGEND

(3-6') - Pond Depth (ft)

N

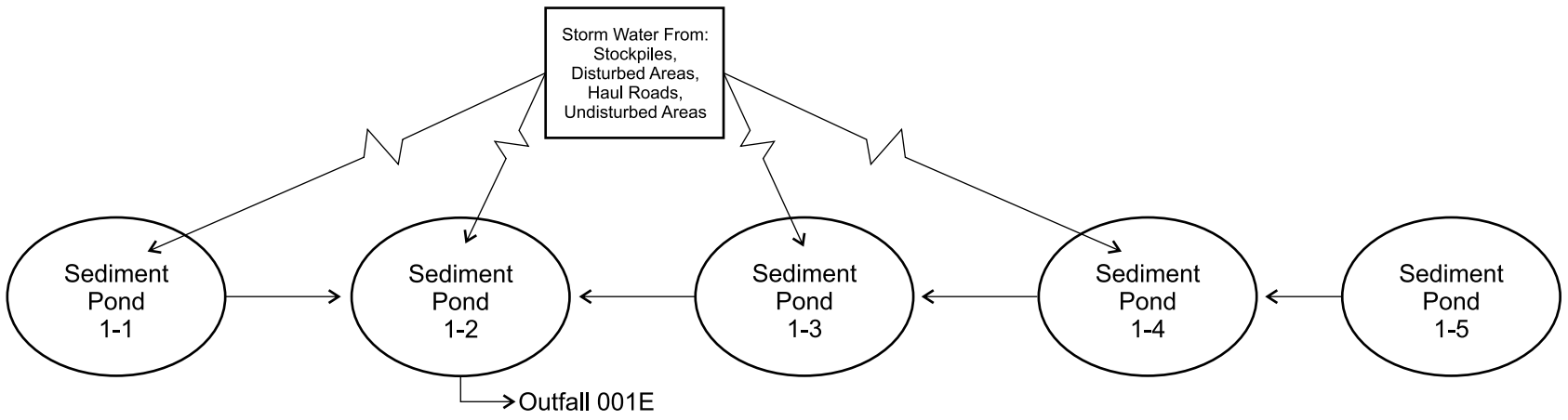
0 1000'

SCALE IN FEET

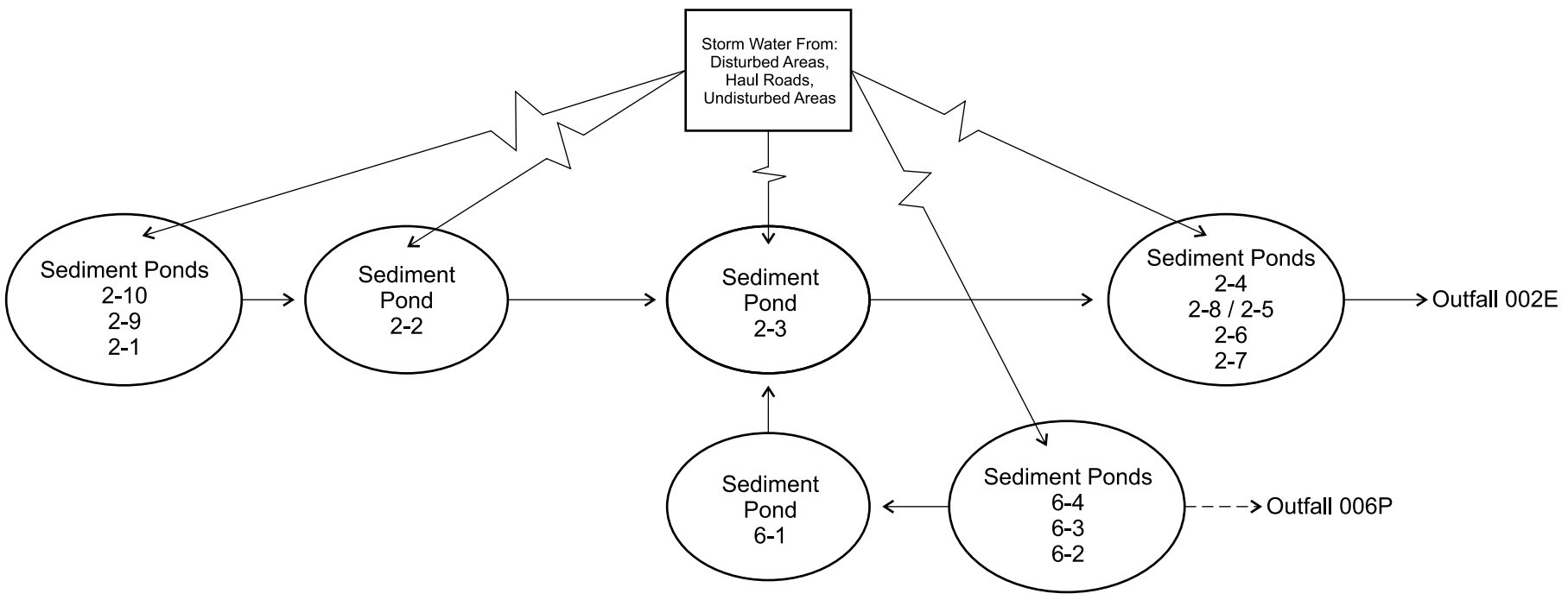
Modified/Prepared By: Tom Joiner & Associates, Inc. Source: Uchee Mine & 11-12-2020 Google Earth Aerial Photo

FIGURE 2 DETAILED FACILITY MAP

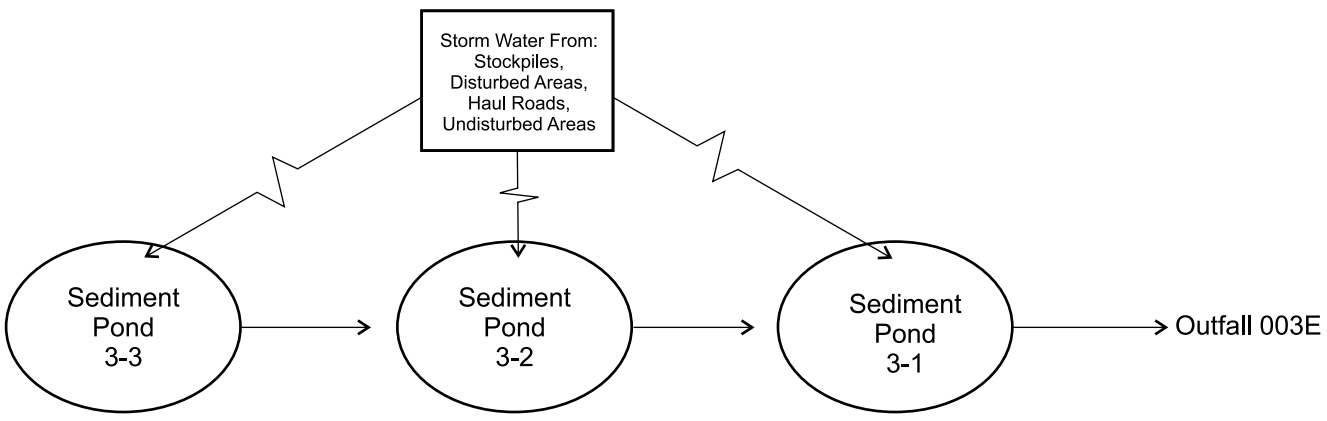
001E



002E



003E



006P

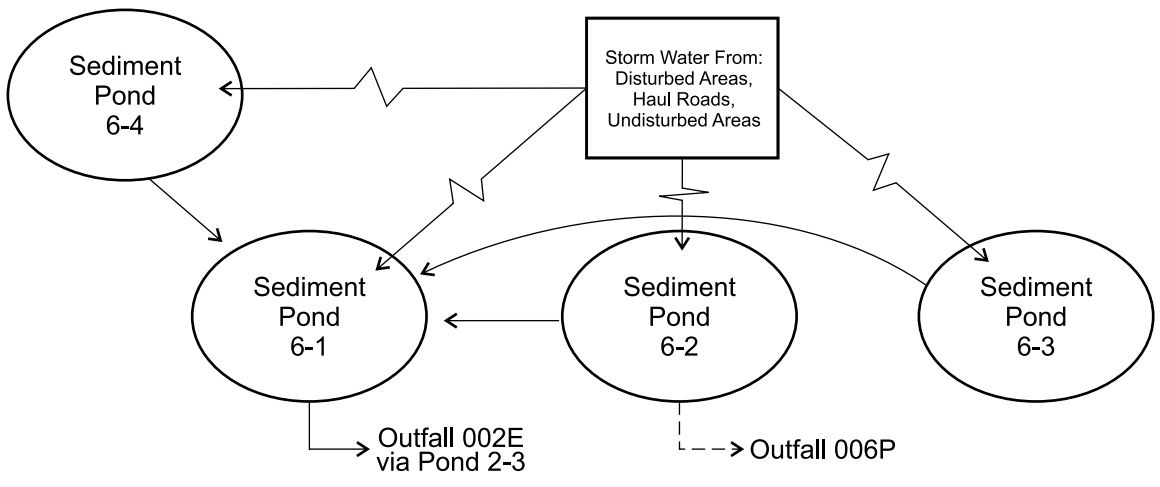


FIGURE 3

FACILITY PROCESS FLOW DIAGRAMS

UCHEE MINE
NPDES PERMIT AL0058629

——— CURRENT OUTFALL
– – – FUTURE OUTFALL

APPENDICES

APPENDIX A

Legal Property Descriptions

S

MERIDIAN BRICK, LLC
UCHEE MINE LEGAL DESCRIPTION

Parcel 1 The southeast quarter and east half of the southwest quarter of Section 7, Township 17 North, Range 29 East.

All of the above describe land situated, lying and being in Lee County, Alabama.

Parcel 2 148.15 acres, more or less, located in Section 17, Township 17 North, Range 29 East, Russell County, Alabama, and more particularly described as follows, to wit: Beginning at a concrete monument at the Northeast corner of said Section 17, run thence South 03 degrees 50 minutes East 2,209.39 feet to an iron pin located on the South bank of the Little Uchee Creek; thence in a Westerly direction along the South bank of the Little Uchee Creek and following the meanderings thereof, a distance of 3,600 Feet, more or less, to an iron pin on the South bank of the said Little Uchee Creek; thence North 08 degrees 21 minutes East a distance of 27.45 feet to an iron pin at the center of the said Little Uchee Creek, thence South 74 degrees 31 minutes West along the center of the said Little Uchee Creek a distance of 341.08 feet to an iron pin; thence North 08 degrees 25 minutes East a distance of 309.9 feet to an iron pin; thence North 19 degrees 00 minutes East a distance of 85.15 feet to an iron pin; thence North 78 degrees 40 minutes East a distance of 277.1 feet to an iron pin in the center of the said Little Uchee Creek; thence North 32 degrees 23 minutes West a distance of 268.55 feet to a point in the center of Little Uchee Creek; thence North 07 degrees 06 minutes West a distance of 334 feet; thence North 23 degrees 45 minutes West a distance of 54.75 feet; thence South 43 degrees 03 minutes West a distance of 131.8 feet to an iron pin; thence North 70 degrees 42 minutes West a distance of 147.49 feet to an iron pin; thence North 78 degrees 41 minutes West a distance of 190.32 feet to an iron pin; thence North 15 degrees 23 minutes East a distance of 118.25 feet to an iron; thence North 47 degrees 07 minutes West 106.54 feet to an iron pin at the center of said Little Uchee Creek; thence North 03 degrees 50 minutes West a distance of 1,783.31 feet to an iron pin to the North line of said Section 17, thence North 89 degrees 02 minutes East 955.58 feet to a concrete monument; thence continue North 89 degrees 02 minutes East a distance of 1,667.17 feet to the point of beginning. And being bound as follows: on the North by the grantee herein, on the West by Funderburk, on the East by McElvey, and on the South by the grantor herein.

Parcel 3

87.019 acres more or less in the NW ¼ of Section 17, Township 17 N, Range 29 E, Russell County, Alabama, and being more particularly Described as Parcel 4 according to a plat prepared by Siegel Engineering Company, Columbus, Georgia, on October 11, 1973, a copy of which is on record in the office of the Judge of Probate of Russell County, Alabama in Plat Book 6, page 178, as follows, to-wit:L

Beginning at the NW corner of Section 17, Township 17 N, Range 29 E, and run thence along the section line dividing Section 8 and Section 17, and also being the Lee County, Russell County line; North 89 degrees 18 minutes East 2,635.87 feet to an iron pin; thence South 03 degrees 50 minutes East 1,783.31 feet to an iron pin; which is located at the center of Little Uchee Creek; thence North 75 degrees 08 minutes West 349.25 feet to a point; thence North 73 degrees 10 minutes West 173 feet to a point; thence North 39 degrees 29 minutes West 93.12 feet to a point; thence North 74 degrees 33 minutes West 198 feet to a point; thence South 37 degrees 32 minutes West 120.6 feet to a point; thence South 50 degrees 53 minutes West 59 feet to a point; thence North 54 degrees 55 minutes West 335.4 feet to a point; thence North 29 degrees 55 minutes West 56.5 feet to a point; thence South 84 degrees 40 minutes West 319 feet to a point; thence North 72 degrees 55 minutes West 283.3 feet to a point; thence South 34 degrees 44 minutes West 183 feet to a point; thence South 46 degrees 37 minutes West 90 feet to a point; thence North 88 degrees 40 minutes West 96.5 feet to a point; thence North 32 degrees 43 minutes West 190 feet to a point; thence North 49 degrees 37 minutes West 201 feet to a point; thence South 86 degrees 04 minutes West 103 feet to an iron pin; thence North 82 degrees 16 minutes West 149.83 feet to an iron pin; thence South 84 degrees 50 minutes West 18.9 feet to an iron; thence North 03 degrees 50 minutes West 1,165.91 feet along the section line dividing Section 17 and Section 18 to a hickory tree at the point of beginning at the NW comer of Section 17. And being bounded on the East by Boral Bricks, Inc. on the South by Funderburk, on the West by J.M. Dudley and the section line dividing Section 17 and Section 18, and on the North by the section line dividing Section 17 and Section 18, and also being the Lee County, Russell County line, being same property conveyed by Funderburk, et al, to Grantor on September 4, 1973 by warranty deed situated, lying and being in Russell County, Alabama.

Parcel 4

TRACT I: The west half of Section 16, Township 17, Range 29, Containing 320 acres, more or less, being situated, lying and being in Russell County, Alabama, Lees, right of ways for roads and power lines. Save and except 1.2 acres of land more particularly described as follows: Begin at the intersection of the south margin of U. S. 80 with the West line of said Section 16 and run thence north 84 degrees 33 minutes east along the south margin of U. S. 80 a distance of 196.7 feet to an iron pin, run thence south 02 degrees 20 minutes east a distance of 291.9 feet to an iron

pin, run thence south 83 degrees 13 minutes west a distance of 176.6 feet to an iron pin, run thence north 06 degrees 27 minutes west a distance of 295.3 feet to the iron pin at the point of beginning.

Parcel 5 TRACT II: The North half of the Northwest Quarter of Section 21, Township 17 and Range 29, containing 80 acres in Russell County, Alabama. Situated, lying and being Russell County, Alabama.

Parcel 6 TRACT III: Beginning at southwest corner of Section 16, Township 17 North, Range 29 East, Russell County, Alabama, thence running north 85 degrees 45 minutes east a distance of 2654.7 feet, more or less, along said section line, thence north 6 degrees 27 minutes west a distance of 1777.4 feet, more or less, to north right of way line of U.S. 80, said point being point of beginning, thence north 77 degrees 02 minutes east a distance of 1448 feet, more or less, to the east bank of Uchee Creek, thence running northerly along said margin of Uchee Creek and at times down center line of said creek thusly, north 1 degree 15 minutes west a distance of 82.3 feet, north 1 degree 10 minutes east a distance of 248.9 feet, north 51 degrees 58 minutes west a distance of 67.6 feet, north 0 degrees 42 minutes west a distance of 204.9 feet, north 12 degrees 21 minutes west a distance of 440.0 feet, north 35 degrees 04 minutes west a distance of 508.7 feet, to intersection of said Uchee Creek and small branch known locally as Hospelatchee Creek, thence leaving Uchee Creek and running north 37 degrees 42 minutes west a distance of 2216 feet, more or less, to iron found in place, thence south 6 degrees 27 minutes east along property line a distance of 3502.2 feet, more or less, to north right of way of U. S. 80, said point being of beginning. Said parcel of land lying and being in northwest quarter of northeast quarter, southwest quarter of northeast quarter, southeast quarter of northeast quarter, northwest quarter of southeast quarter, and northeast quarter of southeast quarter, all in Section 16, Township 17 North, Range 29 East, Russell County, Alabama, and containing 70.4 acres, more or less. This conveyance is made subject to all valid and enforceable restrictive convenants of record.

Parcel 7 TRACT IV: All of the following described tract of land situate, lying and being Section 16, Township 17 North, Range 29 East in Russell County, Alabama, more particularly described as follows, to-wit: Commencing at an iron gate at the southwest corner of the southwest one-quarter of the southeast one-quarter of said Section 16, which iron is north 86 degrees 30 minutes east, 2654.7 feet from the southwest corner of said Section 16, and thence from said point of beginning running north 6 degrees 10 minutes west a distance of 1577.1 feet to an iron on the southern side of U. S. Highway 80, running from Phenix City to Montgomery, thence running south 13 degrees 57 minutes east a distance of 764.1 feet to an iron, thence running south 69 degrees 13 minutes east a

distance of 160.7 feet to an iron, thence running south 4 degrees 37 minutes east a distance of 1046.8 feet to an iron, thence running south 86 degrees 30 minutes west 2049.3 feet to an iron at the point of beginning.

Parcel 8 — One Hundred Forty-Two and Ninety-Three One Hundreths (142.93) acres of land situate and being in Section 21, Township 17 North, Range 29 East, particularly described as follows: Begin at an iron pin which marks the common corner of Sections 15, 16, 21 and 22, all in Township 17 North, Range 29 East, and run thence south 07° west 1320.00 feet to an iron pin located on the north line of said Section 21, thence run north 85° 34' 17" east along said north line of Section 21, 2655.30 feet to the iron pin at the point of beginning.

APPENDIX B

Best Management Practices (BMP) Plan

APPENDIX C

Spill Prevention, Control, and Countermeasures (SPCC) Plan