Edward F. Poolos
Director

Jeffery W. Kitchens
Deputy Director

Kay Ivey
Governor

Alabama Department of Environmental Management
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Montgomery, Alabama 36130-1463
(334) 271-7700 ▪ FAX (334) 271-7950

January 20, 2026

Mr. Darrin Isbell
Owner
North Alabama Materials, Inc.
6620 Highway 72
Gurley, AL 35748

RE: Draft Permit
North Alabama Materials Gurley Quarry
NPDES Permit Number AL0083496
Jackson County (071) / Madison County (089)

Dear Mr. Isbell:

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

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

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

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

Sincerely,

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

WDM/rlg File: DPER/49764

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

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

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

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

ADEM
Alabama Department of Environmental Management

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

PERMITTEE: North Alabama Materials, Inc.
6620 Highway 72
Gurley, AL 35748

FACILITY LOCATION: North Alabama Materials Gurley Quarry
6620 Highway 72
Gurley, AL 35748
Jackson County /Madison County
T4S, R2E, Section 13
T4S, R3E, Section 18

PERMIT NUMBER: AL0083496

DSN & RECEIVING STREAM: 001 - 1 Unnamed Tributary to Shanty Branch

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

Limestone Quarry, Wet Preparation Plant, Transportation and Storage, 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.

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

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

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

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

2. Measurement Frequency

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

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

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

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

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

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

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

3. Monitoring Schedule

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

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

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

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

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

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

4. Sampling Location

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

5. Representative Sampling

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

6. Test Procedures

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

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

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

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

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

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

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

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

7. **Recording of Results**

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

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

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

c. The dates and times the analyses were performed;

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

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

f. The results of all required analyses.

8. **Routine Inspection by Permittee**

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

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

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

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

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

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

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

9. Records Retention and Production

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

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

10. Monitoring Equipment and Instrumentation

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

D. DISCHARGE REPORTING REQUIREMENTS

1. Requirements for Reporting of Monitoring

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

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

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

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

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

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

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

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

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

G. DISCHARGES TO IMPAIRED WATERS

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

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

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

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

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION

NPDES INDIVIDUAL PERMIT RATIONALE

Company Name:	North Alabama Materials, Inc.
Facility Name:	North Alabama Materials Gurley Quarry
County:	Jackson/Madison
Permit Number:	AL0083496
Prepared by:	Robert Glover
Date:	January 20, 2026
Receiving Waters:	Unnamed Tributary to Shanty Branch
Permit Coverage:	Limestone Quarry, Wet Preparation Plant, Transportation and Storage, and Associated Areas
SIC Code:	1422

The Department has made a tentative determination that the available information is adequate to support Reissuance and Modification of this permit. The modification of this permit addresses the removal of Outfalls 002-1, 003-1, 004-1, and 005-1. Also, the site is going from a 9-acre quarry to a 30-acre quarry in phase 1, then expanding from 30 acres to 82 acres in phase 2.

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

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

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

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

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

The TBELs for 40 CFR 436 Subpart B do not include limitations for Total Suspended Solids (TSS). TSS is classified as a conventional pollutant in 40 CFR 401.16 and is expected to be discharged from this type of facility. Therefore, monthly average and daily maximum effluent limitations for TSS are those proposed by the EPA for crushed stone mine drainage in the *Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Mineral Mining and Processing Pont Source Category* (July 1979).

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

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

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

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

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

The applicant is not proposing discharges of pollutants to a water of the State with an approved Total Maximum Daily Load (TMDL). However, the receiving streams flow into Cole Spring Branch, a watershed with an approved Total Maximum Daily Loads (TMDLs) for Low Dissolved Oxygen/Organic Enrichment. Oxygen demanding pollutants are not pollutants expected in significant quantities from a discharge of this type, and therefore not proposed to be limited by this permit.

Cole Spring Branch also has an approved Total Maximum Daily Load (TMDL) for Siltation. The TMDL states the calculations do not show a need for reduction of point sources. The Department believes that TSS limitations of 25.0 mg/L (Monthly Average) and 45.0 mg/L (Daily Maximum) for all Outfalls provides reasonable assurance that the pollutants will not be present in the discharge at levels of concern and/or the facility will not discharge pollutants at levels that will cause or contribute to a violation of applicable State Water quality standards in the receiving stream.

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. However, the receiving streams flow into Cole Spring Branch, a state water that is included on the current CWA §303(d) list for Pathogens (E coli). E. coli is not expected in significant concentration from this type of facility.

If the requirements of the proposed permit and pollution abatement plan are fully implemented, there is reasonable assurance that the facility will not discharge pollutants at levels that will cause or contribute to any further impairment of Cole Spring Branch.

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

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

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION

ANTIDEGRADATION RATIONALE

Company Name: North Alabama Materials, Inc.

Facility Name: North Alabama Materials Gurley Quarry

County: Jackson / Madision

Permit Number: AL0083496

Prepared by: Robert Glover

Date: January 20, 2026

Receiving Waters: Unnamed Tributary to Shanty Branch

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

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

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

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

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

1. The Permittee will not increase or decrease employment.
2. The Permittee will continue to pay their state and local taxes as they have paid them in the past, and do not anticipate an increase in taxes.
3. The Permittee will supply crushed limestone products to be used for construction and farming activities in the community and surrounding areas Etc.
4. The Permittee provide area residents with a multitude of new job opportunities and pay local and state taxes

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

Reviewed By: William McClimans

Date: January 20, 2026

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

version 4.9

(Submission #: HPH-JX2Q-YKDG3, version 3)

Details

Submission ID HPH-JX2Q-YKDG3

Form Input

General Instructions

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

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

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

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

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

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

Processing Information

Purpose of Application
Reissuance and Modification of Permit Due to Approaching Expiration

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

Action Type
Reissuance with Modification with NOC

Briefly describe any planned changes at the facility that are included in this reissuance application:
The facility is modifying the site from a 29 acres to an 83 acre quarry. As mining extends south into the newly permitted area, drainage will be stored in the incised quarry with a new sediment basin constructed in the central portion of the mining area as a sump for pumping. The perimeter hauls roads will be graded to direct drainage to this basin, and, if necessary, a diversion berm will be constructed along the haul roads at the northwest perimeter of the site to further divert stormwater to the basin. Diversion swales may also be constructed along the internal haul roads to direct stormwater into the incised mining area preventing eastward flow along the road. In the event water needs to be removed from the incised mining area, water will be pumped from the incised area using subsurface withdrawal methods to the existing sediment basin for treatment. Outfalls 002-004 will be deleted due to the changes to the quarry.

Is this a coalbed methane operation?
No

Permit Information

Permit Number
AL0083496

Current Permittee Name
North Alabama Materials, Inc.

Permittee

Permittee Name
North Alabama Materials, Inc.

Mailing Address

6620 Highway 72

Gurley, AL 35748

Responsible Official

Prefix
Mr.

First Name	Last Name
Darrin	Isbell

Title
Owner

Organization Name
North Alabama Materials, Inc.

Phone Type	Number	Extension
Business	256-776-3782	

Email
gurleyrock@gmail.com

Mailing Address

6620 Highway 72

Gurley, AL 35748

Existing Permit Contacts

Affiliation Type	Contact Information	Remove?
Permittee	North Alabama Materials, Inc.	*NONE PROVIDED*
Responsible Official,Facility Contact,Notification Recipient,Plant Manager	Darrin Isbell	*NONE PROVIDED*

Facility/Operations Information

Facility/Operations Name
North Alabama Materials Gurley Quarry

Permittee Organization Type
Corporation

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

Landowner(s) Name, Address and Phone Number:
Derrin Isbell, 6620 Highway 72 Gurley, Alabama 35748, 256-776-3782

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

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

Facility/Operations Address or Location Description

6620 Highway 72
6620 Highway 72
Gurley, AL 35748

Facility/Operations County (Front Gate)
Madison

Do the operations span multiple counties?
Yes

Additional Counties
Madison
Jackson

Detailed Directions to the Facility/Operations
Take I-65 N, turn onto I-565 E, continue onto Highway 72 E, turn right onto County Road 103, and the entrance of the site is on the right. Gurley, Alabama 35748 (Note: The facility sits on the border of Madison and Jackson County

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

Facility/Operations Front Gate Latitude and Longitude
34.69131871360553,-86.35565181442561

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)
T4S, R2E, S13; T4S R3E S18

SIC Code(s) [Please select your primary SIC code first]:
1422-Crushed and Broken Limestone

NAICS Code(s) [Please select your primary NAICS code first]:
212312-Crushed and Broken Limestone Mining and Quarrying

Facility/Operations Contact

Prefix
Mr.

First Name	Last Name
Darrin	Isbell

Title
Owner

Organization Name
North Alabama Materials, Inc.

Phone Type	Number	Extension
Business	256-776-3782	

Email
gurleyrock@gmail.com

Member Information

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

List of Names/Titles/Addresses will be entered by:
Manually Entering in Table

Name	Title/Position	Physical Address of Residence
Darrin Isbell	Owner	31 McMullen Lane Gurley, AL 35748

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

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

Name of Corporation, Partnership, Association, or Single Proprietorship	Name of Individual	Title/Position in Corporation, Partnership, Association, or Single Proprietorship
North Alabama Materials, Inc.	Darrin Isbell	Owner

Additional Contacts (1 of 2)

ADDITIONAL CONTACTS: Environmental Contact

Contact Type
Environmental Contact

Contact

First Name **Last Name**
Patti Kelly

Title
Sr. Environmental Scientist

Organization Name
Kelly EcoSource, LLC.

Phone Type **Number** **Extension**
Mobile 256-426-8699

Email
patti@kellyecosource.com

Address
106 Alice Lane
Athens, AL 35611

Additional Contacts (2 of 2)

ADDITIONAL CONTACTS: Emergency Contact

Contact Type
Emergency Contact

Contact

First Name	Last Name
Cheyenne	Murphy

Title
Manager

Organization Name
North Alabama Materials, Inc

Phone Type	Number	Extension
Business	256-776-3782	

Email
northalabamamaterials@gmail.com

Address
6620 Highway 72
Gurley, AL 35748

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:
None known at this time besides current permit

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:
None known at this time

Anti-Degradation Evaluation

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

NOTE

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

What environmental or public health problem will the discharger be correcting?
There is no public health problem related to the subject site. This facility is expanding into an 83 acre quarry. As mining extends south into the newly permitted area, drainage will be stored in the incised quarry with a new sediment basin constructed in the central portion of the mining area as a sump for pumping. The perimeter hauls roads will be graded to direct drainage to this basin, and, if necessary, a diversion berm will be constructed along the haul roads at the northwest perimeter of the site to further divert stormwater to the basin. Diversion swales may also be constructed along the internal haul roads to direct stormwater into the incised mining area preventing eastward flow along the road. In the event water needs to be removed from the incised mining area, water will be pumped from the incised area using subsurface withdrawal methods to the existing sediment basin for treatment. These changes will reduce the amount of stormwater that leaves the site.

How much will the discharger be increasing employment (at its existing facility or as the result of locating a new facility)?
The company will not be increasing employment at this time. As the quarry expands and work increases, more employees may be hired in the future.

How much reduction in employment will the discharger be avoiding?
There will be no reduction in employment.

How much additional state or local taxes will the discharger be paying?
North Alabama Materials will continue to pay their state and local taxes as they have paid them in the past. They do not anticipate an increase in taxes at this time.

What public service to the community will the discharger be providing?
North Alabama Materials will supply crushed limestone products to be used for a majority of construction activities in the community and surrounding areas.

What economic or social benefit will the discharger be providing to the community?
North Alabama Materials will provide area residents with new job opportunities either with North Alabama Materials, or inadvertantly through client companies, supply limestone rock for construction activites in North Alabama, and pay local and state taxes.

Attach Form 311 (Alternative Analysis)
ADEM 311 Gurley Quarry.pdf - 03/04/2025 02:20 PM
Comment
NONE PROVIDED

Please attach Form 312 (Public Sector Projects) or Form 313 (Private Sector Projects).
Form312.pdf - 02/13/2025 12:22 PM
Comment
NONE PROVIDED

Activity Description & Information

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

Total Facility/Operations Area (acres)
94.50

Total Disturbed Area (acres)
83.00

Anticipated Commencement Date
11/03/2025

Anticipated Completion Date
12/31/2050

Please identify which of the following apply to this operation:

Activity/Condition	Appy?

Activity/Condition	Appy?
An existing facility/operation which currently results in discharges to State waters?	No
A proposed facility/operation which will result in a discharge to State waters?	No
Be located within any 100-year flood plain?	No
Discharge to Municipal Separate Storm Sewer?	No
Discharge to waters of or be located in the Coastal Zone?	No
Need/have ADEM UIC permit coverage?	No
Be located on Indian/historically significant lands?	No
Need/have ADEM SID permit coverage?	No
Need/have ASMC permit coverage?	No
Need/have State Oil & Gas Board permit coverage?	No
Need/have ADOL permit coverage?	No
Generate, treat, store, or dispose of hazardous or toxic waste?	No
Be located in or discharge to a Public Water Supply (PWS) watershed or be located within ¼ mile of any PWS well?	No
Incised pit	Yes

Does your facility/operation use cooling water?
No

Material to be Removed, Processed, or Transloaded

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

Mineral(s)/Mineral product(s)	%
Limestone, crushed limestone and dolomite	98
Dirt and/or Chert	2
	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	Yes
Creek/stream crossings	No
Excavation	Yes
Grading, clearing, grubbing, etc.	Yes
Hydraulic mining	No
Hydraulic mining, dredging, instream or between stream-bank mining	No
Lime production	No
Low volume sewage treatment package plant	No
Mineral dry processing (crushing & screening)	Yes
Mineral loading	Yes
Mineral storing	Yes

Activity	Apply?
Mineral transportation	Yes
Mineral wet preparation	No
Onsite construction debris or equipment storage/disposal	Yes
Onsite mining debris or equipment storage/disposal	Yes
Other beneficiation & manufacturing operations	No
Pre-construction ponded water removal	No
Pre-mining logging or land clearing	Yes
Preparation plant waste recovery	No
Quarrying	Yes
Reclamation of disturbed areas	No
Solution mining	No
Surface mining	Yes
Synthetic fuel production	No
Underground mining	No
Waterbody relocation or other alteration	No
Within-bank mining	No

If the operation will include activities other than those listed above, please describe them below:
As mining extends south into the newly permitted area, drainage will be stored in the incised quarry with a new sediment basin constructed in the central portion of the mining area as a sump for pumping. The perimeter hauls roads will be graded to direct drainage to this basin. In the event water needs to be removed from the incised mining area, water will be pumped from the incised area using subsurface withdrawal methods to the existing sediment basin for treatment.

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

Barge	Apply?
Barge	No
Rail	No
Truck	Yes

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

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

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

Volume (gallons)	Contents
2,000.0	Diesel Fuel
200.0	Diesel Fuel
55.0	Hydrolic Fluid
55.0	Hydrolic Fluid
55.0	Hydrolic Fluid
55.0	Hydrolic Fluid
275.0	DEF Fluid

SPCC Plan
20251016 NAM Gurley SPCC FINAL.pdf - 10/24/2025 09:37 AM
Comment
NONE PROVIDED

ASMC Regulated Entities

Is this a coal mining operation regulated by ASMC?
No

Topographic Map Submittal

CORRECTION REQUEST *(APPROVED)*
Correct All Map

Need to correct all the maps to show all the Outfalls, not just the one existing one. Will need the Proposed ones that need to be deleted and the New Outfall.
Created on 3/24/2025 2:50 PM by **Robert Glover**

1 COMMENT
Robert Glover (robert.glover@adem.alabama.gov) (1/13/2026 10:47 AM)
Will keep only the one existing outfall and all other proposed outfalls will be deleted from the application so they will not need to be on the maps.

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
20250927 Gurley Quarry Site Plan Topo and Additional info.pdf - 10/21/2025 04:01 PM
Comment
NONE PROVIDED

Detailed Facility Map Submittal

Detailed Facility Map
20250927 Gurley Quarry Site Plan.pdf - 10/21/2025 12:14 PM
Comment
NONE PROVIDED

Outfalls (1 of 5)

Outfall Identifier: 001

Feature Type
Outfall (External)

Outfall Identifier
001

CORRECTION REQUEST *(APPROVED)*
Monitor Release Request Form

Need to add a Monitor Release Request Form so we can delete this Outfall.
Created on 3/24/2025 2:41 PM by **Robert Glover**

1 COMMENT
Robert Glover (robert.glover@adem.alabama.gov) (1/13/2026 10:48 AM)
No need for a monitor release for deleted proposed outfalls.

Outfall Status
Existing

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

Permit Action
Reissue

Receiving Water
Shanty Branch

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

Location of Outfall
34.69361100000000, -86.35944400000000

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

Distance to Receiving Water (ft)
250.0

Disturbed Area (acres)
83.0

Drainage Area (acres)
94.5

303(d) Segment?
No

TMDL Segment?
No

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

Outfalls (2 of 5)

Outfall Identifier: 002

Feature Type
Outfall (External)

Outfall Identifier
002

Outfall Status
Proposed

CORRECTION REQUEST *(APPROVED)*
Change Outfall to Proposed

Change Outfall to Proposed, the outfall have never been constructed or discharged then they should show proposed, and we can delete them.
Created on 3/24/2025 2:34 PM by **Robert Glover**

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

Permit Action
Delete

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

Outfalls (3 of 5)

Outfall Identifier: 003

Feature Type
Outfall (External)

Outfall Identifier
003

Outfall Status
Proposed

CORRECTION REQUEST *(APPROVED)*
Change Outfall to Proposed

Change Outfall to Proposed, the outfall have never been constructed or discharged then they should show proposed, and we can delete them.
Created on 3/24/2025 2:35 PM by **Robert Glover**

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

Permit Action
Delete

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

Outfalls (4 of 5)

Outfall Identifier: 004

Feature Type
Outfall (External)

Outfall Identifier
004

CORRECTION REQUEST *(APPROVED)*
Change Outfall to Proposed

Change Outfall to Proposed, the outfall have never been constructed or discharged then they should show proposed, and we can delete them.
Created on 3/24/2025 2:46 PM by **Robert Glover**

Outfall Status
Proposed

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

Permit Action
Delete

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

Outfalls (5 of 5)

Outfall Identifier: 005

Feature Type
Outfall (External)

Outfall Identifier
005

CORRECTION REQUEST *(APPROVED)*
Add Antidegradation Rationale

Need to add Antidegradation Rationale due to this being a new discharge.
Created on 3/24/2025 2:48 PM by **Robert Glover**

Outfall Status
Proposed

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

Permit Action
Delete

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

Discharge Characterization

EPA Form 2C, EPA Form 2D, and/or ADEM Form 567 Submittal
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:
NAMGQ Characterization Structure.xlsx - 09/18/2023 02:32 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:
NAMGQ Characterization Structure Pt. 2.xlsx - 09/18/2023 02:33 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:
North Alabama Materials Gurley Quarry Discharge Structure.xlsx - 10/22/2025 12:12 PM
Comment
NONE PROVIDED

Variance Request

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

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

Outfall(s):
001E

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	N/A
Width of top of dam greater than 12'	N/A
Side slopes of dam no steeper than 3:1	N/A
Cutoff trench at least 8' wide	N/A
Side slopes of cutoff trench no less than 1:1	N/A
Cutoff trench located along the centerline of the dam	N/A
Cutoff trench extends at least 2' into bedrock or impervious soil	N/A
Cutoff trench filled with impervious material	N/A
Embankments and cutoff trench 95% compaction standard proctor ASTM	N/A
Embankment free of roots, tree debris, stones >6" diameter, etc.	N/A
Embankment constructed in lifts no greater than 12"	N/A
Spillpipe sized to carry peak flow from a one year storm event	Yes
Spillpipe will not chemically react with effluent	Yes
Subsurface withdrawal	Yes
Anti-seep collars extend radially at least 2' from each joint in spillpipe	N/A
Splashpad at the end of the spillpipe	No
Emergency Spillway sized for peak flow from 25-yr 24-hr event if discharge not into PWS classified stream	Yes
Emergency spillway sized for peak flow from 50-yr 24-hr event if discharge is into PWS classified stream	N/A
Emergency overflow at least 20' long	N/A
Side slopes of emergency spillway no steeper than 2:1	N/A
Emergency spillway lined with riprap or concrete	N/A
Minimum of 1.5' of freeboard between normal overflow and emergency overflow	Yes
Minimum of 1.5' of freeboard between max. design flow of emergency spillway and top of dam	Yes
All emergency overflows are sized to handle entire drainage area for ponds in series	N/A
Dam stabilized with permanent vegetation	N/A
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	N/A

Identify and provide detailed explanation for any ﷿N﷿ or ﷿N/A﷿ response(s):
Existing sediment basin was designed and constructed by the previous quarry operator and its engineer of record. He certified that all pollution abatement/treatment structures/measures were designed and constructed according to good engineering practices, and the requirements of the NPDES permit.
Under the current permit renewal, no modifications to the existing sediment basin or outfall are planned. The outer slope of the existing sediment basin is steeper than 3:1 based on the current topographic survey of the site. The slope has been stabilized with rip rap and existing vegetation. the existing basin cannot be relocated until mining operations progress further south.
There does not appear to be a dedicated spillway structure along the top of the sediment basin embankment. There is a section of the basin (2 ft lower) where stormwater will overflow under an emergency.
Site does not discharge into a PWS classified stream.
There are no ponds in series or stream crossings at 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

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

Other:	Please select one:
Precipitation/Volume Calculations/Diagram Attached	Yes
BMP Plan for Haul Roads	Yes

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

Identify and provide detailed explanation for any "N" or "N/A" response(s):
No hazardous chemicals will be used, there are no adjacent stream channels on the site, no closure plans are made yet,

Pollution Abatement & Prevention (PAP) Plan

Is this a coal mining operation regulated by ASMC?
No

PAP Plan (non-coal mining facilities)
20251021 NAM Gurley PAP FINAL.pdf - 10/21/2025 03:54 PM
Comment
NONE PROVIDED

Professional Engineer (PE)

Registration License Number
27801

Professional Engineer

Prefix
Mr.

First Name	Last Name
William	Black

Title
Professional Engineer

Organization Name
Kelly EcoSource, LLC.

Phone Type	Number	Extension
Mobile	256-874-3144	

Email
hblack.kes@gmail.com

Address
18957 Wentworth Drive
Athens, AL 35613

Information for the Applicant

Please read the following information and acknowledge below:

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

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

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

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

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

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

Acknowledgement
I acknowledge I have read and understand the information above.

Additional Attachments

Additional Attachments

name change.pdf - 05/11/2022 02:40 PM
Comment
NONE PROVIDED

Application Preparer

Application Preparer

Prefix
NONE PROVIDED

First Name	Last Name
NONE PROVIDED	*NONE PROVIDED*

Title
NONE PROVIDED

Organization Name
NONE PROVIDED

Phone Type	Number	Extension
NONE PROVIDED	NONE PROVIDED	

Email
NONE PROVIDED

Address

[NO STREET ADDRESS SPECIFIED]

[NO CITY SPECIFIED], *[NO STATE SPECIFIED]* *[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.

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

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

Fee

Fee
5820

Revisions

Revision	Revision Date	Revision By
Revision 1	5/10/2022 7:53 PM	CHANDLER DUTTON
Revision 2	5/12/2022 2:58 PM	CHANDLER DUTTON
Revision 3	3/24/2025 4:37 PM	Patti Kelly

Agreements and Signature(s)

SUBMISSION AGREEMENTS

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

Professional Engineer (PE)

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

Signed By William Black on 10/28/2025 at 7:35 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 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 darrin isbell on 10/24/2025 at 12:05 PM

Attachment 1 to Supplementary Form
ADEM Form 311

Alternatives Analysis

Applicant/Project: North Alabama Materials Gurley Quarry

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

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

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

Signature: William H Black
(Professional Engineer)

Date: 2/23/25

(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	$ 12 Million	
Other One-Time Costs of Project (Please List, if any)		
	$	
	$	
	$	
Total Capital Costs (Sum column)	$12 million	(1)
Portion of Capital Costs to be Paid for with Grant Monies	$0	(2)
Capital Costs to be Financed [Calculate: (1) – (2)]	$12 million	(3)
Type of Financing (e.g., G.O. bond, revenue bond, bank loan)	Bank Loan	
Interest Rate for Financing (expressed as decimal)	8.3%	(i)
Time Period of Financing (in years)	10	(n)
Annualization Factor $= \frac{i}{(1+i)^n - 1} + i$	6.62	(4)
Annualized Capital Cost [Calculate: (3) x (4)]	79,440.00	(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.)

annual operation and maintenance expenses	$2.1 million	
	$	
	$	
	$	
Total Annual O & M Costs (Sum column)	$2.1 million	(6)

C. Total Annual Cost of Pollution Control Project

Total Annual Cost of Pollution Control Project [(5) + (6)]	$2179440.00	(7)

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

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

Outfall	Discharge structure Description	Description of Origin of pollutants	Surface Discharge	Groundwater Discharge	Wet Prep -Other Production Plant	Pumped or Controlled Discharge	Low Volume STP
001E	Spillpipe/ During prolonged rain events	7&8	Outlet/Spillpipe	N/A	N/A	Controlled	N/A

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

Outfall E/P	Information Source - # of Samples	Flow (cfs)	Flow (gpd)	Frequency (hours/day)	Frequency (days/month)	Sum/Win Temp, (°C)	pH (s.u.)	BOD5 (lbs/day)	TSS (lbs/day)	Tot Fe (lbs/day)	Tot Mn (lbs/day)	Tot Al (lbs/day)
001E	BPE	5.5	2470	1	1	AMBIENT	7.8	<1	0.0007	<1	<1	<1

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

Outfall E/P	Reason Believed Present	Information Source - # of Samples								
			lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L
001E	NON BELIEVED TO BE PRESENT									

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

DATE:	9/27/25
DESIGN BY:	WHB
DRAWN BY:	WHB
SCALE:	1" = 500'
MEDIA SIZE:	24x36

DESCRIPTION	DATE

Kelly Ecosource, LLC
North Alabama Materials Inc. - Gurley Quarry
ADEM Permit Reissuance & Modification

USGS Topographic Map w/ 1 mile radius

ALABAMA REGISTERED 9/29/25 No. 27801 PROFESSIONAL ENGINEER WILLIAM HEATH BLACK

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

Drawing Number
G-1.0

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

DATE:	9/27/25
DESIGN BY:	WHB
DRAWN BY:	WHB
SCALE:	1" = 200'
MEDIA SIZE:	24x36

DATE	DESCRIPTION

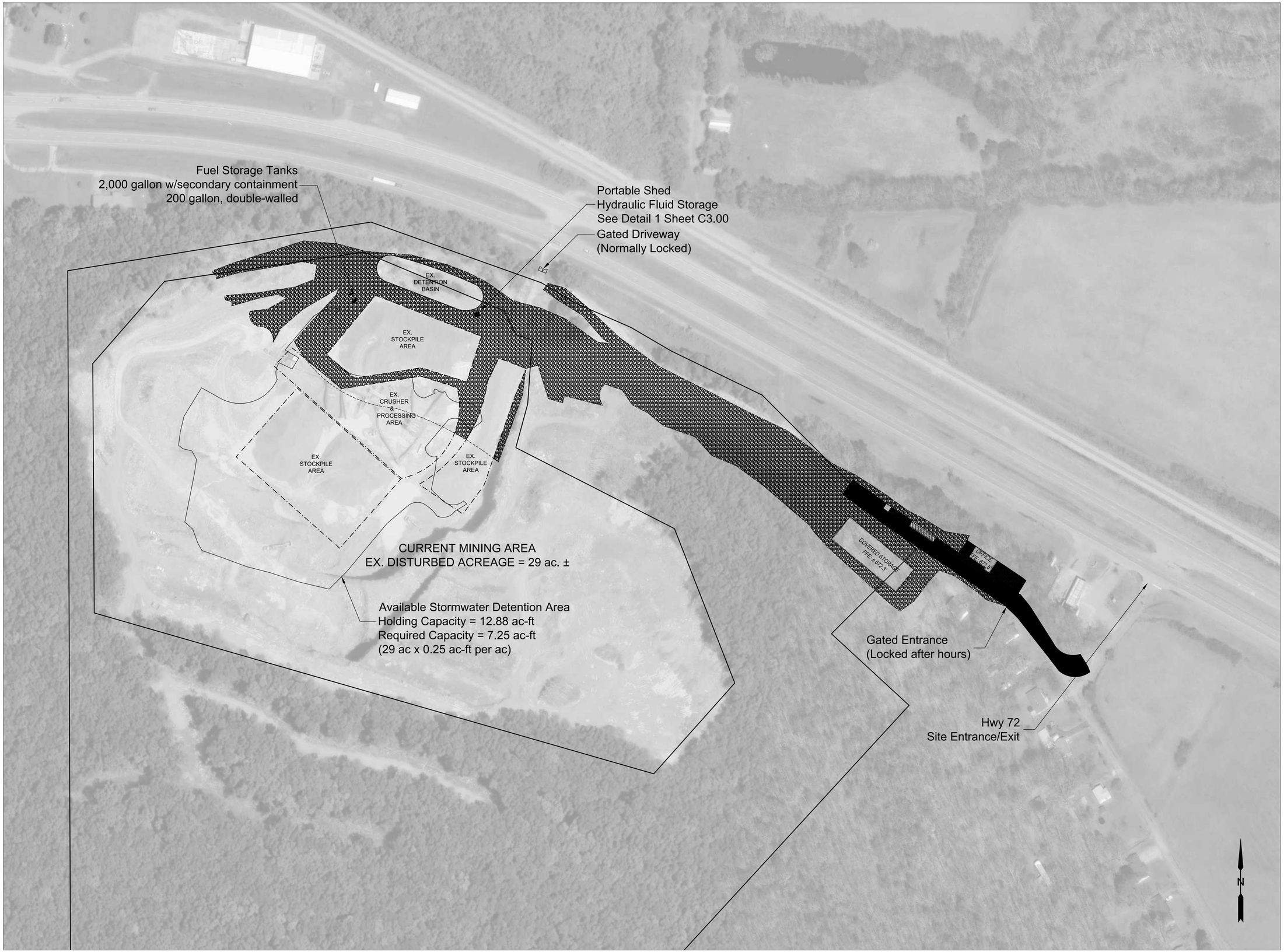
Kelly Ecosource, LLC
North Alabama Materials, Inc. - Gurley Quarry
ADEM Permit Reissuance & Modification

Mining Areas (Current + Proposed)

ALABAMA REGISTERED 9/25/25 No. 27801 PROFESSIONAL ENGINEER WILLIAM HEATH BLACK

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

Drawing Number
G-1.1



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

DATE:	9/27/25
DESIGN BY:	WHB
DRAWN BY:	WHB
SCALE:	1" = 100'
MEDIA SIZE:	24x36

DESCRIPTION	DATE

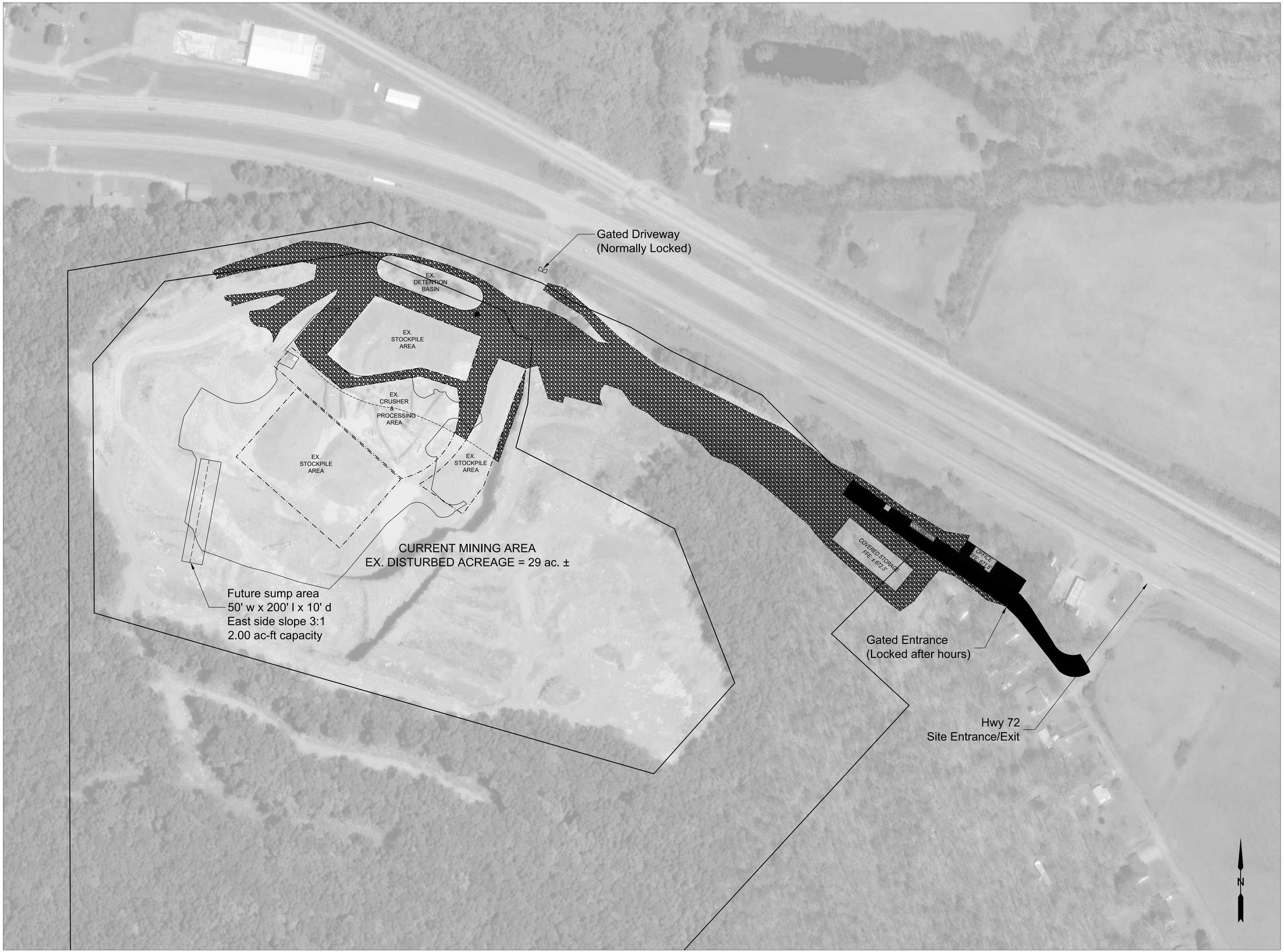
Kelly Ecosource, LLC
North Alabama Materials Inc. - Gurley Quarry
ADEM Permit Reissuance & Modification

Site Layout Plan - Current Mining Footprint

ALABAMA REGISTERED 9/29/25 No. 27801 PROFESSIONAL ENGINEER WILLIAM HEATH BLACK

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

Drawing Number
C-1.0



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

DATE:	9/27/25
DESIGN BY:	WHB
DRAWN BY:	WHB
SCALE:	1" = 100'
MEDIA SIZE:	24x36

DESCRIPTION	DATE

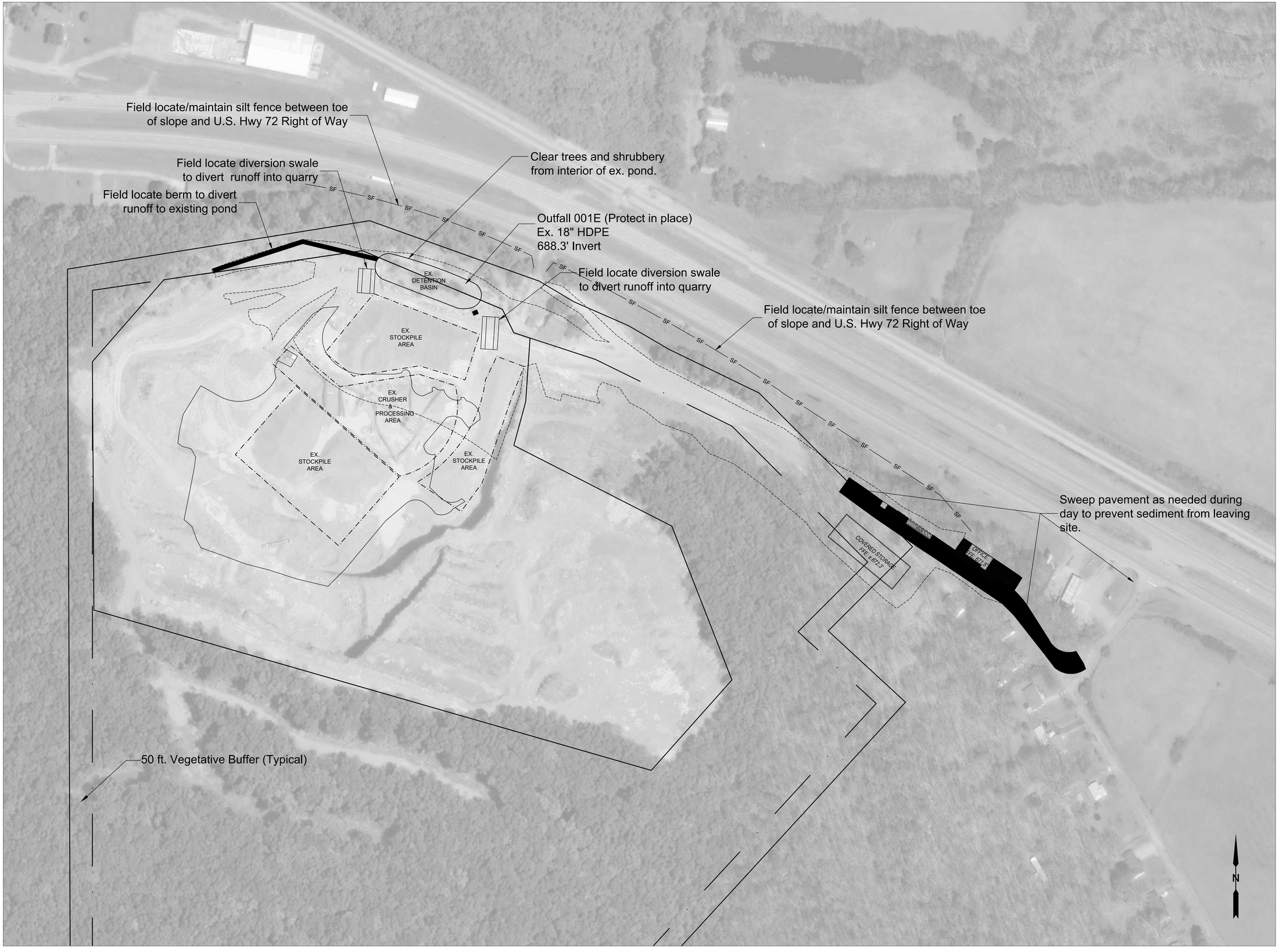
Kelly Ecosource, LLC
North Alabama Materials Inc. - Gurley Quarry
ADEM Permit Reissuance & Modification

Future Sump Area

ALABAMA REGISTERED 9/29/25 No. 27801 PROFESSIONAL ENGINEER WILLIAM HEATH BLACK

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

Drawing Number
C-1.1



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

DATE:	9/27/25
DESIGN BY:	WHB
DRAWN BY:	WHB
SCALE:	1" = 100'
MEDIA SIZE:	24x36

DESCRIPTION	DATE

Kelly Ecosource, LLC
North Alabama Materials Inc. - Gurley Quarry
ADEM Permit Reissuance & Modification

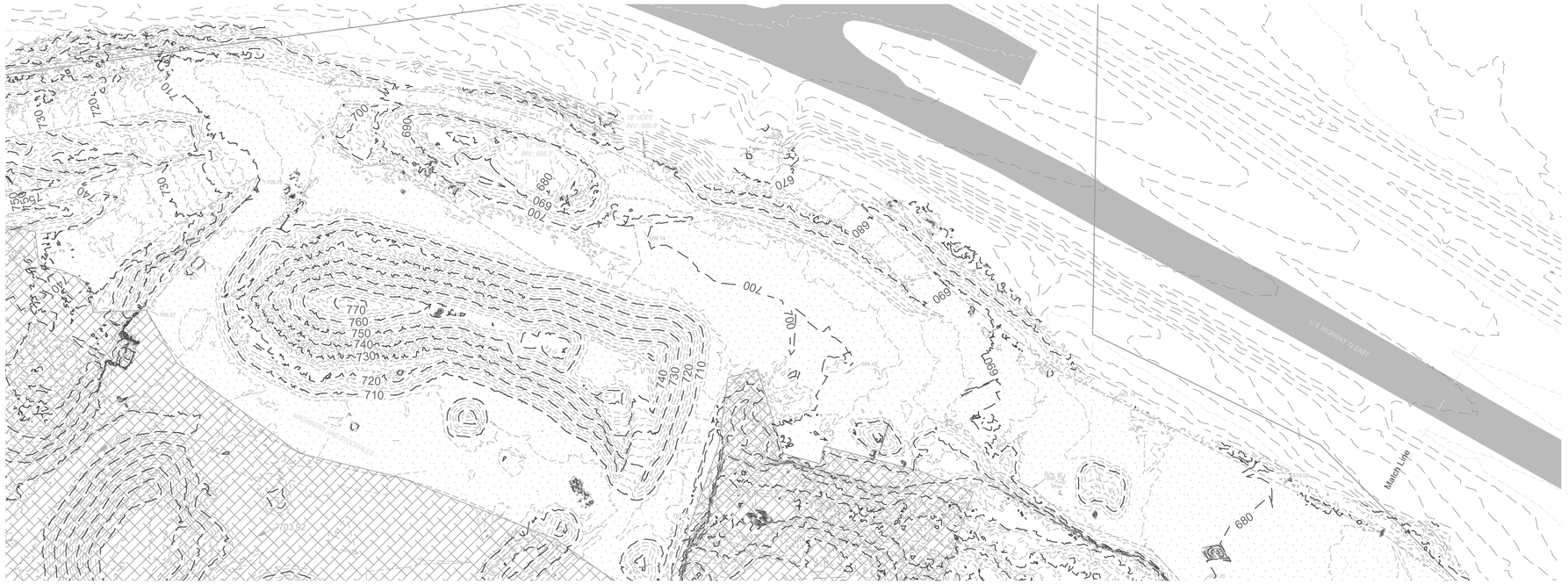
Erosion Control Plan

ALABAMA REGISTERED 9/29/25 No. 27801 PROFESSIONAL ENGINEER WILLIAM HEATH BLACK
William H Black

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

Drawing Number
C-2.0

West Detail



East Detail

CONCRETE PAVING

GRAVEL AREA

ASPHALT PAVING

MINING AREA -NOT A PART OF THIS SURVEY

Basis of Bearings and Coordinates:

Alabama Coordinate System East Zone NAD83(2011;EPOCH 2010.00) as derived from static, post-processed base stations combined with redundant, averaged observations to corner positions depicted hereon. Vertical Datum heron is NAVD88 utilizing GEOID 18.

60 0 60 120

Surveyor's Notes:

Vertical Datum is NAVD 88 as derived from redundant single-baseline, post processed GNSS observations. The contour interval depicted hereon is 2 feet.

Measurements to field located monuments depicted hereon were tested using least squares analysis. All measurements shown passed the chi-squared test at 90% with a tolerance of 0.07 feet plus 50 parts per million.

Field work was completed August 28, 2015.

Field work utilized Javad Triumph 1M base and Triumph-LS rover multi-constellation GNSS RTK receivers and redundant averaged observations on corner positions depicted hereon.

This survey employed aerial photogrammetry combined with terrestrial surveying to determine contour lines depicted hereon. 95 percent of field located points fell within one-half of the contour interval depicted hereon as per National Mapping Standards for topographic mapping as described in the Standards of Practice for Land Surveyors in the State of Alabama as set forth by the Alabama Society of Professional Land Surveyors.

No title opinion or report was provided for consideration in this survey.

This survey meets or exceeds the Standards of Practice for Land Surveying in the State of Alabama as set forth by the Alabama Society of Professional Land Surveyors.

This survey is not valid unless bearing the seal of and signed by the surveyor of record.

Surveyor's Statement:

I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

Date:

Joey Perkins
Alabama License No. 28259

JOEY PERKINS
PLS #28259

7806 County Road 38
Section, Alabama 35771

Phone: (256) 990-5742

TOPOGRAPHIC SURVEY

North Alabama Materials

Section 13 Township 4 South, Range 3 East
of the Huntsville Meridian in
Madison County, Alabama

SURVEY FOR:

North Alabama Materials, Inc.

Date(s) of Field Survey:
Field Book/Page:

Drawn By:	R. Gregg	Project Name:	
Approved By:	J. Perkins	25037 Black Gurley Quarry	
File:	25037 Black Gurley Quarry	Sheet	1 of 1
Date:	8/29/2025	Scale:	1"=60'

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (AIR DIVISION)

Do not Write in This Space

Facility Number | | | | - | | | | |

CONSTRUCTION/OPERATING PERMIT APPLICATION
FACILITY IDENTIFICATION FORM

1. Name of Facility, Firm, or Institution: North Alabama Materials, Inc

Facility Physical Location Address

Street & Number: 6620 Highway 72 East

City: Gurley County: Madison/Jackson Zip: 35748

Facility Mailing Address (If different from above)

Address or PO Box: 6620 Highway 72 East

City: Gurley State: AL Zip: 35748

Owner's Business Mailing Address

2. Owner: North Alabama Materials, Inc

Street & Number: 6620 Highway 72 East City: Gurley

State: AL Zip: 35748 Telephone: (256)776-3782

Responsible Official's Business Mailing Address

3. Responsible Official: Rusty C. Isbell Title: secretary/plant manager

Street & Number: 6620 Highway 72 East

City: Gurley State: AL Zip: 35748

Telephone Number: (256)776-3782 E-mail Address: northalabamamaterials@gmail.com

Plant Contact Information

4. Plant Contact: Rusty C. Isbell Title: Secretary/plant manager

Telephone Number: (256)653-2550 E-mail Address: northalabamamaterials@gmail.com

5. Location Coordinates:

UTM 16558273 E-W 163839341 N-S

Latitude/Longitude 34"41'39"N LAT 86"21'36"W LONG

6. **Permit application is made for:**

☐ Existing source (initial application)

☐ Existing source (permit renewal)

☐ Modification

☐ New source (to be constructed)

☐ Change of ownership

☐ Change of location

■ Other (specify) Change of responsible official, all ownership, address, and operation remains the same

If application is being made to construct or modify, please provide the name and address of installer or contractor

(256)776-3782 **Telephone** _____

Date construction/modification to begin _____ **to be completed** _____

7. **Permit application is being made to obtain the following type permit:**

☐ Air permit

☐ Major source operating permit

☐ Synthetic minor source operating permit

☐ General permit

8. **Indicate the number of each of the following forms attached and made a part of this application: (if a form does not apply to your operation indicate "N/A" in the space opposite the form). Multiple forms may be used as required.**

_____ **ADEM 104 - INDIRECT HEATING EQUIPMENT**

_____ **ADEM 105 - MANUFACTURING OR PROCESSING OPERATION**

_____ **ADEM 106 - REFUSE HANDLING, DISPOSAL, AND INCINERATION**

_____ **ADEM 107 - STATIONARY INTERNAL COMBUSTION ENGINES**

_____ **ADEM 108 - LOADING, STORAGE & DISPENSING LIQUID & GASEOUS ORGANIC COMPOUNDS**

_____ **ADEM 109 - VOLATILE ORGANIC COMPOUND SURFACE COATING EMISSION SOURCES**

_____ **ADEM 110 - AIR POLLUTION CONTROL DEVICE**

_____ **ADEM 112 - SOLVENT METAL CLEANING**

_____ **ADEM 438 - CONTINUOUS EMISSION MONITORS**

_____ **ADEM 437 - COMPLIANCE SCHEDULE**

9. **General nature of business: (describe and list appropriate standard industrial classification (SIC) and North American Industry Classification System (NAICS)** (www.naics.com) **code(s)):**

10. <u>For those making application for a synthetic minor or major source operating permit</u>, please summarize each pollutant emitted and the potential facility-wide annual emission rate for the pollutant. Indicate those pollutants for which the facility is major.

Regulated pollutant	Potential Emissions* (tons/year)	Major source? yes/no
N/A		

*Potential emissions are either the maximum allowed by the regulations or by permit, or, if there is no regulatory limit, it is the emissions that occur from continuous operation at maximum capacity.

11. For those applying for a major source operating permit, indicate the compliance status by program for each emission unit or source and the method used to determine compliance. Also cite the specific applicable requirement.

Emission unit or source: N/A
(description)

Emission Point No.	Pollutant[4]	Standard	Program[1]	Method used to determine compliance	Compliance Status	
					IN[2]	OUT[3]

[1]PSD, non-attainment NSR, NSPS, NESHAP (40 CFR Part 61), NESHAP (40 CFR Part 63), accidental release (112(r)),SIP regulation, Title IV, Enhanced Monitoring, Title VI, Other (specify)

[2]Attach compliance plan

[3]Attach compliance schedule (ADEM Form-437)

[4]Fugitive emissions must be included as separate entries

12. **List all insignificant activities and the basis for listing them as such (i.e., less than the insignificant activity thresholds or on the list of insignificant activities). Attach any documentation needed, such as calculations. No unit subject to an NSPS, NESHAP or MACT standard can be listed as insignificant.**

Insignificant Activity	Basis
None	

13. List and explain any exemptions from applicable requirements the facility is claiming:

a. _____

b. _____

c. _____

d. _____

e. _____

f. _____

g. _____

h. _____

i. _____

14. List below other attachments that are a part of this application(all supporting engineering calculations must be appended):

a. _____

b. _____

c. _____

d. _____

e. _____

f. _____

g. _____

h. _____

i. _____

I CERTIFY UNDER PENALTY OF LAW THAT, BASED ON INFORMATION AND BELIEF FORMED AFTER REASONABLE INQUIRY, THE STATEMENTS AND INFORMATION CONTAINED IN THIS APPLICATION ARE TRUE, ACCURATE AND COMPLETE.

I ALSO CERTIFY THAT THE SOURCE WILL CONTINUE TO COMPLY WITH APPLICABLE REQUIREMENTS FOR WHICH IT IS IN COMPLIANCE, AND THAT THE SOURCE WILL, IN A TIMELY MANNER, MEET ALL APPLICABLE REQUIREMENTS THAT WILL BECOME EFFECTIVE DURING THE PERMIT TERM AND SUBMIT A DETAILED SCHEDULE, IF NEEDED FOR MEETING THE REQUIREMENTS.

[signature] Secretary/Plant Manager 4-30-20

SIGNATURE OF RESPONSIBLE OFFICIAL **TITLE** **DATE**

SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN (SPCC PLAN)

North Alabama Materials

Gurley Quarry

Gurley, Madison County, Alabama
KES Project # K22-25

FOR

North Alabama Materials, Inc.

6620 U.S. Highway 72

Gurley, AL 35748

May 2022
Revised October 2025

PREPARED BY

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

EMERGENCY QUICK REFERENCE LIST

1.	U.S. Environmental Protection Agency – Regional Office	(404) 347-4062
2.	U.S. Coast Guard National Response Center	(800) 424-8802
3.	ADEM – Decatur Field Office (8:00 am – 5:00 pm)	(256) 353-1713
4.	Alabama Emergency Response Commission	(800) 843-0699
5.	ADEM – Montgomery Office (8:00 am – 5:00 pm)	(334) 271-7700
6.	Department of Public Safety (after 5:00 pm)	(334) 242-4378
7.	Huntsville-Madison Co. Emergency Management Agency	(256) 427-5130
8.	Huntsville Department of Natural Resources	(256) 427-5750
9.	Huntsville Water Pollution Control (for spills to sanitary sewer)	(256) 883-3719
10.	Huntsville Fire Marshall (flammable liquid spills)	(256) 722-7120 or 911
11.	Huntsville Police (spills endangering human life)	(256) 722-7100 or 911
12.	Spill Recovery or Clean-up Services:	
a.	Action Environmental (Hanceville, AL)	(256) 352-2350
	24-hour hotline	(800) 228-8845 x 7093
b.	SWS First Response	
	Billy Farris 303 Beltline Pl, Decatur AL	(256) 355-7900
	24-hour line, Panama City, FL	(800) 852-8878
13.	Jackson County Emergency Management Agency (EMA)	(256) 574-9344
14.	Scottsboro Fire Department	(256) 574-9344
15.	Hollywood Fire Department	(256) 574-3232
16.	Jackson County Sheriff's Department	(256) 574-2610
17.	City of Huntsville Community Resources	(256) 722-7120

I. ASSESSMENT AND PLANNING

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

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

II. LOCATION AND TYPE OF FACILITY

North Alabama Materials' Gurley Quarry site is situated on approximately 94.5 acres in Township 4 South, Range 2 East, Section 13 and Township 4 South, Range 3 East, Section 18. The property is south of U.S. Highway 72 in Gurley, Madison County, Alabama. North Alabama Materials currently operates a quarry producing limestone rock and gravel on 29 acres in the northern portion of the property. Future plans expand the permitted quarry area south from the current mining area and increase the permitted area to 83 acres. Limestone rock and gravel from the quarry will be used to support construction and transportation projects throughout North Alabama, including ALDOT project. The facility will contain one basin (001E) located at the north perimeter of the current mining area (See Appendix A).

III. NAME AND ADDRESS OF OWNER/OPERATOR

Darrin Isbell, Owner
North Alabama Materials, Inc.
6620 U.S. Hwy 72
Gurley, AL 35748
256-776-3782

IV. DESIGNATED EMERGENCY COORDINATORS

Shane Carroll, Plant Manager
North Alabama Materials, Inc.
6620 U.S. Hwy 72
Gurley, AL 35748
256-776-3782

V. SPILL HISTORY

Prior to North Alabama Materials' acquisition of the property, McCord Limestone Quarry was opened in 2017 and operated on approximately 9 acres of the current site. Based on information

provided by the previous property owners and North Alabama Materials' staff, there have been no spills on the property to date.

VI. SURFACE WATER FEATURES

Based on the topography and current conditions, the land surrounding the site is predominately sloped downward to the north due the the quarry being incised into the side of Keel Mountain. The USGS topographic map depicts Shanty Branch beyond the north boundary of the property, north of U.S. Highway 72. A drainage channel is located just north of U.S. Highway 72 that appears to carry only stormwater. Drainage from all spoil areas, stockpiles, and excavation areas, preparation facilities, loading areas, and other areas of disturbance relating to the mining and processing site will either be directed to the existing sediment basin (001E) at the northern end of the quarry or into the incised mining area where the water will be detained. Any areas that cannot be diverted to the sediment basin or incised mining area will be seeded with temporary vegetation to control non-point source pollution from leaving the site. Additionally, a minimum vegetative buffer of 50 foot will be left around the perimeter of the property boundaries.

North Alabama Materials' Gurley Quarry contains one existing sediment basin with a permitted outfall (001E). Site drainage from the haul roads along the northwest perimeter of the mining area will be diverted to this basin by a diversion berm where needed. Drainage from the internal haul roads, stockpiles, processing equipment, and mining area will be diverted into the incised mining area by grading and, if needed, drainage swales. Stormwater directed to the incised mining area will be detained in this area until it either evaporates or is absorbed into the rock formation. In the event stormwater needs to be removed expeditiously from the incised mining area, the quarry operator will pump water from the area using subsurface withdrawal methods. Water from the pump will be routed through dewatering bags (i.e. SiltSaver Dewatering Bag) before being directed into the existing sediment basin at the north end of the quarry for treatment. In the event of a discharge from Outfall 001E, water quality samples will be taken at the outfall. As mining operations expand to the south, the incised area will increase in size and will be used for additional stormwater storage. Once mining has progressed far enough, a sump will be constructed along the west face of the incised mining area to facilitate pumping operations.

VII. DISCHARGE PREVENTION MEASURES

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

TYPE OF PETROLEUM	QUANTITY
Diesel Fuel Tank (Off-Road)	(1) 2,000-gallon AST w/secondary containment (1) 200-gallon double walled AST
Hydraulic Oil	(4) 55-gallon drums
DEF Fluid	(1) 275-gallon tote tank

1. AST SECONDARY CONTAINMENT

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

One 200-gallon AST stored on-site is double-walled and does not require secondary containment unless otherwise instructed by the engineer signing the SPCC, as per 40 CFR 112. The tank is considered to be sufficient to contain off-road diesel fuel and secondary containment is not needed at this time. A 2,000-gallon AST stored on-site is not double-walled, but it is constructed with secondary containment measures. The tank and its secondary containment are considered to be sufficient to contain the off-road diesel fuel. Four (4) 55-gallon drums of hydraulic fluid will be stored in a portable spill containment shed for drums (U-Line Model # H-5737) and is sufficient to contain the (4) drums.

North Alabama Materials' Gurley Quarry is not located adjacent to navigable waters of the U.S. and in the unlikely event of petroleum leaking or overflowing from these structures, the flow would be directed into either the existing sediment basin (001E) located near the north boundary of the site or into the incised mining area. The site is graded in a manner that precludes mining area runoff from leaving the site without flowing through the existing sediment basin so that most solids and suspended solids are removed from the effluent.

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

The ASTs are shown on the Plant Layout Drawing in Appendix A. Possible indications for leakage in the area include tank leakage from corrosion or rupture and piping failure from corrosion, joint failure or rupture, equipment failure, and/or operations error.

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

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

2. PERSONNEL

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

3. SECURITY

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

4. FACILITY INSPECTIONS

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

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

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

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

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

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

VIII. SPILL COUNTERMEASURE PROCEDURES

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

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

1. DISCOVERY AND NOTIFICATION

A. Anyone discovering a spill that could reach navigable waters or discovering an imminent or actual emergency situation that could threaten human health, or the environment will immediately notify the Emergency Coordinator. The emergency coordinator will be in charge of containment and countermeasures.

B. The emergency coordinator will evaluate the potential release and imminent threat to human health and/or the environment. If required, the emergency coordinator will make the required notifications. An example Spill Notification Form is included in Appendix B. Completed Spill Notification Forms shall be kept on file in Appendix B.

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

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

Please note that “on-site” releases must be a solid or liquid and contained in a cemented, diked area. Releases that enter the air or soil are automatically considered “off-site” release, regardless of where the accident occurs. Offsite releases require notice to the local emergency planning agency (Huntsville-Madison Co. Emergency Management Agency 256-427-5130) and the state emergency response center (Alabama Emergency Response Commission, 800-843-0699) as well as the NRC. Written follow up reports may also be required.

Notification should include the following information:

1. Name, address, and telephone # of person reporting spill
2. Name and address of the facility
3. Date and time of the incident
4. Location of the incident
5. Type of material released or spilled
6. Estimated quantity of materials released or spilled

7. Source of spill and cause, if known
8. Nearest downstream body of water
9. Weather conditions at the incident location
10. NPDES Permit #
11. Any other information that may help emergency personnel respond to the incident
12. Request advice on clean-up measures to take

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

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

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

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

National Response Center (NRC)	800-424-8802
Alabama Emergency Management Agency	800-843-0699
Madison County Emergency Management	256-427-5130

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

Spills Endangering Human Life	911
Huntsville Fire Department	256-722-7120
Huntsville Police Department	256-722-7100
Madison County Sheriff's Department	256-722-7181
Huntsville Hospital (Emergency)	256-265-9889
U.S. EPA Region IV (24hr Spill)	404-562-8700
U.S. EPA Region IV	404-562-9900
ADEM Decatur Field office	256-353-1713
AL Dept of Public Safety (Huntsville)	256-427-7138

2. CONTAINMENT AND COUNTERMEASURES

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

3. CLEAN UP AND DISPOSAL

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

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

IX. SPILL EVENT REPORTS

1. OIL SPILLS

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

a. Name of facility
b. Name of owner
c. Location of facility
d. Date and year of initial information
e. Maximum storage or handling capacity of the facility and normal daily operation.
f. Description of the facility, including maps, flow diagrams, and topographical maps.
g. A complete copy of the SPCC Plan with any amendments

h. The cause(s) of such spill, including a failure analysis of system or subsystem in which the failure occurred.
i. The corrective action and/or countermeasure taken, including an adequate description of equipment repairs and/or replacement
j. Additional preventive measures taken or contemplated to minimize the possibility of recurrence.
k. Such other information as the Regional Administrator may reasonably require pertinent to the plan or spill event

2. SPILLS OF HAZARDOUS SUBSTANCES

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

X. CERTIFICATION OF QUALIFIED CREDENTIALED PROFESSIONAL

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

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

William H Black 10/16/25

William H. Black, P.E. # 27801

XI. ACKNOWLEDGEMENT

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

Kelly EcoSource, LLC.

Patti A. Kelly

Environmental Scientist

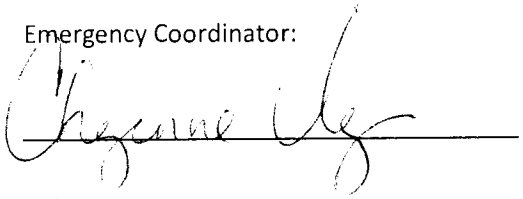
MANAGEMENT APROVAL
40 CFR 112.7

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

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

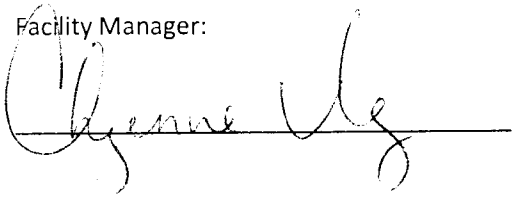
This facility is committed to the prevention of discharges of oil to navigable waters and the environment and maintains the highest standards for spill prevention control and countermeasures through regular review, updating, and implementation of the SPCC Plan. This plan has the full approval of management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

Emergency Coordinator:



Date 10-24-2025

Facility Manager:



Date 10-24-2025

APPENDIX A

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

DATE:	9/27/25
DESIGN BY:	WHB
DRAWN BY:	WHB
SCALE:	1" = 500'
MEDIA SIZE:	24x36

DESCRIPTION	DATE

Kelly Ecosource, LLC
North Alabama Materials Inc. - Gurley Quarry
ADEM Permit Reissuance & Modification

USGS Topographic Map w/ 1 mile radius

ALABAMA REGISTERED 9/29/25 No. 27801 PROFESSIONAL ENGINEER WILLIAM HEATH BLACK

BAR IS ONE INCH ON ORIGINAL DRAWING
0 1"
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Drawing Number
G-1.0

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Athens, AL 35613
(256) 434-1634

DATE:	9/27/25
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Kelly Ecosource, LLC
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Mining Areas (Current + Proposed)

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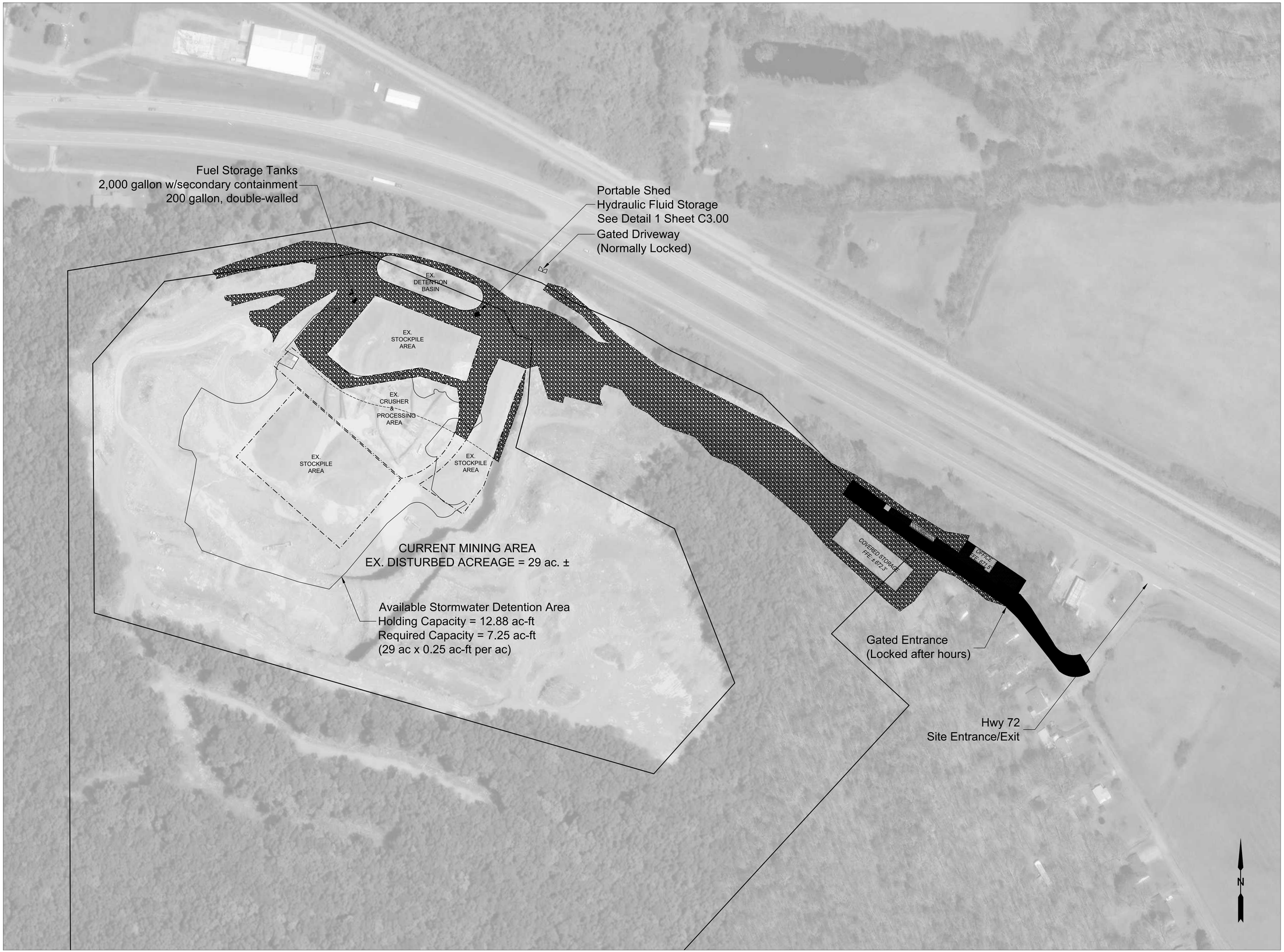

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Site Layout Plan - Current Mining Footprint

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North Alabama Materials
Gurley Quarry
Site Plan

General Notes:

1. A boundary survey has not been performed for the subject site. Property limits shown within this plan set have been obtained from the Madison and Jackson County Tax Parcel GIS Map and should be considered approximate. The information contained in this plan set does not represent a boundary survey or purport to establish property boundaries.

2. FEMA Map Numbers 01089C0400E (dated 10/2/2014), 01071C0375D (dated 12/16/2008), & 01071C0365D (dated 12/16/2008) were reviewed for FEMA flood zones mapped within the limits of this site. Based on these maps, the entirety of this site is mapped in Zone "X".

3. This site is maintained in a manner creating negative stormwater drainage whereby the majority of stormwater runoff is stored in the mining pit during rain events. A small portion along the northern perimeter of the mining area has positive drainage and sheet flows north toward the southern right-of-way boundary of U.S. Hwy 72. This small area will be diverted to the existing detention basin at the north perimeter of the mining area.

4. No fixed improvements or public/private utilities have been located within the boundaries of the subject site. Prior to commencing grading activities, the contractor shall contact Alabama 811 One Call to have underground utilities located. The contractor shall take all necessary precautions to protect existing underground utilities within the limits of and adjacent to the subject site.

5. The site operator shall be responsible for complying with the requirements of all ADEM permits required for activities occurring within the limits of the site.

6. The site operator shall be responsible for the installation and continued maintenance of all BMP's required to control erosion and prevent sediment discharge from the site until the sediment basin and associated diversion structures are constructed and permanent vegetation has been adequately established in the disturbed areas of the site.

7. It shall be the site operator's obligation to ensure that all trenching and excavation complies with the "Department of Labor, Occupational Safety and Health Administration Publication (29 CFR Part 1926) Occupational Safety and Health Standards – Excavations Latest Edition".

8. In accordance with generally accepted construction practices, the site operator shall be solely responsible for conditions of the site, including safety of all persons and property during performance of the work.

Vicinity Map

Index of Sheets

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G-1.0	USGS Map w/1 mile radius
G-1.1	Current & Future Mining Areas
C-1.0	Site Layout Plan Ex. Footprint
C-1.1	Proposed Quarry Sump Area
C-2.0	Erosion Control Plan
C-3.0	Quarry Operational Details
C-3.1	Erosion Control Details
	Topographic Survey by Others

Quarry Operator:
North Alabama Materials, Inc.
6620 Highway 72
Gurley, AL 35748
(256) 776-3782

Environmental Consultant:
Kelly Ecosource, LLC
106 Alice Lane
Athens, AL 35611
(256) 426-8699

Surveyor of Record:
Joey Perkins, PLS
7806 Co. Road 38
Section, AL 35771
(256) 990-5742

Site Design:
RHB Services, LLC
18957 Wentworth Drive
Athens , AL 35613
(256) 434-1634

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

DATE: 9/29/25
DESIGN BY: WHB
DRAWN BY: WHB
SCALE:
MEDIA SIZE: 24 x 36

DATE	DESCRIPTION

Kelly Ecosource, LLC
North Alabama Materials Inc. - Gurley Quarry
ADEM Permit Reissuance & Modification

Title Sheet

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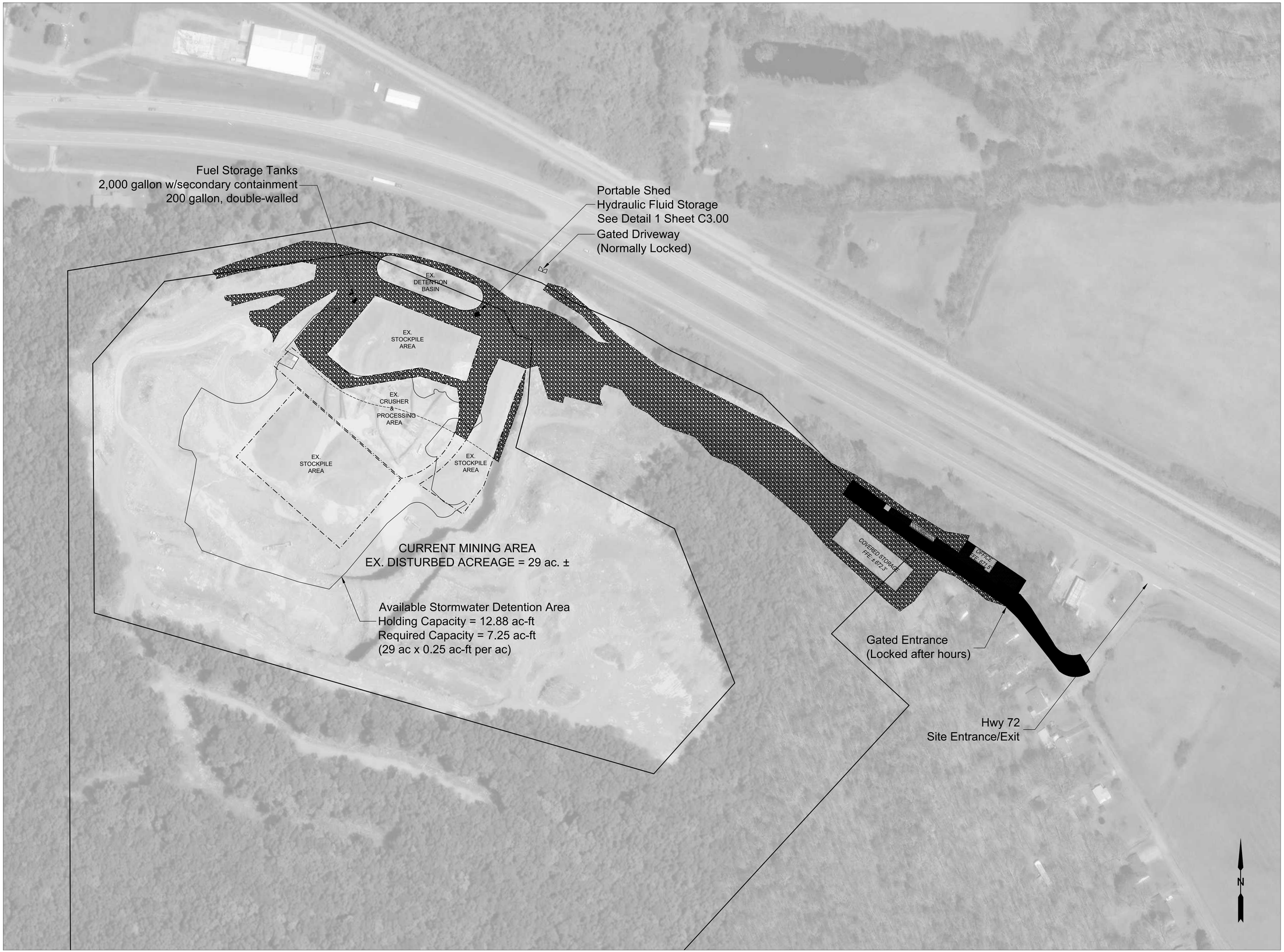

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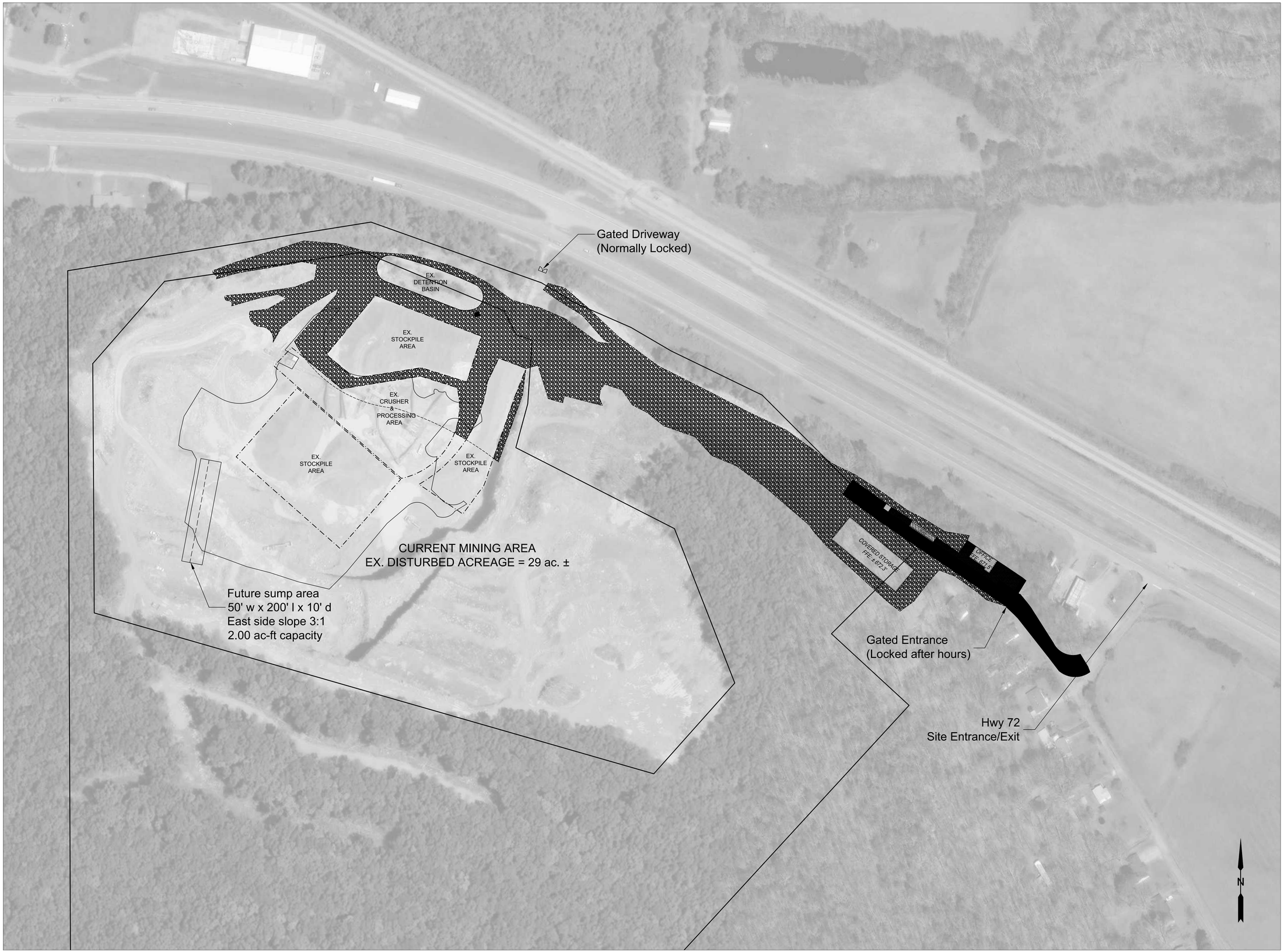

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Kelly Ecosource, LLC
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ADEM Permit Reissuance & Modification

Future Sump Area

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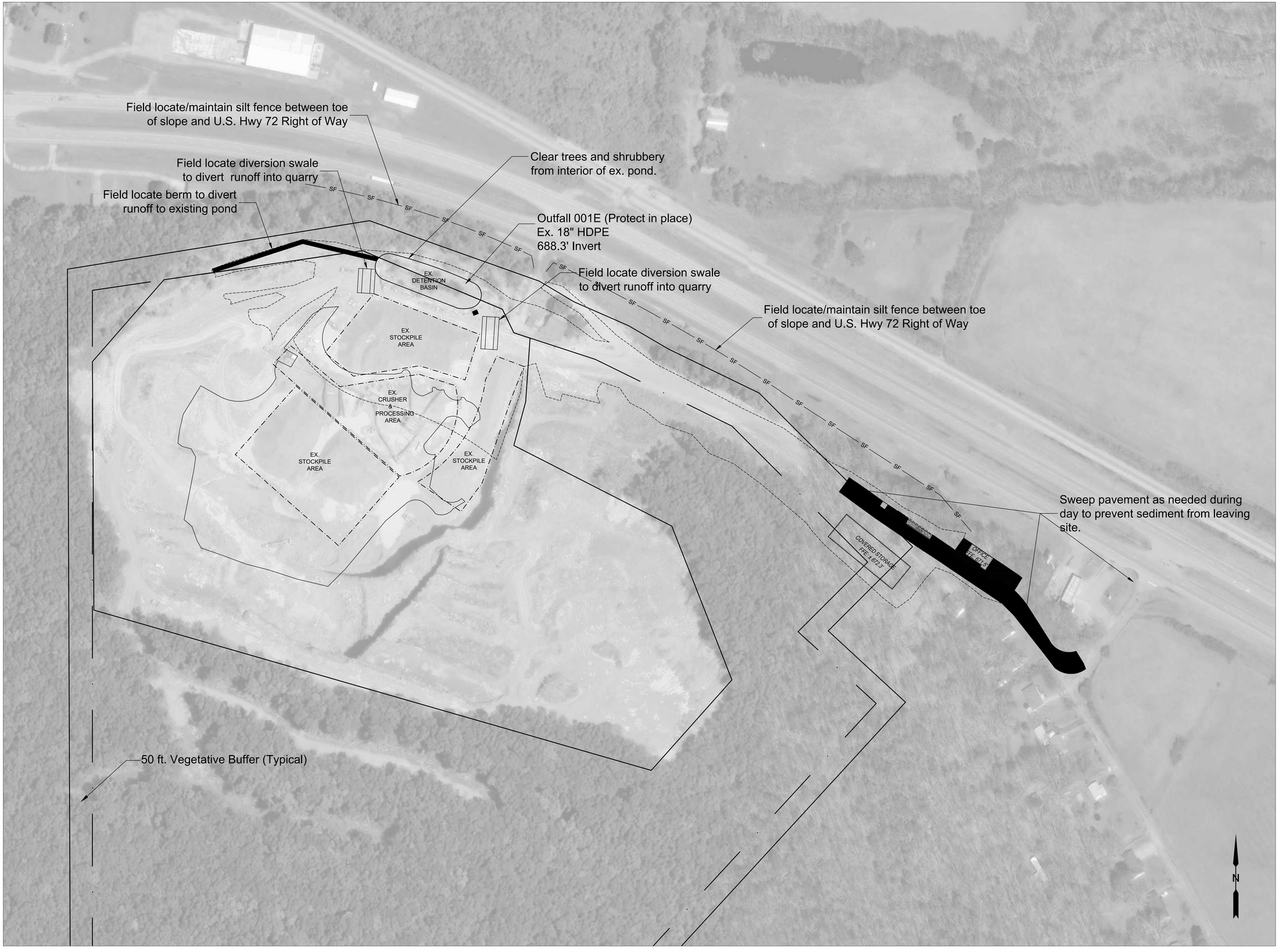

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Kelly Ecosource, LLC
North Alabama Materials Inc. - Gurley Quarry
ADEM Permit Reissuance & Modification

Erosion Control Plan

ALABAMA REGISTERED 9/29/25 No. 27801 PROFESSIONAL ENGINEER WILLIAM HEATH BLACK
William H Black

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Drawing Number
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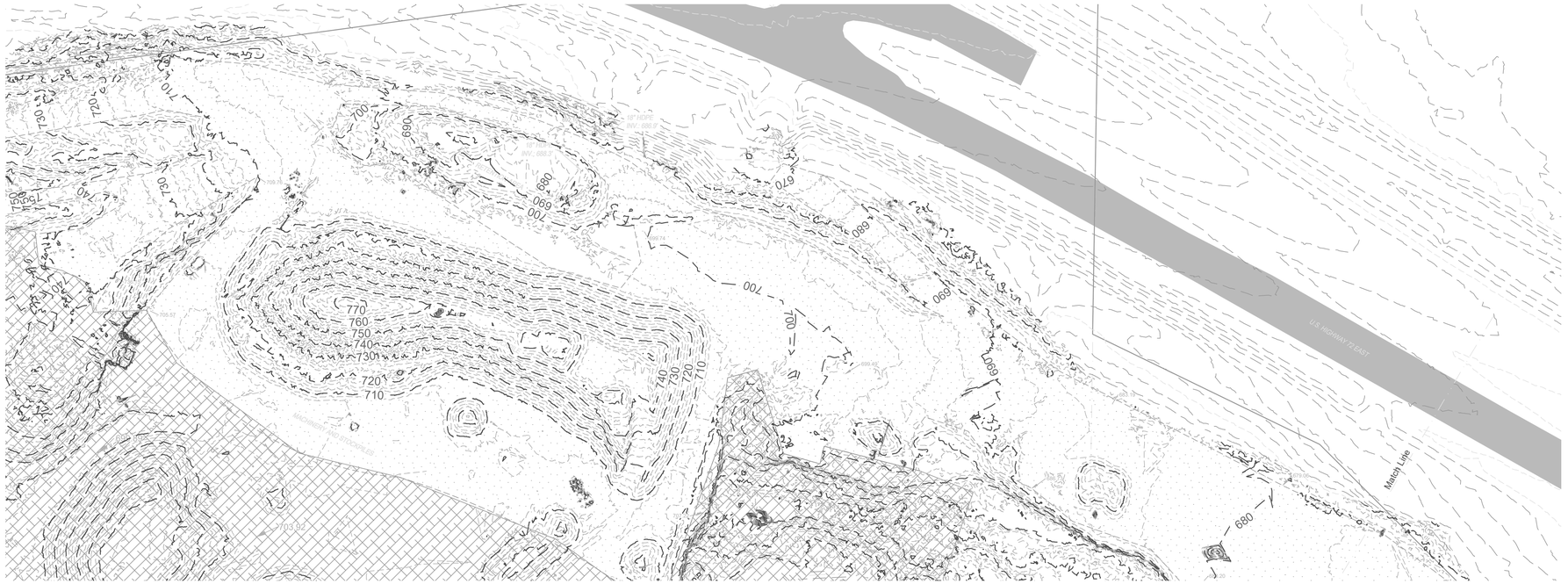
West Detail



East Detail

CONCRETE PAVING

GRAVEL AREA

ASPHALT PAVING

MINING AREA -NOT A PART OF THIS SURVEY

Basis of Bearings and Coordinates:

Alabama Coordinate System East Zone NAD83(2011;EPOCH 2010.00) as derived from static, post-processed base stations combined with redundant, averaged observations to corner positions depicted hereon. Vertical Datum heron is NAVD88 utilizing GEOID 18.

60 0 60 120

Surveyor's Notes:

Vertical Datum is NAVD 88 as derived from redundant single-baseline, post processed GNSS observations. The contour interval depicted hereon is 2 feet.

Measurements to field located monuments depicted hereon were tested using least squares analysis. All measurements shown passed the chi-squared test at 90% with a tolerance of 0.07 feet plus 50 parts per million.

Field work was completed August 28, 2015.

Field work utilized Javad Triumph 1M base and Triumph-LS rover multi-constellation GNSS RTK receivers and redundant averaged observations on corner positions depicted hereon.

This survey employed aerial photogrammetry combined with terrestrial surveying to determine contour lines depicted hereon. 95 percent of field located points fell within one-half of the contour interval depicted hereon as per National Mapping Standards for topographic mapping as described in the Standards of Practice for Land Surveyors in the State of Alabama as set forth by the Alabama Society of Professional Land Surveyors.

No title opinion or report was provided for consideration in this survey.

This survey meets or exceeds the Standards of Practice for Land Surveying in the State of Alabama as set forth by the Alabama Society of Professional Land Surveyors.

This survey is not valid unless bearing the seal of and signed by the surveyor of record.

Surveyor's Statement:

I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

Date:

Joey Perkins
Alabama License No. 28259

JOEY PERKINS
PLS #28259

7806 County Road 38
Section, Alabama 35771

Phone: (256) 990-5742

TOPOGRAPHIC SURVEY

North Alabama Materials

Section 13 Township 4 South, Range 3 East
of the Huntsville Meridian in
Madison County, Alabama

SURVEY FOR:

North Alabama Materials, Inc.

Date(s) of Field Survey:
Field Book/Page:

Drawn By:	R. Gregg	Project Name:	
Approved By:	J. Perkins	25037 Black Gurley Quarry	
File:	25037 Black Gurley Quarry	Sheet	1 of 1
Date:	8/29/2025	Scale:	1"=60'

POLLUTION ABATEMENT PLAN (PAP PLAN)

North Alabama Materials
Gurley Quarry

Gurley, Madison County, Alabama
KES Project # K22-025

FOR
North Alabama Materials, Inc.
6620 U.S. Hwy 72
Gurley, AL 35748
256-776-3782

May 2022
Revised October 2025

PREPARED BY

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

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1 Site Evaluation, Assessment, & Planning

1.1 Introduction

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

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

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

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

This PAP plan has been prepared to implement the following:

a. Provide practices sufficient to prevent or control pollution of storm water by particles to the degree required to maintain compliance with this permit and water quality standards;

b. Prevent the spillage or loss of fluids, oil, grease, gasoline, etc. thereby preventing the contamination of storm water from these substances;

c. Prevent or minimize storm water contact with any other pollutants present at the permittee's facility;

d. Designate by position or name the person or persons responsible for the day-to-day implementation of the PAP.

e. Provide weekly inspections, on days during which the facility is manned, of any structures that function to prevent storm water pollution or to remove pollutants from storm water and of the facility in general to ensure that the PAP is continually implemented and effective;

f. Narrative account of operations explaining and/or defining raw materials, processes, and products. Blockline or schematic diagrams indicating points of waste origin and its collection and disposal shall be included.

g. Quantity and characteristics of waste after treatment with respect to flow, suspended solids, total iron, and pH.

h. Description of waste treatment facilities, pretreatment measures and recovery systems including expected life of sedimentation basins and schedules for cleaning or proper abandonment of such basins.

i. A plan to eliminate or minimize sediment and other pollutants from haul roads.

j. Locate all streams in or adjacent to the mining area and those measures which will be taken to minimize the impact on water quality when the mining operation is located in close proximity to such streams.

k. Those measures to be employed to minimize the effect of any non-point source pollution which may be generated as a result of the surface mining operation.

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

- ADEM NPDES Discharges from the State of Alabama 335-6-9;
- Stormwater Pollution Prevention Plan (SWPPP) EPA, Jan. 2007;
- Previous ADEM Permit documents prepared by McCord Construction/Marshall Corlew, P.E.;
- Site Drawing, prepared by RHB Services, LLC October 2025;
- Process Schematic, prepared by RHB Services, LLC October 2025;
- Topographic Survey, prepared by Joey Perkins, PLS September 2025;
- USGS Topographic Map

1.2 Contact Information/ Responsible Parties

Responsible Official:

Darrin Isbell, Owner
North Alabama Materials, Inc.
16620 U.S. Hwy 72
Gurley, AL 35748
256-776-3782

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

Shane Carroll, Plant Manager
North Alabama Materials, Inc.
16620 U.S. Hwy 72
Gurley, AL 35748
256-776-3782

PAP Contact(s) / QCP:

Kelly EcoSource, LLC.
Patti Kelly, Sr. Environmental Scientist
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Athens, AL 35611
256-426-8699

This PAP was Prepared by:

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

Emergency 24-Hour Contact:

North Alabama Materials, Inc.
Darrin Isbell
256-776-3782

1.3 Site Description

North Alabama Materials' Gurley Quarry is located at Township 4 South, Range 2 East, Section 13 and Township 4 South, Range 3 East, Section 18. The property is approximately 94.5 acres located south of U.S. Highway 72 in Gurley, Madison County, Alabama. The office for the quarry is located near the site entrance at the northeast corner of the property. The site is currently permitted as a 29-acre quarry for limestone rock and gravel. Future expansion plans increase the permitted area to approximately 83 acres. The existing quarry supplies Limestone rock and gravel for the construction industries in North Alabama, including ALDOT projects. (See Appendix A of this report for a Site Location/Topographic Map and for the Site Drawing.)

1.4 Site Activities

North Alabama Materials' Gurley Quarry is an existing quarry. The products currently mined are limestone rock and gravel. The mined limestone products are crushed and screened on-site and water is utilized for dust suppression. This water will be obtained from the public water utility. The limestone products are stored on site. The limestone gravel will be transported from the site by truck. (See Appendix A of this plan for the Site Drawing)

1.5 Site Drainage

Based on the topography and current conditions, the undisturbed land within the property boundary slopes downward to the north due to the site being situated at the base of Keel Mountain. The portion of the property being actively mined is incised into the mountain and the areas adjacent to the mining area are in graded in a manner to direct the majority of runoff from the disturbed areas into the quarry. Drainage from all spoil, stockpile areas, excavation areas, preparation facilities, loading areas, and other areas of disturbance relating to the mining and processing site are directed into the quarry.

The current mining area contains an existing sediment basin with permitted outfall (001E) near the northern end of the quarry. The perimeter hauls roads will be graded to direct drainage to this basin, and, if necessary, a diversion berm will be constructed along the haul roads at the northwest perimeter of the site to further divert stormwater to the basin. Diversion swales may also be constructed along the internal haul roads to direct stormwater into the incised mining area preventing eastward flow along the road. Stormwater from the mining area, material stockpiles, loading areas, and preparation facilities will be stored in the quarry's incised mining area. Stormwater will dwell in to incised mining area until it evaporates or absorbs into the rock formation. In the event water needs to be removed from the incised mining area, water will be pumped from the incised area using subsurface withdrawal methods to the existing sediment basin for treatment. The quarry operator will control the amount of water pumped to the existing basin, but samples will be taken in the event there is a discharge from Outfall 001E. As mining extends south into the newly permitted area, drainage will be stored in the incised quarry with a new sediment basin constructed in the central portion of the mining area as a sump for pumping. Any locations that cannot be diverted to the existing sediment basin or into the incised quarry will be seeded for temporary vegetation to control non-point source pollution from leaving the site. The USGS topographic map depicts the general grading of the property surrounding the site. (Refer to Appendix A)

1.6 Spills and Leaks

This site originally opened in 2017, as McCord Limestone Quarry. At that time, it was a 9-acre quarry used to supply limestone rock and gravel to construction projects in North Alabama. According to information provided by the land owners and North Alabama Materials, there have been no spills on the property. North Alabama Materials will store petroleum products onsite. therefore a SPCC plan is required.

2 Operations

The gate to the project will be open mostly between 7:00 am and 6:00 pm Monday- Friday for trucks to transport material from the quarry. The operations will employ 10 to 25 people but this is subject to change at owner's discretion. The operations will include removing and transporting various sizes of limestone rock from the quarry by trucks. Once the land has been used to the full capacity by North Alabama Materials, Inc., the land will be stabilized accordingly.

3 Potential Sources of Pollution

Potential sources for pollution at North Alabama Materials' Gurley Quarry include but are not limited to:

- Storm water runoff of material stockpiles
- Dust emissions from site activity
- Spills or leakage from equipment or AST
- Haul road sediment

3.1 Material Stockpiles

Potential pollution includes sediment runoff from material stockpiles. Limestone gravel, dirt, chert, and yard dust that leave the yard in runoff can contribute sediment to nearby water bodies. The site will be graded in a manner that precludes runoff from leaving the site without flowing through a sediment basin (001E) so that most solids and suspended solids are removed from the effluent. Diversion berms and swales will be constructed as necessary to divert runoff to the existing sediment basin (001E) or into the incised quarry. Additional BMPs will be added if necessary.

3.2 Aboveground Storage Tank (AST)

Petroleum Products stored on site include:

TYPE OF PETROLEUM	QUANTITY
Off-Road Diesel Fuel	(1) 2,000-gallon AST w/secondary containment (1) 200-gallon double walled AST
Hydraulic Oil	(4) 55-gallon drums stored in portable spill containment shed
DEF Fluid	(1) 275-gallon tote tanks

The ASTs are constructed from materials that are compatible with the product stored, and are the appropriate pressure and temperature ratings.

Stormwater contacting the Diesel and DEF tanks will drain to the incised area of the quarry. Stormwater contracting the Hydraulic Oil storage shed will drain to the existing sediment basin (001E).

The site is graded in manner that precludes runoff from leaving the site without flowing through the sediment basin so that most the solids and suspended solids are removed from the effluent. All petroleum product storage containers will be maintained and inspected routinely for deficiencies. Overfilling the AST will be prevented by the cooperation and communication between the tanker truck operator and North Alabama Materials personnel assisting the delivery. The Spill Prevention, Control and Countermeasures plan (SPCC) will implement further management and operational activities for the petroleum storage areas.

3.3 Dust Emissions

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

3.4 Equipment Spill/Leaks

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

3.5 Haul Roads

The mined product (limestone rock) will be excavated, crushed, screened, and placed directly onto a truck and hauled off to nearby projects. Sediment runoff from internal haul roads is unlikely and will be directed to a sediment basin. In the event of sediment runoff from the internal haul roads, silt fence is placed along the along the base of the slope at the northern boundary of the site to capture sediment and prevent it from entering the drainage ditch along the south side of U.S. Highway 72. The internal haul roads will be maintained and routinely inspected for deficiencies.

4 Sedimentation Control

The active mining area of North Alabama Materials' Gurley Quarry is incised into the side of Keel Mountain. Internal haul roads are graded in a manner that precludes stormwater runoff from leaving the site. Additionally, stormwater diversion berms or swales will be constructed as needed to divert runoff to either the existing basin located north of the quarry (001E) or into the incised mining area. Any locations that cannot be diverted to the sediment basin or incised mining area will be seeded for temporary vegetation to control non-point source pollution from leaving the site.

As an additional sediment control measure, a vegetative buffer of at least 50 feet will be maintained around the perimeter of the property.

4.1 Stormwater Discharge

North Alabama Materials' Gurley Quarry will contain one permitted outfall: 001E. Site drainage from mining operations in the south will flow to the incised mining area of the quarry. This area is anticipated to discharge mostly by evaporation and absorption into the rock formation. In the event that the incised mining area needs to be drained, water will be removed by pumping. Pumping will consist of subsurface withdrawal methods from the incised mining area and the water will be discharged through sediment filtration bags before entering the existing sediment basin at the north end of the site. In the event of a discharge from Outfall 001E, samples will be taken accordingly.

The incised mining area between the 700-foot and 707.5-foot contours is of sufficient capacity to contain the required volume of stormwater for the currently permitted 29 acres. As mining progresses south, the storage capacity of the incised mining area between the 700-foot and 707.5-foot contours will also increase proportionately to accommodate the necessary storage for the additional mining are up to a total disturbed area of 83 disturbed acres. Once mining has progressed far enough south, an additional internal sediment basin will be constructed to serve as a dedicated sump for pumping operations, but the discharge process will remain the same as previously described.

4.2 Non-stormwater discharge

Based on current operation practices, there are no process systems that include discharge of wastewater planned for this facility.

4.3 Site BMP's

North Alabama Materials' Gurley Quarry contains existing BMPs. As mining operations advance, the need for additional BMPs may arise in the future and will be installed accordingly. The following BMPs are currently implemented, but future BMPs are not limited to the ones listed below during operation. The need for additional BMPs may also be required by ADEM or recommended by the Qualified Credentialed Professional if the current BMPs appear to become ineffective.

4.3.1 Sediment Basin

The mining area for this quarry is incised into the side of Keel Mountain. Stormwater from the mining area, material stockpiles, loading areas, and preparation facilities will be directed into the incised mining area where the water will be detained until it evaporates, absorbs into the rock formation, or is pumped from the area by the quarry operator. In the event that water is pumped from the incised area, the water will be pumped via subsurface withdrawal methods to the existing sediment basin at the northern end of the quarry. Before flowing into the

existing basin, the pump will discharge the water into sediment filtration bags (i.e. Silt Saver Sediment Bags). The sediment filtration bags should remove 80-95% of sediment from the discharged water. However, the outflow from the sediment filtration bags will be directed to the existing sediment basin as a precautionary measure in case a bag were to rupture.

The total capacity of the incised mining area is estimated to be 12.88 ac-ft of storage between the 700-foot and 703-foot contours in this area. Based on the current mining footprint of 29 acres and a minimum storage requirement of 0.25 ac-ft per disturbed acre, the available storage capacity of 12.88 ac-ft exceeds the minimum required capacity of 7.25 ac-ft while providing approximately 4.5 feet of freeboard before spilling out of the incised mining area.

The existing sediment basin and permitted outfall 001E will be retained. Stormwater from the perimeter haul roads will be diverted to this structure as well as any water pumped from the incised area of the quarry.

The sediment basin and incised mining area will act to slow the flow of water from storm systems and allow the heavier suspended matter to settle out. The sediment basins are expected to remove approximately 80% of all storm water pollutants from the site. Both the basin and incised area are not anticipated to discharge. In the event that the existing basin does discharge through Outfall 001E, water samples will be taken accordingly at the outfall.

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

4.3.2 Facility Entrance

There will only be one entrance road to the quarry facility as shown on the Site Drawing. The entrance road into the facility is asphalt paved from County Road 103 to approximately 450 feet past the gated entrance to the facility. After the initial 450 feet of asphalt pavement into the quarry, the haul roads will be surfaced with crushed limestone aggregate or the bare limestone surface of the quarry floor. The combination of crushed aggregate surfacing of the interior haul roads and the asphalt-paved entrance into the facility will ensure that onsite vehicles will not track sediment or debris onto the adjacent public roadways. The asphalt-paved entrance will be monitored by quarry staff and, if necessary, a self-propelled broom will sweep the pavement as needed to prevent sediment from tracking off site and onto public roadways. The sediment will be swept back into the mining area and away from the public roadways. Additionally, the quarry operator retains the services of a vacuum truck to periodically sweep and vacuum the paved roadway leading into the quarry. The site entrance will be maintained and inspected for deficiencies on a daily basis.

4.3.3 Vegetation

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

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

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

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

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

Installation considerations include the following:

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

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

Site plans include maintaining a minimum vegetative buffer of at least 50 feet between the property boundary and any disturbed area of the mining operation.

ADDITIONAL BMPs

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

4.3.4 Silt Fences

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

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

4.3.5 Straw Bale Barriers/Dams

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

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

4.4 Haul Road

All haul roads need to maintain a grade of no greater than 10% with a maximum grade no greater than 15% or 300 feet. At least 80% of the slopes need to be vegetated. Interior haul roads should be stabilized with limestone gravel except in areas where equipment travels directly on the underlying limestone rock formation of the quarry.

4.5 Stream Crossings

There are no stream crossings planned at this time for the site.

4.6 Good Housekeeping and General Facility BMPs

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

- Work areas and traffic routes should be kept clear of obstructions to reduce the potential for accidental spills and to facilitate product transfers and facility inspections.

- Facility equipment should be regularly checked to confirm that they are in proper working and operational order.

- Any onsite equipment washing should only be undertaken in specific locations where rinsate can be collected and properly recycled/discharged (intermediate wheel wash basin). Any on site equipment repairs should be undertaken at specific locations where spills, etc., can be collected and properly disposed.

- Miscellaneous waste (i.e., litter, garbage, etc.) should be collected at a central location and be properly disposed. The site should be routinely "policed" to prevent blowing litter and deposition off site upon adjacent properties or waters of the state.

BMPs are implemented to decrease sedimentation and erosion and to reduce impacts caused by runoff and storm water. This is generally accomplished by (a) protecting existing vegetation, (b)

protecting exposed surfaces, (c) trapping sediment, and (d) controlling runoff and storm water. BMPs must be implemented, inspected, and maintained. Controlling runoff water areas with proper BMPs is therefore essential to prevent the generation and movement of sediments, which can affect downstream areas.

- BMPs to control runoff are also often effective in managing storm water flow. The primary purpose of storm water management BMPs is to reduce and/or control the flow volumes and peak flow rates for storm water as it leaves the site.

- There should be no visible dust emissions beyond the property line while the equipment is being operated. Work area should be sprayed with water to maintain dust emissions from site activity as needed. Minimize dust production to the extent possible.

- To the extent possible, minimize exposure of materials to precipitation and storm water run-on.

- All areas of transfer of materials and product shall be inspected for evidence of spills or releases.

- ADEM Admin. Code r. 335-6-9-.07 states that all setbacks established under Alabama Law are incorporated by reference. Ala. Code§ 9-16-7(a)(3) requires the operator to conduct surface mining operations in a manner as to leave a minimum 50-foot setback. Based on current development plans, a minimum setback of 60 shall be maintained between the property boundaries on the west, south, and eastern sides of the quarry and the disturbed mining area.

5 INSPECTIONS AND MAINTENANCE

5.1 Inspections and Sampling

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

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

Information recorded during the inspection shall include:

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

5.2 Documentation

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

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

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

5.2.1 Personnel Training

North Alabama Materials shall review this PAP plan on an annual basis and certify that it is consistent with and in compliance with the project operations. North Alabama Materials' Gurley Quarry personnel will be trained by North Alabama Materials to implement this PAP plan. Training should be performed at hire and annually thereafter. All personnel should be

instructed in proper spill prevention and counter measure procedures, emergency evacuation procedures, and best management practices.

5.3 Plan Updates

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

6 Acknowledgement

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

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

Kelly EcoSource, LLC.

Chandler Dutton

Chandler M. Dutton
Environmental Scientist

Patti A. Kelly

Sr. Environmental Scientist

William H Black 10/16/25

William H. Black
Professional Engineer

7 Certification of Responsible Party

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

Darrin Isbell
Owner

North Alabama Materials
Gurley Quarry
Site Plan

General Notes:

1. A boundary survey has not been performed for the subject site. Property limits shown within this plan set have been obtained from the Madison and Jackson County Tax Parcel GIS Map and should be considered approximate. The information contained in this plan set does not represent a boundary survey or purport to establish property boundaries.

2. FEMA Map Numbers 01089C0400E (dated 10/2/2014), 01071C0375D (dated 12/16/2008), & 01071C0365D (dated 12/16/2008) were reviewed for FEMA flood zones mapped within the limits of this site. Based on these maps, the entirety of this site is mapped in Zone "X".

3. This site is maintained in a manner creating negative stormwater drainage whereby the majority of stormwater runoff is stored in the mining pit during rain events. A small portion along the northern perimeter of the mining area has positive drainage and sheet flows north toward the southern right-of-way boundary of U.S. Hwy 72. This small area will be diverted to the existing detention basin at the north perimeter of the mining area.

4. No fixed improvements or public/private utilities have been located within the boundaries of the subject site. Prior to commencing grading activities, the contractor shall contact Alabama 811 One Call to have underground utilities located. The contractor shall take all necessary precautions to protect existing underground utilities within the limits of and adjacent to the subject site.

5. The site operator shall be responsible for complying with the requirements of all ADEM permits required for activities occurring within the limits of the site.

6. The site operator shall be responsible for the installation and continued maintenance of all BMP's required to control erosion and prevent sediment discharge from the site until the sediment basin and associated diversion structures are constructed and permanent vegetation has been adequately established in the disturbed areas of the site.

7. It shall be the site operator's obligation to ensure that all trenching and excavation complies with the "Department of Labor, Occupational Safety and Health Administration Publication (29 CFR Part 1926) Occupational Safety and Health Standards – Excavations Latest Edition".

8. In accordance with generally accepted construction practices, the site operator shall be solely responsible for conditions of the site, including safety of all persons and property during performance of the work.

Vicinity Map

Index of Sheets

G-0.1	Title Sheet
G-1.0	USGS Map w/1 mile radius
G-1.1	Current & Future Mining Areas
C-1.0	Site Layout Plan Ex. Footprint
C-1.1	Proposed Quarry Sump Area
C-2.0	Erosion Control Plan
C-3.0	Quarry Operational Details
C-3.1	Erosion Control Details
	Topographic Survey by Others

Quarry Operator:
North Alabama Materials, Inc.
6620 Highway 72
Gurley, AL 35748
(256) 776-3782

Environmental Consultant:
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(256) 426-8699

Surveyor of Record:
Joey Perkins, PLS
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Section, AL 35771
(256) 990-5742

Site Design:
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18957 Wentworth Drive
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(256) 434-1634

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

DATE: 9/29/25
DESIGN BY: WHB
DRAWN BY: WHB
SCALE:
MEDIA SIZE: 24 x 36

DATE	DESCRIPTION

Kelly Ecosource, LLC
North Alabama Materials Inc. - Gurley Quarry
ADEM Permit Reissuance & Modification

Title Sheet

ALABAMA REGISTERED 9/29/25 No. 27801 PROFESSIONAL ENGINEER WILLIAM HEATH BLACK

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

Drawing Number
G-0.1

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

DATE:	9/27/25
DESIGN BY:	WHB
DRAWN BY:	WHB
SCALE:	1" = 500'
MEDIA SIZE:	24x36

DESCRIPTION	DATE

Kelly Ecosource, LLC
North Alabama Materials Inc. - Gurley Quarry
ADEM Permit Reissuance & Modification

USGS Topographic Map w/ 1 mile radius

ALABAMA REGISTERED 9/29/25 No. 27801 PROFESSIONAL ENGINEER WILLIAM HEATH BLACK

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

Drawing Number
G-1.0

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

DATE:	9/27/25
DESIGN BY:	WHB
DRAWN BY:	WHB
SCALE:	1" = 200'
MEDIA SIZE:	24x36

DATE	DESCRIPTION

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Mining Areas (Current + Proposed)

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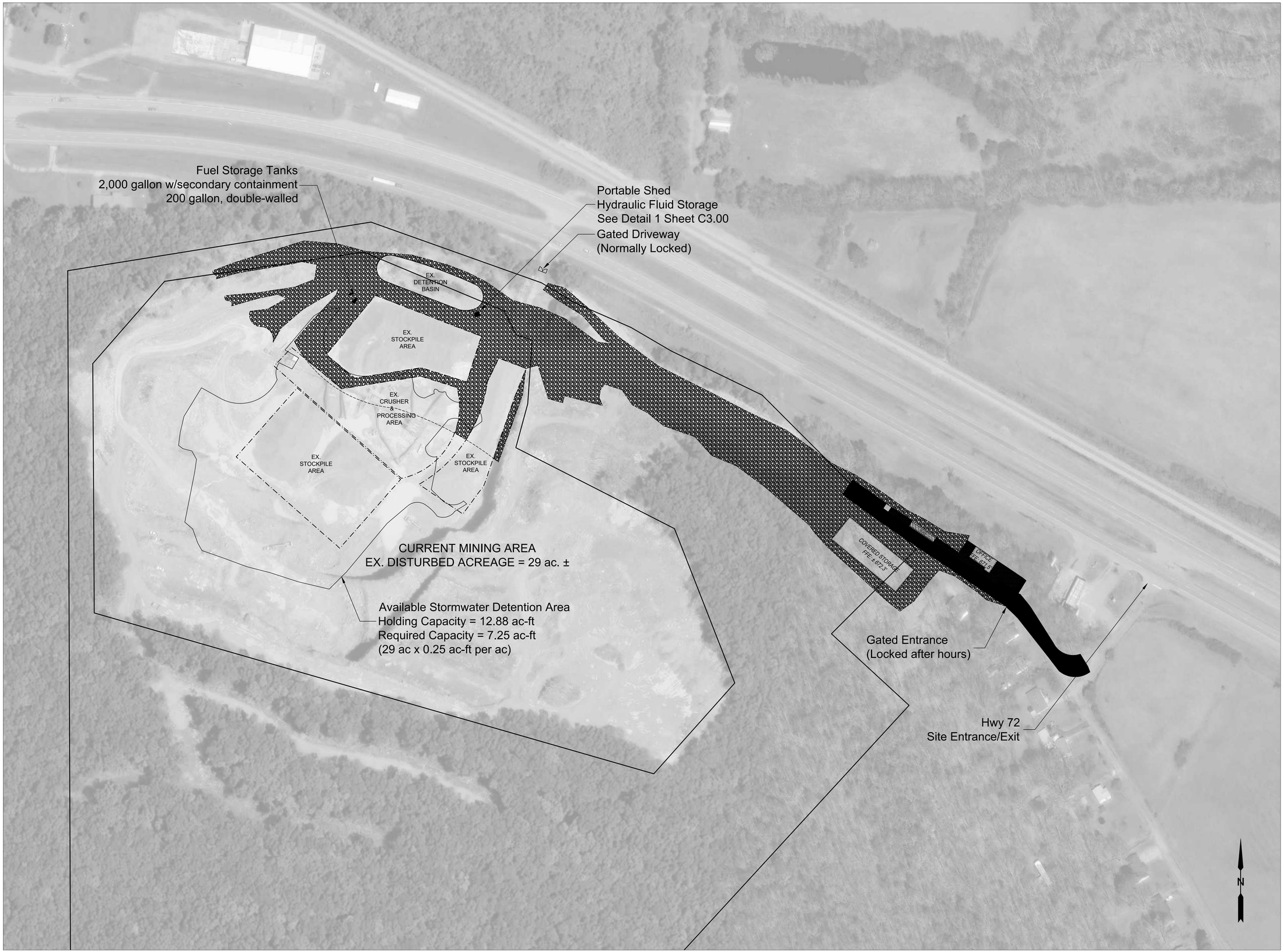
Drawing Number
G-1.1



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

DATE:	9/27/25
DESIGN BY:	WHB
DRAWN BY:	WHB
SCALE:	1" = 100'
MEDIA SIZE:	24x36

DESCRIPTION	DATE

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Site Layout Plan - Current Mining Footprint

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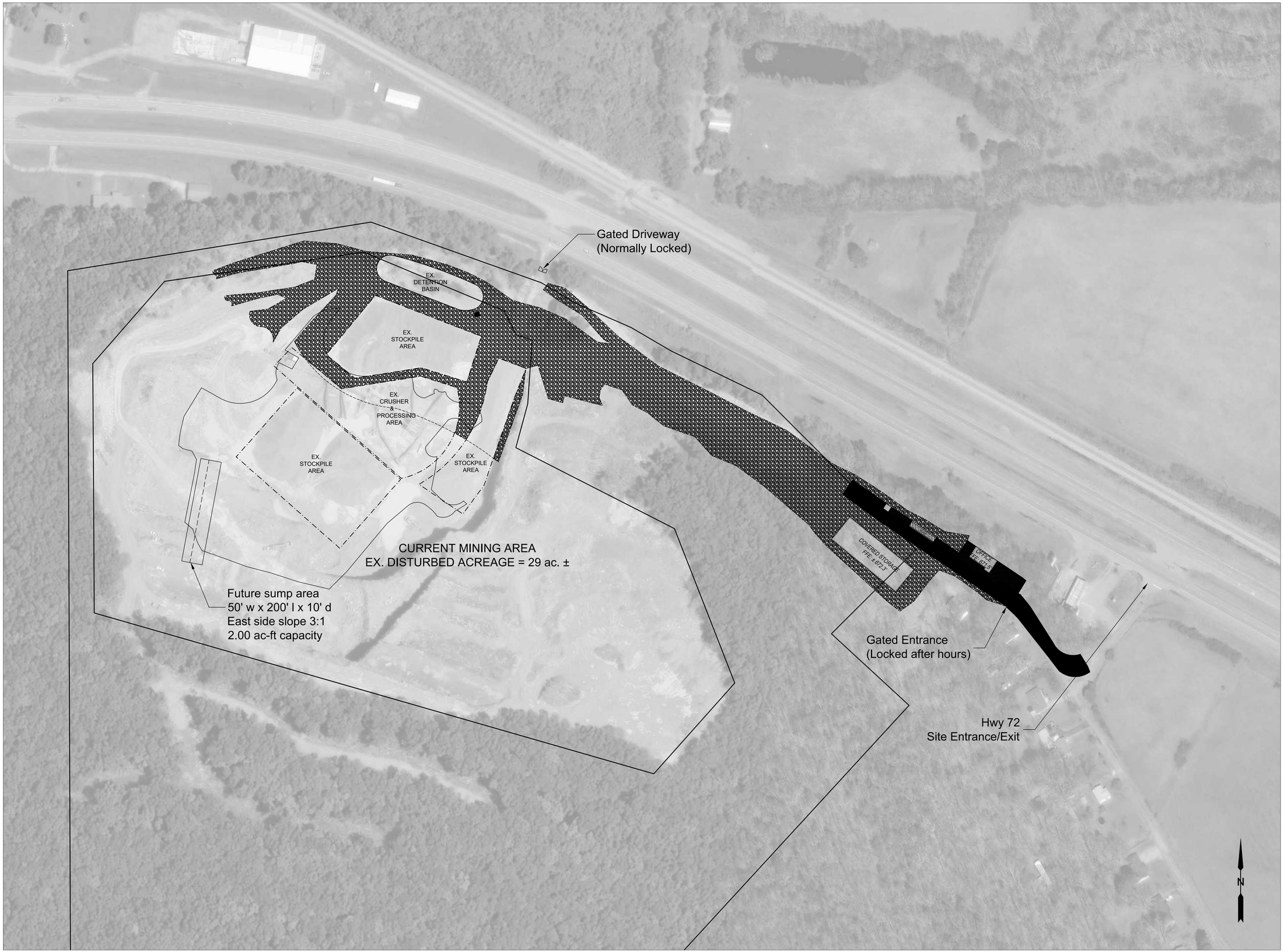
Drawing Number
C-1.0



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DRAWN BY:	WHB
SCALE:	1" = 100'
MEDIA SIZE:	24x36

DESCRIPTION	DATE

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Future Sump Area

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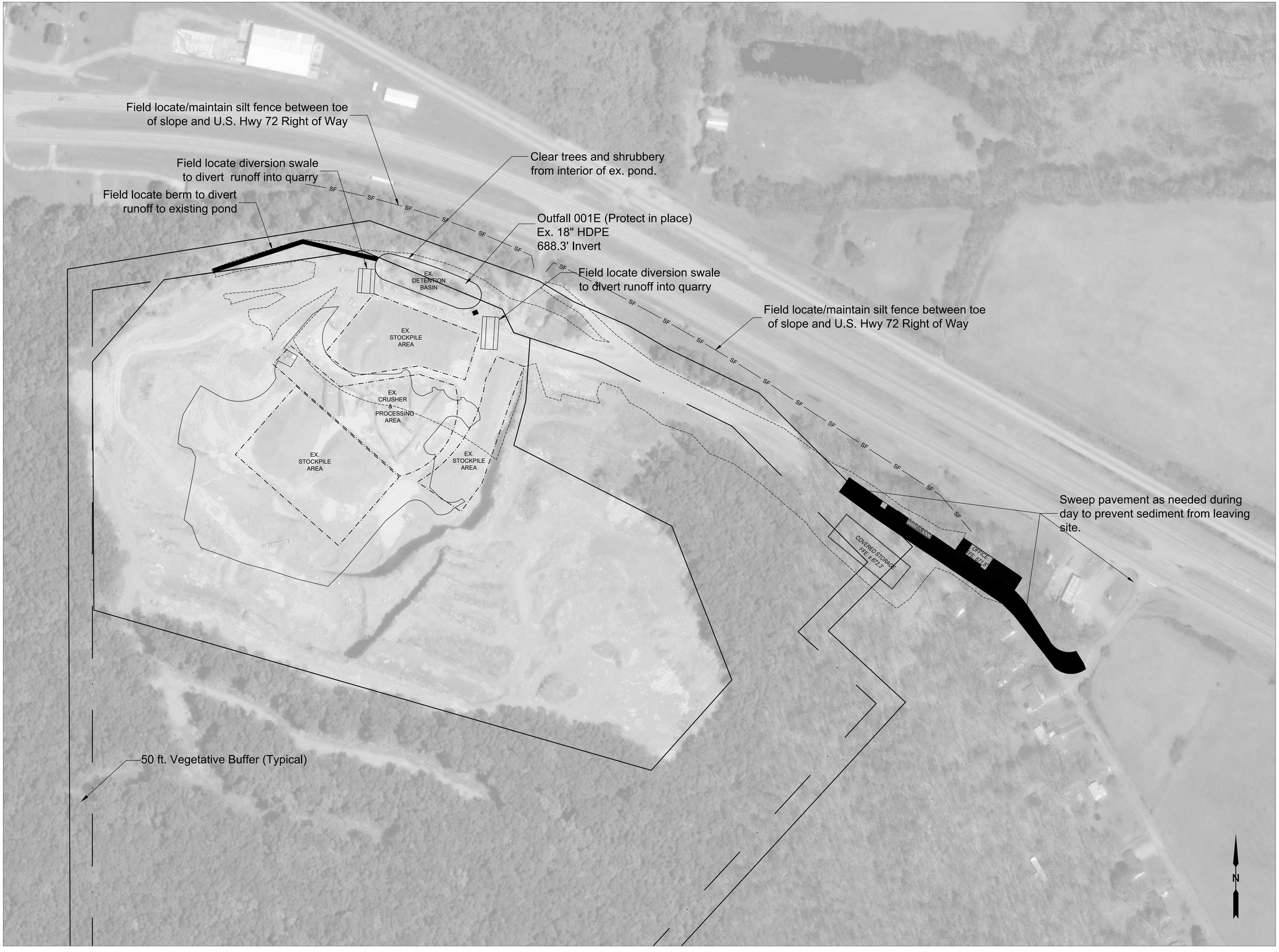

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DRAWN BY:	WHB
SCALE:	1" = 100'
MEDIA SIZE:	24x36

DESCRIPTION	DATE

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Erosion Control Plan

ALABAMA REGISTERED 9/29/25 No. 27801 PROFESSIONAL ENGINEER WILLIAM HEATH BLACK
William H Black

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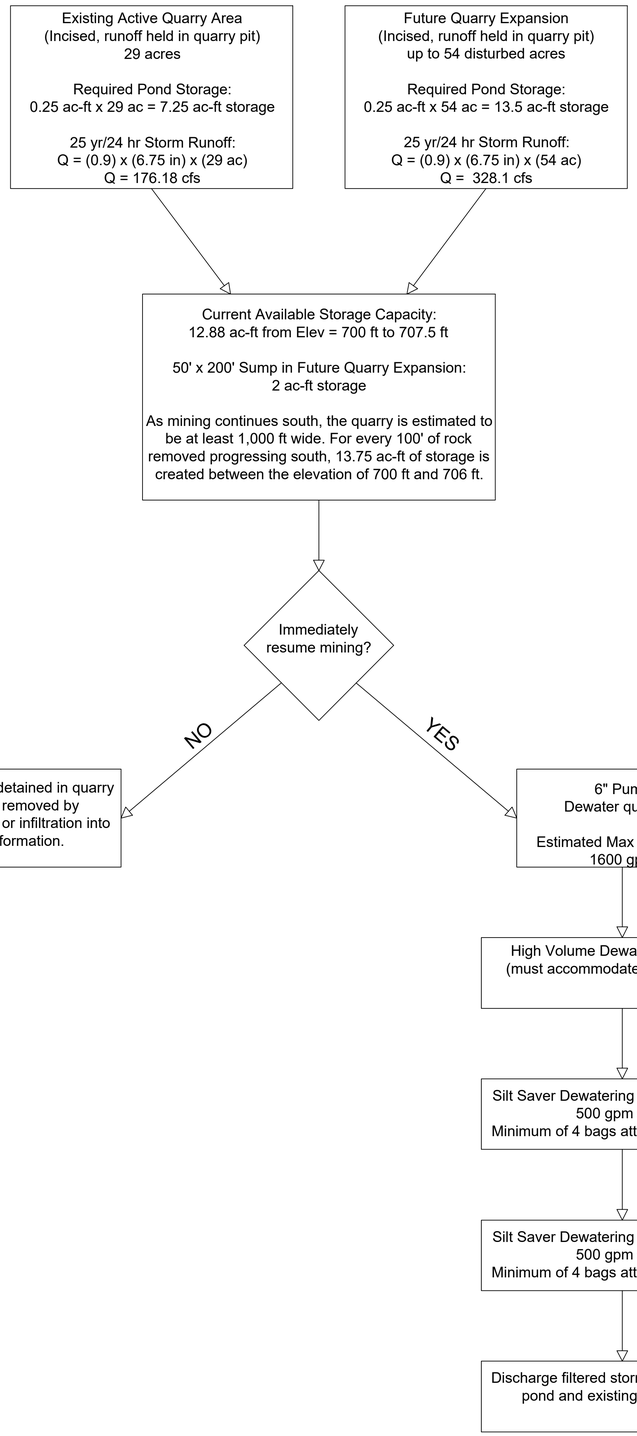
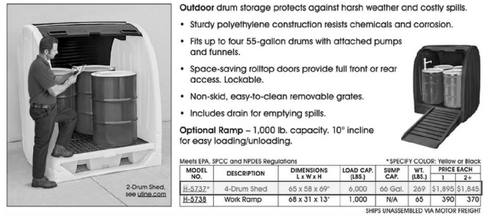
Drawing Number
C-2.0



Stormwater Runoff Schematic for Ultimate Development



Detail 1
4 Drum Spill Containment Shed
All barrels containing petroleum products
to be stored in containment structure.

Detail 2
Silt Saver dewatering bag

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SCALE:	N/A
MEDIA SIZE:	24x36

DESCRIPTION	DATE

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Quarry Details

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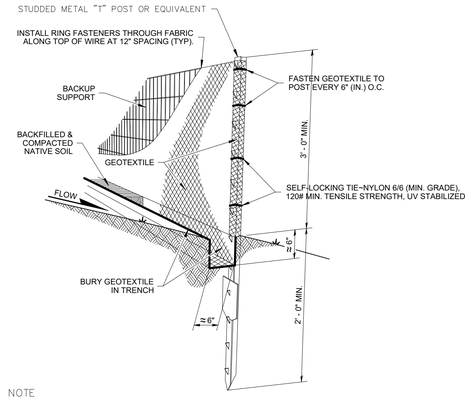
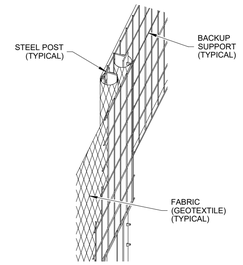
Drawing Number
C-3.0



NOTE

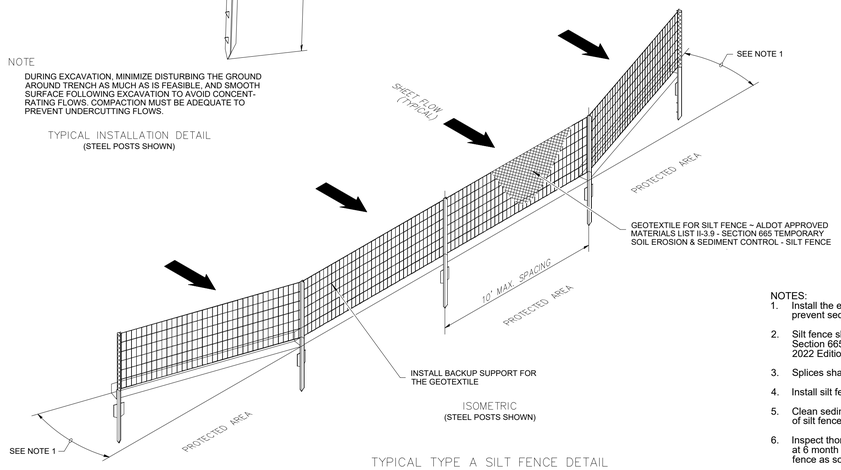
DURING EXCAVATION, MINIMIZE DISTURBING THE GROUND AROUND TRENCH AS MUCH AS IS FEASIBLE, AND SMOOTH SURFACE FOLLOWING EXCAVATION TO AVOID CONCENT-RATING FLOWS. COMPACTION MUST BE ADEQUATE TO PREVENT UNDERCUTTING FLOWS.

TYPICAL INSTALLATION DETAIL
(STEEL POSTS SHOWN)



SPLICED FENCE SECTIONS SHALL BE CLOSE ENOUGH TOGETHER TO PREVENT SILT LADEN WATER FROM ESCAPING THROUGH THE FENCE AT THE OVERLAP.

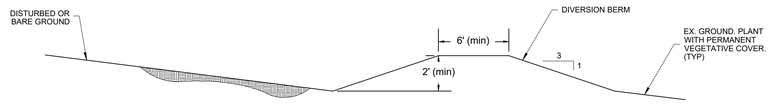
SPLICE DETAIL
(STEEL POSTS SHOWN)



ISOMETRIC
(STEEL POSTS SHOWN)

TYPICAL TYPE A SILT FENCE DETAIL

NOTES:
1. Install the ends of the silt fence to point slightly upslope to prevent sediment from flowing around the ends of the fence.
2. Silt fence shall be installed and maintained in accordance with Section 665 of ALDOT Standarad Construction Specifications 2022 Edition.
3. Splices shall never be placed in low spots or sump locations.
4. Install silt fencing parallel to mapped contour lines.
5. Clean sediment from silt fence prior to sediment reaching 50% of silt fence height.
6. Inspect thoroughly for damage and/or degradation of silt fence at 6 month intervals. Upon discovery of damaged/degraded silt fence as soon as possible.



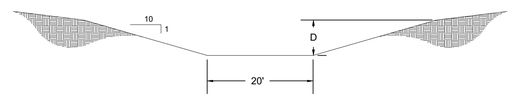
DIVERSION BERM DETAIL

DIVERSION BERM NOTES:

1. Construct berm from compacted fill material. Fill material shall be placed in 8 to 10 inch loose lifts and compacted to at least 95% of Standard Proctor Maximum Dry Density.
2. Construct berms in a manner that directs runoff from the disturbed areas of the site towards the interior of the quarry.

Berm shall be stabilized with erosion control mats until permanent vegetation is established.

3. Silt fence may be required down slope from berms under construction to control sediment until adequate permanent vegetation is established on berm.

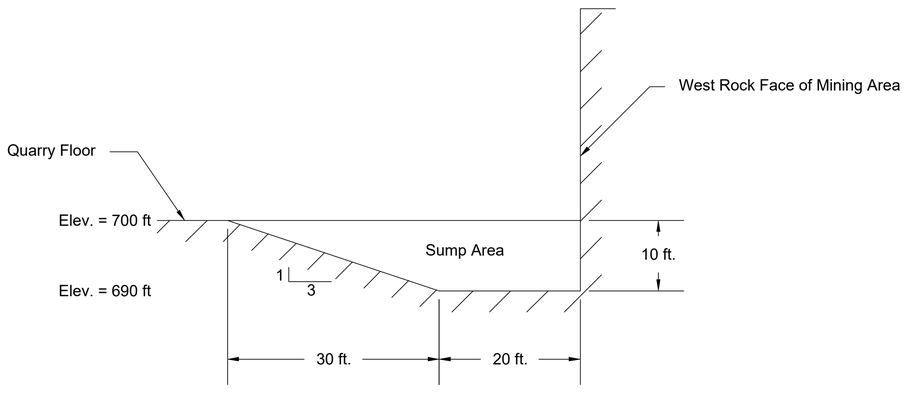


TYPICAL DIVERSION SWALE SECTION

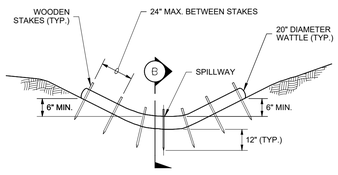
DIVERSION SWALE DETAIL

DIVERSION SWALE NOTES:

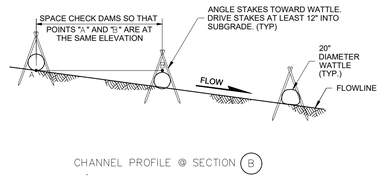
1. Locate swales as needed across the northern perimeter haul road to divert stormwater into the incised pit and prevent flow along haul road to site entrance.
2. Excavation may be partially filled with open graded stone to maintain drivability across swale. Quarry operator to ensure stormwater does not escape swale to the downgradient side if gravel is placed in swale.



SECTION VIEW OF FUTURE QUARRY SUMP
Not to Scale



TYPICAL CHANNEL SECTION



CHANNEL PROFILE @ SECTION (B)

WATTLE CHECK DAM DETAIL

WATTLE CHECK DAM NOTES:

1. Wattle Check Dams may need additional or modified staking to prevent undercutting or scouring.
2. Inspect wattles after each rain event. Immediately replace wattles found to be damaged, degraded, or undermined by erosion.
3. Wattles shall be sourced from approved vendors as shown on the most recent version of ALDOT Approved Materials List II-24.1.4 WATTLES .
4. Install and maintain Wattles in accordance with Section 665 of ALDOT Standard Construction Specifications, 2022 Edition.

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Erosion Control Details

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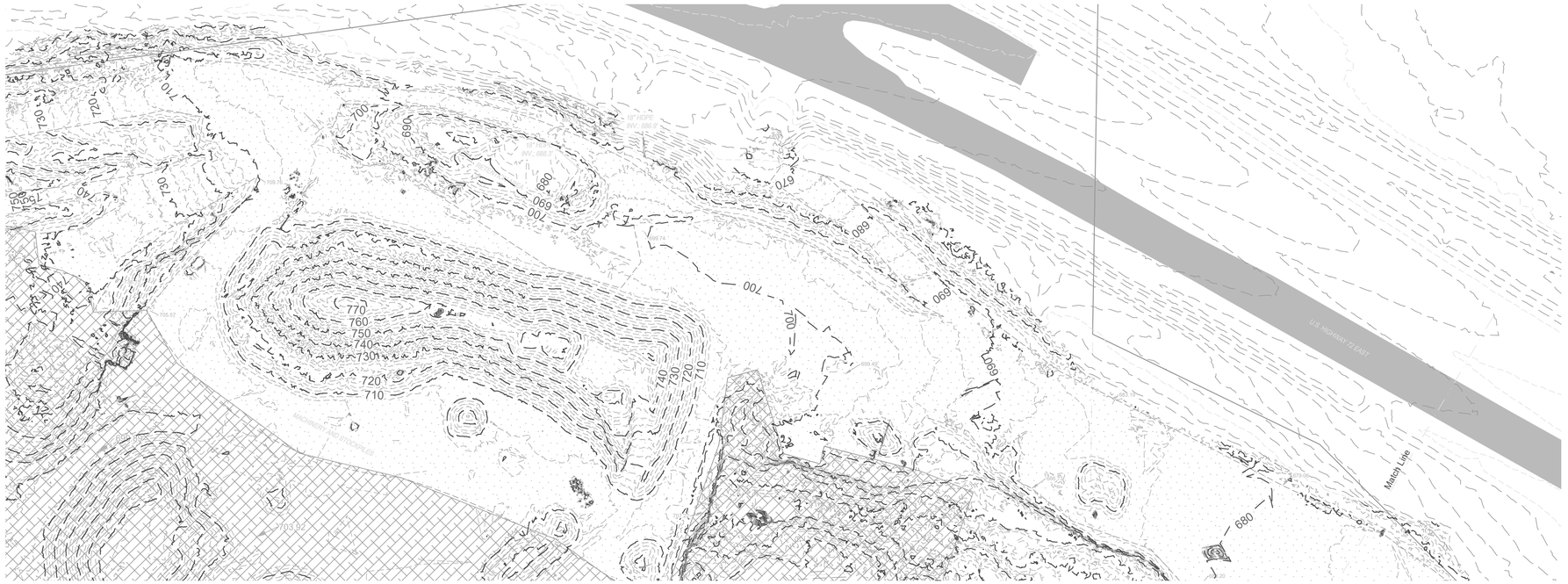
C-3.1

West Detail



East Detail

CONCRETE PAVING

GRAVEL AREA

ASPHALT PAVING

MINING AREA -NOT A PART OF THIS SURVEY

Basis of Bearings and Coordinates:

Alabama Coordinate System East Zone NAD83(2011;EPOCH 2010.00) as derived from static, post-processed base stations combined with redundant, averaged observations to corner positions depicted hereon. Vertical Datum heron is NAVD88 utilizing GEOID 18.

60 0 60 120

Surveyor's Notes:

Vertical Datum is NAVD 88 as derived from redundant single-baseline, post processed GNSS observations. The contour interval depicted hereon is 2 feet.

Measurements to field located monuments depicted hereon were tested using least squares analysis. All measurements shown passed the chi-squared test at 90% with a tolerance of 0.07 feet plus 50 parts per million.

Field work was completed August 28, 2015.

Field work utilized Javad Triumph 1M base and Triumph-LS rover multi-constellation GNSS RTK receivers and redundant averaged observations on corner positions depicted hereon.

This survey employed aerial photogrammetry combined with terrestrial surveying to determine contour lines depicted hereon. 95 percent of field located points fell within one-half of the contour interval depicted hereon as per National Mapping Standards for topographic mapping as described in the Standards of Practice for Land Surveyors in the State of Alabama as set forth by the Alabama Society of Professional Land Surveyors.

No title opinion or report was provided for consideration in this survey.

This survey meets or exceeds the Standards of Practice for Land Surveying in the State of Alabama as set forth by the Alabama Society of Professional Land Surveyors.

This survey is not valid unless bearing the seal of and signed by the surveyor of record.

Surveyor's Statement:

I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

Date:

Joey Perkins
Alabama License No. 28259

JOEY PERKINS
PLS #28259

7806 County Road 38
Section, Alabama 35771

Phone: (256) 990-5742

TOPOGRAPHIC SURVEY

North Alabama Materials

Section 13 Township 4 South, Range 3 East
of the Huntsville Meridian in
Madison County, Alabama

SURVEY FOR:

North Alabama Materials, Inc.

Date(s) of Field Survey:
Field Book/Page:

Drawn By:	R. Gregg	Project Name:	
Approved By:	J. Perkins	25037 Black Gurley Quarry	
File:	25037 Black Gurley Quarry	Sheet	1 of 1
Date:	8/29/2025	Scale:	1"=60'