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October 27, 2025

Mr. Trenton Brown
CEO
Alabama Wholesale Stone, Inc.
1480 County Road 36
Oneonta, AL 35121

RE: Draft Permit
Alabama Wholesale Stone Mine #3
NPDES Permit Number AL0084524
Blount County (009)

Dear Mr. Brown:

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

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

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

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

Should you have any questions concerning this matter, please contact 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/

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)



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

PERMITTEE: Alabama Wholesale Stone, Inc.
1480 County Road 36
Oneonta, AL 35121

FACILITY LOCATION: Alabama Wholesale Stone Mine #3
84 Solomon Rd
Oneonta, AL 35121
Blount County
T12S, R2E, S5
T12S, R2E, S8

PERMIT NUMBER: AL0084524

DSN & RECEIVING STREAM: 001 - 1 Unnamed Tributary to Calvert Prong/Groundwater
002 - 1 Unnamed Tributary to Calvert Prong/Groundwater

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
Water Division Chief

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT
Dimension Stone Quarrying, Incidental Dirt and/or Chert, Mineral Loading, Mineral
Storing, Mineral Transportation, and Associated Areas

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PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

Parameter	Discharge Limitations			Monitoring Requirements	
	Daily Minimum	Monthly Average	Daily Maximum	Sample Type	Measurement Frequency ¹
pH 00400	6.0 s.u.	-----	8.5 s.u.	Grab	2/Month
Solids, Total Suspended 00530	-----	25.0 mg/L	45.0 mg/L	Grab	2/Month
Flow, In Conduit or Thru Treatment Plant ² 50050	-----	Report MGD	Report MGD	Instantaneous	2/Month

B. REQUIREMENTS TO ACTIVATE A PROPOSED MINING OUTFALL

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

C. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS

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

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

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

- b. If the final effluent is pumped in order to discharge (e.g. from incised ponds, old highwall cuts, old pit areas or depressions, etc.), the Permittee shall collect at least one grab sample of the discharge from each point source identified on Page 1 of this Permit and described more fully in the Permittee's application each quarterly (three month) monitoring period if a discharge occurs at any time during the quarterly monitoring period which results from direct pumped drainage. Each sample collected shall be analyzed for each parameter specified in Part I.A. of this Permit.
- c. The Permittee may increase the frequency of sampling listed in Parts I.C.1.a and I.C.1.b; however, all sampling results must be reported to the Department and included in any calculated results submitted to the Department in accordance with this Permit.

2. Measurement Frequency

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

- a. A measurement frequency of one day per week shall mean sample collection on any day of discharge which occurs every calendar week.
- b. A measurement frequency of two days per month shall mean sample collection on any day of discharge which occurs every other week, but need not exceed two sample days per month.
- c. A measurement frequency of one day per month shall mean sample collection on any day of discharge which occurs during each calendar month.
- d. A measurement frequency of one day per quarter shall mean sample collection on any day of discharge which occurs during each calendar quarter.
- e. A measurement frequency of one day per six months shall mean sample collection on any day of discharge which occurs during the period of January through June and during the period of July through December.
- f. A measurement frequency of one day per year shall mean sample collection on any day of discharge which occurs during each calendar year.

3. Monitoring Schedule

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

- a. MONITORING REQUIRED MORE FREQUENTLY THAN MONTHLY AND MONTHLY shall be conducted during the first full month following the effective date of coverage under this Permit and every month thereafter. More frequently than monthly and monthly monitoring may be done anytime during the month, unless restricted elsewhere in this Permit, but the results should be reported on the last Discharge Monitoring Report (DMR) due for the quarter (i.e., with the March, June, September, and December DMRs).
- b. QUARTERLY MONITORING shall be conducted at least once during each calendar quarter. Calendar quarters are the periods of January through March, April through June, July through September, and October through December. The Permittee shall conduct the quarterly monitoring during the first complete calendar quarter following the effective date of this Permit and is then required to monitor once during each quarter thereafter. Quarterly monitoring may be done anytime during the quarter, unless restricted elsewhere in this

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

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

4. Sampling Location

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

5. Representative Sampling

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

6. Test Procedures

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

- a. For parameters with an EPA established Minimum Level (ML), report the measured value if the analytical result is at or above the ML and report "0" for values below the ML. Test procedures for the analysis of pollutants shall conform to 40 CFR Part 136, guidelines published pursuant to Section 304(h) of the FWPCA, 33 U.S.C. Section 1314(h), and ADEM Standard Operating Procedures. If more than one method for analysis of a substance is approved for use, a method having a minimum level lower than the permit limit shall be used. If the minimum level of all methods is higher than the permit limit, the method having the lowest minimum level shall be used and a report of less than the minimum level shall be reported as zero and will constitute compliance, however should EPA approve a method with a lower minimum level during the term of this Permit the Permittee shall use the newly approved method.
- b. For pollutant parameters without an established ML, an interim ML may be utilized. The interim ML shall be calculated as 3.18 times the Method Detection Level (MDL) calculated pursuant to 40 CFR Part 136, Appendix B.

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

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

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

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

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

7. Recording of Results

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

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

8. Routine Inspection by Permittee

- a. The Permittee shall inspect all point sources identified on Page 1 of this Permit and described more fully in the Permittee's application and all treatment or control facilities or systems used by the Permittee to achieve compliance with the terms and conditions of this Permit at least as often as the applicable sampling frequency specified in Part I.C.1 of this Permit.
- b. The Permittee shall maintain a written log for each point source identified on Page 1 of this Permit and described more fully in the Permittee's application in which the Permittee shall record the following information:
 - (1) The date and time the point source and any associated treatment or control facilities or systems were inspected by the Permittee;
 - (2) Whether there was a discharge from the point source at the time of inspection by the Permittee;
 - (3) Whether a sample of the discharge from the point source was collected at the time of inspection by the Permittee;

- (4) Whether all associated treatment or control facilities or systems appeared to be in good working order and operating as efficiently as possible, and if not, a description of the problems or deficiencies; and
- (5) The name and signature of the person performing the inspection of the point source and associated treatment or control facilities or systems.

9. Records Retention and Production

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

10. Monitoring Equipment and Instrumentation

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

D. DISCHARGE REPORTING REQUIREMENTS

1. Requirements for Reporting of Monitoring

- a. Monitoring results obtained during the previous three (3) months shall be summarized for each month on a Discharge Monitoring Report (DMR) Form approved by the Department, and submitted to the Department so that it is received by the Director no later than the 28th day of the month following the quarterly reporting period (i.e., on the 28th day of January, April, July, and October of each year).
- b. The Department utilizes a web-based electronic reporting system for submittal of DMRs. Except as allowed by Part I.D.1.c. or d., the Permittee shall submit all DMRs required by Part I.D.1.a. by utilizing the Department's current electronic reporting system. The Department's current reporting system, Alabama Environmental Permitting and Compliance System (AEPACS), can be found online at <https://aepacs.adem.alabama.gov/nviro/ncore/external/home>.

- c. If the electronic reporting system is down (i.e. electronic submittal of DMR data is unable to be completed due to technical problems originating with the Department's system; this could include entry/submittal issues with an entire set of DMRs or individual parameters), permittees are not relieved of their obligation to submit DMR data to the Department by the required submittal date. However, if the electronic reporting system is down on the 28th day of the month or is down for an extended period of time as determined by the Department when a DMR is required to be submitted, the facility may submit the data in an alternate manner and format acceptable to the Department. Preapproved alternate acceptable methods include faxing, e-mailing, mailing, or hand-delivery of data such that they are received by the required reporting date. Within five calendar days of the electronic reporting system resuming operation, the Permittee shall enter the data into the reporting system unless an alternate timeframe is approved by the Department. An attachment should be included with the electronic DMR submittal verifying the original submittal date (date of the fax, copy of dated e-mail, or hand-delivery stamped date).
- d. The permittee may submit a request to the Department for a temporary electronic reporting waiver for DMR submittals. The waiver request should include the permit number; permittee name; facility/site name; facility address; name, address, and contact information for the responsible official or duly authorized representative; a detailed statement regarding the basis for requesting such a waiver; and the duration for which the waiver is requested. Approved electronic reporting waivers are not transferrable. Permittees with an approved electronic reporting waiver for DMRs may submit hard copy DMRs for the period that the approved electronic reporting waiver request is effective. The Permittee shall submit the Department-approved DMR forms to the address listed in Part I.D.1.i.
- e. If the Permittee, using approved analytical methods as specified in Part I.C.6., monitors any discharge from a point source identified on Page 1 of this Permit and describe more fully in the Permittee's application more frequently than required by this Permit; the results of such monitoring shall be included in the calculation and reporting of values on the DMR Form, and the increased frequency shall be indicated on the DMR Form.
- f. In the event no discharge from a point source identified on Page 1 of this Permit and described more fully in the Permittee's application occurs during a monitoring period, the Permittee shall report "No Discharge" for such period on the appropriate DMR Form.
- g. Each DMR Form submitted by the Permittee to the Department in accordance with Part I.D.1. must be legible and bear an original signature or electronic signature. Photo and electronic copies of the signature are not acceptable and shall not satisfy the reporting requirements of this Permit.
- h. All reports and forms required to be submitted by this Permit, the AWPCA, and the Department's rules and regulations, shall be signed by a "responsible official" of the Permittee as defined in ADEM Admin. Code r. 335-6-6-.09 or a "duly authorized representative" of such official as defined in ADEM Admin. Code r. 335-6-6-.09 and shall bear the following certification:

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

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

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

Certified and Registered Mail shall be addressed to:

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

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

2. Noncompliance Notification

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

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

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

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

- a. For all outfalls, the Permittee shall collect a sample of the discharge to be analyzed for antimony, arsenic, beryllium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, thallium, zinc, cyanide, and phenols no later than six months following the effective date of the Permit. The analyses shall be submitted on EPA Form 2C and received by the Department no later than 28 days following six months after the effective date of the Permit.
- b. For all outfalls, should a discharge not occur within the first six months following the effective date of this Permit, the Permittee shall collect a sample of the discharge to be analyzed for antimony, arsenic, beryllium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, thallium, zinc, cyanide, and phenols no later than six months following the date of the first discharge. The analyses shall be submitted on EPA Form 2C and received by the Department no later than 28 days following six months after the first discharge.
- c. Parts II.C.3.a. and b. do not apply for any outfall that is represented by analyses conducted at a substantially similar outfall as indicated on EPA Form 2C or 2D.
- d. The Permit shall be reopened, if required, to address any new information resulting from the completion and submittal of the data referenced in Parts II.C.3.a. and b.

4. 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.

5. 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.

6. 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.

7. 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 ACTIVITIES NOT AUTHORIZED

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

G. DISCHARGES TO IMPAIRED WATERS

1. This Permit does not authorize new sources or new discharges of pollutants of concern to impaired waters unless consistent with an EPA-approved or EPA-established Total Maximum Daily Load (TMDL) and applicable State law, or unless compliance with the limitations and requirements of the Permit ensure that the discharge will not contribute to further degradation of the receiving stream. Impaired waters are those that do not meet applicable water quality standards and are identified on the State of Alabama's §303(d) list or on an EPA-approved or EPA-established TMDL. Pollutants of concern are those pollutants for which the receiving water is listed as impaired or contribute to the listed impairment.
2. Facilities that discharge into a receiving stream which is listed on the State of Alabama's §303(d) list of impaired waters, and with discharges that contain the pollutant(s) for which the waters are impaired, must within six (6) months of the Final §303(d) list approval, document in its BMP plan how the BMPs will control the discharge of the pollutant(s) of concern, and must ensure that there will be no increase of the pollutants of concern. A monitoring plan to assess the effectiveness of the BMPs in achieving the allocations must also be included in the BMP plan.
3. If the facility discharges to impaired waters as described above, it must determine whether a TMDL has been developed and approved or established by EPA for the listed waters. If a TMDL is approved or established during this Permit cycle by EPA for any waters into which the facility discharges, the facility must review the applicable TMDL to see if it includes requirements for control of any water discharged by the Permittee. Within six (6) months of the date of TMDL approval or establishment, the facility must notify the Department on how it will modify its BMP plan to include best management practices specifically targeted to achieve the allocations prescribed

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

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION**

ANTIDEGRADATION RATIONALE

Company Name: Alabama Wholesale Stone, Inc.

Facility Name: Alabama Wholesale Stone Mine #3

County: Blount

Permit Number: AL0084524

Prepared by: Skylar Wilson

Date: October 24, 2025

Receiving Waters: Unnamed Tributary to Calvert Prong/Groundwater

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

Discharge Description: This proposed permit covers a dimension stone quarrying facility, incidental dirt and/or chert, mineral loading, mineral storage, mineral transportation, and associated areas which discharge to surface waters.

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

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

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

1. By permitting the mining operation and constructing sediment basins, the release of pollutants to area streams will be minimized, monitored, and controlled.
2. The Permittee will create a new source of local jobs for the area and estimates that there will be 15 positions available for hire at the mining operation.
3. The Permittee will contribute to the local Volunteer Fire Department, the Oneonta Dare and Fallen Officers, and the Alabama Sheriff's Association.
4. The Permittee will pay \$220,000 in new annual sales taxes and \$42,000 in new annual payroll taxes.

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

Reviewed By: William McClimans

Date: October 24, 2025

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION**

NPDES INDIVIDUAL PERMIT RATIONALE

Company Name: Alabama Wholesale Stone, Inc.

Facility Name: Alabama Wholesale Stone Mine #3

County: Blount

Permit Number: AL0084524

Prepared by: Skylar Wilson

Date: October 24, 2025

Receiving Waters: Unnamed Tributary to Calvert Prong/Groundwater

Permit Coverage: Dimension Stone Quarrying, Incidental Dirt and/or Chert, Mineral Loading, Mineral Storing, Mineral Transportation, and Associated Areas

SIC Code: 1411

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

This proposed permit covers dimension stone quarrying, incidental dirt and/or chert, mineral loading, mineral storing, mineral transportation, and associated areas which discharge to surface waters of the state.

The proposed permit authorizes treated discharges into unnamed tributaries to Calvert Prong classified as Public Water Supply (PWS) 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 PWS 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 A is reserved for dimension stone mining and processing, however Technology Based Effluent Limits (TBELs) for dimension stone 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 crushed stone. Therefore, the permit was prepared considering the TBELs in 40 CFR 436 Subpart C.

The instream WQS for pH, for streams classified as Public Water Supply, are 6.0 - 8.5 s.u per ADEM Admin Code r. 335-6-10-.09. Information provided in the Permittee's application indicated that Outfalls 001-1 and 002-1 could discharge chronically when the discharge/stream flow ratio may be high; therefore, discharge limitations for pH of 6.0 – 8.5 s.u. are proposed for Outfalls 001-1 and 002-1 per ADEM Admin Code r. 335-6-10-.09.

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

The applicant has requested, in accordance with 40 CFR Part 122.21 and their NPDES permit application, a waiver from testing for the Part A, B, and C pollutants listed in the EPA Form 2C and 2D that are not addressed in their application. Part II.C.3 requires submittal of new metals, arsenic, cyanide, and phenols data within six months of the effective date of the Permit or within six months of the first discharge from each outfall. The Permit shall be reopened, if required to address any new information resulting from the submittal of the new effluent data.

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

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

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

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

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

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

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

The proposed permit action authorizes new discharges of pollutants to receiving waters determined by the Department to be waters where the quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water (Tier II). Pursuant to ADEM Admin. Code r. 335-6-10

(Antidegradation Policy and Implementation of the Antidegradation Policy), the applicant has submitted and the Department has reviewed and considered information regarding (1) demonstration of necessity/importance, (2) alternatives analysis, and (3) calculations of total annualized costs for technically feasible treatment alternatives regarding the proposed new discharges to Tier II waters. The Department has determined, based on the applicant's demonstration, that the proposed new discharges to the Tier II waters are necessary for important economic or social development in the area in which the waters are located.

NPDES Individual Application - Mining (Form 315)

version 3.4

(Submission #: HQ7-TGF6-1GH53, version 2)

Digitally signed by:
AEPACS
Date: 2025.10.24 10:41:08 -05:00
Reason: Submission Data
Location: State of Alabama

Details

Submission ID HQ7-TGF6-1GH53

Form Input

Processing Information

Is this a coalbed methane operation?

No

Please indicate the purpose of this application:

Initial Permit Application for New Facility

General Instructions

NPDES Individual Permit Application ♦ Mining Operations (Form 315)

This form should be used to submit an application for an NPDES individual permit to authorize discharges from surface & underground mineral, ore, or mineral product mining, quarrying, excavation, borrowing, hydraulic mining, storage, processing, preparation, recovery, handling, loading, storing, or disposing activities, and associated areas including pre-mining site development, construction, excavation, clearing, disturbance, and reclamation.

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

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

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

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

Permittee Information

Permittee

Permittee Name

Alabama Wholesale Stone, Inc.

Mailing Address

1480 County Road 36

Oneonta, AL 35121

Responsible Official**Prefix**

Mr.

First Name

Trenton

Last Name

Brown

Title

CEO

Organization Name

Alabama Wholesale Stone, Inc.

Phone Type

Business

Number

2054663600

Extension**Email**

cmoore@alastone.com

Mailing Address

1480 County Road 36

Oneonta, AL 35121

Facility/Operations Information**Facility/Operations Name**

Alabama Wholesale Stone Mine #3

Permittee Organization Type

Corporation

Parent Corporation and Subsidiary Corporations of Applicant, if any:

NONE PROVIDED

Landowner(s) Name, Address and Phone Number:

American Equipment Sale & Rental, LLC

1480 County Highway 36

Oneonta, AL 35121

205-466-3600

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

NONE PROVIDED

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

Yes

Facility/Operations Address or Location Description

84 SOLOMON RD

ONEONTA, AL 35121

Facility/Operations County (Front Gate)

Blount

Do the operations span multiple counties?

No

Detailed Directions to the Facility/Operations

Approximately 5 miles north of Oneonta on State Highway 75, the site is on your left.

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

[Map Instruction Help](#)

Facility/Operations Front Gate Latitude and Longitude

34.0125,-86.4572

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

Township 12 South, Range 2 East, Section 5; Township 12 South, Range 2 East, Section 8

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

1411-Dimension Stone

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

212311-Dimension Stone Mining and Quarrying

Facility/Operations Contact

Prefix

Mr.

First Name Last Name

Trenton Brown

Title

CEO

Organization Name

Alabama Wholesale Stone, Inc.

Phone Type Number Extension

Business 2054663600

Email

cmoore@alastone.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:

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

Manually Entering in Table

Name	Title/Position	Physical Address of Residence
Trenton Blaise Brown	CEO	1480 County Highway 36, Oneonta, AL 35121

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

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

Manually Entering in Table

Name of Corporation, Partnership, Association, or Single Proprietorship	Name of Individual	Title/Position in Corporation, Partnership, Association, or Single Proprietorship
Alabama Wholesale Stone	Trenton Blaise Brown	CEO

Additional Contacts (1 of 1)

ADDITIONAL CONTACTS:

Contact Type

NONE PROVIDED

Contact

First Name

NONE PROVIDED

Last Name

NONE PROVIDED

Title

NONE PROVIDED

Organization Name

NONE PROVIDED

Phone Type

Number

Extension

NONE PROVIDED

Email

NONE PROVIDED

Address

[NO STREET ADDRESS SPECIFIED]

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

Compliance History

Has the applicant ever had any of the following:

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

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

No

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

N/A

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:

N/A

Anti-Degradation Evaluation

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

Yes

NOTE

If the discharge is to a Tier II waterbody as defined in ADEM Admin. Code r. 335-6-10-.12(4), complete questions below, ADEM

Form 311-Alternatives Analysis, and either ADEM Form 312 or ADEM Form 313- Calculation of Total Annualized Project Costs (Public-Sector or Private-Sector Projects, whichever is applicable). ADEM Form 312 or ADEM Form 313, whichever is applicable, must be provided for each treatment discharge alternative considered technically viable.

[ADEM forms can be found on the Department's website here.](#)

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

By permitting the mining operation and constructing sediment basins, the release of pollutants to area stream will be minimized, monitored, and controlled.

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

Permittee estimates that the operation of the quarry will result in the net increase of 15 new people.

How much reduction in employment will the discharger be avoiding?

If the quarry is not operated, the 15 new people employees will not have jobs.

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

New annual sales taxes \$220,000.

New annual payroll taxes \$42,000.

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

The permittee will contribute to local volunteer fire department, etc.

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

Source of jobs for the local workforce.

Attach Form 311 (Alternative Analysis)

[Form311_signature.pdf - 10/22/2025 01:27 PM](#)

Comment

NONE PROVIDED

CORRECTION REQUEST (APPROVED)

PE Signature

Form 311 needs the PE's signature

Created on 9/3/2025 10:19 AM by **Skylar Wilson**

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

[Form312.pdf - 11/01/2024 10:16 AM](#)

Comment

NONE PROVIDED

Activity Description & Information

Narrative description of activity(s):

Open pit quarry for the mining of dimension sandstone for use in stone masonry construction.

Total Facility/Operations Area (acres)

65.00

Total Disturbed Area (acres)

10.50

Anticipated Commencement Date

01/06/2025

Anticipated Completion Date

12/30/2030

Please identify which of the following apply to this operation:

Activity/Condition	Appy?
An existing facility/operation which currently results in discharges to State waters?	Yes
A proposed facility/operation which will result in a discharge to State waters?	No
Be located within any 100-year flood plain?	No

Activity/Condition	Appy?
Discharge to Municipal Separate Storm Sewer?	No
Discharge to waters of or be located in the Coastal Zone?	No
Need/have ADEM UIC permit coverage?	No
Be located on Indian/historically significant lands?	No
Need/have ADEM SID permit coverage?	No
Need/have ASMC permit coverage?	No
Need/have State Oil & Gas Board permit coverage?	No
Need/have ADOL permit coverage?	Yes
Generate, treat, store, or dispose of hazardous or toxic waste?	No
Be located in or discharge to a Public Water Supply (PWS) watershed or be located within ½ mile of any PWS well?	No
Incised pit	No

Does your facility/operation use cooling water?

No

Material to be Removed, Processed, or Transloaded

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

Mineral(s)/Mineral product(s)	%
Dirt and/or Chert	10
Dimension stone	90
	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	No
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

Activity	Apply?
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
Pre-mining logging or land clearing	Yes
Preparation plant waste recovery	No
Quarrying	Yes
Reclamation of disturbed areas	Yes
Solution mining	No
Surface mining	Yes
Synthetic fuel production	No
Underground mining	No
Waterbody relocation or other alteration	No
Within-bank mining	No

If the operation will include activities other than those listed above, please describe them below:

Not applicable.

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

Method	Apply?
Barge	No
Rail	No
Truck	Yes

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

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

Yes

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

Volume (gallons)	Contents
12,000.0	Diesel Fuel
1,500.0	Lub, Oils

SPCC Plan

[24-0274 Alabama Wholesale SPCC #X.pdf - 11/01/2024 10:25 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

[Mine 3-Quad Map.pdf - 11/01/2024 11:20 AM](#)

Comment

NONE PROVIDED

Detailed Facility Map Submittal

Detailed Facility Map

[Mine 3-Mine Map.pdf - 11/01/2024 11:19 AM](#)

Comment

NONE PROVIDED

Outfalls (1 of 2)

Outfall Identifier: 001

Feature Type

Outfall (External)

Outfall Identifier

001

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.

Receiving Water

Calvert Prong Little Warrior River

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

Unnamed Tributary

Location of Outfall

34.0132,-86.4526

303(d) Segment?

No

TMDL Segment?

No

Outfalls (2 of 2)

Outfall Identifier: 002

Feature Type

Outfall (External)

Outfall Identifier

002

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.

Receiving Water

Calvert Prong Little Warrior River

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

Unnamed Tributary

Location of Outfall

34.0124,-86.4590

303(d) Segment?

No

TMDL Segment?

No

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

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

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

[Download spreadsheet here.](#)

Required attachment:

[24-0274 Alabama Wholesale Form315TableB.pdf - 11/01/2024 12:07 PM](#)

Comment

NONE PROVIDED

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

[Download spreadsheet here.](#)

Required attachment:

[24-0274 Alabama Wholesale Form315TableC.pdf - 10/22/2025 03:21 PM](#)

Comment

NONE PROVIDED

Discharge Structure Description & Pollutant Source

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

[Download spreadsheet here.](#)

Required attachment:[24-0274 Alabama Wholesale Form315DischargeStructure.pdf - 11/01/2024 12:08 PM](#)**Comment**

NONE PROVIDED

Variance Request**Do you intend to request or renew one or more of the CWA technology variances authorized at 40 CFR 122.21(m)?**

No

Pollution Abatement & Prevention (PAP) Plan Summary (1 of 2)**Outfall(s):**

001

Outfall Questions:	Please select one:
Runoff from all areas of disturbance is controlled	Yes
Drainage from pit area, stockpiles, and spoil areas directed to a sedimentation pond	Yes
Sedimentation basin at least 0.25 acre/feet for every acre of disturbed drainage	Yes
Sedimentation basin cleaned out when sediment accumulation is 60% of design capacity	Yes
Trees, boulders, and other obstructions removed from pond during initial construction	Yes
Width of top of dam greater than 12'	Yes
Side slopes of dam no steeper than 3:1	Yes
Cutoff trench at least 8' wide	Yes
Side slopes of cutoff trench no less than 1:1	Yes
Cutoff trench located along the centerline of the dam	Yes
Cutoff trench extends at least 2' into bedrock or impervious soil	Yes
Cutoff trench filled with impervious material	Yes
Embankments and cutoff trench 95% compaction standard proctor ASTM	Yes
Embankment free of roots, tree debris, stones >6" diameter, etc.	Yes
Embankment constructed in lifts no greater than 12"	Yes
Spillpipe sized to carry peak flow from a one year storm event	Yes
Spillpipe will not chemically react with effluent	No
Subsurface withdrawal	Yes
Anti-seep collars extend radially at least 2' from each joint in spillpipe	Yes
Splashpad at the end of the spillpipe	Yes
Emergency Spillway sized for peak flow from 25-yr 24-hr event if discharge not into PWS classified stream	Yes
Emergency spillway sized for peak flow from 50-yr 24-hr event if discharge is into PWS classified stream	Yes
Emergency overflow at least 20' long	Yes
Side slopes of emergency spillway no steeper than 2:1	Yes
Emergency spillway lined with riprap or concrete	Yes
Minimum of 1.5' of freeboard between normal overflow and emergency overflow	Yes
Minimum of 1.5' of freeboard between max. design flow of emergency spillway and top of dam	Yes
All emergency overflows are sized to handle entire drainage area for ponds in series	Yes
Dam stabilized with permanent vegetation	Yes
Sustained grade of haul road <10%	Yes
Maximum grade of haul road <15% for no more than 300'	Yes
Outer slopes of haul road no steeper than 2:1	Yes
Outer slopes of haul road vegetated or otherwise stabilized	Yes
Detail drawings supplied for all stream crossings	N/A

Outfall Questions:	Please select one:
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):

No stream crossings applicable to this site.

Pollution Abatement & Prevention (PAP) Plan Summary (2 of 2)

Outfall(s):

002

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

Identify and provide detailed explanation for any **N/A** or **N/A** response(s):
No stream crossings applicable to this site.

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	Yes
pH	Yes

CORRECTION REQUEST (APPROVED)

Quantity and Characteristic of Waste

The characteristics and quantity of waster after treating it needs to be included in the PAP plan.
Created on 9/12/2025 10:01 AM by **Skylar Wilson**

Description of Waste Treatment Facility:	Please select one:
Pre-Treatment Measures	Yes

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

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

Pollution Abatement & Prevention (PAP) Plan

CORRECTION REQUEST (APPROVED)

Sediment Basin Designs

The freeboard for the sediment basins needs to be 1.5', in the PAP plan the freeboard is currently 1'. Sediment basins 2-2 and 2-3 should have a volume of at least 8 ac-ft each to accommodate the drainage area, it is currently only 5 ac-ft for both of the basins.

Created on 4/22/2025 8:07 AM by **Skylar Wilson**

Is this a coal mining operation regulated by ASMC?

No

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

Yes

PAP Plan (non-coal mining facilities)

[24-0274 Alabama Wholesale Combined PAP & Attachments_10.22.25.pdf - 10/22/2025 03:25 PM](#)

Comment

NONE PROVIDED

Professional Engineer (PE)

Registration License Number

13215

Professional Engineer

Prefix

Mr.

First Name

Jerry

Last Name

South

Title

Engineer

Organization Name

Gonzalez-Strength & Associates

Phone Type

Business

Number

205-942-2486

Extension**Email**

jsouth@gonzalez-strength.com

Address

1550 WOODS OF RIVERCHASE DR

STE 200

HOOVER, AL 35244

Information for the Applicant

Please read the following information and acknowledge below:

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

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

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

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

The applicant is advised to contact:

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

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

Acknowledgement

I acknowledge I have read and understand the information above.

Additional Attachments

Additional Attachments

NONE PROVIDED

Comment

NONE PROVIDED

Application Preparer

Application Preparer

Prefix

NONE PROVIDED

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]

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.

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

5820

Greenfield Site Fee:

1610

Fee

Fee

7430

Revisions

Revision	Revision Date	Revision By
Revision 1	11/1/2024 9:45 AM	Jacob Hughes
Revision 2	10/15/2025 4:54 PM	Jerry South

Agreements and Signature(s)

SUBMISSION AGREEMENTS

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

Professional Engineer

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

Signed By Jerry South on 10/23/2025 at 10:44 AM

Responsible Official

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

Signed By CINDA MOORE on 10/23/2025 at 10:29 AM

Attachment 1 to Supplementary Form ADEM Form 311

Alternatives Analysis

Applicant/Project: Alabama Wholesale Stone, Inc.

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

Alternative	Viable	Non-Viable	Comment
1 Land Application		X	Water quality too great and too variable.
2 Pretreatment/Discharge to POTW		X	No POTW located within reasonable distance.
3 Relocation of Discharge		X	Existing topography precludes relocation.
4 Reuse/Recycle		X	Runoff water is not used in process.
5 Process/Treatment Alternatives		X	Sediment/detention basin is best alternative.
6 On-site/Sub-surface Disposal		X	No suitable geologic formation in the area.
<i>(other project-specific alternatives considered by the applicant; attach additional sheets if necessary)</i>			
7			
8			
9			

<i>Pursuant to ADEM Administrative Code Rule 335-6-3-.04, I certify on behalf of the applicant that I have completed an evaluation of the discharge alternatives identified above, and reached the conclusions indicated.</i>	<i>Signature:</i> <u>Jerry M South</u> <i>Date:</i> <u>10/20/25</u> Digitally signed by Jerry M South DN: cn=US, email=jerry@southalabama.com, c=US, ou=Alabama Wholesale Stone, OU=Engineering, ou=Alabama Wholesale Stone <i>(Professional Engineer)</i>
--	--

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

Calculation of Total Annualized Project Costs for Public-Sector Projects

A. Capital Costs

Capital Cost of Project	\$ 38,000	
Other One-Time Costs of Project (Please List, if any)		
	\$	
	\$	
	\$	
Total Capital Costs (Sum column)	\$ 38,000	(1)
Portion of Capital Costs to be Paid for with Grant Monies	\$ 0	(2)
Capital Costs to be Financed [Calculate: (1) – (2)]	\$ 38,000	(3)
Type of Financing (e.g., G.O. bond, revenue bond, bank loan)	Bank Loan	
Interest Rate for Financing (expressed as decimal)	0.06	(i)
Time Period of Financing (in years)	10	(n)
Annualization Factor = $\frac{i}{(1+i)^n - 1} + i$	0.1359	(4)
Annualized Capital Cost [Calculate: (3) x (4)]	\$5,164.20	(5)

B. Operating and Maintenance Costs

Annual Costs of Operation and Maintenance (including but not limited to: monitoring, inspection, permitting fees, waste disposal charges, repair, administration and replacement.) (Please list below.)

Monitoring	\$ 7,200	
Fees	\$ 625	
Replacement	\$ 1,500	
	\$	
Total Annual O & M Costs (Sum column)	\$ 9,925.00	(6)

C. Total Annual Cost of Pollution Control Project

Total Annual Cost of Pollution Control Project [(5) + (6)]	\$ 15,089.20	(7)
--	--------------	-----

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

[illegible]

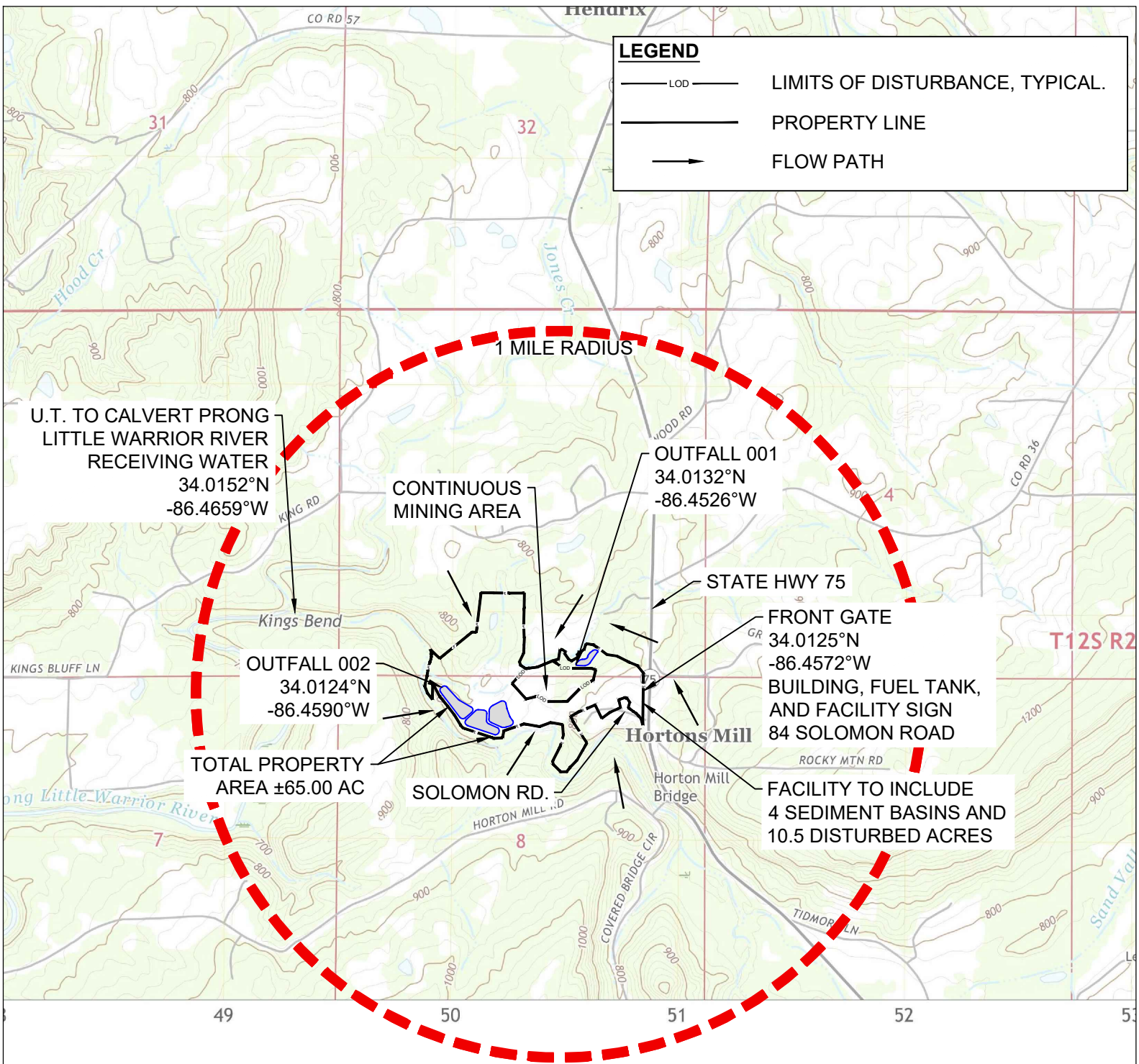
The applicant is required to supply outfall number(s) as it appears on the map(s) required by this application [if this application is for a modification to an existing permit do not change the numbering sequence of the permitted outfalls], describe each, (e.g., pipe, spillway, channel, tunnel, conduit, 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):

[illegible]

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):

[illegible]

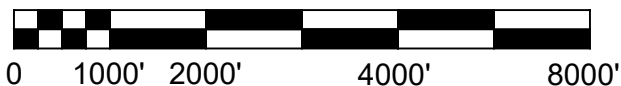


**ALABAMA WHOLESALE
STONE, INC. MINE #3**

84 SOLOMON ROAD
BLOUNT COUNTY, AL
11/01/2024
SECTION 5, T-12S, R-2E
SECTION 8, T-12S, R-2E
CLARENCE QUADRANGLE
USGS TOPOGRAPHIC MAP



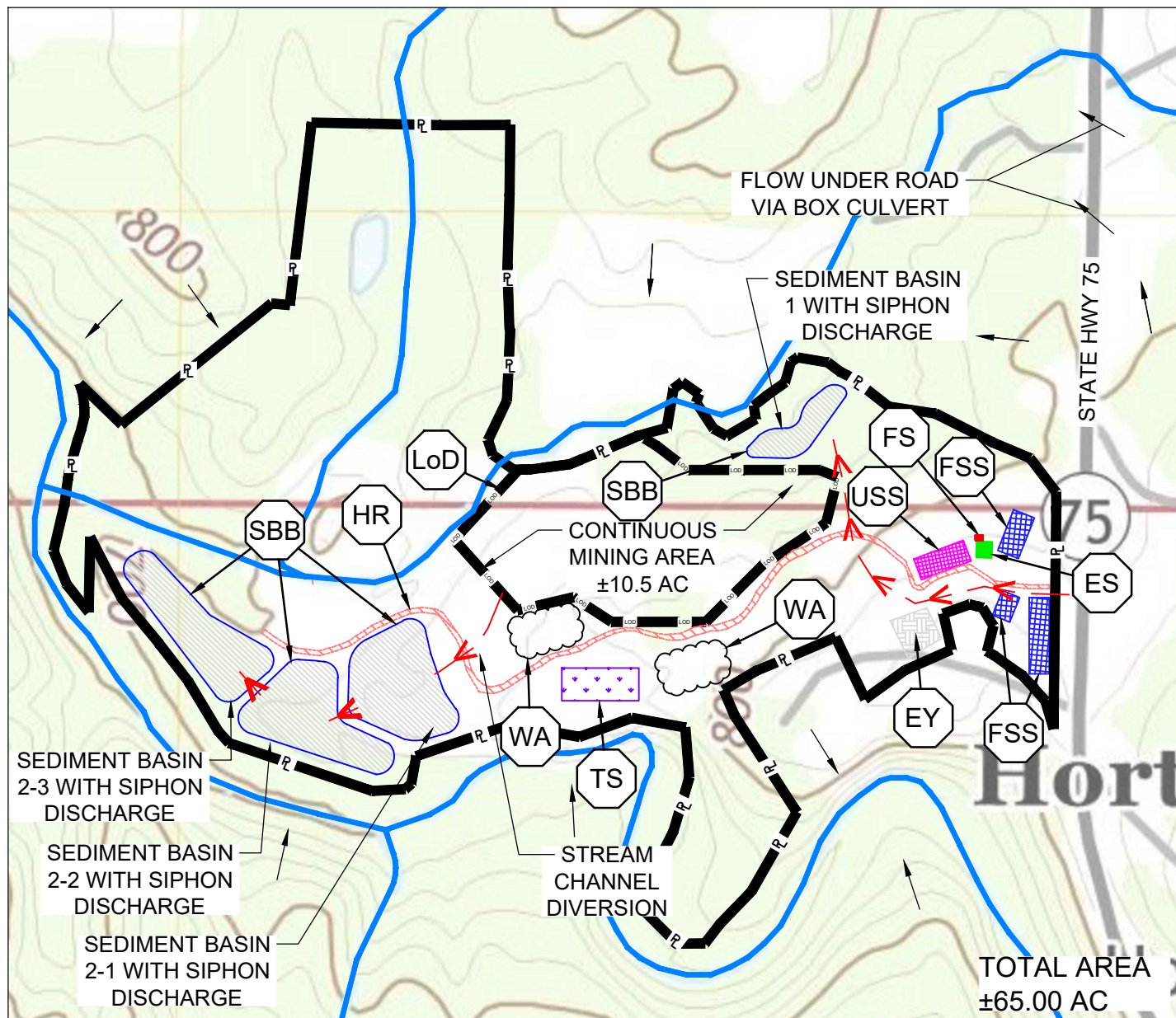
1"=2000'



GRAPHIC SCALE

GONZALEZ - STRENGTH & ASSOCIATES, INC.
CIVIL ENGINEERING - TRANSPORTATION ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE ARCHITECTURE
1550 WOODS OF RIVERCHASE DRIVE SUITE 200
HOOVER, ALABAMA 35244
PHONE: (205) 942-2486
FAX: (205) 942-3033
www.Gonzalez-Strength.com

24-0274
11/01/24



LEGEND

- LoD LIMITS OF DISTURBANCE, TYPICAL.
- SBB SEDIMENT BASIN REQ'D.
- HR HAULAGE ROAD
- EY EQUIPMENT YARD AREA
- ES EQUIPMENT SHOP, FACILITY SIGN & MINE EXIT
- FSS FINISHED STONE STORAGE AREAS
- USS UNFINISHED STONE STORAGE AREAS
- PL PROPERTY LINE
- FS FUEL STORAGE
- STORM WATER FLOW DIRECTION
- WA WASTE AREA
- TS TOPSOIL
- DIVERSION DITCH



FACILITY: MINE #3

APPLICANT: ALABAMA WHOLESALE STONE, INC

ADDRESS: 84 SOLOMON ROAD, ONEONTA, AL.

COUNTY: BLOUNT COUNTY, AL

SECTION 5, TOWNSHIP 12S, RANGE 2E

SECTION 8, TOWNSHIP 12S, RANGE 2E

CLARENCE QUADRANGLE

Attachment for Question X

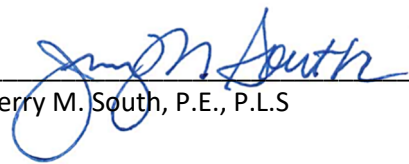
**SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN
FOR
ALABAMA WHOLESALE STONE, INC.**

MINE #3

PREPARED BY:

JERRY M. SOUTH, P.E., P.L.S.

GONZALEZ-STRENGTH & ASSOCIATES, INC.
1550 WOODS OF RIVERCHASE DRIVE, SUITE 200
HOOVER, AL 35244



Jerry M. South, P.E., P.L.S.

November 1, 2024

Date

**Spill Prevention Control and Countermeasures Plan
For
Alabama Wholesale Stone, Inc.
Mine #3**

The Spill Prevention and Counter Measures Plan will be maintained at Alabama Wholesale Stone, Inc.'s office and will be presented to the Alabama Department of Environmental Management staff upon request.

Location: T-12S, R-2E, Section 5; T-12S, R-2E, Section 8

Facility Phone Number: Office – 256-466-3600
Cell – 205-617-8189

Facility Contact & Address: Mr. Trenton Brown
1480 County Hwy 36
Oneonta, AL 35121

1. The proposed fuel storage and containment areas are not located in an area that is subject to periodic flooding.
2. This plan provides for the containment of the following:

INDOOR TANK GROUP:

No of Tanks	Total Capacity	Material
2	12,000 gal.	Diesel Fuel
3	1,500 gal.	Lub. Oils

The Indoor Tank Group is within an enclosed building with a concrete floor and 8" thick cast in place concrete walls. The layout of the tank group is shown on the attached drawings. The capacity of the existing containment structure is adequate to provide with more than 110% of the largest tank in the group.

3. The nearest surface water of the state is an unnamed tributary to Calvert Prong Little Warrior River which is shown on the NPDES Permit Map.
4. The site manager or foreman will be present during all dewatering or drainage of the external containment structure resulting from rainfall entering the area (where applicable). If significant amounts of oil products are present (a "sheen" on the water surface) then the water will be treated with an oil mop, hay or other appropriate oil fuel absorbent material before dewatering occurs and the recovered oil product and recovery materials will be stored in approved containers and transported to a nearby permitted landfill which is rated for the recovered contaminant. If a major spill is encountered, all usable oil fuel will be pumped into mobile fuel tanks for transport to another storage tank equipped with a containment structure. If the tank

contents are contaminated with water or other substances that render that substance unusable, the oil product vendor will be contacted and the contaminated product will be shipped back to the refinery for the product to be recovered. Any unrecovered oil product remaining within the containment structure will also be treated with an oil mop, hay or other appropriate oil fuel absorbent material before dewatering occurs and disposed of as outlined above. After all the oil product has been recovered, any remaining water that exists will be drained from the containment structure and either allowed to naturally drain through an approved downstream outfall or transported to another adjacent, approved outfall prior to entering the waters of the State, dikes will be constructed of impervious material around the tank area. The Alabama Department of Environmental Management shall also be contacted to document the spill. In addition, the local Hazardous Materials Management professionals, as well as the local Fire Department will be contacted and notified of the need to respond to a spill at the facility in the unlikely event that a spill occurs which is catastrophic in nature and exceeds the capability of the facility staff to control and recover it.

5. All drainage from the containment structure shall be routed or transported to a permitted outfall. Any unusable fuel oil, contaminated soil and/or water will be disposed of in accordance with existing State And Federal regulations. In addition, a log will be maintained which indicates the date when the containment structure was dewatered, the person conducting the dewatering, and a brief description of the water (such as oily sheen, dear, slightly turbid, oily smell, etc.)
6. A written record will be maintained by Trenton Blaise Brown, President, of any spill which occurs and the actions taken to properly dispose of all spilled material and the cleanup procedures employed.
7. All unloading of transport vehicles to fill the tanks will meet minimum requirements and regulations established by the Department of Transportation. The tanks will be attended while filling to prevent overflow, and to note visible leaks from seams, gaskets, valves, etc. The Administrative Director of the facility will make periodic inspections of the unloading area to detect signs of minor spills. If spills are evident the contaminated soil will be disposed of in accordance with existing State and Federal regulations. If the spills continue, a paved unloading ramp equipped with an oil-water separator will be constructed.
8. All personnel who are in any way connected with unloading transport vehicles, use of fuel oil, maintenance of the facility, or responsible for storm water drainage and spill cleanup will be made familiar with this plan, and a copy of this plan will be posted and readily available to all personnel at the facility.
9. Potential Sources of Spills:

A. Tank

Prevention: Tanks, valves, and fittings will be properly maintained and kept in good condition. A visual inspection of all tanks, valves, and fittings will be conducted periodically for leaks, and tank foundations for cracks and unusual settling.

B. Tank Overfill:

Prevention: Truck drivers should follow correct operating procedures when unloading diesel fuel and stay with the equipment at all times during unloading operations. Key personnel will be present when fuel and/or other chemicals are delivered to assure that the delivery personnel follow proper procedures. Any spillage will be immediately cleaned up or mitigated in accordance with this plan.

C. Hose Rupture During Unloading and Spillage from Hoses after Disconnection:

Prevention: Periodic inspections will be conducted of all hoses and replacement hoses will be kept at the facility office. In addition, personnel will use the proper hose drainage procedure.

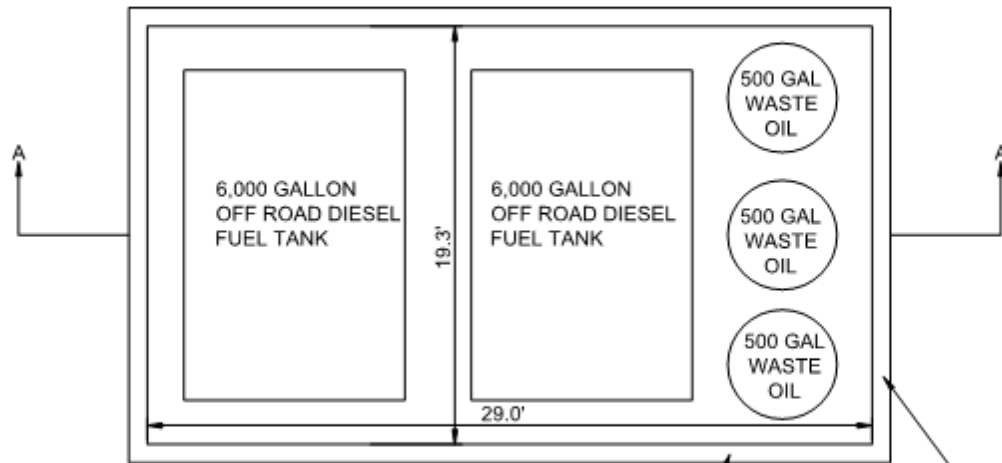
10. Notification

In the event of a reportable quantity spill, immediately call:

The National Response Center
1-800-424-8802
The Alabama Emergency Management Agency
1-800-843-0699

Report the following information:

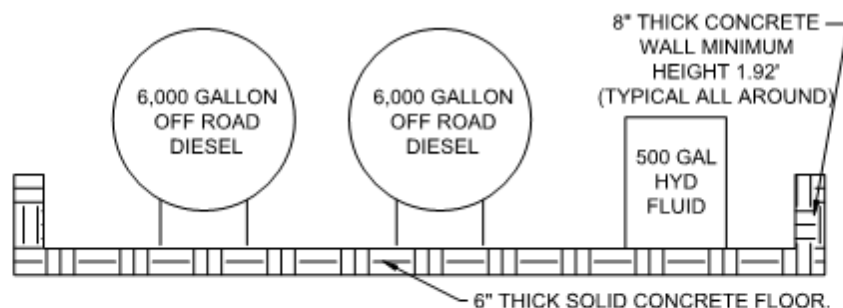
1. Name, address, and telephone number of person reporting spill.
 2. Exact location of facility and spill.
 3. Company name, number and location.
 4. Material spilled.
 5. Estimated quantity.
 6. Source of spill.
 7. Cause of spill.
 8. Nearest downstream body of water to receive spill.
 9. Discuss/advise regarding actions taken for containment and cleanup.
11. The facility will be kept gated and locked to prevent vandalism or theft whenever company personnel are not present. All key personnel will be fully trained in all aspects of this plan, the proper use of personal protective gear, and all reporting and record keeping procedures: All non-key personnel will be made familiar with the plan and will be instructed on personal safety.



NOTE: THIS FUEL/OIL STORAGE AREA IS COMPLETELY ENCLOSED WITHIN A BUILDING. OIL ABSORBENT COMPOUND IS KEPT ON-HAND TO DRY UP ANY MINOR SPILLS.

PLAN VIEW
SCALE: N.T.S.

8" THICK CONCRETE WALL
MINIMUM HEIGHT 1.92"
(TYPICAL ALL AROUND)



SECTION A-A
SCALE: N.T.S.

NOTES:

1. CONTAINMENT STRUCTURES TO BE MADE FROM $\frac{1}{2}$ " THICK STEEL PLATES.
2. OIL ABSORBENT COMPOUND IS KEPT ON HAND TO DRY UP ANY MINOR SPILLS.
3. THE CAPACITY OF THE CONTAINMENT STRUCTURES IS ADEQUATE TO PROVIDE MORE THAN 110% OF THE LARGEST TANK VOLUME WITHIN THE CONTAINMENT AREA.
4. BALL VALVE TO BE LOCKED AT ALL TIMES THAT AUTHORIZED PERSONNEL EMPLOYED BY ALABAMA WHOLESALE STONE ARE NOT PRESENT.

**ALABAMA WHOLESALE
STONE, INC. MINE #3**

BLOUNT COUNTY, AL

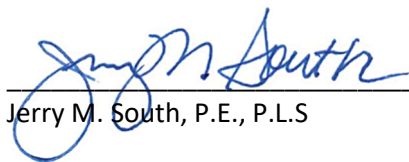
GONZALEZ - STRENGTH & ASSOCIATES, INC.
CIVIL ENGINEERING - TRANSPORTATION ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE ARCHITECTURE
1550 WOODS OF RIVERCHASE DRIVE SUITE 205
HOOVER, ALABAMA 35244
PHONE: (205) 942-2486
FAX: (205) 942-3533
www.Gonzalez-Strength.com

10/31/24

Pollution Abatement & Prevention Plan
FOR
ALABAMA WHOLESALE STONE, INC.
MINE # 3

Prepared by:

JERRY M. SOUTH, P.E., P.L.S.
GONZALEZ-STRENGTH & ASSOCIATES, INC.
1550 WOODS OF RIVERCHASE DRIVE, SUITE 200
HOOVER, AL 35244



Jerry M. South, P.E., P.L.S

October 23, 2025

Date



ALABAMA WHOLESALE STONE, INC.
MINE #3
T12S, R2E, S5 & T12S, R2E, S8
BLOUNT COUNTY, AL

OPERATOR CONTACT & ADDRESS:

Trenton Brown
1480 County Hwy 36
Oneonta, AL 35121

NARRATIVE OF OPERATIONS

This dimensional stone quarry was formerly owned and operated by Bailey Stone Co. & Installations, LLC until 2014 under an individual ADEM Permit AL0080021. The mine is now owned by American Equipment Sale and Rental LLC and operated by Alabama Wholesale Stone, Inc. under a new individual ADEM Permit. The quarry is estimated to have approximately 10.50 acres of disturbed area with four (4) sediment basins. The mining operation is in the watershed of an impoundment classified as a public water supply. Equipment areas, support facilities, and offices are located on adjacent areas owned by the applicant. Total property controlled by the applicant at this location is approximately 65.0 acres. The proposed area to be quarried under this permit is approximately 10.5 acres. The quarry employs from 10 to 15 employees, depending on the stone market demands. The quarry will operate one shift per day, 5 days per week. The permittee contributes to the Alabama Sheriff's Association and the Oneonta Dare & Fallen Officers.

The operational plan used at this facility is described as follows:

Topsoil materials are removed from the area on which dimension stone is to be quarried. The topsoil is removed by loaders and dump trucks. The topsoil is stockpiled for use in final reclamation and when surplus soil is available, some is sold to local landscaping companies. Any undesirable weathered rock materials are removed with loaders and dump trucks and are sold to local grading contractors and government road departments for use as general fill.

Once the dimension stone layers are uncovered, these materials are fractured by light blasting performed by licensed blasting contractors. The dimension stone normally occurs in thin beds ranging from 3 to 15 inches in thickness, 4 to 8 inches being most common. The beds are carefully lifted with track loaders and broken into sheets of manageable size to allow manual handling. The stone sheets are broken into marketable size blocks with small skid steer loaders and by hand. The dimension stone blocks are stacked on wood pallets and transported to the storage yard for ultimate sale to the public or transport to various job sites where company crews are engaged in masonry construction activities.

The stone at this location is dipping to the northwest at a gradient of about 5.7° or 10 %. Quarrying typically starts along an outcrop of a marketable bed and will progress down dip to the northwest. Normally, several successive beds overlying each other will be taken out in layers. If the total thickness of the beds removed in one area exceeds about 10 to 15 feet, the active quarrying area will be stair stepped to the northwest so that the total cut depth at one area is kept at a manageable range to allow haul roads to be constructed.

The haul roads used in the normal operations at the quarry will be surfaced with a durable non-erodible stone surface. The roads will follow low gradients with slopes generally less than 10%. Roadway banks and ditch banks will be vegetated with annual and perennial grasses to control erosion. Any steep ditch gradients (slopes over 5%) will be lined with ALDOT class 2 riprap to control erosion. Sediment Barriers and/or Straw Bale Sediment Traps will be used to trap sediments on any unstabilized roadway or ditch slopes. There are no stream crossings by haul roads or the quarry operation.

Where any onsite streams exist on mine property a 50 ft natural riparian buffer will be marked with 3 ft tall stakes with colored flagging with text stating "Buffer Limits". Stakes to be replaced upon failure to read or see appropriately.

Mark permit boundaries with 3 ft tall stakes with colored flagging with text stating "Permit Boundary". Stakes to be replaced upon failure to read or see appropriately.

Discharge monitoring and record keeping will be implemented as required during permitted operation for PH, total suspended solids and conduit flow.

Storm drain runoff from the mine site will be directed to the four proposed sedimentation basins. These sediment basins will be constructed in the lowest area of the proposed mine site and will be partially incised into the rock strata that is being quarried. The plan/profile drawings for the basins attached herein in the Pollution Abatement Plan depict the minimum size criteria for the structures.

In the event that future quarrying operations encroach on one of the basins, the quarrying will be scheduled to coincide with the "dry" season and the impounded water in the basin to be quarried will be pumped into the other basin for treatment and discharge. After the quarrying within the basin is completed, the basin volume will be larger than the original constructed volume.

The finished stone storage areas are situated on a hard surfaced yard area that is suitable for all weather vehicle tracking. Run-off from these areas are directed to the outfalls. An equipment shop building has been constructed near the quarry entrance road. An equipment yard and service area is located adjacent to the equipment shop building. The yard areas are surfaced with durable stone materials. A fueling station is located in this area also. Details of this fueling facility are included in the Spill Prevention Control and Countermeasures Plan attached.

Once the dimension stone is prepared for transport, vehicles will exit through single access from the mine to State Hwy 75. This exit and roadside ditches have a stabilized access and are prepared to reduce vehicle tracking of sediment. The highway from Mine #3 to the storage yard will be inspected during operations for tracking.

12/23/2019 1:18:22 PM
\$77.00
Deed
Inst Num: 10012721
Pages: 4
Book: 2019
Page: 85290

State of Alabama, Blount County
I certify this instrument was
filed and taxes collected on:
12/23/2019 1:18:22 PM by:
Chris Green, Judge of Probate

TITLE NOT EXAMINED

STATE OF ALABAMA
COUNTY OF BLOUNT

SEND TAX NOTICE TO:

American Equipment Sales & Rental
1480 Cty. Hwy 36
Oneonta, AL 35121

WARRANTY DEED

(4)
60.00
15.00
2.00
77.00

KNOW ALL MEN BY THESE PRESENTS, that in consideration of TEN DOLLARS (\$10.00), and other good and valuable consideration to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, I, **DANNY BAILEY (A.K.A. DANNY N. BAILEY for the purpose of this conveyance)**, a married person (herein referred to as **GRANTOR**, whether one or more), do hereby grant, bargain, sell and convey unto **AMERICAN EQUIPMENT SALE & RENTAL, LLC**, an Alabama Limited Liability Company (herein referred to as **GRANTEE**, whether one or more), the following described real estate, situated in Blount County, Alabama, to-wit:

A part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8, Township 12 South, Range 2 East, Blount County, Alabama and being more particularly described as follows: Commence at the Northeast corner of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence N $89^{\circ}59'03''$ W 413.64 feet along the section line to the point of beginning; thence S $20^{\circ}26'23''$ W 500.16 feet to a set $\frac{1}{2}''$ capped rebar (F.H.A. Inc. CA-09_LS); thence N $84^{\circ}41'56''$ W 200.13 feet to a set $\frac{1}{2}''$ capped rebar on the Easterly right of way line of Alabama Highway No. 75; thence along said right of way line N $01^{\circ}36'51''$ E 216.25 feet to an iron; thence S $69^{\circ}29'22''$ E 210.00 feet to an iron; thence N $01^{\circ}36'51''$ E 208.50 feet to a $\frac{1}{2}''$ capped rebar found (CA-09-LS); thence S $75^{\circ}20'32''$ E 95.90 feet to a $\frac{1}{2}''$ capped rebar found (CA-09-LS); thence N $11^{\circ}30'57''$ E 126.00 feet to a $\frac{1}{2}''$ capped rebar found (CA-09-LS) on said section line; thence along said section line S $89^{\circ}59'03''$ E 47.36 feet to the point of beginning. Containing 1.47 acres more or less. Subject to existing rights of way for public roads, utility lines, easements, and restrictions of record, if any.

Description copied from that certain survey dated May 5, 2009, performed by Bradley S. Holland, Frank Hollis & Associates, Inc., 206 Third Avenue East, Oneonta, Alabama 35121, License No. 28255. TITLE NOT EXAMINED.

Also,

A part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8, Township 12, Range 2 East, described as follows: Start at an iron stob in a ditch on the West side of said forty at the SW corner of what was known as Aldie Brown's land on the East margin of Alabama Highway #75, thence South along the East margin of Alabama Highway #75 a distance of $34 \frac{3}{4}$ yards; thence East and parallel with the South line of said Aldie Brown's land a distance of 70 yards; thence North and parallel with the East margin of Alabama Highway #75 a distance of $34 \frac{3}{4}$ yards; thence West along the line of the said

Aldie Brown's land a distance of 70 yards to an iron stob, and the point of beginning. Containing $\frac{1}{2}$ acre, more or less.

Subject to royalty reserved in that certain deed from Zula Mae Murphree, et. AL., to Clifford Sisson and John E. Sisson dated December 2, 1960 and recorded in Deed Book Volume 149, Page 301, in the Office of the Judge of Probate for Blount County, Alabama.

Description furnished by Grantor and copied from previous deed wherein LUCILLE R. BAILEY, a widow, is reflected as sole Grantor, and DANNY N. BAILEY, is listed as sole Grantee, notarized on the 8th day of April, 1999, Instrument Number 195745, recorded in Deed Book volume 416, at page 153, Office of the Probate Judge, Blount County, Alabama. TITLE NOT EXAMINED.

Also,

A part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8, Township 12, Range 2 East, described as follows: Start at an iron stob in a ditch on the West side of said forty at the SW corner of Aldie Brown's land and on the East margin of Alabama Highway #75, thence South along the East margin of Alabama Highway #75 a distance of $34 \frac{3}{4}$ yards for the point of beginning of the lands herein conveyed, thence East and parallel with the South line of the said Aldie Brown's lands a distance of 70 yards, thence South and parallel with the East margin of Alabama Highway #75 a distance of $34 \frac{3}{4}$ yards, thence West and parallel with the South line of the said Aldie Brown's lands a distance of 70 yards to the East margin of Alabama Highway #75, thence North along the East margin of Alabama Highway #75 a distance of $34 \frac{3}{4}$ yards to point of beginning. Containing one half acre, more or less.

Subject to royalty reserved in that certain deed from Zula Mae Murphree, et. AL., to Clifford Sisson and John E. Sisson dated December 2, 1960, and recorded in Deed Volume 149, Page 301, in the Office of the Judge of Probate for Blount County, Alabama.

Description furnished by Grantor copied from previous deed wherein LUCILLE R. BAILEY, a widow, is reflected as sole Grantor, and DANNY N. BAILEY, is listed as sole Grantee, dated July 12, 2002, Instrument Number 231534, recorded in Deed Book volume 447, at page 557, Office of the Probate Judge, Blount County, Alabama. TITLE NOT EXAMINED.

The above described property does not constitute any part of the homestead of Grantor or his spouse.

TO HAVE AND TO HOLD to the said Grantee, its heirs, successors and assigns forever.

And I do for myself and for my heirs, executors, and administrators covenant with the said Grantee, its heirs and assigns, that I am lawfully seized in fee simple of said premises; that I have a good right to sell and convey the same as aforesaid; that they are free from all encumbrances, or unless otherwise noted above; and further excepting any restrictions, rights-of-way and easements pertaining to the above described property of record in the Office of Judge of Probate of Blount County, Alabama; and that I will and my heirs, executors and administrators shall warrant and defend the same to the said Grantee, its heirs, successors and assigns forever, against the lawful

claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 23 day of December, 2019.


DANNY BAILEY
(a.k.a DANNY N. BAILEY), GRANTOR

GENERAL ACKNOWLEDGMENT

STATE OF ALABAMA
COUNTY OF BLOUNT

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **DANNY BAILEY (a.k.a. DANNY N. BAILEY)**, Grantor, whose names is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23 day of December, 2019.


NOTARY PUBLIC
MY COMMISSION EXPIRES: 10/23/21



This Instrument Prepared by:
Scott L. McPherson
Attorney at Law
ESSQUARE, LLC
33185 State Highway 75
Oneonta, Alabama 35121

12/23/2019 1:16:18 PM
\$180.00
Deed
Inst Num:10012720
Pages:5
Book:2019
Page:86285

State of Alabama, Blount County
I certify this instrument was
filed and taxes collected on:
12/23/2019 1:16:18 PM by:
Chris Green, Judge of Probate

TITLE NOT EXAMINED

⑤ STATE OF ALABAMA

COUNTY OF BLOUNT

WARRANTY DEED

160.00
18.00
2.00
180.00

KNOW ALL MEN BY THESE PRESENTS, that in consideration of TEN DOLLARS (\$10.00), and other good and valuable consideration to BAILEY STONE CO., LLC, an Alabama Limited Liability Company, **GRANTOR**, in hand paid by AMERICAN EQUIPMENT SALE & RENTAL, LLC, an Alabama Limited Liability Company, **GRANTEE**, the receipt and sufficiency of which being hereby acknowledged, the said BAILEY STONE CO., LLC, by and through its Managing Member, DANNY N. BAILEY, as **GRANTOR**, does by these presents, grant, bargain, sell and convey unto the said AMERICAN EQUIPMENT SALE & RENTAL, LLC, as **GRANTEE**, the following described real estate, situated in Blount County, Alabama, to wit:

TRACT 13

Beginning at a capped ½" rebar (LS#11848) marking the SE corner of the SE ¼-SW ¼, Section 5, T-12-S, R-2-E, thence S89°57'30" W 62.77 feet to a point in the center of Big Branch, thence run Southwesterly and Northwesterly along the center of said branch the following bearings and distances: S26°00'31" W 38.56 feet, S48°37'48" W 218.45 feet, S55°05'37" W 306.24 feet, S51°56'12" W 112.15 feet, S75°18'26" W 68.91 feet, N88°59'36" W 28.24 feet, N65°09'33" W 115.65 feet, N54°57'31" W 119.71 feet to a capped ½" rebar (LS#21183), thence leaving said branch N06°33'08" E 990.06 feet to a capped ½" rebar (LS#21183), thence S84°27'46" E 758.66 to a capped ½" rebar (LS#11848), thence S02°12'26" W 244.90 feet to a capped ½" rebar (LS#21183), thence S24°35'35" W 142.18 feet to a point, thence S28°30'22" E 38.95 feet to a point, thence S 63°44'30" E 66.94 feet to a capped ½" rebar (LS#21183), thence S01°04'24" E 149.45 feet to the point of beginning. Containing 16.58 acres, more or less.

Also, a 50' access Easement described as follows:

Commence at a capped ½" rebar (LS#11848) marking the SE corner of the SE ¼-SW ¼, Section 5, T-12-S, R-2-E, thence S89°57'30" W 62.77 feet to a point in the center of Big Branch, thence run Southwesterly and Northwesterly along the center of said branch the following bearings and distances: S26°00'31" W 38.56 feet, S48°37'48" W 218.45 feet, S55°05'37" W 306.24 feet, S51°56'12" W 112.15 feet, S75°18'26" W 68.91 feet, N88°59'36" W 28.24 feet, N65°09'33" W 115.65 feet, N54°57'31" W 119.71 feet to a capped ½" rebar (LS#21183), thence leaving said branch N06°33'08" E 990.06 feet to a capped ½" rebar (LS#21183) said point being the point of beginning, thence continue N06°33'05" E 1325.54 feet to a capped ½" rebar (LS#11868) on the South right-of-way of Huffstutler Road (50' R/W), thence Southeasterly along said right-of-way

along a curve to the left having a chord bearing and distance of S89°37'33" E 50.03 feet and a radius of 525.00 feet to a capped ½" rebar (LS#21183), thence leaving said right-of-way S06°28'59" W 1330.02 feet to a capped ½" rebar (LS#21183), thence N84°27'46" W 51.32 feet to the point of beginning and the end of said easement.

Also,

TRACT 12

Commence at a capped ½" rebar (LS#11848) marking the SE corner of the SE ¼-SW ¼, Section 5, T-12-S, R-2-E, thence S89°57'30" W 62.77 feet to a point in the center of Big Branch, thence run Southwesterly and Northwesterly along the center of said branch the following bearings and distances: S26°00'31" W 38.56 feet, S48°37'48" W 218.45 feet, S55°05'37" W 306.24 feet, S51°56'12" W 112.15 feet, S75°18'26" W 68.91 feet, N88°59'36" W 28.25 feet, N65°09'33" W 115.65 feet, N54°57'31" W 119.71 feet to a capped ½" rebar (LS#21183), thence leaving said branch N06°33'08" E 990.06 feet to a capped ½" rebar (LS#21183), thence S84°27'46" E 51.32 feet to a capped ½" rebar (LS#21183), said point being the point of beginning, thence N06°28'59" E 590.62 feet to a capped ½" rebar (LS#21183), thence S88°49'01" E 187.33 feet to a capped ½" rebar (LS#11868), thence S00°43'07" W 213.15 feet to a 3/8" rebar, thence S01°39'48" W 295.19 feet to a capped ½" rebar (LS#21183), thence S02°50'24" E 137.90 feet to a capped ½" rebar (LS#11868), thence N84°27'46" W 707.34 feet to the point of beginning, containing 9.49 acres, more or less.

Above descriptions furnished by Grantor and copied from that certain survey dated May 30, 2002, performed by Larry Walker Land Surveying, Inc., 3031 Caddell Circle, Hokes Bluff, Alabama 35903, License No. 21183. TITLE NOT EXAMINED.

Also,

TRACT 1

A part of the SE ¼ of SW ¼ and part of the South ½ of SE ¼ of Section 5, Township 12 South, Range 2 East; and part of the NE ¼ of NW ¼, part of the North ½ of NE ¼ and part of SW ¼ of NE ¼ of Section 8, Township 12 South, Range 2 East, Blount County, Alabama, more particularly described as follows: From a capped iron found (Hager) at the Northwest corner of NE ¼ of NW ¼ of said Section 8, thence N89°32'29"E, 52.07 feet to the center of Big Branch; thence along center of branch as follows: S59°08'43"E, 27.20 feet; S79°09'05"E, 32.14 feet; S89°57'10"E, 73.80 feet; S68°13'40"E, 56.54 feet; S46°54'58"E, 122.93 feet; S46°12'45"E, 97.32 feet; S79°03'41"E, 70.76 feet; S23°18'00"E, 73.41 feet; S17°57'11"E, 33.87 feet; S48°58'47"E, 153.07 feet; S50°20'35"E, 59.22 feet; S80°07'07"E, 52.10 feet; N75°09'54"E, 101.74 feet; N52°18'18"E, 117.08 feet; N53°16'12"E, 40.72 feet; N63°21'12"E, 59.19 feet; N48°38'35"E, 97.78 feet; N55°21'16"E, 223.00 feet; N43°04'15"E, 111.29 feet; N24°55'07"E, 35.67 feet; N22°14'17"W, 113.89 feet; N71°08'28"E, 89.14 feet; N89°16'11"E, 50.70 feet; N80°53'58"E, 134.68 feet; N65°56'03"E, 237.59 feet; N78°37'43"E, 96.11 feet; N11°14'49"E, 110.74 feet; N48°12'02"E, 31.13 feet; S58°29'48"E, 66.67 feet; S22°49'41"W, 32.45 feet; S41°14'21"E, 107.71 feet; S79°12'37"E, 39.72 feet; N58°24'14"E, 99.56 feet; N07°12'36"W, 45.45 feet; N53°27'20"E, 35.83 feet; N54°51'43"E, 85.22 feet; N15°47'19"E, 72.25 feet; N55°12'34"E, 25.45 feet; S78°15'22"E, 108.25 feet; S47°09'59"E, 43.03 feet; S70°42'36"E, 44.95 feet; S46°59'56"E, 98.02 feet; S59°06'11"E, 49.37 feet; S80°25'25"E, 150.23 feet; S63°57'36"E,

118.30 feet; S61°51'11"E, 104.41 feet; S69°48'16"E, 115.63 feet; S29°59'19"E, 174.85 feet to the West right of way of Alabama Highway 75; thence along right of way as follows: S01°51'54"W, 463.55 feet; S01°18'53"W, 188.81 feet; S05°42'50"W, 22.01 feet to a capped iron found (FS Hollis); thence leaving right of way run along center of existing 20' road easement as follows: N15°56'54"W, 70.47 feet; N37°46'44"W, 32.30 feet; N52°18'19"W, 80.61 feet; N49°57'39"W, 24.14 feet; N49°43'44"W, 85.06 feet; N68°22'45"W, 35.93 feet; N85°11'59"W, 37.89 feet; S89°27'48"W, 59.82 feet; S73°12'21"W, 20.73 feet; S65°07'45"W, 32.77 feet; S62°45'39"W, 98.19 feet; S55°18'13"W, 168.73 feet; thence N26°09'06"W, 223.70 feet to a capped iron found (Ashville CA514LS); thence S63°51'39"W, 163.74 feet to a capped iron found (Ashville CA514LS); thence S71°19'50"W, 72.16 feet to a capped iron found (Ashville CA514LS); thence S64°42'14"W, 45.57 feet to a capped iron found (Ashville CA514LS); thence S56°21'38"W, 118.58 feet to a capped iron found (Ashville CA514LS); thence S31°21'41"E, 459.60 feet to a mag spike found; thence along line that is 99 feet from the Calvert Prong of Little Warrior River, as follows: S28°19'41"W, 297.25 feet; S40°09'55"W, 184.05 feet; S64°54'32"W, 34.63 feet; S87°44'58"W, 90.66 feet; N51°24'06"W, 137.26 feet; N16°04'04"W, 44.52 feet; N26°40'01"E, 230.95 feet; N16°32'53"E, 188.31 feet; N02°50'01"W, 184.38 feet; N81°46'03"W, 177.45 feet; S69°57'14"W, 178.84 feet; N80°32'21"W, 221.36 feet; S70°49'26"W, 330.55 feet; S13°58'03"W, 95.31 feet; S52°26'58"W, 26.39 feet; S87°09'54"W, 102.75 feet; N71°36'55"W, 490.14 feet; N46°39'21"W, 21.88 feet; N32°36'23"W, 194.45 feet; N39°04'36"W, 362.68 feet; N28°56'12"W, 235.69 feet to a capped iron found (Ashville CA514LS); thence N00°30'05"W, 94.88 feet to the point of beginning. Containing 54.75 acres more or less. Subject to North ½ of existing 20' road easement.

Description furnished by Grantor and copied from that certain survey dated November 25, 2019, performed by Terry L. Gilliland, Ashville Land Surveying, 17 Court Street West, Ashville, Alabama 35953, ALS No. 13408. TITLE NOT EXAMINED.

The above described property does not constitute any part of the homestead of Grantor, or his spouse.

TO HAVE AND TO HOLD, to the said AMERICAN EQUIPMENT SALE & RENTAL, LLC, its heirs, successors and assigns forever.

And the said BAILEY STONE CO., LLC does for itself, its successors and assigns, covenant with said AMERICAN EQUIPMENT SALE & RENTAL, LLC, its heirs, successors and assigns, that it is lawfully seized in fee simple of said premises, that they are free from all encumbrances, that it has a good right to sell and convey the same as aforesaid, and that it will, and its successors and assigns shall, warrant and defend the same to the said AMERICAN EQUIPMENT SALE & RENTAL, LLC, its heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said BAILEY STONE CO., LLC, by and through its

Managing Member, DANNY N. BAILEY, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 23 day of December, 2019.

BAILEY STONE CO., LLC, GRANTOR

BY:

Danny N. Bailey
DANNY N. BAILEY, Managing Member



STATE OF ALABAMA)
COUNTY OF BLOUNT)

I, Scott L. McPherson, Notary Public in and for said County, in said State, hereby certify that DANNY N. BAILEY, whose name as Managing Member of BAILEY STONE CO., LLC, an Alabama Limited Liability Company, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal, this the 23 day of December, 2019.

[Signature]
NOTARY PUBLIC
COMMISSION EXP.: 10/23/21

Send Tax Notice to:

American Equip. Sale & Rental
1480 Gt. Hwy 36
Oneonta, AL 35121

This instrument prepared by:
Scott L. McPherson, Attorney at Law
ESSQUARE, LLC
33185 State Highway 75
Oneonta, Alabama 35121

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name Barker Stone Co LLC
Mailing Address 84 Solomon Rd.
Orlando, AL 35121

Grantee's Name American Equipment
Mailing Address Sub. + Rental LLC
1480 County Hwy 36
Orlando, AL 35121

Property Address 84 Solomon Rd.
Orlando, AL
35121

Date of Sale 12-23-19

Total Purchase Price \$ 160,000.00

or

Actual Value \$ 160,000.00

or

Assessor's Market Value \$ 80 acres @ 2000/ac

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale

☐ Appraisal

☐ Sales Contract

☐ Other

☐ Closing Statement

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date 12-23-19

Print

Scott L. Myerson

☐ Unattested

12/23/2019 1:16:18 PM
Deed
Inst. Num: 10012720
Book: 2019
Page: 5 of 5

Sign

[Signature]

(Grantor/Grantee/Owner/Agent) circle one

Form RT-1

12/23/2019 1:20:16 PM
\$155.00
Deed
Inst Num: 10012722
Pages: 3
Book: 2019
Page: 86294

STATE OF ALABAMA
COUNTY OF BLOUNT

TITLE NOT EXAMINED

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration to LILY MARLAIN BAILEY, a married person (hereinafter referred to as **GRANTOR**), in hand paid by AMERICAN EQUIPMENT SALE & RENTAL, LLC, an Alabama Limited Liability Company, by and through PHILLIP BROWN, its managing Member (hereinafter referred to as **GRANTEE**), the receipt and sufficiency of which being hereby acknowledged, I, LILY MARLAIN BAILEY, do hereby remise, release, quit-claim, and forever transfer and convey unto AMERICAN EQUIPMENT SALE & RENTAL, LLC, **GRANTEE**, all my right, title, interest and/or claim in or to the following described real estate, situated in Blount County, Alabama, to wit:

TRACT 1

A part of the SE ¼ of SW ¼ and part of the South ½ of SE ¼ of Section 5, Township 12 South, Range 2 East; and part of the NE ¼ of NW ¼, part of the North ½ of NE ¼ and part of SW ¼ of NE ¼ of Section 8, Township 12 South, Range 2 East, Blount County, Alabama, more particularly described as follows: From a capped iron found (Hager) at the Northwest corner of NE ¼ of NW ¼ of said Section 8, thence N89°32'29"E, 52.07 feet to the center of Big Branch; thence along center of branch as follows: S59°08'43"E, 27.20 feet; S79°09'05"E, 32.14 feet; S89°57'10"E, 73.80 feet; S68°13'40"E, 56.54 feet; S46°54'58"E, 122.93 feet; S46°12'45"E, 97.32 feet; S79°03'41"E, 70.76 feet; S23°18'00"E, 73.41 feet; S17°57'11"E, 33.87 feet; S48°58'47"E, 153.07 feet; S50°20'35"E, 59.22 feet; S80°07'07"E, 52.10 feet; N75°09'54"E, 101.74 feet; N52°18'18"E, 117.08 feet; N53°16'12"E, 40.72 feet; N63°21'12"E, 59.19 feet; N48°38'35"E, 97.78 feet; N55°21'16"E, 223.00 feet; N43°04'15"E, 111.29 feet; N24°55'07"E, 35.67 feet; N22°14'17"W, 113.89 feet; N71°08'28"E, 89.14 feet; N89°16'11"E, 50.70 feet; N80°53'58"E, 134.68 feet; N65°56'03"E, 237.59 feet; N78°37'43"E, 96.11 feet; N11°14'49"E, 110.74 feet; N48°12'02"E, 31.13 feet; S58°29'48"E, 66.67 feet; S22°49'41"W, 32.45 feet; S41°14'21"E, 107.71 feet; S79°12'37"E, 39.72 feet; N58°24'14"E, 99.56 feet; N07°12'36"W, 45.45 feet; N53°27'20"E, 35.83 feet; N54°51'43"E, 85.22 feet; N15°47'19"E, 72.25 feet; N55°12'34"E, 25.45 feet; S78°15'22"E, 108.25 feet; S47°09'59"E, 43.03 feet; S70°42'36"E, 44.95 feet; S46°59'56"E, 98.02 feet; S59°06'11"E, 49.37 feet; S80°25'25"E, 150.23 feet; S63°57'36"E, 118.30 feet; S61°51'11"E, 104.41 feet; S69°48'16"E, 115.63 feet; S29°59'19"E, 174.85 feet to the West right of way of Alabama Highway 75; thence along right of way as follows: S01°51'54"W, 463.55 feet; S01°18'53"W, 188.81 feet; S05°42'50"W, 22.01 feet to a capped iron found (FS Hollis); thence leaving right of way run along center of existing 20' road easement as follows: N15°56'54"W, 70.47 feet; N37°46'44"W, 32.30 feet; N52°18'19"W, 80.61 feet; N49°57'39"W, 24.14 feet; N49°43'44"W, 85.06 feet; N68°22'45"W, 35.93 feet; N85°11'59"W, 37.89 feet; S89°27'48"W, 59.82 feet; S73°12'21"W, 20.73 feet; S65°07'45"W, 32.77 feet; S62°45'39"W, 98.19 feet; S55°18'13"W, 168.73 feet; thence N26°09'06"W, 223.70 feet to a capped iron found (Ashville CA514LS); thence S63°51'39"W, 163.74 feet to a capped iron found (Ashville CA514LS); thence S71°19'50"W, 72.16 feet to a capped iron found (Ashville CA514LS); thence S64°42'14"W, 45.57 feet to a capped iron found (Ashville CA514LS); thence S56°21'38"W, 118.58 feet to a capped iron found (Ashville CA514LS); thence S31°21'41"E, 459.60 feet to a mag spike found; thence along line that is 99 feet from the Calvert Prong of Little Warrior River, as follows: S28°19'41"W, 297.25 feet; S40°09'55"W, 184.05 feet; S64°54'32"W, 34.63 feet; S87°44'58"W,

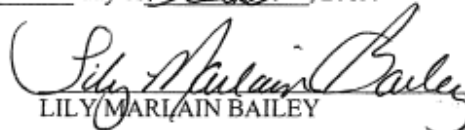
State of Alabama, Blount County
I certify this instrument was
filed and taxes collected on:
12/23/2019 1:20:16 PM by:
Chris Green, Judge of Probate

90.66 feet; N51°24'06"W, 137.26 feet; N16°04'04"W, 44.52 feet; N26°40'01"E, 230.95 feet; N16°32'53"E, 188.31 feet; N02°50'01"W, 184.38 feet; N81°46'03"W, 177.45 feet; S69°57'14"W, 178.84 feet; N80°32'21"W, 221.36 feet; S70°49'26"W, 330.55 feet; S13°58'03"W, 95.31 feet; S52°26'58"W, 26.39 feet; S87°09'54"W, 102.75 feet; N71°36'55"W, 490.14 feet; N46°39'21"W, 21.88 feet; N32°36'23"W, 194.45 feet; N39°04'36"W, 362.68 feet; N28°56'12"W, 235.69 feet to a capped iron found (Ashville CA514LS); thence N00°30'05"W, 94.88 feet to the point of beginning. Containing 54.75 acres more or less. Subject to North ½ of existing 20' road easement.

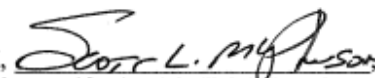
The above described property does not constitute the homestead of Grantor or Grantor's spouse.

TO HAVE AND TO HOLD to the said AMERICAN EQUIPMENT SALE & RENTAL, LLC, the GRANTEE, its heirs, successors and assigns forever.

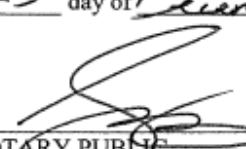
Executed at Oneonta, Alabama this the 23 day of December, 2019.


LILY MARLAIN BAILEY

STATE OF ALABAMA
COUNTY OF BLOUNT

I, , a Notary Public in and for said County, in said State, hereby certify that LILY MARLAIN BAILEY, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23 day of December, 2019.


NOTARY PUBLIC
COMMISSION EXPIRES: 10/23/21

This Instrument prepared by:

Scott L. McPherson
Attorney at Law
ESSQUARE, LLC
33185 State Highway 75
Oneonta, Alabama 35121

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name Lily Martin Bailey Grantee's Name American Equip
Mailing Address Solomon Rd. Mailing Address Sale & Rental LLC
Oneonta, AL 35124 1480 City Hwy 36
Oneonta, AL 35124

Property Address 84 Solomon Rd. Date of Sale 12-23-19
Oneonta AL Total Purchase Price \$
35124 or
Actual Value \$
or
Assessor's Market Value \$ 141,000.00

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale
☐ Sales Contract
☐ Closing Statement
☒ Appraisal
☒ Other Quitclaim Deed

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - If the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date 12-23-19

Print Scott L. McPherson

Unattested

12/23/2019 1:20:16 PM
Deed
Inst Num: 10012722
Book: 2019
Page: 3 of 3

(Grantor/Grantee/Owner/Agent) circle one

Form RT-1

State of Alabama, Blount County
Certified and E-Recorded on:
02-09-2024 12:05:39 PM by:
Chris Green, Probate Judge
Vol: Real Property Book: 2024 Page: 2912
Inst Num: 10054616 Pages: 2
Deed
Total: \$51.00

SEND TAX NOTICE TO:
American Equipment Sales & Rentals, LLC

1480 Co. Hwy 36
Oneonta, AL 35121

This instrument prepared by:
S. Kent Stewart
Stewart & Associates, PC
3595 Grandview Parkway Suite 280
Birmingham, AL 35243
ONE-24-558

WARRANTY DEED

STATE OF ALABAMA
COUNTY OF BLOUNT

KNOW ALL MEN BY THESE PRESENTS: That, in consideration of FORTY THOUSAND AND 00/100 (\$40,000.00) the amount which can be verified by the Closing Statement, in hand paid to the undersigned, Joan M. Cleveland, an unmarried person, and Jonathan Horton Cleveland, a married person (hereinafter "Grantor", whether one or more), the receipt and sufficiency of which are hereby acknowledged, Grantor does, by these presents, grant, bargain, sell, and convey unto Grantee American Equipment Sales & Rentals, LLC, an Alabama Limited Liability Company, the following described real estate situated in Blount County, Alabama, the address of which is 9 Acres, Oneonta, AL 35121 to-wit:

A PART OF THE NE 1/4 OF SW 1/4 AND PART OF THE SOUTH 1/2 OF SW 1/4 OF SECTION 5, TOWNSHIP 12 SOUTH, RANGE 2 EAST; AND ALSO PART OF THE NORTH 1/2 OF NW 1/4 OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 2 EAST, BLOUNT COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

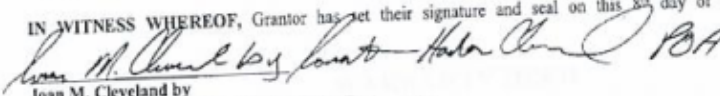
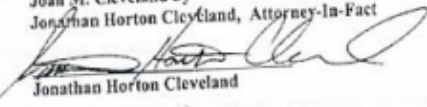
BEGIN AT A CAPPED IRON FOUND (HAGER) AT THE SOUTHWEST CORNER OF SE 1/4 OF SW 1/4 OF SAID SECTION 5, THENCE S00°29'22"E, 350.59 FEET TO THE CENTER OF CALVERT PRONG OF LITTLE WARRIOR RIVER; THENCE ALONG CENTER OF RIVER AS FOLLOWS: N33°24'41"W, 93.98 FEET; N27°50'58"W, 92.24 FEET; N00°10'12"E, 146.23 FEET; N06°55'44"E, 108.22 FEET; N14°58'50"E, 196.62 FEET; N18°44'09"E, 133.06 FEET; THENCE LEAVING RIVER RUN S40°06'25"E, 116.81 FEET TO A CAPPED IRON FOUND (HAGER); THENCE N52°01'03"E, 638.05 FEET TO A CAPPED IRON FOUND (HAGER); THENCE N06°30'54"E, 1330.84 FEET TO A CAPPED IRON SET (ASHVILLE CA514LS) ON THE SOUTH RIGHT OF WAY OF HUFFSTUTLER ROAD; THENCE EASTERLY ALONG RIGHT OF WAY ALONG THE ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 525.00 FEET AND AN ARC LENGTH OF 24.79 FEET WITH A CHORD BEARING OF S86°10'21"E AND A CHORD DISTANCE OF 24.79 FEET TO A CAPPED IRON SET (ASHVILLE CA514LS); THENCE LEAVING RIGHT OF WAY RUN S06°34'10"W, 1325.48 FEET TO A CAPPED IRON FOUND (HAGER); THENCE S06°33'08"W, 990.06 FEET TO THE CENTER OF A BRANCH; THENCE ALONG CENTER OF BRANCH AS FOLLOWS: N54°29'26"W, 26.45 FEET; N17°57'11"W, 33.87 FEET; N23°18'00"W, 73.41 FEET; N79°03'41"W, 70.76 FEET; N46°12'45"W, 97.32 FEET; N46°54'58"W, 122.93 FEET; N68°13'40"W, 56.54 FEET; N89°57'10"W, 73.80 FEET; N79°09'05"W, 32.14 FEET; N59°08'43"W, 27.20 FEET; THENCE LEAVING BRANCH RUN S89°32'29"W, 52.07 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

The above described property does not constitute any part of the homestead of the Grantor herein nor his spouse.

Subject to current taxes, all matters of public record, including, but not limited to easements, restrictions of record, and other matters which may be viewed by observation. Mining and mineral rights excepted.

TO HAVE AND TO HOLD, unto the said Grantee, and Grantee's successors and assigns forever. The Grantor does for Grantor and for the Grantor's heirs, executors, and administrators, and assigns, covenant with said Grantee, and Grantee's successors and assigns, that Grantor is lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise noted above; that Grantor has good right to sell and convey the same as aforesaid; that Grantor will and Grantor's heirs, executors, and administrators shall warrant and defend the same to the said Grantee, and Grantee's successors and assigns forever, against the lawful claims of all persons.

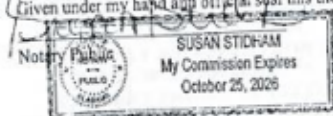
IN WITNESS WHEREOF, Grantor has set their signature and seal on this 8th day of February, 2024.


Joan M. Cleveland by
Jonathan Horton Cleveland, Attorney-In-Fact

Jonathan Horton Cleveland

STATE OF ALABAMA
COUNTY OF BLOUNT

I, the undersigned, a Notary Public in and for said County and State, hereby certify that Jonathon Horton Cleveland, whose name as Attorney in Fact for Joan M. Cleveland, an unmarried person, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this date, being informed of the contents of the conveyance, he, in his capacity as such Attorney in Fact, and with full authority, executed the same voluntarily on the date the same bears date.

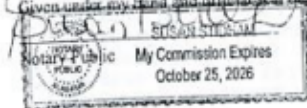
Given under my hand and official seal this 8th day of February, 2024.



STATE OF ALABAMA
COUNTY OF BLOUNT

I, the undersigned Notary Public in and for said County and State, hereby certify that Jonathan Horton Cleveland, a married person, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

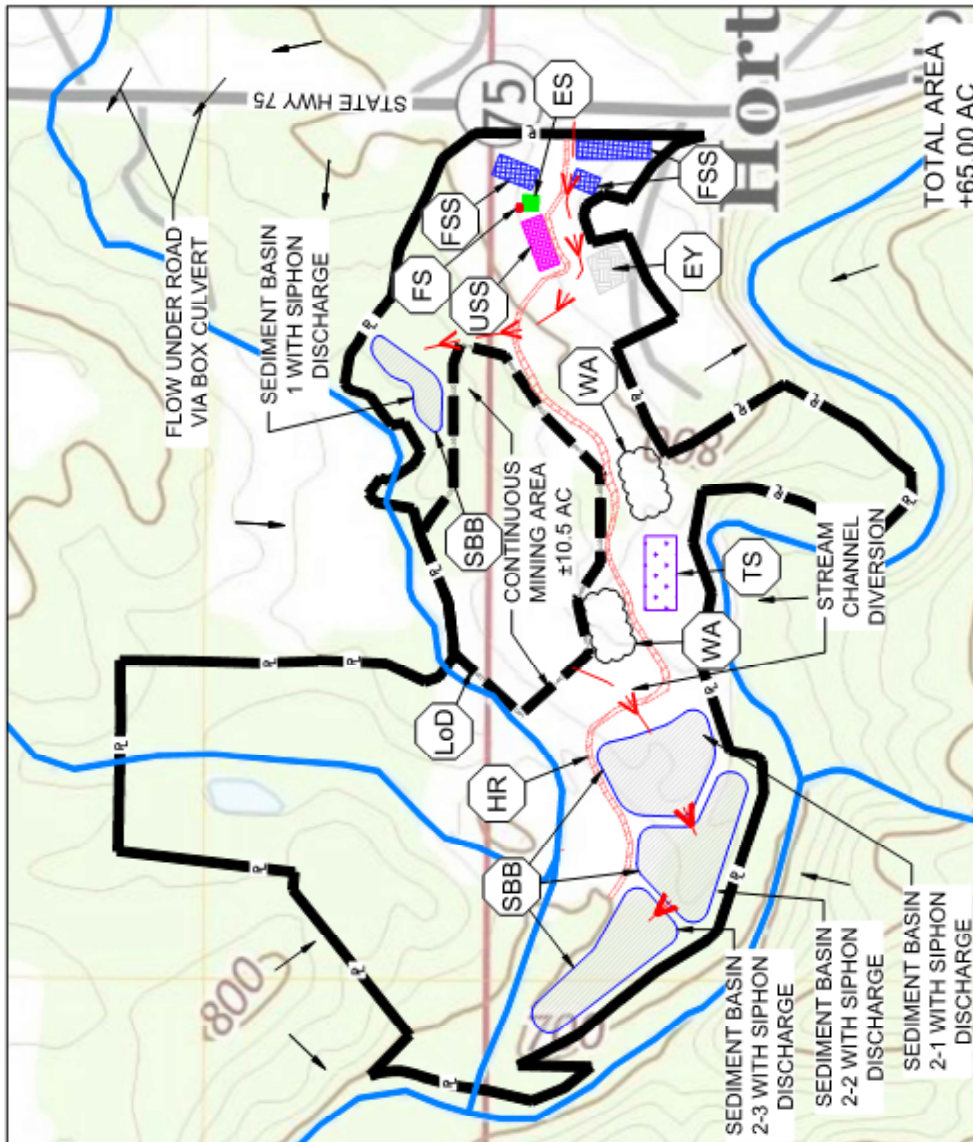
Given under my hand and official seal this 8th day of February, 2024.



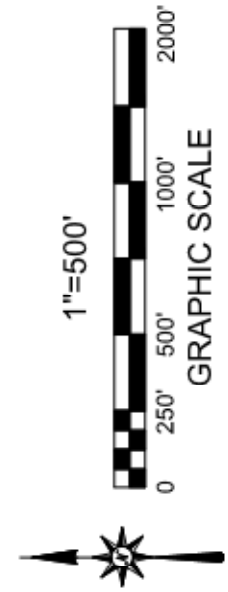
GRANTORS ADDRESS:
1759 Horton Mill Rd.
Oneonta, AL 35021

LEGEND

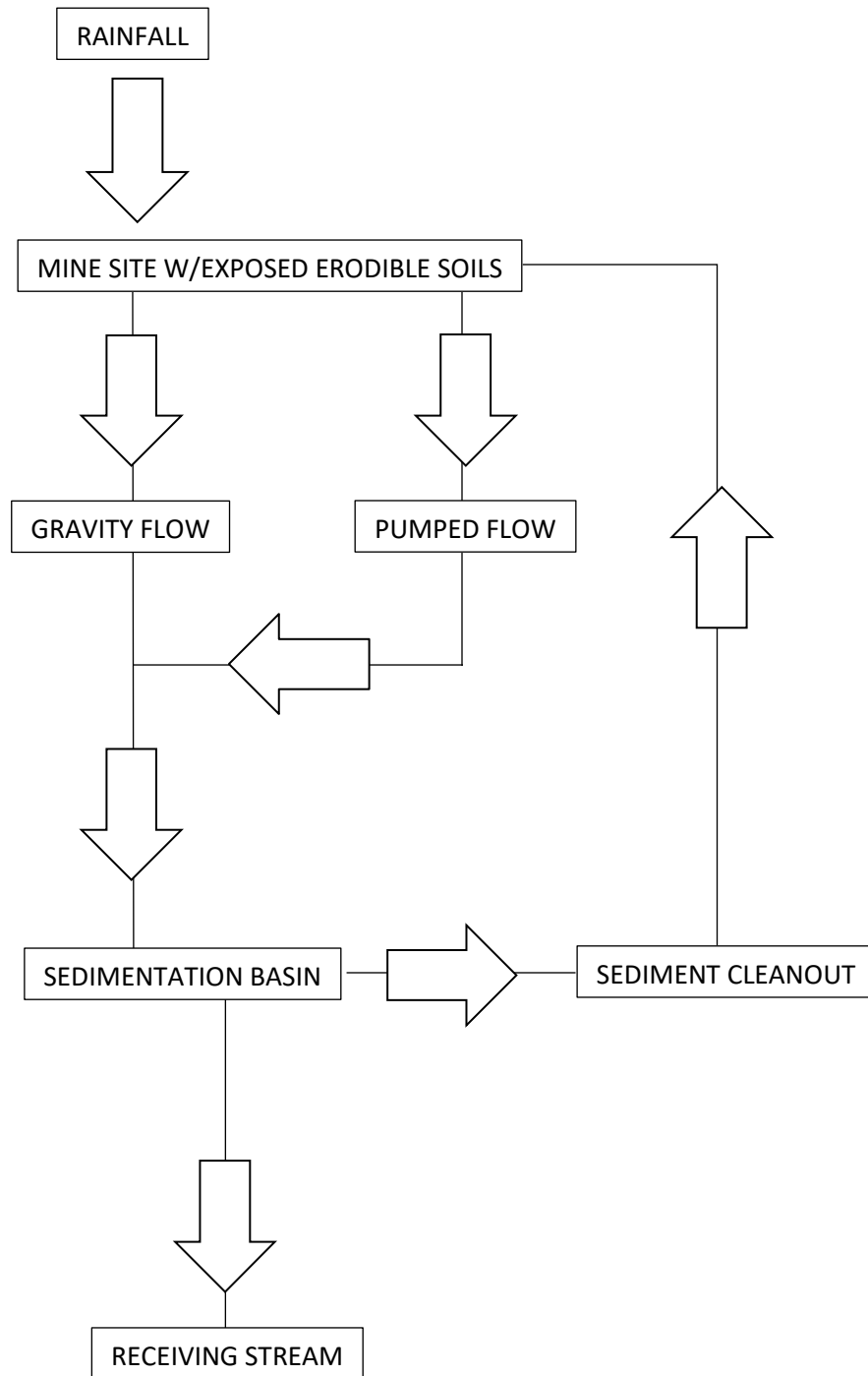
---	LIMITS OF DISTURBANCE, TYPICAL.	LoD
▨	SEDIMENT BASIN REQ'D.	SBB
▨	HAULAGE ROAD	HR
▨	EQUIPMENT YARD AREA	EY
■	EQUIPMENT SHOP, FACILITY SIGN & MINE EXIT	ES
▨	FINISHED STONE STORAGE AREAS	FSS
▨	UNFINISHED STONE STORAGE AREAS	USS
—	PROPERTY LINE	PL
■	FUEL STORAGE	FS
→	STORM WATER FLOW DIRECTION	
○	WASTE AREA	WA
▨	TOPSOIL	TS
↔	DIVERSION DITCH	



FACILITY: MINE #3
 APPLICANT: ALABAMA WHOLESALE STONE, INC.
 ADDRESS: 84 SOLOMON ROAD, ONEONTA, AL.
 COUNTY: BLOUNT COUNTY, AL
 SECTION 5, TOWNSHIP 12S, RANGE 2E
 SECTION 8, TOWNSHIP 12S, RANGE 2E
 CLARENCE QUADRANGLE



GONZALEZ - STRENGTH & ASSOCIATES, INC.
 CIVIL ENGINEERING - TRANSPORTATION ENGINEERING - LAND SURVEYING
 LAND PLANNING - LANDSCAPE ARCHITECTURE
 1250 WOODS OF PINECHASE DRIVE SUITE 200
 FARMINGDALE, ALABAMA 36524
 PHONE: (205) 942-2466
 FAX: (205) 942-3033
 www.GSStrength.com
 11/01/24



SCHEMATIC DIAGRAM OF WATER AND WASTE MOVEMENT

**GENERAL SPECIFICATIONS AND REQUIREMENTS FOR THE CONSTRUCTION,
MAINTENANCE, AND RECLAMATION OF HAULAGE ROADS**

- A. All proposed haulage roads to be constructed and utilized in conjunction with the mining operation will be constructed in accordance with the rules and regulations of the Alabama Department of Environmental Management.
- B. Where feasible, the roadways will be constructed along ridgetops and/or on the flattest available slopes to control or minimize erosion, siltation, and natural drainage alterations so as to prevent or minimize alterations to fish, wildlife, or their habitat and related environmental values.
- C. Unless specifically detailed on the plans and approved by the Regulatory Authority, no fords, crossings, or other alterations of any intermittent or perennial streams shall be constructed. Any plans for such activities would include specific temporary sediment control measures to be employed including hay bale check dams and/or synthetic fabric silt fences; annual and perennial vegetation applied on all completed roadway embankments and cut slopes; and good conservation and horticultural practices to be employed through the construction, use, and reclamation (if road is temporary) of all such fords or crossings.
- D. Where feasible, constructed roadways will be located within the drainage basins of sedimentation basins located on the permit area in order to prevent or minimize contributions of suspended solids to stream flow outside the permitted area and to comply with applicable state and federal water quality regulations. Regardless of the location of the roadways however, appropriate erosion control methods will be employed. These methods will include synthetic fabric silt fences, hay bale or rock check dams, or excavated sumps. In any event, all roadway construction, use, maintenance, and reclamation shall be conducted in a manner that prevents or controls damage to public or private property and that prevents any serious alteration of the natural flow of water in streambeds or drainage channels.
- E. The routing of all roadways will be carefully selected to provide the lowest longitudinal gradients. Maximum sustained grades shall be 10% except in certain extreme cases where special erosion control methods will be employed. The maximum grade should not exceed 15% for 300 feet; there should not be more than 300 feet of 15% maximum grade for each 1,000 feet of road constructed. The haul road, where possible, should be located so that runoff from the road enters a sediment basin constructed for the mining operation. The outer slopes for haul roads out of the permitted area should not be steeper than 2:1 and should be seeded with annual and perennial grasses with at least 80 percent cover to avoid erosion. Where this is not possible, basins, hay filter or diversion ditches should be cut, built or placed to intercept runoff. There are no stream crossings within mine limits or where haul roads are required.
- F. Construction of roadways shall be in accordance with normal construction practices employed for other similar roadway construction operations. A general description of construction requirements are as follows:

1. The area to be disturbed by roadway construction shall be cleared, grubbed, and topsoil shall be removed and temporarily stored for later use.
2. Roadway embankments (fills) shall be constructed of suitable fill material and compacted to approximately 95% of the standard proctor density of the material. Fills will be constructed in horizontal lifts not to exceed 12 inch thickness or less if necessary to achieve satisfactory compaction. Each lift will be thoroughly compacted prior to the next lift being placed. No rocks or stones larger than the lift thickness shall be used in the fill. Fill operations shall not be conducted during inclement conditions when excessive soil moisture or frozen soil inhibits soil compaction.
3. Finished roadway width will be a minimum of 10 feet wide or wider if necessary to accommodate the equipment using the road.
4. Where shown on the plans and where necessary to assure that no surface water flows over or accumulates on the roadway surface, free-draining roadway ditches shall be constructed in accordance with details shown on the plans. On existing roads constructed with non-erodible surfaces (concrete and/or asphalt) and with adequate vegetation to prevent soil erosion, it will be permissible for small flows to go over the roadway during periods of excessive rainfall.
5. When the roadway subgrade is to the approximate final elevation, the surface will be properly crowned or otherwise graded and smoothed to be free-draining. All areas of the roadway subgrade will then be surfaced with an acceptable granular material unless the entire subgrade is cut to consolidated non-erodible material. The roadway surface material shall be durable and non-slaking, and non-acid or toxic forming. Acceptable materials include crushed limestone, sandstone, asphalt, or concrete; or chert, red rock, iron ore refuse, pea gravel or river gravel. The thickness of the road surfacing material shall be 4 inches (minimum).
6. Drainage culverts shall be installed as shown on the plans for all proposed ancillary roadways.
7. All drainage culverts for proposed roads shall be constructed of galvanized corrugated steel pipe with 2.67" X 0.5" corrugations and minimum wall thickness of 0.052". Minimum yield point of the steel shall be 33,000 psi and the minimum compaction of the backfill near the pipe shall be 85%. The above values are in accordance with design procedures contained in Handbook of Steel Drainage and Highway Construction Products published by the American Iron and Steel Institute, 1983, for the maximum anticipated loading (H-20). From a purely structural standpoint, the minimum cover over the top of the pipe shall be 18 inches and the maximum cover shall be 50'. The minimum depth of cover necessary to meet the hydraulic requirements are included in the plans.
8. All cut and fill slopes and any other areas disturbed by construction of the roadways shall be shaped to the required cross-section and a 2" deep seed bed prepared. These areas will then be fertilized, seeded, and mulched. The seed mixture used shall include both annual and perennial grasses and a legume. The seeding mixture shall be carefully selected for the time of year and shall also be erosion resistant. Acceptable species of grasses will include

fescue, bermuda, love grass, sericea lespedeza, rye grass, annual rye, brown top millet, clover, and vetch. These grass mixtures shall also be used in the roadway ditches, with emphasis on fescue, bermuda, and love grass.

- G. Maintenance of roadways used for permitted coal mining operations shall be performed by the permittee until the road has been reclaimed or until all bonds have been released for the roadways. Maintenance shall include but not be limited to: Periodic grading to maintain a free draining roadway surface of durable surfacing material; periodic watering or application of dust-suppressing chemicals (not oil) to minimize fugitive dust caused by road traffic; maintenance of sediment control facilities constructed for the road including periodic removal of sediment; maintenance of cut and fill slope and ditch vegetation including spot seeding, mulching, fertilization, liming, repair to rills and gullies, etc. In the event of an accidental or natural roadway structural failure caused by blasting, flooding, etc., the road shall be reconstructed at the earliest possible time.
- H. All roads not approved for retention as part of the post-mining land use plan shall be promptly reclaimed when it is no longer needed for the mining and reclamation operations. A brief description of the reclamation is as follows:
 - 1. Road(s) will be closed to traffic by signs and barriers as necessary.
 - 2. All culverts and other drainage structures will be removed unless approved as part of the post-mining land use plan.
 - 3. Roadway surfacing materials will be removed and either buried on-site or hauled away for future use.
 - 4. All embankments and cut slopes shall be regraded and contoured to be compatible with the post-mining land use and to blend with the surrounding terrain.
 - 5. Stabilized cross-drains will be installed as necessary to control erosion and to restore the natural drainage pattern.
 - 6. All graded surfaces will be scarified, topsoil (or approved substitute) material applied, and the area will then be promptly revegetated in accordance with the reclamation plan approved for this permit.

POND SPECIFICATIONS

Sedimentation basin embankments shall be designed and constructed in accordance with the following minimum criteria:

1. The top of the dam shall have a constructed width of 12 feet.
2. The embankment slopes shall be a minimum of 3 (H):1 (V) unless stated otherwise on the detailed design sheets for the basin.
3. The foundation for the embankment and all appurtenances shall be designed to be stable under all conditions of construction and operation of the impoundments.
4. The dam shall be constructed with a cutoff core trench that extends into a solid, impervious stratum, based on prudent engineering practices. The cutoff core trench shall be excavated along the centerline of the proposed impounding embankment.
5. The embankment foundation area shall be cleared of all organic matter and roots. Any highly plastic material or other undesirable material shall be removed prior to placement on embankment fill material. All foundation surfaces shall be made as level as practicable but in case shall any area be steeper than 1 (H): 1 (V). The entire foundation area will be scarified.
6. The compaction of the embankment shall be to a minimum of 95% of the standard proctor density of the material, based on ASTM requirements.
7. All material placed in the embankment shall be clean soil free of sod, roots, stones larger than 6 inch in diameter or any other foreign matter. The fill shall be placed and spread in uniform horizontal layers starting at the lowest area of the foundation. The loose thickness of the layers shall be no more than 12 inches. Placement of the fill shall not be conducted in periods of wet weather where the soil moisture is so high that necessary compaction cannot be achieved. Frozen soil shall not be used in embankment construction.
8. The pool area of the sedimentation basin shall be cleared of timber and large undergrowth so as not to interfere with possible basin maintenance.
9. The pond primary discharge system shall be equipped with a device or constructed such as to ensure that subsurface withdrawal is accomplished to prevent discharge of floating solids. If an open channel is used as the primary discharge system, a skimmer shall be installed to prevent floating solids from discharging.
10. If a pipe is used as the primary discharge system, the pipe shall be installed with Class C bedding for an embankment installation.
11. The spill pipe is a coated pipe with a siphon sized for a peak flow from a one-year frequency storm. The spill pipe and siphon to be constructed such to ensure that subsurface withdrawal is accomplished in order to ensure that no floating solids are discharged.

12. The spill pipes shall be equipped with anti-seep collars at each joint which radiate at least 2 feet from the pipe in all directions. The collars and their connections to the pipe are water tight.
13. A splash pad constructed of riprap, concrete, or combination of the two, may be required at the exit end of the primary discharge system to control erosion of the embankment and/or the receiving drainage course.
14. In as much as there is public water supply in the drainage course, the combination primary and secondary decant system shall be designed to safely carry the expected peak flow from a 25 year - 24-hour storm. The entire emergency overflow spillway channel will be a stabilized channel and will be stabilized upon completion of construction as specified within the detailed design plans using prudent engineering measures. These measures may consist of lining the spillway with concrete or a durable rock riprap to prevent erosion.
15. Sediment basins using a single spillway system shall be an open channel of non-erodible construction consisting of concrete, durable lock riprap or its being constructed in consolidated non-erodible material as specified in the detailed design plans.
16. The settled embankment for temporary impoundments shall be a minimum of 1.0 foot above the maximum water elevation for the runoff from a 50 year - 24-hour precipitation event. The settled embankment for permanent impoundments shall be a minimum of 1.0 foot above the maximum water elevation for the runoff from a 50 year - 24-hour precipitation event.
17. The design volume for each basin shall be a minimum of 0.25 acre foot per acre of disturbed area in the watershed.
18. If basins are built in a series arrangement, then the combined decant system for each shall be designed to accommodate the runoff from the entire contributing drainage area.
19. The dam and all disturbed areas shall be seeded with both perennial and annual grasses, fertilized and mulched in order to ensure erosion is minimized. Hay bales or riprap may be placed at the toe of the dam immediately upon completion of construction.
20. The constructed height of the dam shall be increased a minimum of 5 percent over the design height to allow for anticipated settlement over the life of the embankment.
21. Areas in which surface mined minerals are stockpiled, and areas in which refuse resulting from any type of mining operation is or has been deposited, should be provided with diversion ditches or other appropriate methods of intercepting surface water in such a way as to minimize the possibility of sedimentation, acidic or toxic waters from such areas being deposited into a stream.
22. Prior to leaving impoundments, additional data concerning water quality, water quantity, depth, size, configuration, post mining land use, etc., for each proposed permanent water impoundment, shall be submitted to the Regulatory Authority for permanent water impoundment approval.

23. All sediment basins will be inspected for stability, erosion, etc. two (2) times a month until removal of the structure or release of the reclamation bond.
24. The embankment and spillway will be maintained by repairing any damage such as erosion, slope failure or spillway damage until removal of the structure or release of the permit.
25. Sediment will be removed from each pond when the accumulated sediment reaches the sediment storage volume (60% of design capacity) as shown on the detailed design sheet.
26. Upon completion of mining, successful reclamation and effluent standards being met, each sediment basin not remaining as a permanent water impoundment will be dewatered in an environmentally safe manner (such as siphoning, pumping, etc.) and reclaimed to approximate original contours by the following procedure: a permanent diversion channel (designed for a 10 year – 24-hour precipitation event) shall be cut along the outer edge of the basin to re-route drainage around the basin and back through the stabilized spillway to allow reclamation of the sediment basin. The diversion channel shall be designed and grassed as per enclosed information. Upon completion of the diversion channel, the back slope of the dam shall be graded to a minimum 3H to 1V slope. The dewatered sediment basin area shall be seeded with some combination of the following: fescue, bermuda, love grass, rye grass, canary grass and willows. After seeding, the area shall be mulched. Any additional sediment or embankment material not used to meet original contour, if non-toxic, shall be spread in thin layers within the permit area and vegetated.

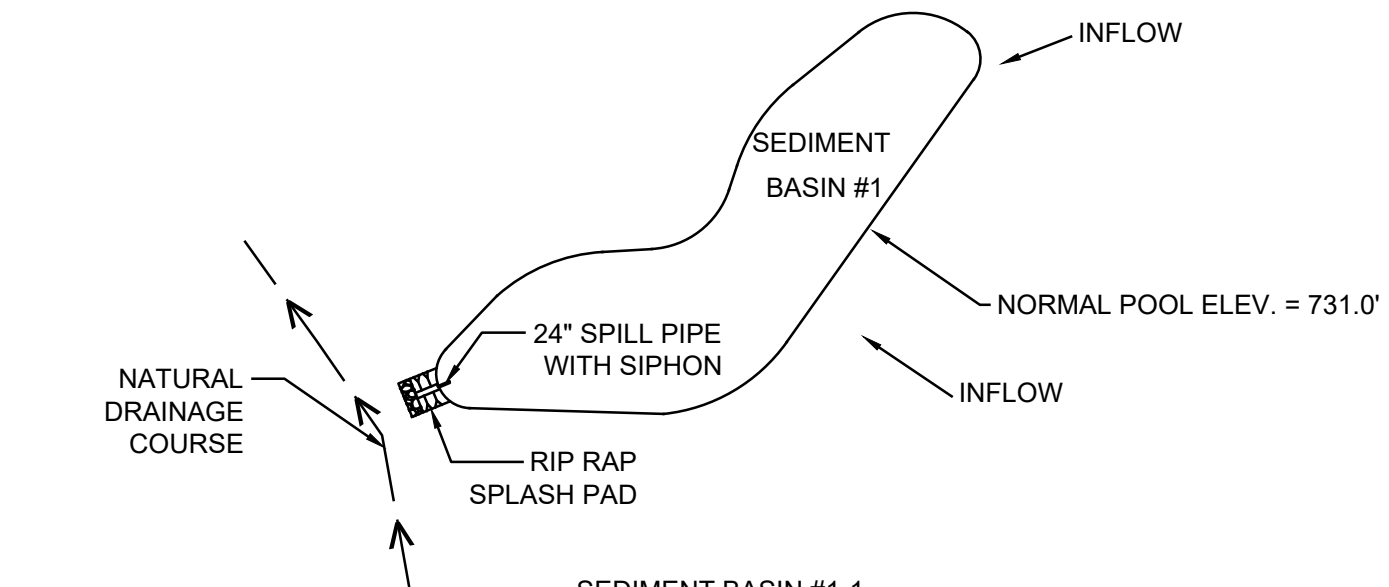
FACILITY CLOSURE PLANS

Upon completion of all operations at the Alabama Wholesale Stone Pit # 3 it will be closed as follows: When no longer needed all machinery and equipment will be disassembled and removed from the site. All buildings and conveyors will be disassembled and the various structural components will be transported via truck to another location. All concrete foundations will be removed and disposed of within an offsite disposal area which meets all Federal, State and local laws and ordinances for permanent disposal of such materials. The sites will be graded to match the approximate original contour. All parking area surfacing materials that are not compatible with the adjacent land use or revegetation requirements will be properly disposed of on-site or removed from the site for re-use. The parking area base will be ripped or scarified as necessary and topsoil applied if needed. All disturbed areas will be vegetated with an appropriate combination of grasses and legumes as stated in the reclamation plan, fertilized, and mulched to ensure a permanent diverse vegetative cover. All acid-forming, toxic-forming, combustible materials and waste and debris which may be accumulated at the site (including paper and wood shipping containers, empty oil containers, worn out machine parts, etc.) will be confined in appropriate temporary containers or storage areas and periodically transported to an offsite disposal area which meets all Federal, State and local laws and ordinances for permanent disposal of such materials.

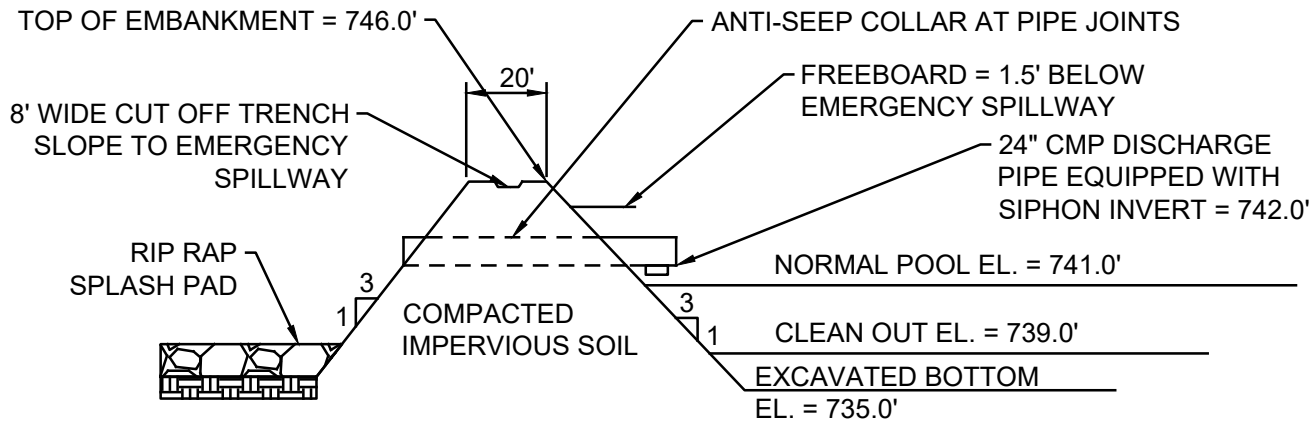
Unless retention of the roads is approved by the landowner, the following procedures will apply: When no longer needed, the roadbeds will be ripped, plowed and scarified. All road surfacing materials will be removed and transported to an offsite disposal area, which meets all Federal, State and local laws and ordinances for permanent disposal of such materials. The natural drainage patterns will be restored by cutting slopes and shaping to blend with the natural drainage of surrounding areas. If necessary, cross drains, dikes and water bars will be constructed to minimize erosion. Terraces will be used as necessary to provide long term stability on fill and cut slopes and to minimize erosion. Road surfaces will then be revegetated, which includes planting a mixture of up to 100 lbs. per acre or more of various legumes and grasses.

After material storage areas have served their useful purpose, the pad material that can not meet market specifications will be buried onsite or transported to an offsite disposal area, which meets all Federal, State and local laws and ordinances for permanent disposal of such materials.

Upon completion of operations at this facility, successful reclamation and effluent standards being met, each sediment basin not remaining as a permanent water impoundment will be dewatered in an environmentally safe manner (such as siphoning, pumping, etc.) and reclaimed to approximate original contours by the following procedure: embankment will be breached to the existing sediment level to prevent the impoundment of water. The breach will be graded to a minimum side slope of 2.5(h) to 1(v) and revegetated, and/or rip rapped as to prevent erosion and ensure the stability of the exposed breach. The remaining back slope of the embankment will be graded to a minimum slope of 3(h) to 1(v). The dewatered sediment basin will be seeded with some combination of the following: fescue, bermuda, rye grass, canary grass, and willows. After seeding, the area will be mulched. Any additional sediment or embankment material not used to meet approximate original contour, if nontoxic, will be spread in thin layers within the permit area and vegetated as stated in the reclamation plan. All toxic material encountered in the basin disposal will be removed and transported to an off-site disposal area which meets all Federal, State and local laws and ordinances for permanent disposal of such materials.



SEDIMENT BASIN #1-1
PLAN VIEW
N.T.S



SEDIMENT BASIN #1-1
SECTION VIEW
N.T.S

DESIGN DATA:

DRAINAGE AREA = 13 ACRES

AREA TO BE DISTURBED = 4 ACRES

VOLUME POND PROVIDED = 1.0 AC-FT

DRAINAGE STRUCTURE REQUIRED = (1) 24" Ø STEEL PIPE WITH SIPHON

& (1) 14" WIDE X 0.7' DEEP EMERG SPILLWAY

RIP RAP LINED WITH 2:1 SIDE SLOPES @ 3% SLOPE

NOTES:

- 1) ESSENTIALLY THE ENTIRE VOLUME OF THIS POND IS INCISED BELOW THE NATURAL GROUND LEVEL.
- 2) IN LIEU OF TOPSOILING AND VEGETATING THE EMBANKMENT STRUCTURE AND RELATED AREAS, THESE AREAS HAVE BEEN SURFACED WITH NON-ERODIBLE CRUSHED STONE MATERIALS.

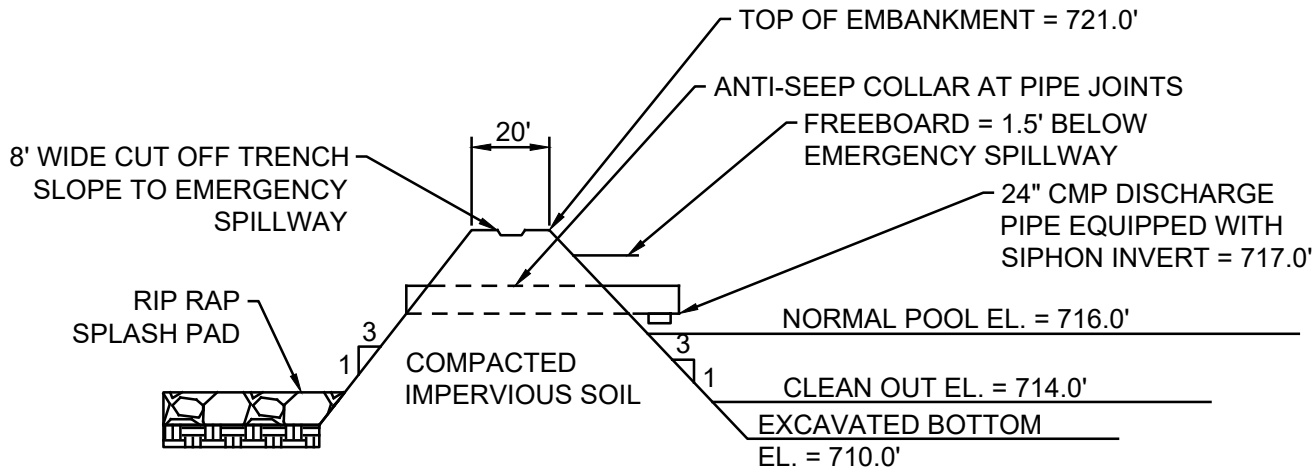
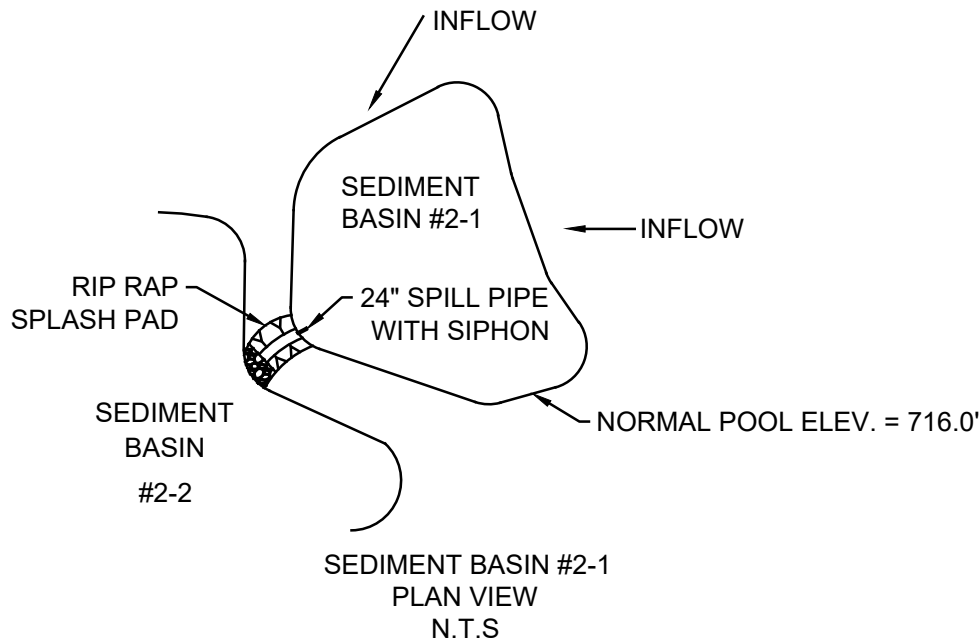
**ALABAMA WHOLESALE
STONE, INC. MINE #3**

SEDIMENT BASIN #1

BLOUNT COUNTY, AL

GONZALEZ - STRENGTH & ASSOCIATES, INC.
CIVIL ENGINEERING - TRANSPORTATION ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE ARCHITECTURE
1550 WOODS OF RIVERCHASE DRIVE SUITE 200
HOOVER, ALABAMA 35244
PHONE: (205) 942-2486
FAX: (205) 942-3033
www.Gonzalez-Strength.com

10/22/25



DESIGN DATA:

DRAINAGE AREA = 37 ACRES

AREA TO BE DISTURBED = 6.5 ACRES

POND TO VOLUME TO BE PROVIDED = 1.6 AC-FT

DRAINAGE STRUCTURE REQUIRED = (1) 24" CAPPED PIPE WITH SIPHON
& (1) 18" WIDE X 0.5' DEEP LINED EMERG. SPILLWAY
RIP RAP LINED WITH 2:1 SIDE SLOPES @ 3%

NOTES:

- 1) ESSENTIALLY THE ENTIRE VOLUME OF THIS POND IS INCISED BELOW THE NATURAL GROUND LEVEL.
- 2) IN LIEU OF TOPSOILING AND VEGETATING THE EMBANKMENT STRUCTURE AND RELATED AREAS, THESE AREAS HAVE BEEN SURFACED WITH NON-ERODIBLE CRUSHED STONE MATERIALS.

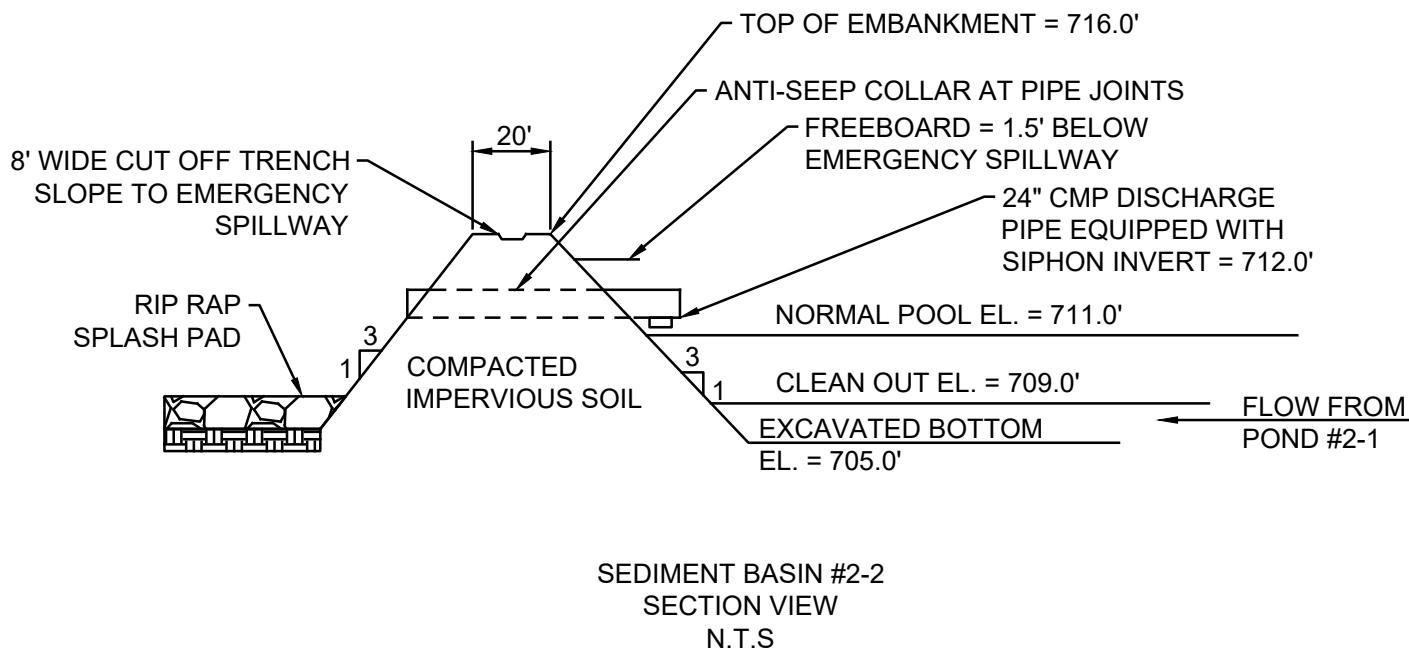
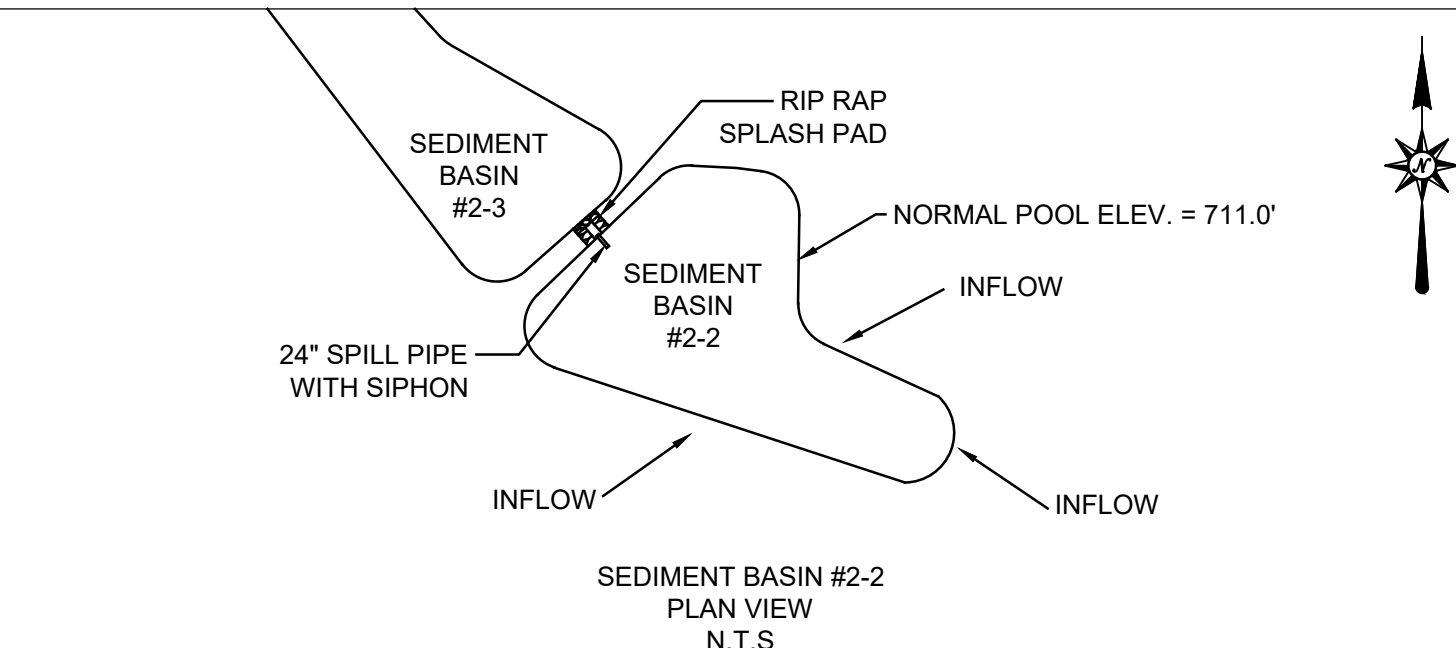
**ALABAMA WHOLESALE
STONE, INC. MINE #3**

SEDIMENT BASIN #2-1

BLOUNT COUNTY, AL

GONZALEZ - STRENGTH & ASSOCIATES, INC.
CIVIL ENGINEERING - TRANSPORTATION ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE ARCHITECTURE
1550 WOODS OF RIVERCHASE DRIVE SUITE 200
HOOVER, ALABAMA 35244
PHONE: (205) 942-2486
FAX: (205) 942-3033
www.Gonzalez-Strength.com

10/22/25



DESIGN DATA:

DRAINAGE AREA = 37 ACRES
 AREA TO BE DISTURBED = 6.5 ACRES
 POND TO VOLUME TO BE PROVIDED = 1.6 AC-FT
 DRAINAGE STRUCTURE REQUIRED = (1) 24" CAPPED PIPE WITH SIPHON
 & (1) 18" WIDE X 0.5' DEEP LINED EMERG. SPILLWAY
 RIP RAP LINED WITH 2:1 SIDE SLOPES @ 3%

NOTES:

- 1) ESSENTIALLY THE ENTIRE VOLUME OF THIS POND IS INCISED BELOW THE NATURAL GROUND LEVEL.
- 2) IN LIEU OF TOPSOILING AND VEGETATING THE EMBANKMENT STRUCTURE AND RELATED AREAS, THESE AREAS HAVE BEEN SURFACED WITH NON-ERODIBLE CRUSHED STONE MATERIALS.

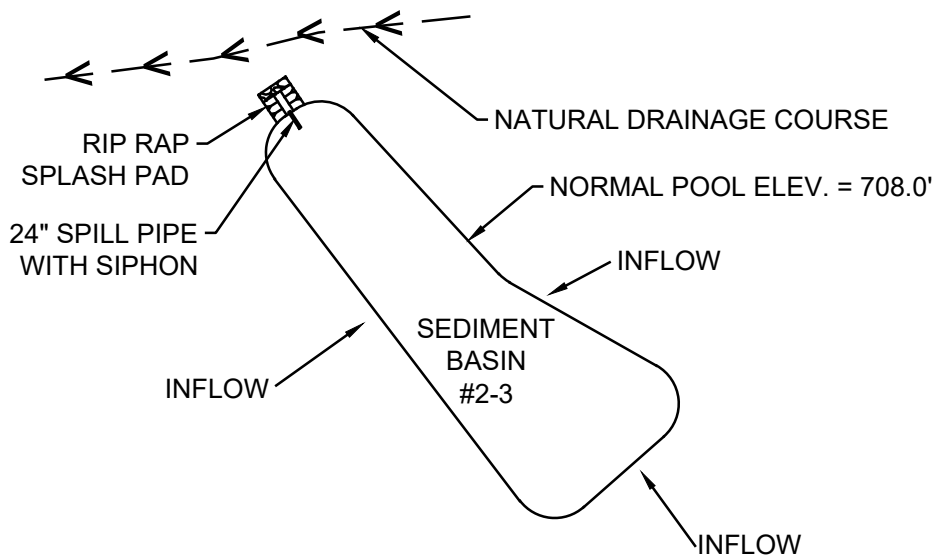
**ALABAMA WHOLESALE
STONE, INC. MINE #3**

SEDIMENT BASIN #2-2

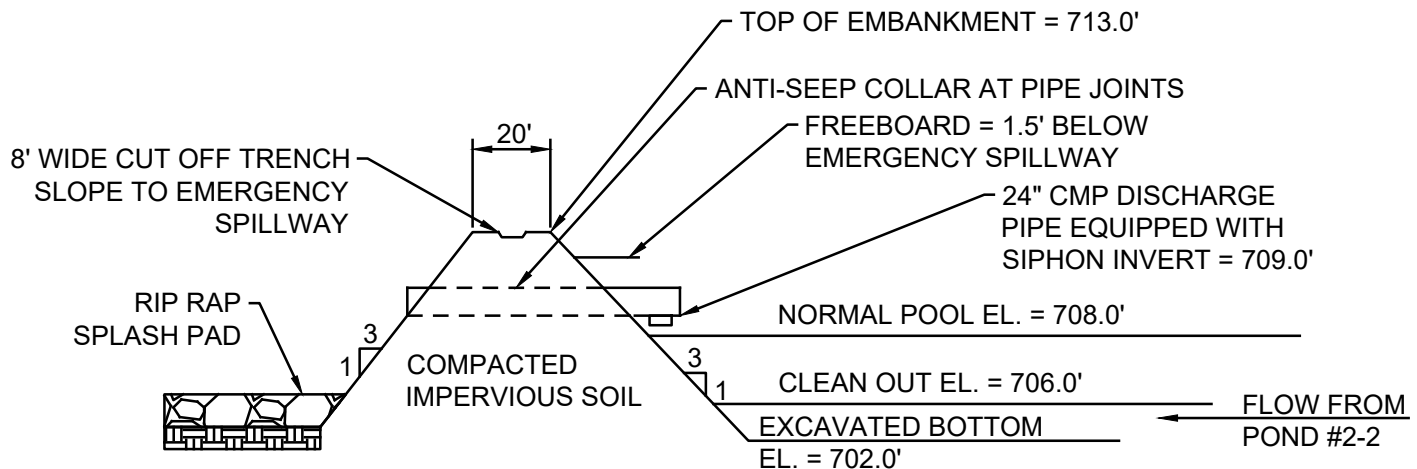
BLOUNT COUNTY, AL

GONZALEZ - STRENGTH & ASSOCIATES, INC.
 CIVIL ENGINEERING - TRANSPORTATION ENGINEERING - LAND SURVEYING
 LAND PLANNING - LANDSCAPE ARCHITECTURE
 1550 WOODS OF RIVERCHASE DRIVE SUITE 200
 HOOVER, ALABAMA 35244
 PHONE: (205) 942-2486
 FAX: (205) 942-3033
 www.Gonzalez-Strength.com

10/22/25



SEDIMENT BASIN #2-3
PLAN VIEW
N.T.S



SEDIMENT BASIN #2-3
SECTION VIEW
N.T.S

DESIGN DATA:

DRAINAGE AREA = 37 ACRES
 AREA TO BE DISTURBED = 6.5 ACRES
 POND TO VOLUME TO BE PROVIDED = 1.6 AC-FT
 DRAINAGE STRUCTURE REQUIRED = (1) 24" CAPPED PIPE WITH SIPHON
 & (1) 18" WIDE X 0.5' DEEP LINED EMERG. SPILLWAY
 RIP RAP LINED WITH 2:1 SIDE SLOPES @ 3%

NOTES:

- 1) ESSENTIALLY THE ENTIRE VOLUME OF THIS POND IS INCISED BELOW THE NATURAL GROUND LEVEL.
- 2) IN LIEU OF TOPSOILING AND VEGETATING THE EMBANKMENT STRUCTURE AND RELATED AREAS, THESE AREAS HAVE BEEN SURFACED WITH NON-ERODIBLE CRUSHED STONE MATERIALS.

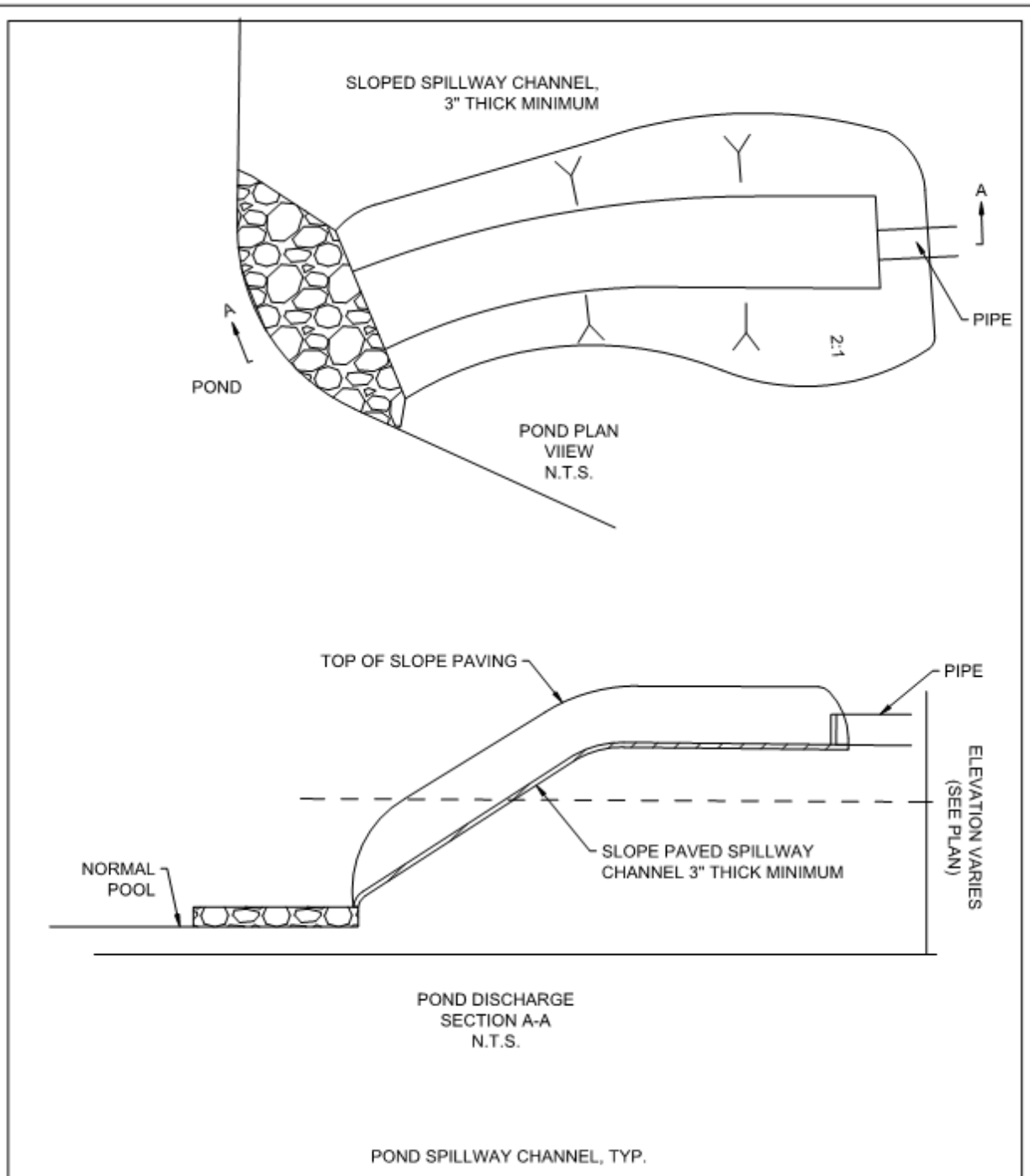
**ALABAMA WHOLESALE
STONE, INC. MINE #3**

SEDIMENT BASIN #2-3

BLOUNT COUNTY, AL

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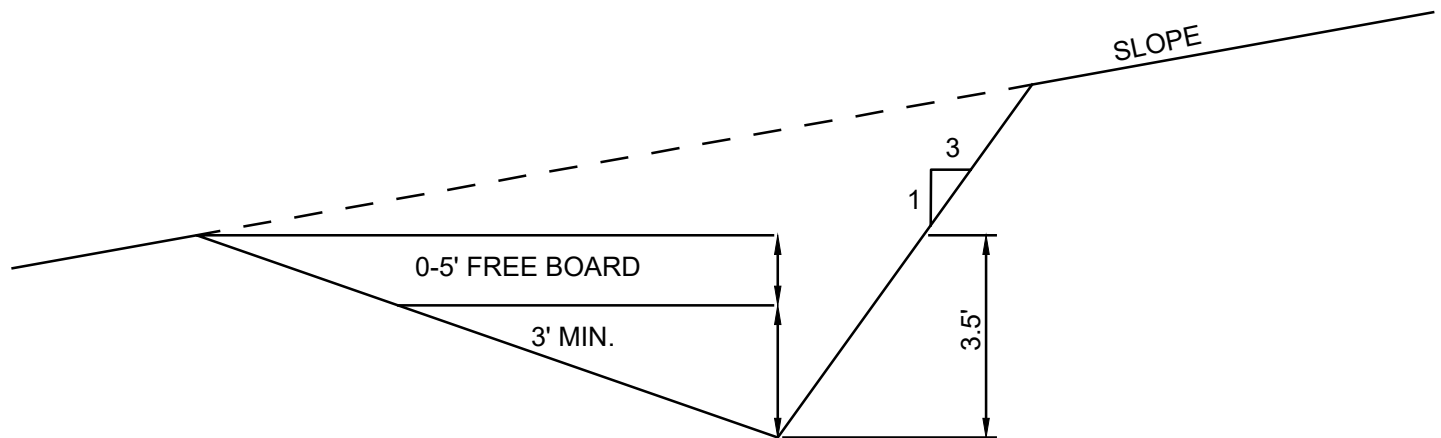
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**ALABAMA WHOLESALE
 STONE, INC. MINE #1**
 BLOUNT COUNTY, AL

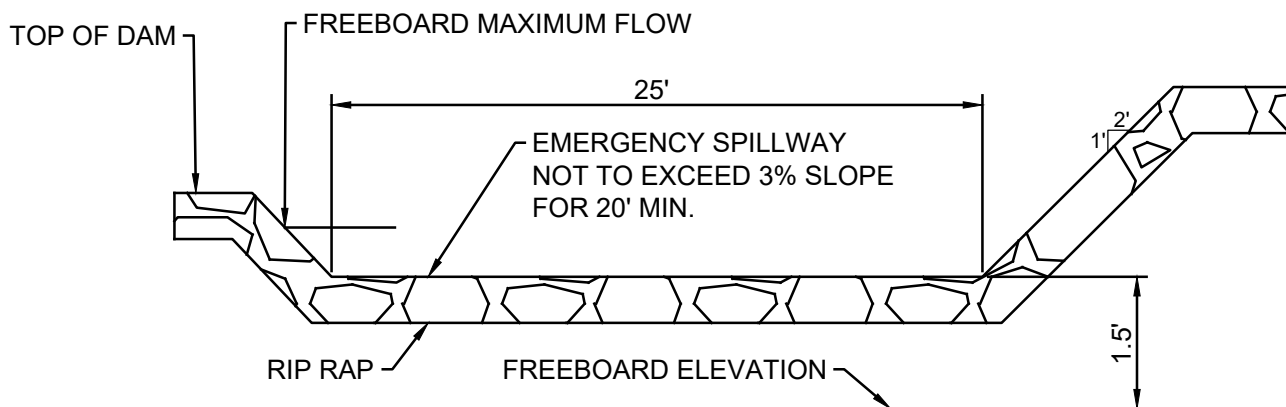
GSA
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 HOOVER, ALABAMA 35244
 PHONE: (205) 942-2486
 FAX: (205) 942-2028
 www.Gonzalez-Strength.com 10/31/24

GRADE: 1% MINIMUM
3% MAXIMUM



DITCH PROTECTIVE LINER: GRASS MIXTURE, PREDOMINATELY BERMUDA AND FESCUE GRASSES

DIVERSION DITCH TYPICAL CROSS-SECTION



EMERGENCY SPILLWAY TYPICAL CROSS-SECTION

N.T.S

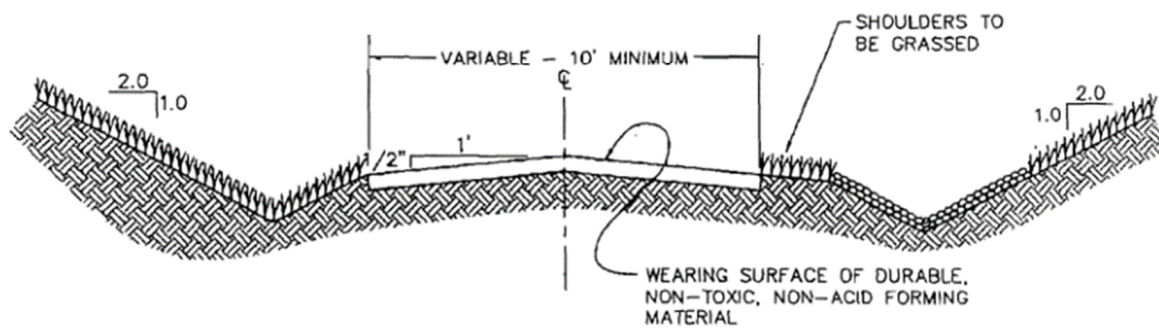
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**ALABAMA WHOLESALE
STONE, INC. MINE #3**

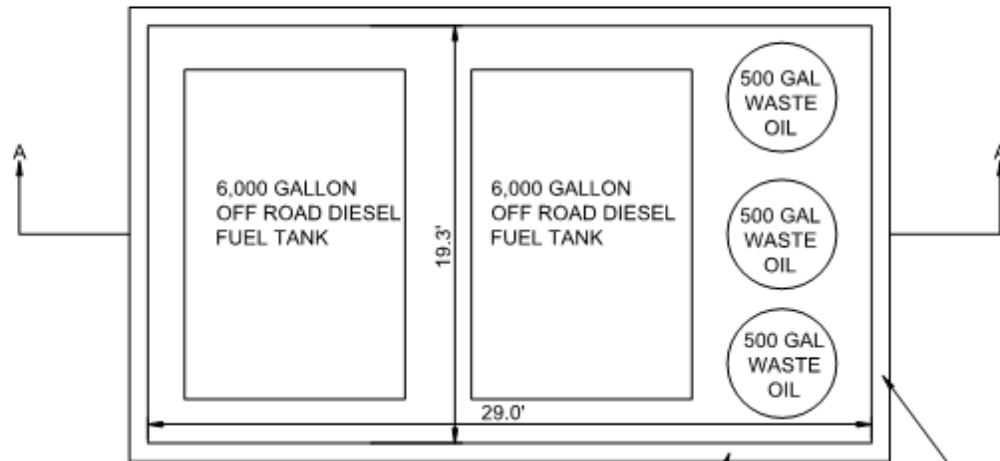
BLOUNT COUNTY, AL

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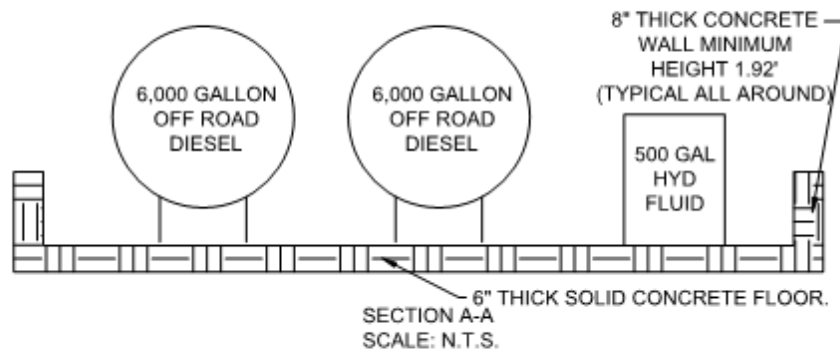


TYPICAL HAUL ROAD
CUT SECTION
 NO SCALE



NOTE: THIS FUEL/OIL STORAGE AREA IS COMPLETELY ENCLOSED WITHIN A BUILDING. OIL ABSORBENT COMPOUND IS KEPT ON-HAND TO DRY UP ANY MINOR SPILLS.

PLAN VIEW
SCALE: N.T.S.



NOTES:

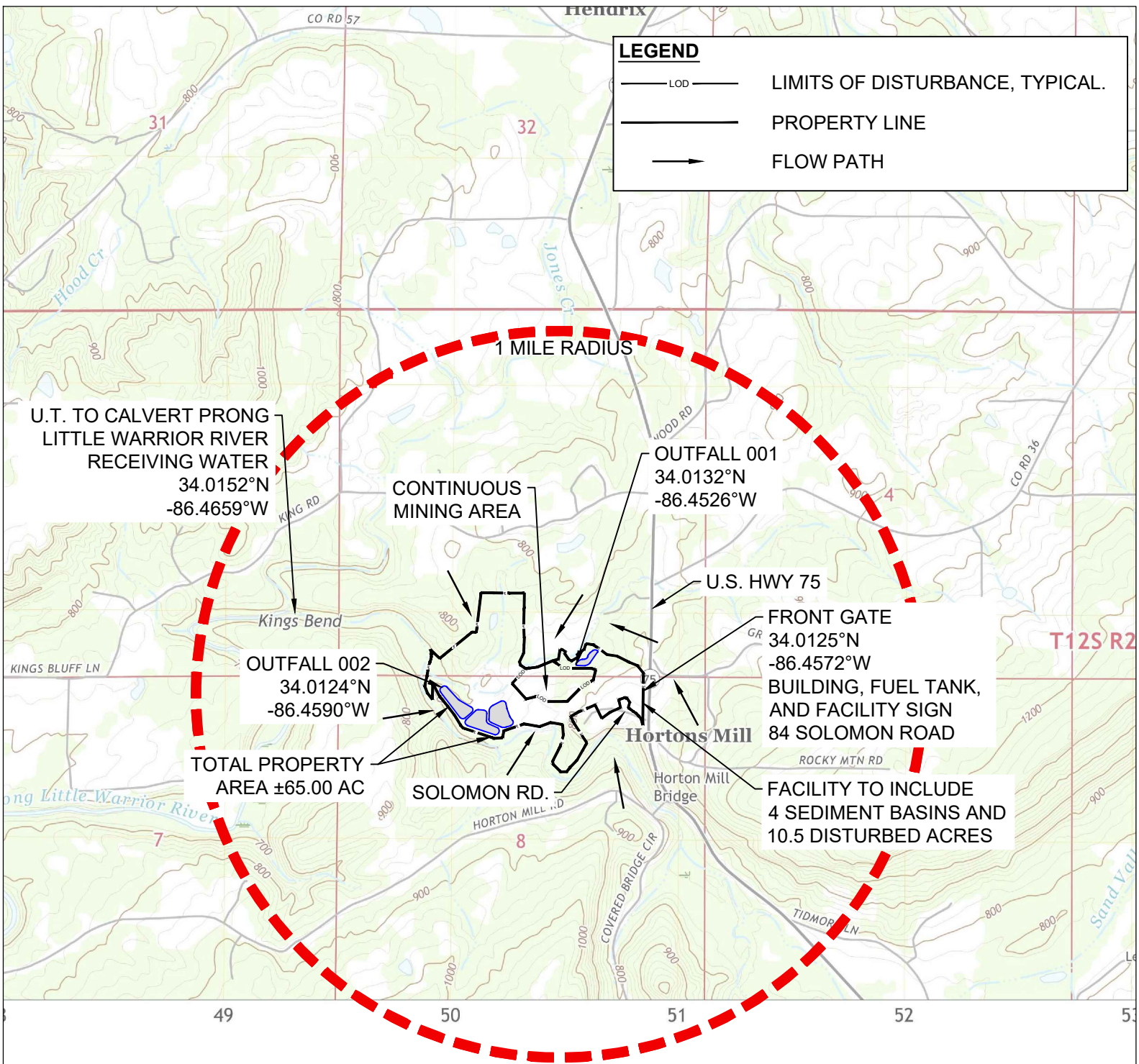
1. CONTAINMENT STRUCTURES TO BE MADE FROM $\frac{1}{2}$ " THICK STEEL PLATES.
2. OIL ABSORBENT COMPOUND IS KEPT ON HAND TO DRY UP ANY MINOR SPILLS.
3. THE CAPACITY OF THE CONTAINMENT STRUCTURES IS ADEQUATE TO PROVIDE MORE THAN 110% OF THE LARGEST TANK VOLUME WITHIN THE CONTAINMENT AREA.
4. BALL VALVE TO BE LOCKED AT ALL TIMES THAT AUTHORIZED PERSONNEL EMPLOYED BY ALABAMA WHOLESALE STONE ARE NOT PRESENT.

**ALABAMA WHOLESALE
STONE, INC. MINE #3**

BLOUNT COUNTY, AL

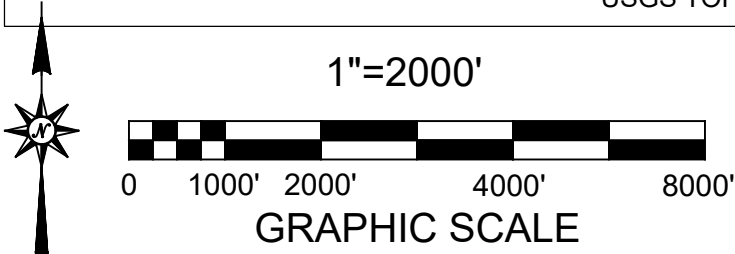
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1556 WOODS OF RIVERCHASE DRIVE, SUITE 205
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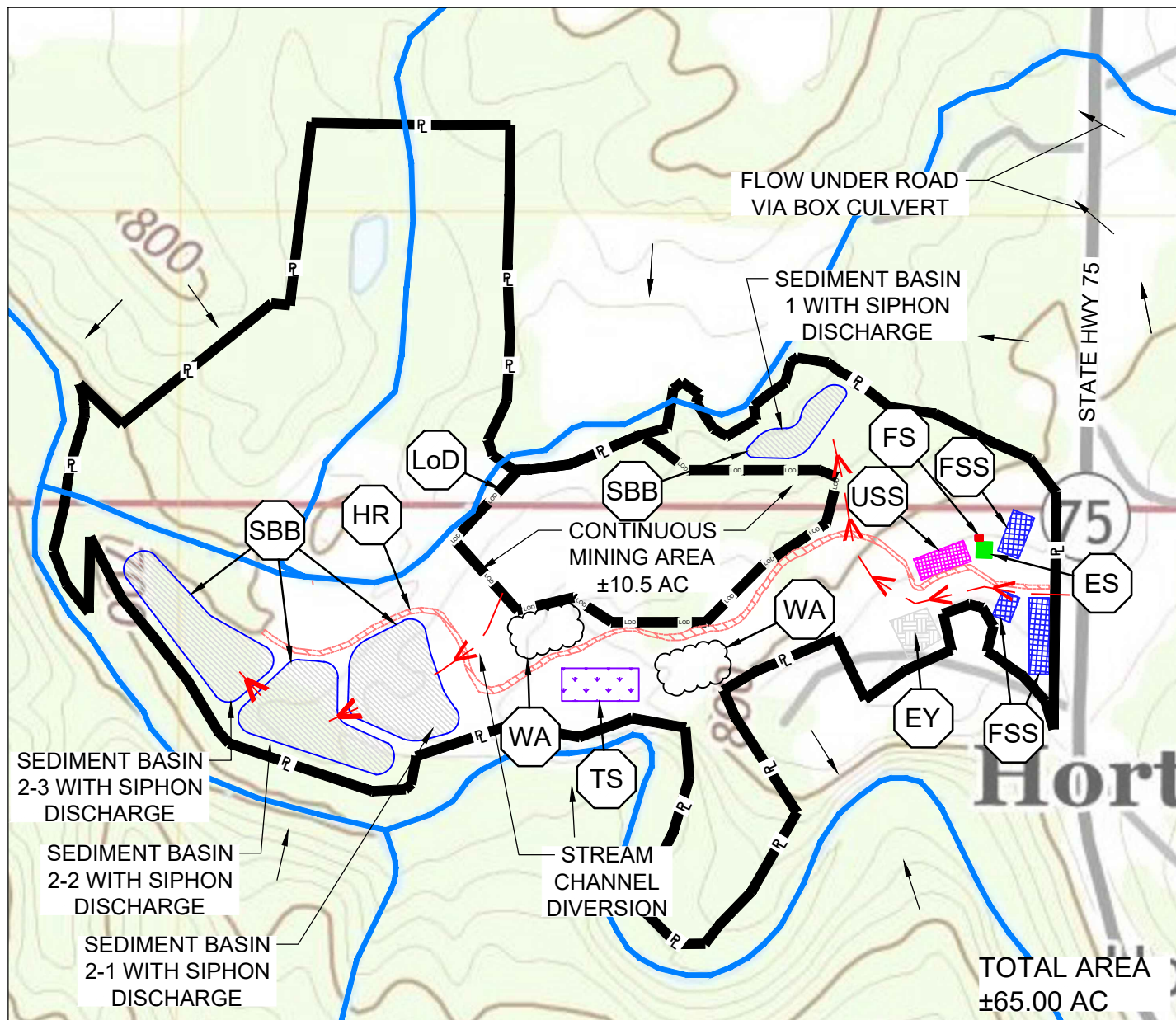
**ALABAMA WHOLESALE
STONE, INC. MINE #3**

84 SOLOMON ROAD
BLOUNT COUNTY, AL
11/01/2024
SECTION 5, T-12S, R-2E
SECTION 8, T-12S, R-2E
CLARENCE QUADRANGLE
USGS TOPOGRAPHIC MAP



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24-0274
11/01/24



LEGEND

- LoD LIMITS OF DISTURBANCE, TYPICAL.
- SBB SEDIMENT BASIN REQ'D.
- HR HAULAGE ROAD
- EY EQUIPMENT YARD AREA
- ES EQUIPMENT SHOP, FACILITY SIGN & MINE EXIT
- FSS FINISHED STONE STORAGE AREAS
- USS UNFINISHED STONE STORAGE AREAS
- PL PROPERTY LINE
- FS FUEL STORAGE
- STORM WATER FLOW DIRECTION
- WA WASTE AREA
- TS TOPSOIL
- DIVERSION DITCH



FACILITY: MINE #3

APPLICANT: ALABAMA WHOLESALE STONE, INC

ADDRESS: 84 SOLOMON ROAD, ONEONTA, AL.

COUNTY: BLOUNT COUNTY, AL

SECTION 5, TOWNSHIP 12S, RANGE 2E

SECTION 8, TOWNSHIP 12S, RANGE 2E

CLARENCE QUADRANGLE