EDWARD F. POOLOS
DIRECTOR

JEFFERY W. KITCHENS
DEPUTY DIRECTOR

KAY IVEY
GOVERNOR

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

April 7, 2026

Mr. Tim Goodin
Area Manager - Aggregates
Wiregrass Construction Company, Inc.
1342 Carmichael Way
Montgomery, AL 36106

RE: Draft Permit
Hickory Bend Mine
NPDES Permit Number AL0077631
Macon County (087)

Dear Mr. Goodin:

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

Since the Department has made a tentative decision to reissue and modify 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 Ange Boatwright at (334) 274-4208 or maboatwright@adem.alabama.gov.

Sincerely,

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

WDM/wdm File: DPER/27438

cc: Ange Boatwright, ADEM
William McClimans, 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 Workforce

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: Wiregrass Construction Company, Inc.
1342 Carmichael Way
Montgomery, AL 36117

FACILITY LOCATION: Hickory Bend Mine
2291 Tysonville Loop
Shorter, AL 36075
Macon County
T17N, R20E, S25, 35, 36
T17N, R21E, S30, 31, 32
T16N, R20E, S6
T16N, R21E, S1

PERMIT NUMBER: AL0077631

DSN & RECEIVING STREAM:

006 - 1	Tallapoosa River
007 - 1	Line Creek
008 - 1	Line Creek
009 - 1	Unnamed Tributary to Line Creek
010 - 1	Line Creek
011 - 1	Unnamed Tributary to Tallapoosa River
012 - 1	Unnamed Tributary to Cubahatchee Creek
013 - 1	Cubahatchee Creek
014 - 1	Unnamed Tributary to Cubahatchee Creek
015 - 1	Unnamed Tributary to Cubahatchee Creek

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

ISSUANCE DATE:

EFFECTIVE DATE:

EXPIRATION DATE:

Draft

Alabama Department of Environmental Management
Water Division Chief

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

Construction Sand and Gravel Mine, Wet and Dry Preparation, Transportation and Storage, and Associated Areas

TABLE OF CONTENTS

PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

Parameter	Discharge Limitations			Monitoring Requirements	
	Daily Minimum	Monthly Average	Daily Maximum	Sample Type	Measurement Frequency[1]
pH (Outfall 006-1) 00400	6.0 s.u.	-------	9.0 s.u.	Grab	2/Month
pH (Outfalls 007-1 through 015-1) 00400	6.0 s.u.	-------	8.5 s.u.	Grab	2/Month
Solids, Total Suspended 00530 (Outfalls 006-1, 011-1 through 015-1)	-------	35.0 mg/L	70.0 mg/L	Grab	2/Month
Solids, Total Suspended 00530 (Outfalls 007-1 through 010-1)	-------	27.0 mg/L	54.0 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

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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.

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

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

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

2. Measurement Frequency

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

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

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

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

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

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

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

3. Monitoring Schedule

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

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

b. QUARTERLY MONITORING shall be conducted at least once during each calendar quarter. Calendar quarters are the periods of January through March, April through June, July through September, and October through December. The Permittee shall conduct the quarterly monitoring during the first complete calendar quarter following the effective date of this Permit and is then required to monitor once during each quarter thereafter. Quarterly monitoring may be done anytime during the quarter, unless restricted elsewhere in this Permit, but the results should be reported on the last DMR due for the quarter (i.e., with the March, June, September, and December DMRs).

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

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

4. Sampling Location

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

5. Representative Sampling

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

6. Test Procedures

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

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

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

Permittees may develop an effluent matrix-specific ML, where an effluent matrix prevents attainment of the established ML. However, a matrix specific ML shall be based upon proper laboratory method and technique. Matrix-specific MLs must be approved by the Department, and may be developed by the Permittee during permit issuance, reissuance, modification, or during compliance schedule.

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

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

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

7. Recording of Results

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

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

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

c. The dates and times the analyses were performed;

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

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

f. The results of all required analyses.

8. Routine Inspection by Permittee

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

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

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

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

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

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

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

9. Records Retention and Production

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

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

10. Monitoring Equipment and Instrumentation

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

D. DISCHARGE REPORTING REQUIREMENTS

1. Requirements for Reporting of Monitoring

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

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

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

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

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

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

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

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

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

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

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

Certified and Registered Mail shall be addressed to:

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

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

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

2. Noncompliance Notification

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

(1) Potentially threatens human health or welfare;

(2) Potentially threatens fish or aquatic life;

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

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

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

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

The Permittee shall orally or electronically report any of the above occurrences, describing the circumstances and potential effects of such discharge to the Director within 24-hours after the Permittee becomes aware of the occurrence of such discharge. In addition to the oral or electronic report, the Permittee shall submit to the Director a written report as provided in Part I.D.2.c., no later than five (5) days after becoming aware of the occurrence of such discharge.

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

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

(1) A description of the discharge and cause of noncompliance;

(2) The period of noncompliance, including exact dates and times, or if not corrected, the anticipated time the noncompliance is expected to continue; and

(3) A description of the steps taken and/or being taken to reduce or eliminate the noncomplying discharge and to prevent its recurrence.

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

a. The Director may, with respect to any point source identified on Page 1 of this Permit and described more fully in the Permittee's application, authorize the Permittee to reduce, suspend, or terminate the monitoring and/or reporting required by this Permit upon the submission of a written request for such reduction, suspension, or termination by the Permittee provided:

(1) All mining, processing, or disturbance in the drainage basin(s) associated with the discharge has ceased and site access is adequately restricted or controlled to preclude unpermitted and unauthorized mining, processing, transportation, or associated operations/activity;

(2) Permanent, perennial vegetation has been re-established on all areas mined or disturbed for at least one year since mining has ceased in the drainage basin(s) associated with the surface discharge, or all areas have been permanently graded such that all drainage is directed back into the mined pit to preclude all surface discharges;

(3) Unless waived in writing by the Department, the Permittee has been granted, in writing, a 100% Bond Release, if applicable, by the Alabama Department of Industrial Relations and, if applicable, by the Surface Mining Commission for all areas mined or disturbed in the drainage basin(s) associated with the discharge;

(4) Unless waived in writing by the Department, the Permittee has submitted inspection reports prepared and certified by a Professional Engineer (PE) registered in the State of Alabama or a qualified professional under the PE's direction which certify that the facility has been fully reclaimed or that water quality remediation has been achieved. The first inspection must be conducted approximately one year prior to and the second inspection must be conducted within thirty days of the Permittee's request for termination of monitoring and reporting requirements;

(5) All surface effects of the mining activity such as fuel or chemical tanks, preparation plants or equipment, old tools or equipment, junk or debris, etc., must be removed and disposed of according to applicable state and federal regulations;

(6) The Permittee's request for termination of monitoring and reporting requirements contained in this Permit has been supported by monitoring data covering a period of at least six consecutive months or such longer period as is necessary to assure that the data reflect discharges occurring during varying seasonal climatological conditions;

(7) The Permittee has stated in its request that the samples collected and reported in the monitoring data submitted in support of the Permittee's request for monitoring termination or suspension are representative of the discharge and were collected in accordance with all Permit terms and conditions respecting sampling times (e.g., rainfall events) and methods and were analyzed in accordance with all Permit terms and conditions respecting analytical methods and procedures;

(8) The Permittee has certified that during the entire period covered by the monitoring data submitted, no chemical treatment of the discharge was provided;

(9) The Permittee's request has included the certification required by Part I.D.1.e. of this Permit; and

(10) The Permittee has certified to the Director in writing as part of the request, its compliance with (1) through (9) above.

b. It remains the responsibility of the Permittee to comply with the monitoring and reporting requirements of this Permit until written authorization to reduce, suspend, or terminate such monitoring and/or reporting is received by the Permittee from the Director.

E. OTHER REPORTING AND NOTIFICATION REQUIREMENTS

1. Anticipated Noncompliance

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

2. Termination of Discharge

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

3. Updating Information

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

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

4. Duty to Provide Information

a. The Permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, suspending, terminating, or revoking and reissuing this Permit, in whole or in part, or to determine compliance with this Permit. The Permittee shall also furnish to the Director upon request, copies of records required to be maintained by this Permit.

b. The Permittee shall furnish to the Director upon request, within a reasonable time, available information (name, phone number, address, and site location) which identifies offsite sources of material or natural resources (mineral, ore, or other material such as iron, coal, coke, dirt, chert, shale, clay, sand, gravel, bauxite, rock, stone, etc.) used in its operation or stored at the facility.

F. SCHEDULE OF COMPLIANCE

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

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

PART II OTHER REQUIREMENTS, RESPONSIBILITIES, AND DUTIES

A. OPERATIONAL AND MANAGEMENT REQUIREMENTS

1. Facilities Operation and Management

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

2. Pollution Abatement and/or Prevention Plan

a. The Pollution Abatement and/or Prevention (PAP) Plan shall be prepared and certified by a registered Professional Engineer (PE), licensed to practice in the State of Alabama, and shall include at a minimum:

(1) The information indicated in ADEM Admin Code r. 335-6-9-.03 and ADEM Admin. Code ch. 335-6-9 and its Appendices A and B;

(2) A description of methods which will be implemented to prevent offsite vehicle tracking onto roadways and/or into ditches at the entrances and/or exits of the Permittee's operations;

(3) A description of setbacks from waters of the State in units of linear feet on the horizontal plane; a description of the methods taken to visibly delineate setbacks from waters of the State; and a description of any other actions taken to prevent encroachment upon setbacks;

(4) A description of the methods used to delineate the boundaries of coverage under this Permit such that the boundaries are readily visible during the life of the operation;

(5) A description of any other Best Management Practices (BMPs) which will be implemented to provide control of all nonpoint source pollution that is or may be associated with the Permittee's operations;

b. The PAP Plan shall become a part of this Permit and all requirements of the PAP Plan shall become requirements of this Permit pursuant to ADEM Admin Code r. 335-6-9-.05(2). The PAP Plan shall be amended if the Department determines that the existing sediment control measures, erosion control measures, or other site management practices are ineffective or do not meet the requirements of this Permit.

c. For existing sources, the PAP Plan shall be updated to include all requirements of this section within 180 days of the effective date of this permit. New sources shall submit the PAP plan with the NPDES Individual Permit application prior to coverage under this Permit.

3. Best Management Practices (BMPs)

a. Unless otherwise authorized in writing by the Director, the Permittee shall provide a means of subsurface withdrawal for any discharge from each point source identified on Page 1 of this Permit and described more fully in the Permittee's application. Notwithstanding the above provision, a means of subsurface withdrawal need not be provided for any discharge caused by a 24-hour precipitation event greater than a 10-year, 24-hour precipitation event.

b. Dilution water shall not be added to achieve compliance with discharge limitations except when the Director has granted prior written authorization for dilution to meet water quality requirements.

c. The Permittee shall minimize the contact of water with overburden, including but not limited to stabilizing disturbed areas through grading, diverting runoff, achieving quick growing stands of temporary vegetation, sealing acid-forming and toxic-forming materials, and maximizing placement of waste materials in back-fill areas.

d. The Permittee shall prepare, submit to the Department for approval, and implement a Best Management Practices (BMPs) Plan for containment of any or all process liquids or solids, in a manner such that these materials do not present a potential for discharge, if so required by the Director. When submitted and approved, the BMP Plan shall become a part of this Permit and all requirements of the BMP Plan shall become requirements of this Permit.

e. Spill Prevention, Control, and Management

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

f. All surface drainage and storm water runoff which originate within or enters the Permittee's premises and which contains any pollutants or other wastes shall be discharged, if at all, from a point source identified on Page 1 of this Permit and described more fully in the Permittee's application.

g. The Permittee shall take all reasonable precautions to prevent any surface drainage or storm water runoff which originates outside the Permittee's premises and which contains any pollutants or other wastes from entering the Permittee's premises. At no time shall the Permittee discharge any such surface drainage or storm water runoff which enters the Permittee's premises if, either alone or in combination with the Permittee's effluent, the discharge would exceed any applicable discharge limitation specified in Part I.A. of this Permit.

4. Biocide Additives

a. The Permittee shall notify the Director in writing not later than sixty (60) days prior to instituting the use of any biocide corrosion inhibitor or chemical additive in any cooling or boiler system(s) regulated by this Permit. Notification is not required for additives that should not reasonably be expected to cause the cooling water or boiler water to exhibit toxicity as determined by analysis of manufacturer's data or testing by the Permittee. Such notification shall include:

(a) Name and general composition of biocide or chemical;

(b) 96-hour median tolerance limit data for organisms representative of the biota of the water(s) which the discharge(s) enter(s);

(c) Quantities to be used;

(d) Frequencies of use;

(e) Proposed discharge concentrations; and

(f) EPA registration number, if applicable.

b. The use of any biocide or chemical additive containing tributyl tin, tributyl tin oxide, zinc, chromium, or related compounds in any cooling or boiler system(s) regulated by the Permit is prohibited except as exempted below. The use of a biocide or additive containing zinc, chromium or related compounds may be used in special circumstances if (1) the permit contains limits for these substances, or (2) the applicant demonstrates during the application process that the use of zinc, chromium or related compounds as a biocide or additive will not pose a reasonable potential to violate the applicable State water quality standards for these substances. The use of any additive, not identified in this Permit or in the application for this Permit or not exempted from notification under this Permit is prohibited, prior to a determination by the Department that permit modification to control discharge of the additive is not required or prior to issuance of a permit modification controlling discharge of the additive.

5. Facility Identification

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

6. Removed Substances

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

7. Loss or Failure of Treatment Facilities

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

8. **Duty to Mitigate**

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

B. BYPASS AND UPSET

1. **Bypass**

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

b. A bypass is not prohibited if:

(1) It does not cause any applicable discharge limitation specified in Part I.A. of this Permit to be exceeded;

(2) The discharge resulting from such bypass enters the same receiving water as the discharge from the permitted outfall;

(3) It is necessary for essential maintenance of a treatment or control facility or system to assure efficient operation of such facility or system; and

(4) The Permittee monitors the discharge resulting from such bypass at a frequency, at least daily, sufficient to prove compliance with the discharge limitations specified in Part I.A. of this Permit.

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

(1) It is unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the Permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The Permittee submits a written request for authorization to bypass to the Director at least ten (10) days, if possible, prior to the anticipated bypass or within 24 hours of an unanticipated bypass, the Permittee is granted such authorization, and Permittee complies with any conditions imposed by the Director to minimize any adverse impact to waters resulting from the bypass.

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

2. Upset

a. The Permittee may seek to demonstrate that noncompliance with technology-based effluent limits occurred as a result of an upset if the conditions of Part II.B.2.b are met and if the Permittee complies with the conditions provided in Part II.B.2.c.

b. If the Permittee wishes to establish the affirmative defense of an upset for technology-based effluent limit noncompliance, the Permittee must demonstrate through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the Permittee can identify the specific cause(s) of the upset;

(2) The wastewater treatment facility was at the time being properly operated in accordance with Part II.B.d.

(3) The Permittee submitted notice of the noncompliance during the upset as required by Part II.B.2.c; and

(4) The Permittee complied with any remedial measures required under Part II.A.7. of this Permit.

c. If the Permittee wishes to establish the affirmative defense of an upset for technology-based effluent limit noncompliance, the Permittee shall:

(1) No later than 24-hours after becoming aware of the occurrence of the upset, orally report the occurrence and circumstances of the upset to the Director in accordance with Part I.G.2.; and

(2) No later than five (5) days after becoming aware of the occurrence of the upset, furnish the Director with evidence, including properly signed, contemporaneous operating logs, design drawings, construction certification, maintenance records, weir flow measurements, dated photographs, rain gauge measurements, or other relevant evidence, demonstrating that:

(i) An upset occurred;

(ii) The Permittee can identify the specific cause(s) of the upset;

(iii) The Permittee's treatment facility was being properly operated at the time of the upset; and

(iv) The Permittee promptly took all reasonable steps to minimize any adverse impact to waters resulting from the upset.

d. A discharge which is an overflow from a treatment facility or system, or an excess discharge from a point source associated with a treatment facility or system and which results from a 24-hour precipitation event larger than a 10-year, 24-hour precipitation event is not eligible to be considered as a result of an upset unless:

(1) The treatment facility or system is designed, constructed, and maintained to contain the maximum volume of wastewater which would be generated by the facility during a 24-hour period without an increase in volume from precipitation and the maximum volume of wastewater resulting from a 10-year, 24-hour precipitation event or to treat the maximum flow associated with these volumes. In computing the maximum volume of wastewater which would result from a 10-year, 24-hour precipitation event, the volume which would result from all areas contributing runoff to the individual treatment facility must be included (i.e., all runoff that is not diverted from the mining area and runoff which is not diverted from the preparation plant area); and

(2) The Permittee takes all reasonable steps to maintain treatment of the wastewater and minimize the amount of overflow or excess discharge.

e. The Permittee has the burden of proof in defense of any enforcement action as a result of noncompliance of technology-based effluent limits the Permittee proposes to attribute to an upset.

C. PERMIT CONDITIONS AND RESTRICTIONS

1. Prohibition against Discharge from Facilities Not Certified

a. Notwithstanding any other provisions of this Permit, if the permitted facility has not obtained or is not required to obtain a permit from the Alabama Surface Mining Commission, any discharge(s) from any point or nonpoint source(s) from the permitted facility which was not certified to the Department on a form approved by the Department by a professional engineer, registered in the State of Alabama, as being designed, constructed, and in accordance with plans and specifications reviewed by the Department is prohibited; or

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

2. Permit Modification, Suspension, Termination, and Revocation

a. This Permit may be modified, suspended, terminated, or revoked and reissued, in whole or in part, during its term for cause, including but not limited to, the following:

(1) The violation of any term or condition of this Permit;

(2) The obtaining of this Permit by misrepresentation or the failure to disclose fully all relevant facts;

(3) The submission of materially false or inaccurate statements or information in the permit application or reports required by the Permit;

(4) The need for a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;

(5) The existence of any typographical or clerical errors or of any errors in the calculation of discharge limitations;

(6) The existence of material and substantial alterations or additions to the facility or activity generating wastewater which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit;

(7) The threat of the Permittee's discharge on human health or welfare; or

(8) Any other cause allowed by ADEM Admin. Code ch. 335-6-6.

b. The filing of a request by the Permittee for modification, suspension, termination, or revocation and reissuance of this Permit, in whole or in part, does not stay any Permit term or condition of this Permit.

3. **Automatic Expiration of Permits for New or Increased Discharges**

a. Except as provided by ADEM Admin. Code r. 335-6-6-.02(h) and 335-6-6-.05, if this Permit was issued for a new discharger or new source, it shall expire eighteen months after the issuance date if construction has not begun during that eighteen month period.

b. Except as provided by ADEM Admin. Code r. 335-6-6-.02(h) and 335-6-6-.05, if any portion of this Permit was issued or modified to authorize the discharge of increased quantities of pollutants to accommodate the modification of an existing facility, that portion of this Permit shall expire eighteen months after this Permit's issuance if construction of the modification has not begun within eighteen month period.

c. Construction has begun when the owner or operator has:

(1) Begun, or caused to begin as part of a continuous on-site construction program:

(i) Any placement, assembly, or installation of facilities or equipment; or

(ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

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

Alabama for exploration and production of hydrocarbons shall also be considered beginning construction.

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

4. Transfer of Permit

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

5. Groundwater

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

6. Property and Other Rights

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

D. RESPONSIBILITIES

1. Duty to Comply

a. The Permittee must comply with all terms and conditions of this Permit. Any permit noncompliance constitutes a violation of the AWPCA, AEMA, and the FWPCA and is grounds for enforcement action, for permit termination, revocation and reissuance, suspension, modification, or denial of a permit renewal application.

b. The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the FWPCA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Permit has not yet been modified to incorporate the effluent standard, prohibition or requirement.

c. For any violation(s) of this Permit, the Permittee is subject to a civil penalty as authorized by the AWPCA, the AEMA, the FWPCA, and Code of Alabama 1975, §§22-22A-1 et. seq., as amended, and/or a criminal penalty as authorized by Code of Alabama 1975, §22-22-1 et. seq., as amended.

d. The necessity to halt or reduce production or other activities in order to maintain compliance with the conditions of this Permit shall not be a defense for a Permittee in an enforcement action.

e. Nothing in this Permit shall be construed to preclude or negate the Permittee's responsibility or liability to apply for, obtain, or comply with other ADEM, federal, state, or local government permits, certifications, licenses, or other approvals.

f. The discharge of a pollutant from a source not specifically identified in the permit application for this Permit and not specifically included in the description of an outfall in this Permit is not authorized and shall constitute noncompliance with this Permit.

g. The Permittee shall take all reasonable steps, including cessation of production or other activities, to minimize or prevent any violation of this Permit or to minimize or prevent any adverse impact of any permit violation.

2. Change in Discharge

a. The Permittee shall apply for a permit modification at least 180 days in advance of any facility expansion, production increase, process change, or other action that could result in the discharge of additional pollutants, increase the quantity of a discharged pollutant, or that could result in an additional discharge point. This requirement also applies to pollutants that are not subject to discharge limitations in this Permit. No new or increased discharge may begin until the Director has authorized it by issuance of a permit modification or a reissued permit.

b. The Permittee shall notify the Director as soon as it knows or has reason to believe that it has begun or expects to begin to discharge any pollutant listed as a toxic pollutant pursuant to Section 307(a) of the FWPCA, 33 U.S.C. §1317(a), any substance designated as a hazardous substance pursuant to Section 311(b)(2) of the FWPCA, 33 U.S.C. §1321(b)(2), any waste listed as a hazardous waste pursuant to Code of Alabama 1975, §22-30-10, or any other pollutants or other wastes which is not subject to any discharge limitations specified in Part I.A. of this Permit and was not reported in the Permittee's application, was reported in the Permittee's application in concentrations or mass rates lower than that which the Permittee expects to begin to be discharged, or has reason to believe has begun to be discharged.

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

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

4. Compliance with Water Quality Standards and Other Provisions

a. On the basis of the Permittee's application, plans, or other available information, the Department has determined that compliance with the terms and conditions of this Permit will assure compliance with applicable water quality standards. However, this Permit does not relieve the Permittee from compliance with applicable State water quality standards established in ADEM Admin. Code ch. 335-6-10, and does not preclude the Department from taking action as appropriate to address the potential for contravention of applicable State water quality standards which could result from discharges of pollutants from the permitted facility.

b. Compliance with Permit terms and conditions notwithstanding, if the Permittee's discharge(s) from point source(s) identified on Page 1 of this Permit cause(s) or contribute(s) to a condition in contravention of State water quality standards, the Department may require abatement action to be taken by the Permittee, modify the Permit pursuant to the Department's rules and regulations, or both.

c. If the Department determines, on the basis of a notice provided pursuant to Part II.C.2. of this Permit or any investigation, inspection, or sampling, that a modification of this Permit is necessary to assure maintenance of water quality standards or compliance with other provisions of the AWPCA or FWPCA, the Department may require such modification and, in cases of emergency, the Director may prohibit the noticed act until the Permit has been modified.

5. Compliance with Statutes and Rules

a. This Permit has been issued under ADEM Admin. Code div. 335-6. All provisions of this division, that are applicable to this Permit, are hereby made a part of this Permit. A copy of this division may be obtained for a small charge from the Office of General Counsel, Alabama Department of Environmental Management, 1400 Coliseum Blvd., Montgomery, AL 36110-2059.

b. This Permit does not authorize the noncompliance with or violation of any Laws of the State of Alabama or the United States of America or any regulations or rules implementing such laws. FWPCA, 33 U.S.C. Section 1319, and Code of Alabama 1975, Section 22-22-14.

6. Right of Entry and Inspection

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

a. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the Permit;

b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;

c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and

d. Sample or monitor at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by the AWPCA, any substances or parameters at any location.

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

a. If the Permittee intends to continue to discharge beyond the expiration date of this Permit, the Permittee shall file with the Department a complete permit application for reissuance of this Permit at least 180 days prior to its expiration. **Applications must be submitted electronically via the Department's current electronic permitting system. The Department's current online permitting system, Alabama Environmental Permitting and Compliance System (AEPACS), can be found online at https://aepacs.adem.alabama.gov/nviro/ncore/external/home.**

b. If the Permittee does not desire to continue the discharge(s) allowed by this Permit, the Permittee shall notify the Department at least 180 days prior to expiration of this Permit of the Permittee's intention not to request reissuance of this Permit. This notification must include the information required in Part I.D.4.a. and be signed by an individual meeting the signatory requirements for a permit application as set forth in ADEM Admin. Code r. 335-6-6-.09.

c. Failure of the Permittee to submit to the Department a complete application for reissuance of this Permit at least 180 days prior to the expiration date of this Permit will void the automatic continuation of this Permit provided by ADEM Admin. Code r. 335-6-6-.06; and should this Permit not be reissued for any reason, any discharge after the expiration of this Permit will be an unpermitted discharge.

PART III ADDITIONAL REQUIREMENTS, CONDITIONS, AND LIMITATIONS

A. CIVIL AND CRIMINAL LIABILITY

1. Tampering

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

2. False Statements

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

3. Permit Enforcement

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

4. Relief From Liability

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

B. OIL AND HAZARDOUS SUBSTANCE LIABILITY

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

C. AVAILABILITY OF REPORTS

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

D. DEFINITIONS

1. Alabama Environmental Management Act (AEMA) - means Code of Alabama 1975, §§22-22A-1 et. seq., as amended.

2. Alabama Water Pollution Control Act (AWPCA) - means Code of Alabama 1975, §§22-22-1 et. seq., as amended.

3. Average monthly discharge limitation - means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar

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

4. Arithmetic Mean - means the summation of the individual values of any set of values divided by the number of individual values.

5. BOD - means the five-day measure of the pollutant parameter biochemical oxygen demand

6. Bypass - means the intentional diversion of waste streams from any portion of a treatment facility.

7. CBOD - means the five-day measure of the pollutant parameter carbonaceous biochemical oxygen demand.

8. Controlled Surface Mine Drainage – means any surface mine drainage that is pumped or siphoned from the active mining area.

9. Daily discharge - means the discharge of a pollutant measured during any consecutive 24-hour period in accordance with the sample type and analytical methodology specified by the discharge permit.

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

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

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

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

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

15. Discharge - means "[t]he addition, introduction, leaking, spilling or emitting of any sewage, industrial waste, pollutant or other waste into waters of the state." Code of Alabama 1975, §22-22-1(b)(8).

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

17. DO - means dissolved oxygen.

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

19. 8HC - means 8-hour composite sample, including any of the following:

    a. The mixing of at least 5 equal volume samples collected at constant time intervals of not more than 2 hours over a period of not less than 8 hours between the hours of 6:00 a.m. and 6:00 p.m. If the sampling period exceeds 8 hours, sampling may be conducted beyond the 6:00 a.m. to 6:00 p.m. period.

    b. A sample continuously collected at a constant rate over period of not less than 8 hours between the hours of 6:00 a.m. and 6:00 p.m. If the sampling period exceeds 8 hours, sampling may be conducted beyond the 6:00 a.m. to 6:00 p.m. period.

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

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

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

23. Geometric Mean - means the Nth root of the product of the individual values of any set of values where N is equal to the number of individual values. The geometric mean is equivalent to the antilog of the arithmetic mean of the logarithms of the individual values. For purposes of calculating the geometric mean, values of zero (0) shall be considered one (1).

24. Grab Sample - means a single influent or effluent portion which is not a composite sample. The sample(s) shall be collected at the period(s) most representative of the discharge.

25. Indirect Discharger - means a nondomestic discharger who discharges pollutants to a publicly owned treatment works or a privately owned treatment facility operated by another person.

26. Industrial User - means those industries identified in the Standard Industrial Classification manual, Bureau of the Budget 1967, as amended and supplemented, under the category "Division D – Manufacturing" and such other classes of significant waste producers as, by regulation, the Director deems appropriate.

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

28. MGD - means million gallons per day.

29. Monthly Average - means, other than for E. coli bacteria, the arithmetic mean of all the composite or grab samples taken for the daily discharges collected in one month period. The monthly average for E. coli bacteria is the geometric mean of daily discharge samples collected in a one month period. The monthly average for flow is the arithmetic mean of all flow measurements taken in a one month period. (Zero discharges shall not be included in the calculation of monthly averages.)

30. New Discharger - means a person owning or operating any building, structure, facility or installation:

    a. From which there is or may be a discharge of pollutants;

    b. From which the discharge of pollutants did not commence prior to August 13, 1979, and which is not a new source; and

    c. Which has never received a final effective NPDES Permit for dischargers at that site.

31. New Source - means:

    a. A new source as defined for coal mines by 40 CFR Part 434.11 (1994); and

    b. Any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

        (1) After promulgation of standards of performance under Section 306 of FWPCA which are applicable to such source; or

        (2) After proposal of standards of performance in accordance with Section 306 of the FWPCA which are applicable to such source, but only if the standards are promulgated in accordance with Section 206 within 120 days of their proposal.

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

33. 1-year, 24-hour precipitation event - means the maximum 24-hour precipitation event with a probable recurrence interval of once in one year as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, or equivalent regional or rainfall probability information developed therefrom.

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

35. Point Source - means "any discernible, confined and discrete conveyance, including but not limited to any pipe, channel, ditch, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft from which pollutants are or may be discharged." Section 502(14) of the FWPCA, 33 U.S.C. §1362(14).

36. Pollutant - includes for purposes of this Permit, but is not limited to, those pollutants specified in Code of Alabama 1975, §22-22-1(b)(3) and those effluent characteristics, excluding flow, specified in Part I.A. of this Permit.

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

38. Pollution Abatement and/or Prevention Plan (PAP Plan) – mining operations plan developed to minimize impacts on water quality to avoid a contravention of the applicable water quality standards as defined in ADEM Admin. Code r. 335-6-9-.03

39. Preparation, Dry - means a dry preparation facility within which the mineral/material is cleaned, separated, or otherwise processed without use of water or chemical additives before it is shipped to the customer or otherwise utilized. A dry preparation plant includes all ancillary operations and structures necessary to clean, separate, or otherwise process the mineral/material, such as storage areas and loading facilities. Dry preparation also includes minor water spray(s) used solely for dust suppression on equipment and roads to minimize dust emissions.

40. Preparation, Wet - means a wet preparation facility within which the mineral/material is cleaned, separated, or otherwise processed using water or chemical additives before it is shipped to the customer or otherwise utilized. A wet preparation plant includes all ancillary operations and structures necessary to clean, separate, or otherwise process the mineral/material, such as storage areas and loading facilities. Wet preparation also includes mineral extraction/processing by dredging, slurry pumping, etc.

41. Privately Owned Treatment Works - means any devices or system which is used to treat wastes from any facility whose operator is not the operator of the treatment works, and which is not a "POTW".

42. Publicly Owned Treatment Works (POTW) - means a wastewater collection and treatment facility owned by the State, municipality, regional entity composed of two or more municipalities, or another entity created by the State or local authority for the purpose of collecting and treating municipal wastewater.

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

44. Severe property damage - means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

45. 10-year, 24-hour precipitation event - means that amount of precipitation which occurs during the maximum 24-hour precipitation event with a probable recurrence interval of once in ten years as

defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, or equivalent regional or rainfall probability information developed therefrom.

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

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

48. TRC - means Total Residual Chlorine.

49. TSS – means the pollutant parameter Total Suspended Solids

50. Treatment facility and treatment system - means all structures which contain, convey, and as necessary, chemically or physically treat mine and/or associated preparation plant drainage, which remove pollutants limited by this Permit from such drainage or wastewater. This includes all pipes, channels, ponds, tanks, and all other equipment serving such structures.

51. 24HC - means 24-hour composite sample, including any of the following:

    a. The mixing of at least 12 equal volume samples collected at constant time intervals of not more than 2 hours over a period of 24 hours;

    b. A sample collected over a consecutive 24-hour period using an automatic sampler composite to one sample. As a minimum, samples shall be collected hourly and each shall be no more than one twenty-fourth (1/24) of the total sample volume collected; or

    c. A sample collected over a consecutive 24-hour period using an automatic composite sampler composited proportional to flow.

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

53. 2-year, 24-hour precipitation event - means the maximum 24-hour precipitation event with a probable recurrence interval of once in two years as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, or equivalent regional or rainfall probability information developed therefrom.

54. Upset - means an exceptional incident in which there is an unintentional and temporary noncompliance with technology-based permit discharge limitations because of factors beyond the control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate facilities, lack of preventive maintenance, or careless or improper operation.

55. Waters - means "[a]ll waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the State, natural or artificial. This does not include waters which are entirely confined and retained completely upon the property of a single individual, partnership, or corporation unless such waters are used in interstate commerce." Code of Alabama 1975, §22-22-1(b)(2). "Waters" include all "navigable waters" as defined in §502(7) of the FWPCA, 33 U.S.C. §1362(7), which are within the State of Alabama.

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

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

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

E. SEVERABILITY

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

F. PROHIBITIONS AND ACTIVIES NOT AUTHORIZED

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

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

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

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

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

G. DISCHARGES TO IMPAIRED WATERS

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

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

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

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

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION

NPDES INDIVIDUAL PERMIT RATIONALE

Company Name:	Wiregrass Construction Company, Inc.
Facility Name:	Hickory Bend Mine
County:	Macon
Permit Number:	AL0077631
Prepared by:	William McClimans
Date:	March 6, 2026
Receiving Waters:	Tallapoosa River, Unnamed Tributary to Tallapoosa River, Line Creek, Unnamed Tributary to Line Creek, Cubahatchee Creek, Unnamed Tributary to Cubahatchee Creek
Permit Coverage:	Construction Sand and Gravel Mine, Wet and Dry Preparation, Transportation and Storage, and Associated Areas
SIC Code:	1442

The Department has made a tentative determination that the available information is adequate to support reissuance and modification of this permit. The modification includes an expansion of the area covered by the permit and the removal of released Outfall 003-1.

This proposed permit covers a wet and dry preparation sand and gravel mine and associated area which discharge to surface waters of the state.

The proposed permit authorizes treated discharges into Line Creek, unnamed Tributaries to Line Creek, and unnamed tributary to Tallapoosa River, and unnamed tributaries to Cubahatchee Creek classified as Fish and Wildlife (F&W), to the Tallapoosa River classified as Public Water Supply and Fish and Wildlife (PWS/F&W), and to Cubahatchee Creek classified as Swimming and Other Whole Body Water-Contact Sports and Fish and Wildlife (S/F&W) per ADEM Admin. Code ch. 335-6-11. If the requirements of the proposed permit are fully implemented, the facility will not discharge pollutants at levels that will cause or contribute to a violation of the F&W, PWS/F&W, and S/F&W classifications.

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 construction sand and gravel facilities can be found in 40 CFR 436.32(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 construction sand and gravel subcategory.

The instream WQS for pH, for streams classified as F&W, PWS/F&W, and S/F&W, are 6.0 – 8.5 s.u per ADEM Admin Code r. 335-6-10-.09. Information in the permittee's application shows that discharges from outfalls 007-1 through 015-1 could occur when the discharge/stream ration could be high. Therefore due to a lack of background dilution in the receiving streams for Outfalls 007-1 through 015-1, the daily maximum pH will be 8.5 s.u. Outfall 006-1 discharges to the Tallapoosa River where the discharges would have a low discharge/stream flow ratio. It is the opinion of the Department that the background flow of the Tallapoosa River will provide enough dilution to allow for a daily maximum pH of 9.0 s.u. Regardless, the discharges shall not cause the in-stream pH to deviate more than 1.0 s.u. from the normal or natural pH, nor be less than 6.0 s.u. nor greater than 8.5 s.u.

The TBELs for 40 CFR 436 Subpart C do not include limitations for Total Suspended Solids (TSS). TSS is classified as a conventional pollutant in 40 CFR 401.16 and is expected to be discharged from this type of facility. Therefore, monthly average and daily maximum effluent limitations for TSS were prepared using Best Professional Judgment (BPJ) with consideration given to the NSPS for TSS in 40 CFR 434.35.

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

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

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

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

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

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

The applicant is proposing discharges into Line Creek and an unnamed tributary of Line Creek which flows into Line Creek. Line Creek is a water of the State that is included on Alabama's ~~current CWA §303(d) list for siltation. ADEM maintains an~~ Ecoregional Reference Reach Monitoring Program that monitors the least-disturbed watersheds throughout the state that represent the "best attainable condition" for comparison with other streams. ADEM uses a 90th percentile as the basis of comparison for TSS data. The Department believes that limiting the TSS to the 90th percentile of the ecoregional reference value 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 Department has determined that Ecoregion 65p provides the most accurate and representative reference guidelines based on the topography and scope of the operation. The 90th percentile ecoregional reference TSS value for Ecoregion 65p has not yet been developed, therefore the Department has determined that using Ecoregion 65 is appropriate. The TSS 90th percentile for Ecoregion 65 is 27 mg/L and is therefore used in this permit for discharges to Line Creek and the unnamed tributary of Line Creek. 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 Line Creek.

The applicant is proposing discharges of pollutants to an ADEM identified Tier 1 water. If the requirements of the proposed permit and pollution abatement plan are fully implemented, there is reasonable assurance that discharges from the facility will not contain pollutants of concern contributing to the Tier 1 condition, pollutants causing or contributing to the Tier 1 condition will not be present in the discharge at significant levels, and/or the facility will not discharge pollutants at levels that will cause or contribute to a violation of applicable State WQS in the Tier 1 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:	Wiregrass Construction Company, Inc.
Facility Name:	Hickory Bend Mine
County:	Macon
Permit Number:	AL0077631
Prepared by:	William McClimans
Date:	March 2, 2026
Receiving Waters:	Tallapoosa River, Unnamed Tributary to the Tallapoosa River, Unnamed Tributary to Line Creek, Cubahatchee Cree, Unnamed Tributary to Cubahatchee Creek
Stream Category:	Tier II as defined by ADEM Admin. Code 335-6-10-.12
Discharge Description:	This proposed permit covers a construction sand and gravel mine, wet and dry preparation, transportation and storage, and associated areas which discharge to surface waters

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

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

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

1. The Permittee expects to retain 8 employees if the permit is issued.
2. The Permittee expects to pay $46,500 in state and local taxes.
3. The Permittee submits that the mined material is necessary for the construction of roads, bridges and buildings.

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: Ange Boatwright

Date: March 2, 2026

Digitally signed by:
AEPACS
Date: 2026.04.07 10:24:11 -05:00
Reason: Submission Data
Location: State of Alabama

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

version 4.9

(Submission #: HQE-W6AJ-8YDFG, version 2)

Details

Submission ID HQE-W6AJ-8YDFG

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:
None

Action Type
Reissuance with Modification

Briefly describe any planned changes at the facility that are included in this reissuance application:
adding additional acreage

Is this a coalbed methane operation?
No

Permit Information

Permit Number
AL0077631

Current Permittee Name
Wiregrass Construction Company, Inc.

Permittee

Permittee Name
Wiregrass Construction Company, Inc.

Mailing Address

1342 Carmichael Way

Montgomery, AL 36117

Responsible Official

Prefix
Mr.

First Name **Last Name**
Tim Goodin

Title
Area Manager - Aggregates

Organization Name
Wiregrass Construction Company, Inc.

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

Business 334-356-2560

Email
tgoodin@wiregrassconstruction.com

Mailing Address

1342 Carmichael Way

Montgomery, AL 36106

Existing Permit Contacts

Affiliation Type	Contact Information	Remove?
DMR Contact	James Sloan, Wiregrass Construction Company, Inc.	Remove
Responsible Official,Notification Recipient	Steve VanDeventer, Wiregrass Construction Company, Inc.	Remove
Permittee	Wiregrass Construction Company, Inc.	Keep

Facility/Operations Information

Facility/Operations Name
Hickory Bend Mine

Permittee Organization Type
Corporation

Parent Corporation and Subsidiary Corporations of Applicant, if any:
Construction Partners, Inc.

Landowner(s) Name, Address and Phone Number:
See Attached

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

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

Facility/Operations Address or Location Description

2291 Tysonville Loop
Shorter, AL 36075

Facility/Operations County (Front Gate)
Macon

Do the operations span multiple counties?
No

Detailed Directions to the Facility/Operations
Take I-85 north to exit 16. From the top of the ramp, turn right. Turn left onto Hwy 80 east. Turn left onto Macon County Road 97 / Tysonville Road. Turn left onto Tysonville Loop. Go 0.5 miles to entrance of facility on the left.

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

Facility/Operations Front Gate Latitude and Longitude
32.408833,-86.006722

1887 Tysonville Loop, Shorter, AL

Township(s), Range(s), Section(s) (Note: If you are submitting multiple TRSs, please separate each TRS by a semicolon. Example: T19S,R1E,S15; T20S,R2E,S16)
T17N, R20E, S25, 35' 36; T17N, R21E, S30, 31, 32; T16N, R20E, S6; T16N, R21E, S1

SIC Code(s) [Please select your primary SIC code first]:
1442-Construction Sand and Gravel

NAICS Code(s) [Please select your primary NAICS code first]:
212321-Construction Sand and Gravel Mining

Facility/Operations Contact

Prefix
Mr.

First Name	Last Name
Tim	Goodin

Title
Area Manager - Aggregates

Organization Name
Wiregrass Construction Company, Inc.

Phone Type	Number	Extension
Business	334-356-2560	

Email
tgoodin@wiregrassconstruction.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
Ned N. Fleming, III	Chairman of the Board	1830 Hartford Hwy, Dothan, AL 36301
Fred J. Smith, III	Chief Executive Officer	1830 Hartford Hwy, Dothan, AL 36301
Brandon L. Owens	President	110 Office Park Dr, Suite 300, Birmingham, AL 35223
Joyce L. Smith	Secretary	1830 Hartford Hwy, Dothan, AL 36301
Manda Bryan	Vice President	1830 Hartford Hwy, Dothan, AL 36301
Gregory A. Hoffman	Vice President	1830 Hartford Hwy, Dothan, AL 36301
Mark R. Matteson	Vice President	1830 Hartford Hwy, Dothan, AL 36301
James M. Owens	Vice President	1830 Hartford Hwy, Dothan, AL 36301
W. Garrett Pass	Vice President	1342 Carmichael Way, Montgomery, AL 36106

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

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

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

Additional Contacts (1 of 1)

ADDITIONAL CONTACTS: Environmental Contact

Contact Type
Environmental Contact

Contact

First Name **Last Name**
Jonathan Lovell

Title
Environmental Compliance Manager

Organization Name
Wiregrass Construction Company, Inc.

Phone Type **Number** **Extension**
Business 205-825-0487

Email
Jlovell@wiregrassconstruction.com

Address
151 Piper Lane
Alabaster, AL 35007

Compliance History

Has the applicant ever had any of the following:

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

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

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

Date of Issuance	Type of Action	Briefly describe alleged violations:	Date of Final Resolution
05/01/2023	Warning Letter	unreclaimed mining area exceeds 5 acres contrary to NPDES permit ALG890000	*NONE PROVIDED*

For this facility, list any other NPDES or other environmental permits (including permit numbers), authorizations, or certifications that have been applied for or issued within the State by ADEM, EPA, Alabama Department of Labor (ADOL), US Army Corp of Engineers (USACE), or other agency, to the applicant, parent corporation, subsidiary, or LLC member whether presently effective, expired, suspended, revoked, or terminated:
ADOL -14662

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

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?
None

How much will the discharger be increasing employment (at its existing facility or as the result of locating a new facility)?
Eight (8) full time employees are currently employed at the facility. No increase in jobs is anticipated at this time.

How much reduction in employment will the discharger be avoiding?
Wiregrass Construction Company, Inc. will avoid reducing eight (8) full time employees if the permit is renewed and operations continue.

How much additional state or local taxes will the discharger be paying?
Wiregrass Construction Company pays a total of approximately $46,500 per year in state and local taxes. This includes $9,500 in severance tax, $6,000 in state and local sales tax, $13,500 in property tax, and $17,500 in payroll tax.

What public service to the community will the discharger be providing?
As with all companies, this facility is proposed to be operated primarily to provide a profit/living for the operator, Wiregrass Construction Company, Inc. The result of that success is the ability of the Wiregrass Construction Company to provide raw sand and gravel that is require for the production of cement, construction of roads, bridges, and buildings. Raw materials are a necessary ingredient for construction and growth of the above mentioned infrastructure. Without raw materials, growth is not possible. Growth is a desire of most communities. Without local material sources, infrastructure costs increase and state and municipal budget dollars buy less infrastructure.

What economic or social benefit will the discharger be providing to the community?
The facility will be paying taxes to the local community and will provide direct additional employment to the area. In addition to the direct employment, all companies have a "trickle effect" of employment and taxes for the community and county. Additional jobs are created by the need to provide services to maintain the Wiregrass Construction Company, Inc. equipment, provide fuel/lubricants, parts/services to maintain their mobile equipment and trucking that is required to transport the raw materials to the customers.

Attach Form 311 (Alternative Analysis)
Form311 SES Signed 9.9.2025 - WGC - HBM 2025 w attachment.pdf - 09/10/2025 11:09 AM
Comment
NONE PROVIDED

Please attach Form 312 (Public Sector Projects) or Form 313 (Private Sector Projects).
Form313 - WGC - HBM 2025.pdf - 08/26/2025 04:00 PM
Comment
NONE PROVIDED

Activity Description & Information

Narrative description of activity(s):
From I-85, take Exit 16. Turn right at the top of the ramp. Turn left onto Hwy 80 (East). Turn left onto Macon County Road 97. At "fork" in the road veer left. The official entrance is on 'Parcel 9' on the left side of the road approximately 1.5 miles from the fork.

Total Facility/Operations Area (acres)
1021.00

Total Disturbed Area (acres)
400.00

Anticipated Commencement Date
01/02/2005

Anticipated Completion Date
08/01/2030

Please identify which of the following apply to this operation:

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

Activity/Condition	Appy?
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)	%
Sand and/or Gravel	100
	Sum: 100

Proposed Activity To Be Conducted

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

Activity	Apply?
Adjacent/associated asphalt/concrete plant(s)	No
Alternative fuels operation	No
Auger mining	No
Cement production	No
Chemical processing or leaching	No
Chemicals used in process or wastewater treatment (coagulant, biocide, etc.)	No
Construction related temporary borrow pits/areas	Yes
Creek/stream crossings	No
Dredging	No
Excavation	Yes
Grading, clearing, grubbing, etc.	Yes
Hydraulic mining	No
Hydraulic mining, dredging, instream or between stream-bank mining	No
Lime production	No
Low volume sewage treatment package plant	No
Mineral dry processing (crushing & screening)	No
Mineral loading	Yes
Mineral storing	Yes
Mineral transportation	Yes
Mineral wet preparation	Yes
Onsite construction debris or equipment storage/disposal	Yes
Onsite mining debris or equipment storage/disposal	Yes
Other beneficiation & manufacturing operations	No
Pre-construction ponded water removal	No
Pre-mining logging or land clearing	Yes
Preparation plant waste recovery	No
Quarrying	No
Reclamation of disturbed areas	Yes
Solution mining	No
Surface mining	Yes
Synthetic fuel production	No

Activity	Apply?
Underground mining	No
Waterbody relocation or other alteration	No
Within-bank mining	No

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

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

Barge	Apply?
Barge	No
Rail	No
Truck	Yes

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

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

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

Volume (gallons)	Contents
10,000.0	Diesel
4.000	Diesel
4.000	Diesel

SPCC Plan
SPCC Plan 9.5.2025 - WGC - HBM.pdf - 09/10/2025 11:10 AM
Comment
NONE PROVIDED

ASMC Regulated Entities

Is this a coal mining operation regulated by ASMC?
No

Topographic Map Submittal

Topographic Map

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

Topographic Map
NOI Map 2025 - WGC - HBM.pdf - 09/08/2025 09:47 AM
Comment
NONE PROVIDED

Detailed Facility Map Submittal

Detailed Facility Map

2025 PAP Map Overall - WGC - HBM.pdf - 09/08/2025 12:24 PM

Comment

NONE PROVIDED

Outfalls (1 of 11)

Outfall Identifier: 003

Feature Type
Outfall (External)

Outfall Identifier
003

Outfall Status
Released

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.

Outfalls (2 of 11)

Outfall Identifier: 006

Feature Type
Outfall (External)

Outfall Identifier
006

Outfall Status
Proposed

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

Permit Action
Reissue

Receiving Water
Tallapoosa River

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

Location of Outfall
32.42501100000000, -86.01060200000001

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

Distance to Receiving Water (ft)
50.0

Disturbed Area (acres)
8.0

Drainage Area (acres)
70.0

303(d) Segment?
No

TMDL Segment?
No

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

Outfalls (3 of 11)

Outfall Identifier: 007

Feature Type
Outfall (External)

Outfall Identifier
007

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
Line Creek

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

Location of Outfall
32.41023900000000, -86.01538100000001

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

Distance to Receiving Water (ft)
150.0

Disturbed Area (acres)
30.0

Drainage Area (acres)
35.0

303(d) Segment?
Yes

TMDL Segment?
No

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

Outfalls (4 of 11)

Outfall Identifier: 008

Feature Type
Outfall (External)

Outfall Identifier
008

Outfall Status
Proposed

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

Permit Action
Reissue

Receiving Water
Line Creek

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

Location of Outfall
32.40917300000000, -86.01411700000000

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

Distance to Receiving Water (ft)
100.0

Disturbed Area (acres)
5.0

Drainage Area (acres)
20.0

303(d) Segment?
Yes

TMDL Segment?
No

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

Outfalls (5 of 11)

Outfall Identifier: 009

Feature Type
Outfall (External)

Outfall Identifier
009

Outfall Status
Proposed

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

Permit Action
Reissue

Receiving Water
Line Creek

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

Location of Outfall
32.41623300000000, -86.01633800000001

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

Distance to Receiving Water (ft)
880.0

Disturbed Area (acres)
30.0

Drainage Area (acres)
35.0

303(d) Segment?
Yes

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 (6 of 11)

Outfall Identifier: 010

Feature Type
Outfall (External)

Outfall Identifier
010

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
Line Creek

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

Location of Outfall
32.40380400000000, -86.01051600000000

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

Distance to Receiving Water (ft)
100.0

Disturbed Area (acres)
30.0

Drainage Area (acres)
122.0

303(d) Segment?
Yes

TMDL Segment?
No

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

Outfalls (7 of 11)

Outfall Identifier: 011

Feature Type
Outfall (External)

Outfall Identifier
011

Outfall Status
Proposed

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

Permit Action
Reissue

Receiving Water
Tallapoosa River

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

Location of Outfall
32.41305600000000, -85.99694400000000

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

Distance to Receiving Water (ft)
60.0

Disturbed Area (acres)
20.0

Drainage Area (acres)
20.0

303(d) Segment?
No

TMDL Segment?
No

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

outfall. If you have any questions, please contact your permit engineer BEFORE proceeding.

Outfalls (8 of 11)

Outfall Identifier: 012

Feature Type
Outfall (External)

Outfall Identifier
012

Outfall Status
Proposed

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

Permit Action
Reissue

Receiving Water
Cubahatchee Creek

CORRECTION REQUEST *(APPROVED)*
Correct Receiving Stream

The previous application/permit had outfall 012 discharging to an UT of Cubahatchee Creek. This application has it going to an UT of the Tallapoosa River. Please verify correct receiving stream.
Created on 3/2/2026 7:20 AM by **William McClimans**

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

Location of Outfall
32.41611100000000, -85.99722199999999

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

Distance to Receiving Water (ft)
80.0

Disturbed Area (acres)
15.0

Drainage Area (acres)
15.0

303(d) Segment?
No

TMDL Segment?
No

Please do not add a new outfall unless you are requesting a modification that includes a new outfall. All of the currently permitted

outfalls are already included in this form. If you add an outfall in error, please choose ﷺDeleteﷺ under ﷺPermit Actionﷺ for the outfall. If you have any questions, please contact your permit engineer BEFORE proceeding.

Outfalls (9 of 11)

Outfall Identifier: 013

Feature Type
Outfall (External)

Outfall Identifier
013

Outfall Status
Proposed

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

Permit Action
Reissue

Receiving Water
Cubahatchee Creek

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

Location of Outfall
32.40916700000000, -85.98527799999999

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

Distance to Receiving Water (ft)
225.0

Disturbed Area (acres)
90.0

Drainage Area (acres)
90.0

303(d) Segment?
No

TMDL Segment?
No

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

Outfalls (10 of 11)

Outfall Identifier: 014

Feature Type
Outfall (External)

Outfall Identifier
014

Outfall Status
Proposed

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

Permit Action
Reissue

Receiving Water
Cubahatchee Creek

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

Location of Outfall
32.41694400000000, -85.99166700000001

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

Distance to Receiving Water (ft)
65.0

Disturbed Area (acres)
10.0

Drainage Area (acres)
10.0

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 (11 of 11)

Outfall Identifier: 015

Feature Type
Outfall (External)

Outfall Identifier
015

Outfall Status
Proposed

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

Permit Action
Reissue

Receiving Water
Cubahatchee Creek

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

Location of Outfall
32.41388900000000, -85.99333300000001

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

Distance to Receiving Water (ft)
65.0

Disturbed Area (acres)
6.0

Drainage Area (acres)
6.0

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.

Discharge Characterization

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

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

Required attachment:
Form315TableB - WGC - HBM 2025.xlsx - 08/26/2025 03:13 PM
Comment
NONE PROVIDED

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

Required attachment:
Form315TableC - WGC - HBM 2025.pdf - 08/26/2025 03:42 PM
Comment
NONE PROVIDED

Discharge Structure Description & Pollutant Source

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

Required attachment:
Form315DischargeStructure - WGC - HBM 2025.pdf - 08/26/2025 03:40 PM
Comment
NONE PROVIDED

Variance Request

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

Pollution Abatement & Prevention (PAP) Plan Summary (1 of 2)

Outfall(s):
007E, 008P, 009P, 010E, 011P, 012P, 013P, 014P, 015P

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

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

Identify and provide detailed explanation for any "N" or "N/A" response(s):
Receiving waters are not PWS
No stream crossings proposed

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

Outfall(s):
006P

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

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

Identify and provide detailed explanation for any "N" or "N/A" response(s):
Receiving water is a PWS
No stream crossings proposed

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

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

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

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

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

Pollution Abatement & Prevention (PAP) Plan

Is this a coal mining operation regulated by ASMC?
No

PAP Plan (non-coal mining facilities)
PAP 9.2025 - WGC - HBM.pdf - 03/06/2026 07:14 AM
Comment
NONE PROVIDED

Professional Engineer (PE)

Registration License Number
20897

Professional Engineer

Prefix
Mr.

First Name	Last Name
Steven	Speaks

Title
President

Organization Name
Larry E. Speaks & Associates, Inc.

Phone Type	Number	Extension
Business	334-262-1091	

Email
sspeaks@lespeaks.com

Address
535 Herron Street
Montgomery, AL 36104

Information for the Applicant

Please read the following information and acknowledge below:

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

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

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

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

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

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

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

Additional Attachments

Additional Attachments
WCC DAR delegation GP to Tim Goodin 050825.pdf - 08/29/2025 02:24 PM
HBM Landowners List 2025.docx - 09/08/2025 01:21 PM
Comment
NONE PROVIDED

Application Preparer

Application Preparer

Prefix
Ms.

First Name	Last Name
Tina	Alms

Title
Senior Environmental Scientist

Organization Name
Larry E. Speaks & Associates, Inc.

Phone Type	Number	Extension
Business	334-262-1091	

Email
talms@lespeaks.com

Address

535 Herron Street

Montgomery, AL 36104

Fees Assessed

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

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

Wet Preparation, Processing, Beneficiation:
6860

Fee

Fee
6860

Revisions

Revision	Revision Date	Revision By
Revision 1	8/15/2025 2:33 PM	Tina Alms
Revision 2	3/6/2026 7:04 AM	Tina Alms

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 Steven Speaks on 03/18/2026 at 4:45 PM

Responsible Official

This application must be signed and initialed by a Responsible Official of the applicant pursuant to ADEM Admin. Code Rule 335-6-6-.09 who has overall responsibility for the operation of the facility. I certify under penalty of 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 Timothy Goodin on 04/07/2026 at 10:02 AM

Attachment 1 to Supplementary Form
ADEM Form 311

Alternatives Analysis

Applicant/Project: Wiregrass Construction Company, Inc. - Hickory Bend Mine

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	See attached
2 Pretreatment/Discharge to POTW		X	See attached
3 Relocation of Discharge		X	See attached
4 Reuse/Recycle		X	See attached
5 Process/Treatment Alternatives		X	See attached
6 On-site/Sub-surface Disposal	X		
(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: _____ *(Professional Engineer)*

Date: 9-9-2025

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

ALTERNATIVE ANALYSIS ATTACHMENT
ADEM Form 311

1) Land Application **Non-Viable**
Stormwater runoff's best method of collection is settling basins. Runoff water will be from the affected areas around the mining site during rain events. The basin is designed to have a capacity of 0.25 acre-feet/per acre of disturbed area. The basin would only discharge if rainwater accumulation exceeded this amount. It is not feasible to irrigate or to pump water out of a sediment basin. Silt is the main pollutant and the best water quality is obtained by using settling basins.

2) Pretreatment/Discharge to POTW by SID **Non-Viable**
It is not feasible to pump to a POTW since there is not one in the area. Also, the treatment would be to remove silt from the stormwater runoff and the Public Treatment system is not applicable for this particular treatment.

3) Relocation of Discharge **Non-Viable**
Sediment basins are designed and placed in hollows in order to catch stormwater runoff from the uphill areas. Relocation is not feasible due to terrain.

4) Reuse/Recycle-Pollution Prevention **Non-Viable**
Re-cycling of stormwater runoff is not applicable for this type of operation. Relocating or bypassing a discharge in a natural state during storm events will destroy biological systems that are dependent on stormwater surges down stream from the facility.

5) Process/Treatment Alternatives **Non-Viable**
Other processes or treatments are not feasible to collect silt and fine clays. Surface water directed to settling ponds is the best management. Groundwater seepage from an open pit mine will be pumped into a settling basin until it reaches full capacity.

6) On-site/Sub-surface **Viable**

Calculation of Total Annualized Project Costs for Private-Sector Projects

Capital Costs to be Financed (Supplied by applicant)	$ 100,000.00 (1)
Interest rate for Financing (Expressed as a decimal)	N/A (i)
Time Period of Financing (Assume 10 years*)	10 years (n)
Annualization Factor = $\frac{i}{(1+i)^{10} - 1} + i$	N/A (2)
Annualized Capital Cost [Calculate: (1) x (2)]	$ 100,000.00 (3)
Annual Cost of Operation and Maintenance (including but not limited to monitoring, inspection, permitting fees, waste disposal charges, repair, administration and replacement)**	$ 30,000.00 (4)
Total Annual Cost of Pollution Control Project [(3) + (4)]	$ 130,000.00 (5)

* While actual payback schedules may differ across projects and companies, assume equal annual payments over a 10-year period for consistency in comparing projects.

** For recurring costs that occur less frequently than once a year, pro rate the cost over the relevant number of years (e.g., for pumps replaced once every three years, include one-third of the cost in each year).

The applicant is required to supply 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): haul road, scale, office, (11) rail loadout, haul road, office

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
003E	Pipe / Spillway	4, 6, 9	X	X	N/A	X	N/A
006P	Pipe / Spillway	6, 9	X	X	N/A	X	N/A
007E	Pipe / Spillway	4, 6, 9, 10	X	X	X	X	N/A
008P	Pipe / Spillway	6, 9, 10	X	X	X	X	N/A
009P	Pipe / Spillway	4, 6, 9	X	X	N/A	X	N/A
010E	Pipe / Spillway	4, 6, 9, 11	X	X	X	X	N/A
011P	Pipe / Spillway	6, 9	X	X	N/A	X	N/A
012P	Pipe / Spillway	6, 9	X	X	N/A	X	N/A
013P	Pipe / Spillway	6, 9	X	X	N/A	X	N/A
014P	Pipe / Spillway	6, 9	X	X	N/A	X	N/A
015P	Pipe / Spillway	6, 9	X	X	N/A	X	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)
003E	BPE	0.035	22546	Precip. Driven	Precip. Driven	28°/10°	7.5	0.019	2.825	0.136	0.04	N/A
006P	BPE	0.08	51576	Precip. Driven	Precip. Driven	28°/10°	7.5	0.388	10.24	0.388	0.185	N/A
007E	BPE	0.04	25788	Precip. Driven	Precip. Driven	28°/10°	7.5	0.193	5.17	0.193	0.092	N/A
008P	BPE	0.023	14736	Precip. Driven	Precip. Driven	28°/10°	8.5	0.11	2.954	0.11	0.11	N/A
009P	BPE	0.004	20262	Precip. Driven	Precip. Driven	28°/10°	7.5	0.193	5.17	0.193	0.092	N/A
010E	BPE	0.14	89889	Precip. Driven	Precip. Driven	28°/10°	7.5	0.676	18.02	0.676	0.322	N/A
011P	BPE	0.0027	17683	Precip. Driven	Precip. Driven	28°/10°	7.5	0.015	2.216	0.106	0.031	N/A
012P	BPE	0.0021	13262	Precip. Driven	Precip. Driven	28°/10°	7.5	0.011	1.662	0.08	0.023	N/A
013P	BPE	0.123	79575	Precip. Driven	Precip. Driven	28°/10°	7.5	0.066	9.97	0.479	0.14	N/A
014P	BPE	0.014	8842	Precip. Driven	Precip. Driven	28°/10°	7.5	0.007	1.108	0.053	0.016	N/A
015P	BPE	0.008	5305	Precip. Driven	Precip. Driven	28°/10°	7.5	0.004	0.665	0.032	0.009	N/A
	BPE = Best Professional Estimate											

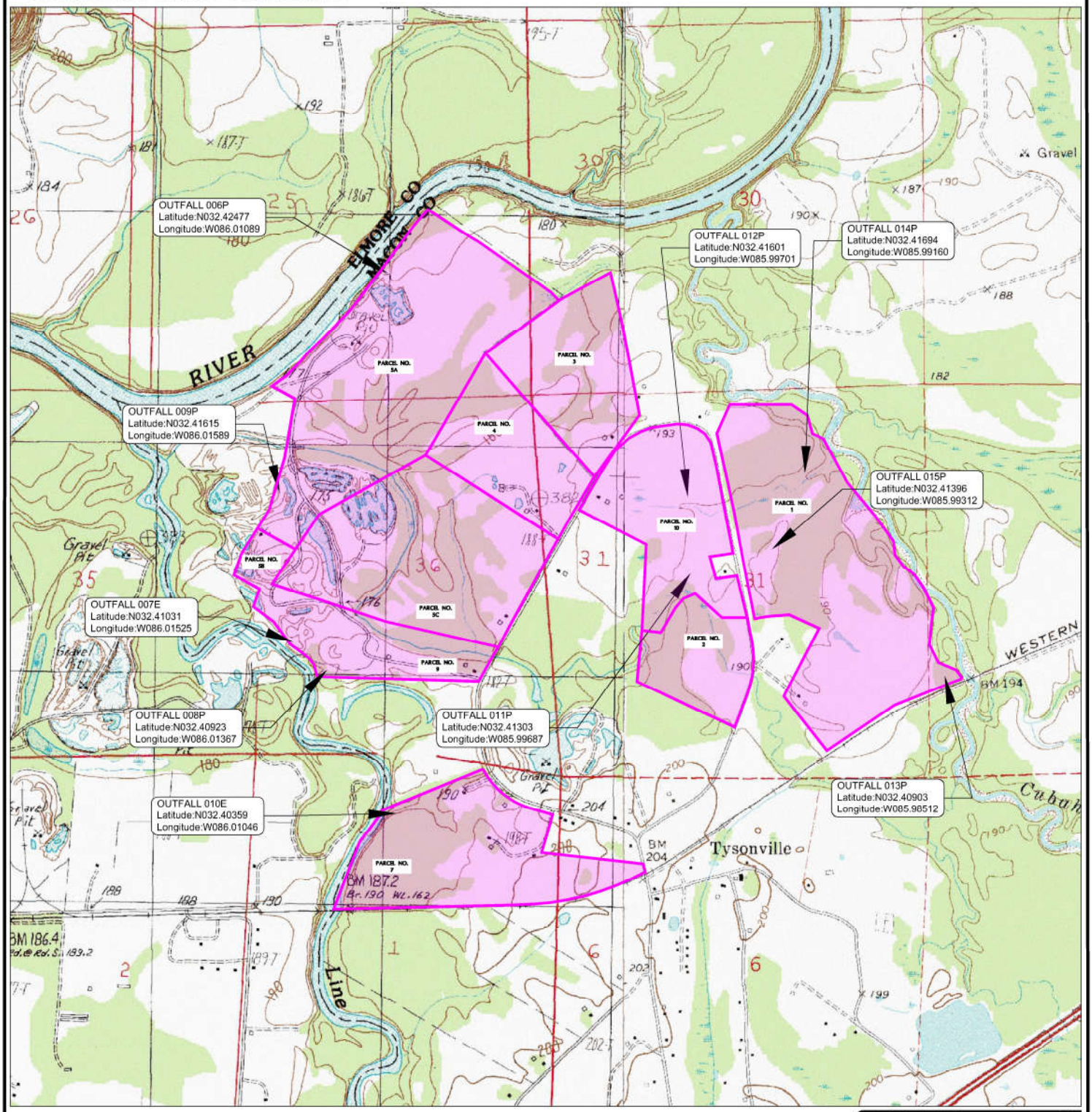
The applicant is required to supply the following information separately for every proposed or existing outfall. Identify and list expected average daily discharge of any other pollutant(s) listed in EPA Form 2C Tables A, B, C, D, and E that are not referenced in Part XVI.B. or otherwise submitted elsewhere, 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
None Expected										

Wiregrass Construction Company, Inc.
Hickory Bend Mine
Located in Section 25, 35 & 36, T-17-N, R-20-E
Section 30, 31 & 32, T-17-N, R-21-E
Section 1, T-16-N, R-20-E
Section 6, T-16-N, R-21-E
Macon County, Alabama
Brassell and Shorter Quadrangles

0 2000 4000 Feet

N W E S



NPDES PERMIT BOUNDARY

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

REVISED: 8/15/2025
DATE: 3/16/2022

WIREGRASS CONSTRUCTION COMPANY, INC.

Garrett Pass
Senior VP of Operations
Phone: 334-356-2560
gpass@wiregrassconstruction.com

May 8, 2025

Ms. Kelly Hill
Permits and Services Division
Water Division
Alabama Department of Environmental Management (ADEM)
P.O. Box 301463
Montgomery, AL 36130-1463

RE: Duly Authorized Representative Delegation

Permittee: Wiregrass Construction Company, Inc.
110 Office Park Dr., Suite 300
Birmingham, AL 35203

Dear Ms. Hill:

In accordance with ADEM Admin. Code r. 335-6-6-.09, this letter serves to delegate authority to Tim Goodin, Area Manager - Aggregates, to act as duly authorized representative (DAR) for Wiregrass Construction Company. Mr. Goodin maintains overall responsibility for numerous sites which comprise his Area, and by Action by Unanimous Written Consent of the Board of Directors of Wiregrass Construction Company, Inc., is delegated signatory authority.

Please contact me at 334-356-2560 if you have any questions or require additional information.

Thank you,

Garrett Pass, Senior Vice President of Operations
Wiregrass Construction Company, Inc.

Wiregrass – HBM AL0077361

Landowners:

- Heirs of James Jackson
  c/o Fleming Jackson
  5333 Balboa Blvd, Apt 144
  Encino CA 91316
  213-200-6406

- Sylvia N. Harper
  8549 Wexford Trace
  Montgomery AL 36117
  334-207-2144

- Joe Calloway
  3277 Tysonville Loop
  Shorter AL 36075
  334-421-8815

- Jecynthia Woods
  3332 Afton Lane
  Birmingham AL 35242
  205-266-5573

Spill Prevention, Control and Countermeasures Plan (SPCC Plan)

For:

Hickory Bend Mine
2291 Tysonville Loop
Shorter, AL 36075

Prepared For:

Wiregrass Construction Company, Inc.
1342 Carmichael Way
Montgomery, AL 36106

Prepared By:

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

Certified By:

Steven E. Speaks
Professional Engineer & Professional Land Surveyor
PE/PLS Number: 20897

Date of Plan:

Revised Date: August 2025
Revised Date: March 2022
Revised Date: October 2020
Revised Date: July 2020
Initial Date: January 29, 2016

SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN (SPCC)

Table of Contents

Spill Prevention, Control and Countermeasures (SPCC) Plan

Wiregrass Construction Company, Inc.
Hickory Bend Mine
Shorter, Alabama
August 2025

Section 1: INTRODUCTION

A. PURPOSE OF PLAN

This Spill Prevention, Control and Countermeasures (SPCC) plan was prepared based on the United States Environmental Protection Agency's (EPA), Code of Federal Regulations, 40 CFR Part 112 - Oil Pollution Prevention. The purpose of this Plan is to prevent the discharge of oil and oil products from this facility into the environment in quantities that may be harmful. This Plan shall use the term "oil", as defined in 40 CFR 112 to mean oil of any type or in any form including but not limited to diesel fuel, motor oil, hydraulic oil, etc. Any discharge that affects the quality of water, causes an oil film, oil sheen, discoloration of the water surface, discoloration of adjoining shorelines, or causes a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines is strictly prohibited by law. This plan also sets forth a coordinated plan to properly respond to any oil discharge should it occur in order to minimize impacts to human health, the environment, and employee safety.

This plan will be amended and recertified within six (6) months of any significant changes in the facility's design, construction, operation or maintenance which would affect the facility's potential for the discharge of oil and oil products into the environment or the facility's ability to address a worst case discharge. At least every five years, this plan must be re-evaluated to determine if new 'field-proven' technologies might decrease the potential for a petroleum release. If amendments are necessary based on the review, they must be completed within six (6) months and recertified. A registered professional engineer must certify the plan each time it is modified and/or updated. If no amendments are made, the statement "no revision deemed necessary" must be included with the plan and signed by the Responsible Official (RO).

B. CERTIFICATION

The undersigned certify that Wiregrass Construction Company, Inc. – Hickory Bend Mine has been examined and, being familiar with provisions of 40 CFR Part 112, attest that this Spill Prevention Control and Countermeasure (SPCC) Plan has been prepared in accordance with good engineering practices; that procedures for required inspections and testing have been established; and that this plan is adequate for the facility.

Steven E. Speaks
Professional Engineer & Land Surveyor
Alabama Registration PE/PLS No. 20897
Date: 9-9-2025

C. MANAGEMENT APPROVAL

I certify that this Spill Prevention Control, and Countermeasures (SPCC) Plan was prepared with my knowledge. I understand that for the SPCC to be valid and effective, the procedures and recommendations in the SPCC must be implemented at my facility. I have read and approved the procedures and practices outlined in this plan, and I have the authority to implement the changes at my facility required to comply with the plan.

_____

Garrett Pass
Senior Vice President of Operations
Responsible Official
Date: _____

D. SPCC RULE CROSS REFERENCE

Final SPCC Rule	Old SPCC Rule	Description of Section	Page
§ 112.7	§ 112.7	General requirements for SPCC Plans for all facilities and all oil types	**3-5**
§ 112.7(a)	§ 112.7	General requirements; discussion of facility's conformance with rule requirements; deviations from Plan requirements	**4**
§ 112.7(a)	§ 112.7	Facility characteristics that must be described in the Plan	**7**
§ 112.7(a)	§ 112.7	Spill reporting information in the Plan	**18**
§ 112.7(a)	§ 112.7	Emergency Procedures	**16**
§ 112.7(b)	§ 112.7(b)	Fault Analysis	**7**
§ 112.7(c)	§ 112.7(c)	Secondary containment	**9**
§ 112.7(d)	§ 112.7(d)	Contingency planning	**N/A**
§ 112.7(e)	§ 112.7(e)(8)	Inspections, test, and records	**12**
§ 112.7(f)	§ 112.7(e)(10)	Employee training and discharge prevention procedures	**15**
§ 112.7(g)	§ 112.7(e)(9)	Security (excluding oil production facilities)	**14**
§ 112.7(h)	§ 112.7(e)(4)	Loading/unloading (excluding offshore facilities)	**11**
§ 112.7(i)	N/A	Brittle fracture evaluation requirements	**9**
§ 112.7(j)	§ 112.7(e)	Conformance with State requirements	**4**
§ 112.8 § 112.12	§ 112.7(e)(1)	Requirements for onshore facilities (excluding production facilities)	**4**
§ 112.8(a) § 112.12(a)	N/A	General and specific requirements	**5**
§ 112.8(b) § 112.12(b)	§ 112.7(e)(1)	Facility Drainage	**5**
§ 112.8(c) § 112.12(c)	§ 112.7(e)(2)	Bulk Storage containers	**9**
§ 112.8(d) § 112.12(d)	§ 112.7(e)(3)	Facility transfer operations, pumping, and facility process	**11**

Section 2: CONFORMANACE WITH REQUIREMENTS

A. GENERAL CONFORMANCE

This SPCC Plan conforms to the general plan requirements as stated in 40 CFR 112, Subpart A, Section 112.7, including preparation in accordance with good engineering practices. A SPCC Rule Cross Reference table is provided on Page 3 of this Plan as required.

B. SUBPART B SPECIFIC CONFORMANCE

This Plan conforms to the specific requirements listed in 40 CFR 112, Subpart B, Section 112.8. Specific conformance is discussed in Section III, D. Surface Drainage; Section VII, Bulk Storage Containers; and Section X, A. Facility Transfer Operations.

C. FACILITY RESPONSE PLAN REQUIREMENTS

A response plan is not required for this facility. A certification of the Applicability of the Substantial Harm Criteria is included as **Appendix F**.

D. STATE OF ALABAMA

The State of Alabama defers to 40 CFR 112 for all regulations related to SPCC Plan conformance. Also see ADEM ADMIN Code r.335-6-6.12(r)

Section 3: FACILITY INFORMATION

A. GENERAL

This 900± acre site is occupied by a sand and gravel aggregate quarry and consists of the excavated quarry area(s), aggregate wet screening plant, office, scales and the following above ground storage tanks in Table 1 below:

TABLE 1: LOCATION/TANK INFORMATION

*TANK ID (Location on Figure 2)	Size / Quantity (Gallons)	Type	Contents	Secondary Containment
A	10,000	AST	Off-road Diesel	Double - Wall
B	4,000	AST	Off-road Diesel	Double - Wall
C	4,000	AST	Off-road Diesel	Double - Wall

*** Refer to (Figure 2 – Facility Layout Map in Appendix A) for locations of Aboveground Storage Tanks (ASTs) listed above.**

B. SPECIFIC FACILITY INFORMATION

Company Name:	Wiregrass Construction Company, Inc.
Facility Name:	Hickory Bend Mine
Facility Street Address:	2291 Tysonville Loop, Shorter, AL 36075
Facility Phone Number:	(334) 727-7042
Owner:	Wiregrass Construction Company 1342 Carmichael Way Montgomery, AL 36106
Maximum Oil Storage Capacity:	**18,000 Gallons**

C. LOCATION

This facility is located on Tysonville Loop, Shorter, Macon County, Alabama. The site is in Sections 25, 35 & 36, Township 17 North, Range 20 East; Sections 30, 31 & 32, and Township 17 North, Range 21 East; Section 6, Township 16 North, Range 20 East; and Section 1, Township 16 North, Range 21 East on the Brassell Quadrangle, U.S.G.S. 7.5 minute topographic map **(see Figure 1 – Site Location/Topo Map in Appendix A)**.

From Montgomery, Alabama, travel on I-85 north to Exit 16. Turn right at the top of the ramp. Turn left onto Highway 80 east. Turn left onto Macon County Road 97. At the fork in the road, veer left onto Tysonville Loop. The official entrance is on 'parcel 9' approximately 1.5 miles from the fork on the left side of the road.

Latitude and Longitude of Entrance: 32.408833°N -86.006722°W

D. FACILITY DRAINAGE

Surface runoff from the oil storage area(s) at the plant area is in general to the south, where it flows into a settling pond that is intended to treat runoff for sedimentation. Discharge from the settling pond flows into Line Creek which flows to the Tallapoosa River (**see Figure 1 – Site Location/Topo Map in Appendix A).**

E. RESPONSIBLE PERSONNEL

For the purpose of this Plan, the following personnel have been designated as "Responsible Official (RO)" & Emergency Coordinator (s) and will be notified as soon as possible of any oil spill or release.

Name	Title	Phone
Garrett Pass	Senior Vice President of Operations (Responsible Official)	334-657-0422
Tim Goodin	Area Manager - Aggregates	334-560-6153

The personnel identified above, acting as Emergency Coordinator(s), will have the authority to commit the necessary resources to ensure that the emergency actions of the Plan are carried out.

Section 4: PLAN ADMINISTRATION

A. DISTRIBUTION

A complete and updated version of the plan will be kept in the corporate and site offices. The plan must be available for use & review at all times. Copies of the Plan shall be provided to the appropriate government agencies **(see Appendix D)**.

B. OWNERS REVIEW & AMENDMENTS

It shall be the responsibility of Wiregrass's Management to maintain a complete copy of an updated SPCC Plan at the facility at all times. The Plan will be made available to appropriate regulatory authorities for on-site review during normal working hours.

In accordance with Section 112.5(a) of 40 CFR 112, the facility owner must amend the SPCC Plan whenever there is a change in facility design, construction, operations, or maintenance that affects the facility's potential for the discharge of oil and oil products.

In accordance with Section 112.5(b) of 40 CFR 112, if there have been no changes to the fuel storage system, the facility owner must complete a review and evaluation of the SPCC Plan at least once every five (5) years. As a result of this review and evaluation, the facility owner must amend the SPCC Plan to include any new "field-proven" technologies which might decrease the potential for a petroleum release.

Amendments to this SPCC Plan shall be fully implemented as soon as possible, but

no later than six (6) months after changes occur or after the review period. All technical changes to the fuel system/storage must be amended in the Plan and the Plan must be resealed by the engineer of record. Any non-technical changes such as names, telephone numbers, etc. do not require that the plan be resealed. These non-technical changes should be noted and records of such activities made and placed as an addendum to the Plan.

Section 5: HISTORY OF DISCHARGE EVENTS

There have been no known reportable discharges of oil previously reported at this location.

Section 6: FAULT ANAYLSIS

Potential equipment mechanisms (such as tank overflow, rupture, or leakage) that could result in an oil release at this facility can be grouped into two classifications:

- Failures due to structural, mechanical, or instrumentation failures
- Failures due to equipment / operator error

A. EQUIPMENT FAILURES

Tank ruptures can occur as a result of structural deficiencies, material defects, unchecked corrosion, and extreme stresses resulting from unusual internal pressures or external loads. Flexible piping ruptures could also occur due to wear or damage. A catastrophic rupture could result in the immediate release of a tank's contents unless actions were taken to stop the flow of oil.

Oil releases can also occur as a result of mechanical failures in the tank piping and associated pumping system. Failures at the piping and hose connections can occur as a result of equipment vibration, ground settlement, corrosion, accidents, etc. Because all piping is aboveground, any fuel leak should be visible to personnel during any fueling and transfer and during their monthly inspections.

B. OPERATOR FAILURES

Failure to properly test, inspect, and maintain tanks, piping, pumps, and associated storage system structures could result in an oil release. Improperly selected or installed seals and gaskets could create leaks, while inadequately tightened joints, valves, caps or improperly sealed flanges of the piping could result in seepage at those critical points. The extent of the oil release would be dependent on the circumstances,

quantity of material stored, and the duration of the release.

A release of petroleum products to the environment at this facility will most likely occur because of operator failure during a delivery of oil products from an outside vendor. For example, if a tank truck discharge hose is accidentally disconnected from the tank and no automatic shutoff system is present on the delivery nozzle. The maximum spill potential from a tank truck release would be the capacity of the single largest delivery truck tank compartment, usually 2,000 gallons or less for fuels.

C. POTENTIAL DISCHARGE VOLUME AND DIRECTION OF FLOW

Source	Type of Failure	Maximum Volume (gal)	Estimated Maximum Discharge Rate (gal/min)	General Direction of Flow	Secondary Containment
Truck Loading/Unloading	Tank Rupture	2,000	Varies***	South	None*
	Hose Rupture	2,000	Varies***	South	None*
	Equipment Failure	2,000	Varies***	South	None*
10,000 Gallon Diesel Tank	Tank Rupture	10,000	Varies***	South	Double-wall tank**
	Equipment Failure	10,000	Varies***	South	Double-wall tank**
4,000 Gallon Diesel Tank	Tank Rupture	4,000	Varies***	South	Double-wall tank**
	Equipment Failure	4,000	Varies***	South	Double-wall tank**
Piping	Pipe Break	N/A	N/A	N/A	N/A

*See Emergency spill response/cleanup procedures.

**In the event the rupture or failure is in the outside wall of the containment refer to the Emergency spill response/cleanup procedures section.

***Estimated max discharge rate (gal/min) varies due to type of failure (rupture, small hole/leak, etc.).

Section 7: BULK STORAGE TANKS

The facility will have three (3) aboveground storage tanks (ASTs) containing diesel fuel as detailed below:

Location	Contents of Tank	Capacity (gallons)	Secondary Containment Type
Scale House	Diesel	10,000	Double - Wall
Plant Area	Diesel	4,000	Double - Wall
Plant Area	Diesel	4,000	Double - Wall
Total Storage:		**18,000**	

A facility site plan/map with tank and storage locations is included in **(Figure 2 – Facility Layout Map in Appendix A)**. Tanks comply with Underwriters Laboratories construction specifications and local fire codes. Each tank shall be visually inspected monthly for leaks. All pumps and valves associated with the storage tanks are off/closed & locked out when not in use by facility personnel. The diesel storage tanks have secondary containment that is provided from being constructed with double-wall technology. The tanks are attended and gauges monitored at all times during filling operations. The quantity of oil contained in each tank is measured by mechanical or automatic methods with externally mounted gauges. Extreme caution will be taken during all tank filling operations to reduce the risk of spillage.

Section 8: BRITTLE FRACTURE EVALUATION REQUIREMENTS

There are no field constructed tanks at this site, and no brittle fracture tests are required.

Section 9: SECONDARY CONTAINMENT & DIVERSIONARY STRUCTURE

A. CONTAINMENT AREAS

All tanks on-site are double-wall construction, which acts as containment. No additional secondary containment structures are present on-site. **See Appendix H**.

B. REMOVAL OF RAINWATER

Not applicable – No secondary containment structures are present on-site.

C. REMOVAL OF OIL FROM SECONDARY CONTAINMENT AREAS

Not applicable – No secondary containment structures are present on-site.

Section 10: OIL PIPING & TRANSFER OPERATIONS

A. FACILITY TRANSFER OPERATIONS

The storage tanks are filled as needed by delivery tanker trucks. Transfer operations will be monitored at all times, and any spills would be immediately noticed and cleaned up. Spill kits shall be near all ASTs for immediate clean-up of any drips and small spills.

B. TANK TRUCKING LOADING / UNLOADING

It shall be the responsibility of the Site's Emergency Coordinator(s) to ensure that the following procedures are followed at all times when the stationary storage tank is being filled:

1. Ensure that the correct material is unloaded to the tank.
2. A physical barrier system or warning signs should be provided in the loading/unloading area to prevent the truck from departing before disconnecting flexible or fixed transfer lines.
3. The driver will remain outside of the vehicle and monitor the transfer equipment at all times during the unloading process. The use of "hands free" dispensers is not acceptable.
4. All level gauges must be visible to and observed by either the driver or a facility operator during all loading/unloading operations to ensure that an over fill of a tank does not occur.
5. Extreme care shall be taken during all filling operations to avoid spills and/or oil releases.
6. Prior to the departure of any tank truck, the lowermost drain and all outlets on such vehicles will be closely examined for leakage, and if necessary, tightened, adjusted or replaced to prevent oil leakage while in transit.

The above requirements will apply to all employees removing oil from storage tanks for on road or off-road use.

During the filling of the storage tanks, facility personnel should employ the use of a direct audible or code signal communication between the container gauge and the person operating the pumping mechanism. This system must be used during

offloading operations to the storage tank. The tank gauge must be able to communicate the tank's level status clearly and quickly to the pumping personnel. Upon hearing or seeing the gauge personnel issue the "near full" signal, the operator of the pump must stop the offloading or restrict the flow to prevent an over fill.

Alternatively, the fuel storage tank may be equipped with audible high-level alarms that will alert the individual offloading fuel from the tanker delivery trucks that the storage tank is nearing the maximum capacity. Upon hearing the alarm, the operator of the pump must stop the offloading or restrict the flow to prevent an over fill.

To prevent human error related to overfill during a fuel transfer, many tankers are equipped with a "dead man" type pump switch. The switch is a spring activated handle that must be depressed at all times to keep the pump operating. This device should not be altered or modified in any way to prevent its designed purpose.

If an over fill does occur, all spilled fuel should be contained within the spill pad area and will be responded to as directed by this Plan.

The truck loading and unloading procedures meet the minimum requirements of the U.S. Department of Transportation. For a summary of the **Fuel Transfer Procedures (see Attachment I).**

Section 11: INSPECTIONS, TESTS, & RECORDS

A. INSPECTIONS

The general condition of the secondary containment, fueling area, pumps, valves, flange joints, expansion joints, valve glands, catch pans, supports, and all appurtenances will be inspected monthly. The secondary containment should also be inspected after each rain event. Each inspection will be recorded on the **AST Monthly Inspection Form** provided in **Appendix B**. Any leaks, malfunctions, needed repairs, or improper conditions discovered during the inspection should be brought to the attention of the Emergency Coordinator immediately. The Emergency Coordinator will have the repairs completed as soon as possible. Each of the Inspection Sheets will be signed by the inspector and maintained with this plan for a period of five (5) years.

B. TESTS – ABOVEGROUND TANKS

1. **Tanks Exceeding 1,000 Gallons Capacity and Not in Contact with the Ground**
   Refers to all tanks, vertical and horizontal, that are elevated above the ground by saddles, stands, racks, supports, or by any other form and exceed a storage capacity of 1,000 gallons (ground is defined as soil, sand, gravel, concrete, asphalt, earth, and all other solid surfaces)

   a. Integrity Testing – All tanks, valves, and associated piping shall be tested for integrity by use of the ultrasonic method. The individuals conducting the tests must meet the certification requirements utilized by the American Petroleum Institute (API). This test will measure the structural soundness of the tank's shell, bottom, and floor and the soundness of the valves and piping that will contain oil.

   b. Leak Testing - All tanks, valves, and associated piping will be tested for liquid tightness. The method of leak testing will be by the mass measurement method. This test will determine if the tank, valves, and associated equipment may leak oil.

   c. Frequency of Tests – Integrity testing will begin fifteen (15) years post the original manufacturing date of the tank and will be conducted at a minimum of every five (5) years; whenever there are modifications, repairs, or structural changes to the tank. Leak Testing will be conducted every five (5) years. For all buried piping, integrity and leak testing must be conducted at the time of installation, modification, construction, relocation, or replacement.

C. REMOVAL OF TANKS FROM SERVICE

At the completion of integrity testing, any tank that is found to have a wall thickness that is 50 percent less than the original wall thickness when manufactured, will immediately by removed as an active tank. The 50 percent or less wall thickness will apply to any single location on the tank. All such tanks will either be repaired in accordance with API requirements or replaced. Any repaired tanks must be retested and must pass the integrity test before being placed back in operation.

Any tank that fails a leak detection test will immediately be removed as an active tank. The source of the leak will be repaired in accordance with API requirements, or the

tank will be replaced. Any repaired tanks must be retested for tightness and must pass before being placed back in operation.

All tanks that exhibit obvious, suspected, or possible structural problems will immediately be removed as active tanks until they are inspected. If the tanks are determined to be safe, they can be placed back into operation. If the tank fails integrity or leak detection tests, they will be repaired in accordance with API requirements or replaced. If the tank is repaired, it will be retested for tightness before being placed back into operation.

D. RECORDS

Records shall be retained on all tanks, equipment, and other aspects of oil use and releases at the facility. A description of the forms used at the facility is as follows:

1. **Aboveground Storage Tank (AST) Monthly Inspection Form**

   The AST Monthly Inspection Form will be completed on a monthly basis when the facility is in operation **(see Appendix B).** The completed form should be placed in the facility's logbook and retained for five (5) years.

2. **Notification of Reportable Spill Events & Discharge Notification Form**

   This form will be completed whenever there is an oil spill, leak, or release that results in oil or oil sheen on any water surface that might reach a navigable waterway **(see Appendix C & D).** Any release which remains within secondary containment is not required to be reported on the Notification of Reportable Spill Events & Discharge Notification Form to the regulatory authorities.

   For any spills required to be reported to a government agency, the Facility Representative doing the notification will record all the required information on these forms in **Appendix C & D**. Copies of the completed forms will be permanently kept in the facility's logbook.

Section 12: SECURITY SYSTEMS

A. SITE ACCESS

The entrance/haul road to the site will be gated and locked when there are no operational personnel at the facility. Any unknown person(s) entering the facility shall be met as soon as possible and questioned to ascertain their presence at the site.

Anyone not authorized to be at the facility will be directed to leave.

B. CONTROLS

In order to prevent spills due to vandalism, all valves will be closed and locked during non-operating or unattended. All pumps and valves used for removal of precipitation and/or released oil from secondary containment will be locked in the closed position except when in use. The electrical controls on all pumps shall be locked in the off position or located within a lockable area that is only accessible to authorized personnel except when in use or in standby mode.

C. LIGHTING

During any nighttime operations, sufficient lighting shall be provided so facility operators can see and react to any oil releases. Typically, there are no nighttime operations. However, lighting should be provided for early morning activities that occur before the sun rises.

Section 13: PERSONNEL TRAINING & SPILL PREVENTION

A. TRAINING

Wiregrass's Management will designate Emergency Coordinators to be accountable for oil spill prevention, training, and reporting at this facility. At least annually, all personnel connected with or responsible for filling of the AST's or spill cleanup will receive instruction from the Emergency Coordinator on the provisions of the SPCC Plan and the operation and maintenance of equipment to prevent the discharge of oil. All new employees will be trained on spill prevention and spill response upon employment. An Emergency Coordinator will ensure that the workers are familiar with the SPCC Plan and that each worker has read the Plan and signed the appropriate form indicating that they understand the Plan in **Appendix E**.

B. SPILL PREVENTION & RESPONSE BRIEFINGS

It will be the responsibility of the Emergency Coordinator(s) to schedule and conduct spill prevention briefings/trainings for facility personnel annually to ensure that workers have an adequate understanding of the specific SPCC Plan for the facility. A log of these briefings will be kept with the SPCC Plan in **Appendix E**. In addition, the briefing will include discussion of any previous spills, equipment or procedural failures, and spill prevention measures that could reduce the probability of a future spill.

Section 14: SPILL RESPONSE MATERIALS

A supply of spill response materials and equipment will be maintained at the facility at all times. A designated storage location for equipment is to be at the facility to keep items such as non-sparking shovels, brooms, personal protective equipment, and empty 55-gallon drums. The spill kits will be located in the locations of all AST tanks **(See Figure 2 for location of spill kits)**. All workers will need to be aware of the location, content, and proper usage of these spill response materials. At a minimum, the materials and supplies should include:

- Non-Sparking Shovels and Brooms – Equipment Storage
- Empty 55-gallon Drums with Lids/Labels – Equipment Storage
- Oil Absorbent Materials (pads, mats, socks, pillows, Oil Dry, etc.) – Spill Kits
- Absorbent Floating Booms – Equipment Storage
- Sand & gravel – Equipment Storage
- Personal Protective Equipment – Spill Kits and excess in Equipment Storage
- Immediate Access to Heavy Equipment

Disposable materials and supplies should be reordered within 24 hours of use and restocked as soon as possible. All non-disposable materials and supplies shall be fully cleaned and replaced in the designated spill response storage area. An example of spill kit items can be found at the following link: https://www.newpig.com/pig-oil-only-spill-kit-in-20-gallon-high-visibility-economy-container/p/KIT4300

Section 15: EMERGENCY SPILL RESPONSE/CLEANUP PROCEDURES

A. INITIAL RESPONSE ACTIONS

The following are initial response actions for an oil spill at the facility and should be followed to the extent possible and practical.

Immediate Actions for All Oil Releases

Emergency Coordinator & Responsible Official (RO):		
Garrett Pass, Responsible Official	**Office:**	**334-356-2560**
	Cell:	**334-657-0422**
Tim Goodin, Emergency Coordinator	**Office:**	**334-356-2570**
	Cell:	**334-560-6153**

IN CASE OF FIRE, IMMEDIATELY CALL 911 FOR ASSISTANCE.

IF CONDITIONS ARE HAZARDOUS, DO NOT APPROACH.

IF AT ALL POSSIBLE, STOP THE SOURCE OF THE RELEASE.

Close valves, shut down pumping or take whatever actions are possible to stop the release. If conditions are hazardous (i.e. fire, potential explosion, etc.) do not approach. As appropriate, call other nearby employees for assistance in stopping the release if safety is not an issue. Immediately contact the Emergency Coordinator or his alternate at the numbers below.

Upon arrival of an Emergency Coordinator / RO, all response actions are to be under his direction. An RO / Emergency Coordinator will determine the emergency response actions necessary including whether evacuation of whole or part of the facility is necessary.

In the case of partial evacuations, all nonessential personnel will move to the site's designated safe area, and, if necessary, assist with the direction of emergency vehicles or equipment responding to the situation. An Emergency Coordinator will also inform personnel within the vicinity of the release of any safety concerns such as restrictions on smoking, limited use of vehicles, and the potential for flammable fumes in the area.

Once it is determined that a safety concern does not exist, take immediate action to contain the release as close to the source as possible, in the smallest area possible and thus prevent the release from leaving the mining/plant property and reaching any surface water body (pond, lake, creek, river, etc.). Absorbent materials, sand, gravel, booms, pads, and heavy equipment may be used to contain the spill. Shovels and front-end loaders can be used to construct berms, barriers, or other diversionary ditches to stop the flow of oil. Once contained, the oil will be recovered by use of special absorbent materials, if practicable. If not practicable, it may be necessary to contact the emergency response contractor listed on the next page of this Plan.

In the event that a release is not stopped before it migrates into a navigable water (creek), the emergency response actions shall be relocated to that area, and the hired emergency response contractor will be contacted immediately so that recovery can begin. An oil absorbing boom shall be placed downstream from the leading edge of the oil to intercept the oil before it can migrate further. An absorbing boom or a soil/gravel dam should be

created at the water body's discharge point (weir, overflow pipe, etc.) to prevent the oil from flowing downstream.

As soon as possible after the discovery of an oil release and after the situation is under control, those individuals identified as Responsible Official in Section III., E. of the Plan should be notified by the Emergency Coordinator if not present. Used absorbent materials, contaminated soils and containers of recovered petroleum products should be properly disposed of in accordance with solid waste regulations.

B. EMERGENCY RESPONSE CONTRACTOR

If it is determined that assistance is needed in stopping the oil release, in the recovery of released material, or with cleanup operations, the following contractor shall be contacted:

Emergency ***Contractor*** Contact Information: ***{Fill in Hired Spill Clean-up Contractor Info}***

It is recommended that you contact an emergency response contractor and establish a relationship. In the event of a spill, this contractor can be called and clean-up can begin as quickly as possible.

C. CORPORATE NOTIFICATION

The Emergency Coordinator will inform Wiregrass's Management of a release as soon as possible, but not longer than 16 hours, after immediate response actions have been concluded. Also, the Emergency Coordinator shall inform the management in writing within 48 hours of a release. The Emergency Coordinator shall determine which, or if any, operation at the facility should be suspended.

D. VERBAL NOTIFICATION TO REGULATORY AGENCIES

The following releases of oil that reach a navigable water must be reported to the listed regulatory agencies. In the event that 25 gallons or more of petroleum products have breached the secondary containment, the Emergency Coordinator/RO or Alternate should be notified immediately. The Emergency Coordinator/RO or Alternate will

contact the following:

1. A release that violates applicable water quality standards (i.e. any release, including a release of contaminated water from a secondary containment area). Although there may be no visible sheen or oil on the water surface in the containment area, if the water has been in contact with oil for a sufficient period of time, chemical constituents from the oil can dissolve into the water and possibly make the water contaminated. If that water is drained from the containment area, it may be in violation of the water quality standards.
2. A release of oil that causes a film of oil, an oil sheen, or discolorations of the surface of the water or the adjoining shorelines or causes a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.
3. A release that may affect the natural resources of the United States. This essentially means water, soil and/or groundwater that may migrate off the site.

It will be the responsibility of the owner/operator to report oil releases to the appropriate regulatory authority. After receiving the information concerning the release from the Emergency Coordinator, Wiregrass will then determine if the release is reportable to the regulatory agencies. If in doubt about whether a release is reportable — report it. It is better to report a release that was not required than not to report one that is required.

If the release is determined to be reportable, the Wiregrass's management will contact and conduct reporting requirements within 24 hours. The following agencies should be contacted:

NATIONAL RESPONSE CENTER
800-424-8802

THE ALABAMA EMERGENCY MANAGEMENT AGENCY (AEMA)
800-843-0699

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANGEMENT (ADEM)
334-271-7700

THE FOLLOWING INFORMATION WILL BE PROVIDED TO FIRE, ENVIRONMENTAL AGENCIES (STATE & EPA) AND EMERGENCY SERVICES BY THE PERSON DISCOVERING A SPILL: **(see Appendix J)**

1. Name and telephone number of the spill reporter.
2. Name and address of the facility.
3. Time and type of incident.
4. Type and estimated quantity of materials involved.
5. The extent of injuries, if any.
6. Possible affects to human health and/or to the environment.

The following information may be utilized as a guideline for analyzing and maintaining a record of the incident:

1. Name and telephone number of person making the report.
2. Date and time of incident or time of discovery.
3. Type and estimated amount of material.
4. Location and specific areas affected by spill.
5. Receiving stream or waters.
6. Cause and source of incident.
7. Corrective actions taken
8. Injuries and/or property damage.
9. Duration of discharge.
10. General discussion of the incident.

Important:

Remain on the telephone until you are certain that the agency representative has received all of the information needed.

E. WRITTEN NOTIFICATION

1. Reportable Release Notification – Federal

A written notification must be submitted to the U.S. EPA whenever there is:

- Any single discharge greater than 1,000 gallons; or
- When there are any two discharges greater than 42 gallons occurring within a 12-month period.

The Emergency Coordinator/RO is responsible for insuring that, within sixty (60) days of the discovery of the release, a written report is submitted to the U.S. EPA, Region 4 Office. Regional Administrator. The report shall include the following information:

- Name of the person reporting
- The exact name and address of the facility
- Telephone number
- Date & time of spill
- Exact description of location of spill
- Description of the material(s) spilled
- Estimated quantity of material(s) spilled
- A description of the cause and failure analysis
- Description of all affected media (e.g. water, soil)
- Any damage or injuries
- Actions being taken to stop, remove, or mitigate the effects of the spill
- Whether an evacuation was needed
- Maximum oil storage capacity and daily throughput
- Provide maps, drawings, and other data as necessary
- Actions taken to prevent or minimize a recurrence

2. Reportable Release Notification - State

A description addressing measures taken in response to the spill should be submitted to ADEM within 15 days after the incident.

F. POST RESPONSE ACTIONS

The Emergency Coordinator/RO will be responsible for insuring that all contaminated debris and recovered waste material is disposed of properly and in a method acceptable to the appropriate regulatory agencies. All drained oil shall either be reused or disposed of in an acceptable and legal manner. Special care will be taken to ensure that equipment and supplies used during an emergency response are restocked or returned following use. Any equipment that comes into contact with oil will be cleaned before being placed back into storage.

Appendix A: Figures 1, 2

Wiregrass Construction Company, Inc.
Hickory Bend Mine
Located in Section 25, 35 & 36, T-17-N, R-20-E
Section 30, 31 & 32, T-17-N, R-21-E
Section 1, T-16-N, R-20-E
Section 6, T-16-N, R-21-E
Macon County, Alabama
Brassell and Shorter Quadrangles

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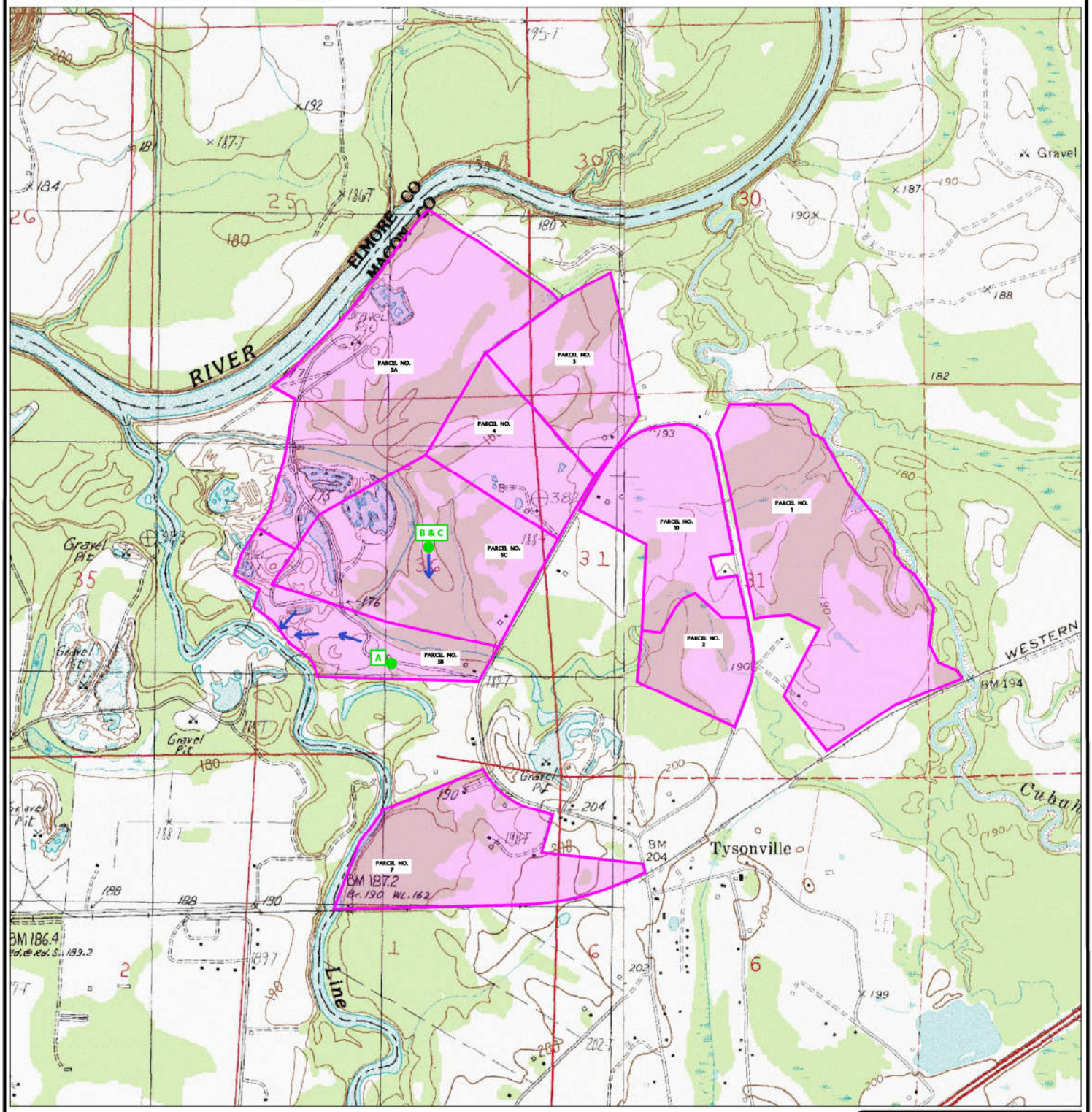

NPDES PERMIT BOUNDARY

REVISED: 8/15/2025
DATE: 3/16/2022

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

SPCC - Figure 2: Oil Storage Locations
Wiregrass Construction Company, Inc.
Hickory Bend Mine
Located in Section 25, 35 & 36, T-17-N, R-20-E
Section 30, 31 & 32, T-17-N, R-21-E
Section 1, T-16-N, R-20-E
Section 6, T-16-N, R-21-E
Macon County, Alabama
Brassell and Shorter Quadrangles

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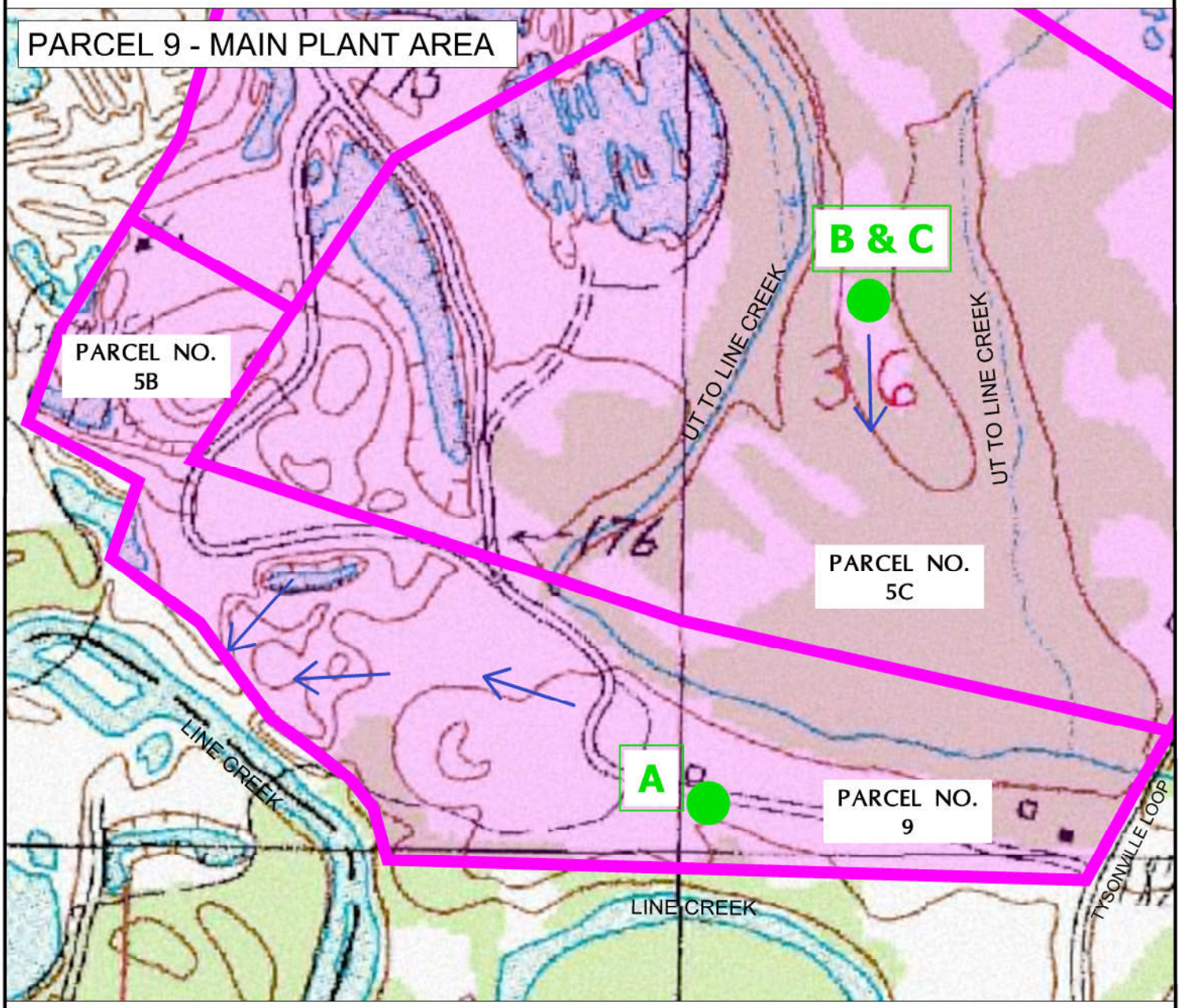


A PETROLEUM TANK LOCATIONS (SEE TABLE 1 IN SPCC PLAN FOR TANK INFO)

SPILL KIT LOCATION

GENERAL DIRECTION OF FLOW

NPDES PERMIT BOUNDARY

REVISED: 9/5/2025
DATE: 3/16/2022

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

Appendix B: SPCC Monthly Inspection Form

This inspection record must be completed **monthly** and ***filed in the plan***. Provide further description and comments, if necessary, on a separate sheet of paper and attach them to this sheet.

*Any item that receives **"yes"** as an answer must be described and addressed immediately.

Items to Check	Y*	N	Description & Comments
Storage tanks			
Tank surfaces show signs of leakage			
Tanks are damaged, rusted or deteriorated			
Bolts, rivets, or seams are damaged			
Tank supports are deteriorated or buckled			
Tank foundations have eroded or settled			
Level gauges or alarms are inoperative			
Vents are obstructed			
Secondary containment is damaged or stained			
Water/product in interstice of double-walled tank			
Dike drainage valve is open or is not locked			
Removal of leaked petroleum product performed			
Piping			
Valve seals, gaskets, or other appurtenances are leaking			
Pipelines or supports are damaged or deteriorated			
Joints, valves and other appurtenances are leaking			
Loading/unloading and transfer equipment			
Loading/unloading rack is damaged or deteriorated			
Connections are not capped or blank-flanged			
Secondary containment is damaged or stained			
Berm drainage valve is open or is not locked			
Security			
Fencing, gates, or lighting is non-functional			
Pumps and valves are not locked (when not in use)			
Response Equipment			
Response inventory equipment is non-complete/unavailable (Spill Kits)			

Date: _____ Signature: _____

Print Name: _____

Appendix C: Notification of Reportable Spill Events

OWNER/OPERATOR: **Wiregrass Construction Company, Inc.**
FACILITY NAME: **Hickory Bend Mine**
FACILITY ADDRESS: **2291 Tysonville Loop, AL 36075**

Release Date: _____ Report Prepared By: _____

Substance Released: _____ Amount released: _____

Location of Spill: _____

Affected Area (describe in detail all areas exposed to the spilled material): _____

_____

_____

Corrective Actions: _____

_____

_____

_____

_____

_____

Plans to Prevent Recurrence: _____

_____

_____

_____

_____

_____

_____

Appendix D: Discharge Notification Form

Part A: Discharge Information		
General information to record when reporting a spill to outside authorities:		
Name:	Wiregrass Construction Company, Inc. – Hickory Bend Mine	
Address:	2291 Tysonville Loop, Shorter, AL 36075	
Telephone:	334-560-6153	
Owner/Operator:	Wiregrass Construction Company, Inc.	
Primary Contact *(your name)*:		
(your cell phone number):		
Type of Product:		Discharge Date and Time:
Quantity released:		Discovery Date and Time:
Quantity released to Creek:	Yes or No (circle)	Discovery Date and Time:
Location/Source:		
Affected Media:	*Actions taken to stop, remove, and mitigate impacts of the discharge:*	
☐ Air		
☐ Water		
☐ Stormwater Sewer/POTW		
☐ Dike or Berm		
☐ Soil		
☐ Other		
Who did you notify:		
What number did you call:		
Describe the damage to facilities and the environment:		
Describe any injuries to persons:		

Part B: Notification Checklist	Date and time	Name of person receiving call
Discharge in any amount		
Garrett Pass, Senior Vice President of Operations 334-657-0422 Tim Goodin, Area Manager - Aggregates 334-560-6153		
Discharge in amount exceeding 10 gallons and *not affecting a waterbody or groundwater*		
Local Fire Department – Shorter Volunteer Fire 2521 Old Federal Road, Shorter, AL 36075 (334) 727-9190 (911)		
ADEM (334) 271-7700		
Discharge in any amount and affecting (or threatening to affect) a waterbody		
Local Fire Department – Shorter Volunteer Fire 2521 Old Federal Road, Shorter, AL 36075 (334) 727-9190 (911)		
ADEM & AEMA (334) 271-7700 (334) 241-2339		
U.S. EPA Region 4 Sam Nunn Atlanta Federal Center 61 Forsyth Street, SW Atlanta, GA 30303-8960 (800) 241-1754		
National Response Center (NRC) (800) 424-8802		
*Local Water Works – N/A		
**Spill Clean Up Contractor - (Name & Phone Number)		

*The Water Works should be notified of a discharge only if oil has reached or threatens sewer drains that connect to the POTW collection system.

**Recommended to hire spill clean-up contractor.

Part C: Summary

Chemical or Petroleum Release Exceeding Reportable Quantity (Major Spill)	
Who to Call	**When to Call**
Ala. Department of Environmental Management (ADEM) Field Operations Division 1400 Coliseum Boulevard Montgomery, AL 36110-2059 **Telephone: (334) 271-7700**	Petroleum Release > 25 gallons Chemical Release > Reportable Quantity Monday - Friday 8:00 am - 5:00 pm within 24 hours of release
Alabama Department of Public Safety **Telephone: (334) 242-4378**	Petroleum Release > 25 gallons Chemical Release > Reportable Quantity Weekends, holidays, and weekdays before 8:00 am or after 5:00 pm within 24 hours of release
National Response Center (NRC) **Telephone: (800) 424-8802**	Petroleum Release > 25 gallons Chemical Release > Reportable Quantity
Alabama Emergency Management Agency (AEMA) Montgomery, AL **Telephone: (334) 241-2339** **800-843-0699**	Petroleum Release > 25 gallons Chemical Release > Reportable Quantity Monday - Friday 8:00 am - 5:00 pm within 24 hours of release
Local Water Works	The Water Works should be notified of a discharge only if oil has reached or threatens sewer drains that connect to the POTW collection system.
Environmental Protection Agency (EPA) Emergency Response Hotline **Telephone: (404) 562-8700**	In the event of a petroleum or chemical release in excess of the reportable quantity when the above agencies cannot be contacted.

Appendix E: Log of Trained Employees Relating to the SPCC

Complete this annual training log once a year with all employees handling petroleum products at facility. SPCC topics to cover include proper storage, containment and spill/clean-up procedures for petroleum products on-site.

Last Name	First Name	Signature	Employment Date	Training Date	Annual Training Review 2025	Annual Training Review 2026	Annual Training Review 2027	Annual Training Review 2028	Annual Training Review 2029	Separation Date (If applicable)

Appendix F: Certification of the Applicability of the Substantial Harm Criteria 40 CFR Chapter 1, Part 112

Facility Name: **Hickory Bend Mine**
Facility Address: **2291 Tysonville Loop, Shorter, AL 36075**
Mailing Address: **1342 Carmichael Way, Montgomery, AL 36106**

1. Does the facility transfer oil over water to or from vessels and does the facility have a total oil storage capacity greater than or equal to 42,000 gallons?
Yes _____ No ___X___

2. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and does the facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation within the aboveground oil storage tank area?
Yes _____ No ___X___

3. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to this appendix or a comparable formula (1) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments? For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments" (see Appendix E to this part, Section 13, for availability) and the applicable Area Contingency Plan.
Yes _____ No ___X____

4. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to this appendix or a comparable formula (1) such that a discharge from the facility would shut down a public drinking water intake (2)?

(1) If a comparable formula is used documentation of the reliability and analytical soundness of the comparable formula must be attached to this form.

(2) For the purposes of 40 CFR part 112, public drinking water intakes are analogous to public water systems as described at 40 CFR 143.2(c).

Yes _____ No ___X____

5. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and has the facility experienced a reportable oil discharge in an amount greater than or equal to 10,000 gallons within the last 5 years?
Yes _____ No ___X____

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

_____ _____
Garrett Pass, Senior Vice President of Operations Date

Appendix G: Written Commitment of Manpower, Equipment and Materials

In addition to implementing the preventive measures described in this Plan, **Wiregrass Construction Company, Inc. – Hickory Bend Mine** will also specifically:

- In the event of a discharge:
  - Make available all trained field personnel to perform response actions
  - Collaborate fully with local, state, and federal authorities on response and cleanup operations (See **Appendix D** for authorities contact info)
- Maintain all on site oil spill control equipment described in this Plan and in the attached Oil Spill Contingency Plan.
- Maintain all communications equipment in operating condition at all times
- Ensure that staging areas to be used in the event of a discharge to the receiving water(s) are accessible by field vehicles
- Review the adequacy of on-site and third-party response capacity with pre-established response/cleanup contractors on an annual basis and update response/cleanup contractor list as necessary
- Maintain formal agreements/contracts with response and cleanup contractors who will provide assistance in responding to an oil discharge and/or completing cleanup

Authorized Facility Representative:

Signature: _____ Date:_____

Name: Garrett Pass

Title: Senior Vice President of Operations

Appendix H: Secondary Containment Calculations / Requirements

- **All Diesel ASTs (1 - 10,000 Gallon, 2 - 4,000 Gallon)**

  Tanks are double-wall construction, which acts as the secondary containment.

Appendix I: Fuel Transfer Procedures

(Follow these procedures when receiving product)

Stage	Tasks
Prior to loading/ unloading	❑ Visually check all hoses for leaks and wet spots. ❑ Verify that sufficient volume is available in the storage tank or truck. ❑ Lock in the closed position all drainage valves of the secondary containment structure. ❑ Secure the tank vehicle with wheel chocks and interlocks. ❑ Ensure that the vehicle's parking brakes are set. ❑ Verify proper alignment of valves and proper functioning of the pumping system. ❑ If filling a tank truck, inspect the lowermost drain and all outlets. ❑ Establish adequate bonding/grounding prior to connecting to the fuel transfer point.
During loading/ unloading	❑ Driver must stay with the vehicle at all times during loading/unloading activities. ❑ Periodically inspect systems, hoses, and connections. ❑ When loading, keep internal and external valves on the receiving tank open along with the pressure relief valves. ❑ When making a connection, shut off the vehicle engine. When transferring Class 3 materials, shut off the vehicle engine unless it is used to operate a pump. ❑ Maintain communication with the pumping and receiving stations. ❑ Monitor the liquid level in the receiving tank to prevent overflow. ❑ Monitor flow meters to determine rate of flow. ❑ When topping off the tank, reduce flow rate to prevent overflow.
After loading/ unloading	❑ Make sure the transfer operation is completed. ❑ Close all tank and loading valves before disconnecting. ❑ Securely close all vehicle internal, external, and dome cover valves before disconnecting. ❑ Secure all hatches. ❑ Disconnect grounding/bonding wires. ❑ Make sure the hoses are drained to remove the remaining oil before moving them away from the connection. Use a drip pan. ❑ Cap the end of the hose and other connecting devices before moving them to prevent uncontrolled leakage. ❑ Remove wheel chocks and interlocks. ❑ Inspect the lowermost drain and all outlets on tank truck prior to departure. If necessary, tighten, adjust, or replace caps, valves or other equipment to prevent oil leaking while in transit.

Appendix J: Spill Response Procedures

Indication of a Leak or Spill

The following could be indications of a leak or spill and should prompt an immediate routine inspection for verification of the release:

Tank/Pipe System Leaks

- Inventory Loss
- Failure of tanks or lines under pressure testing
- Tripping of Leak detectors
- Erratic pumping, loss of flow to secondary storage tanks
- Water in diesel fuel
- Equipment damage

Spills and Overfills

- Spills during fuel deliveries
- Storage tank overfills

Initial Response Outline

- Control the Leaking source: Be aware of location and operation of shutoffs for pumps, and status of the generator operation.
- Know location of spill response equipment within designated area.
- Wear protective clothing when cleaning up spills.
- Control migration/spread of contamination: Proper use of oil sorbents pads, granular oil sorbent, and oil sorbent booms.
- Notify the appropriate supervisor, or on-call management for further response assistance.

Reportable Incident

- All released petroleum products to any stormwater ponds, the sanitary sewer system, navigable water or adjoining shorelines
- Releases that could cause a sheen, film or discoloration on the water surfaces

SPILL RESPONSE PROCEDURES-continued

- A release that could result in a violation of water quality standards
- A release that could cause sludge or emulsion

Emergency Response Procedures

- The following general steps should be taken by anyone discovering a spill:
- If anyone is injured, call 911.
- Notify the appropriate supervisor, or on call management, as soon as possible and obtain their assistance in stopping and containing the spill.
- Wear protective clothing when cleaning up spills.
- Stop or contain the source of the flow immediately.
- Use oil sorbent material or pads as appropriate from the spill kit.
- Check drainage system for spill products to ensure no migration has occurred.
- Dispose of all waste products generated from the clean-up properly.
- In the event that the spill cannot be contained, management shall contact the/a spill response contractor.
- Management will coordinate all required reporting under applicable State and Federal Laws. When reporting an incident, be prepared to answer the following questions:
    - Location of the Spill or Release
    - Type of Material Released
    - Quantity(known or estimated)
    - Quantity released off-site
    - Discovery(when/how)
    - Persons involved(primary and secondary contacts)
    - Response Efforts

Log all spills on the appropriate spill reporting forms to be maintained with this plan for at least **5 years** from the date of the spill.

Pollution Abatement Plan

For:
Hickory Bend Mine
Macon County, Alabama
AL0077631

Prepared for:
Wiregrass Construction Company, Inc.
1342 Carmichael Way
Montgomery, AL 36106

Permittee Contact:
Tim Goodin
Area Manager - Aggregates
TGoodin@wiregrassconstruction.com
(334) 356-2560

Prepared by:

Larry E. Speaks & Associates, Inc.
535 Herron Street
Montgomery, Alabama 36104
SSpeaks@lespeaks.com
(334) 262-1091

Certified by:

Steven E. Speaks
Professional Engineer & Professional Land Surveyor
PE/PLS Number: 20897

Reissuance: September 2025
Reissuance: October 2020
Reissuance: August 2020
Reissuance: January 2016
Transfer to Wiregrass Construction: May 2014
Major Modification: March 2009—Lafarge Aggregates Southeast Inc.
Transfer: June 2008 to Lafarge Aggregates Southeast Inc.
Initial Issuance: August 2005 - 5 Sand & Gravel, LLC

Pollution Abatement Plan
Table of Contents

I. INTRODUCTION

This document is an application for reissuance of NPDES Permit Number AL0077631. The facility (further referred to as Hickory Bend Mine) is located in Township 17-N, Range 20-E, Sections 25, 35 & 36, Township 17-N, Range 21-E, Sections 30, 31, & 32, Township 16-N, Range 20-E, Section 1, Township 16-N, Range 21-E, Section 6, in Macon County, Alabama. This application has been prepared in accordance with the rules and regulations of the Alabama Department of Environmental Management. A thorough field review has been accomplished preceding the certification and submittal of this application.

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

II. OPERATOR

The primary operator of Hickory Bend Mine is Wiregrass Construction Company, Inc. The business address is as follows:

1342 Carmichael Way
Montgomery, AL 36117

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

III. GENERAL INFORMATION

This facility will employ approximately 7 individuals—and an indeterminate number of outside contractors, from Macon County and the surrounding area. The Hickory Bend Mine will mine primarily sand and some gravel, then wash and grade the materials. The sands and gravels will be the products to be hauled away. No asphalt or concrete operations will be operating on this site. Normal operation hours will be Monday through Saturday from 6:00am to 4:00pm.

IV. TOPOGRAPHIC MAPS

Design plans, grading and drainage plans, areas to avoid, property ownership maps, standard control examples, etc. are attached with this plan.

V. METHOD OF DIVERTING SURFACE WATER RUNOFF

Berms, ditches, pits (historic and new) and other BMP's will be necessary for the proper control of storm water across the site. Grading and drainage plans will be produced for each parcel to be disturbed. The grading and drainage plans will show all required berms, ditches and or pits to control storm water runoff for the forecasted activities at the time of planning. Detaining the water allows soil particles, including fines, to precipitate to the bottom of the pit. Any discharges must be within the effluent limits required by the ADEM permit to protect water quality. Any discharges must be through permitted and certified outfalls.

VI. NARRATIVE OF OPERATIONS

Generally, this operation consists of excavating construction sand and gravel from the pit, either by backhoe or excavator. After excavation, the sand and gravel are washed and sized according to customer specifications. The materials will be transported from the site via trucks and/or rail cars.

The mining shall be consistent with internal company plans. Internal company plans will call for the mining of areas based on the specifications of the product desired and the feasibility of the actual mining. Most of the parcels will be mined in several 20-foot (deep) lifts. The lifts will be benched to provide proper safety and reclamation possibilities.

The mining site is not static, and BMP requirements could change from time to time. The company is responsible for determining the locations of non-structural BMP's. A Professional Engineer is required to design and certify structural BMP's. Depending on the nature of changes, a Pollution Abatement Plan update may be necessary to submit to the Alabama Department of Environmental Management (ADEM). It is recommended to Update ADEM as soon as additional information is determined to be feasible.

Specific products which will be produced are as follows:

"Oversize"	-	½" and over
# 57	-	1/4" to 1"
Pea Gravel	-	3/16" to 1/2"
Sand	-	No. 100- 3/16" down

VII. REQUIRED ROUTINE INSPECTIONS

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

VIII. QUALITY AND QUANTITY CHARACTERISTICS OF THE WASTE

The only waste products which are a byproduct of this process are topsoil and clay runoff during periods of rain. The clay will settle into the mined pit and/or sediment pond(s). Regarding pH, the waste effluent is neutral in nature and should be in the range of 6.0 minimum to 8.5 maximum. pH is to be measured on site with a handheld device within 15 minutes of the sample collection. The date and time must be recorded with the pH measurement on the chain of custody sheet. The pH meter must be calibrated per the manufacturer's recommendations and a calibration log maintained at the facility office. Total suspended solids (TSS) should not exceed 70 mg/L (maximum daily) and 35 mg/L (monthly average). The flow varies and depends upon weather conditions, amount of rain, pump capacity, etc. and must be reported in millions of gallons per day (MGD) when sampling (bi-monthly). Flow must be measured using EPA approved methods via a metering device or fixed measurement structure. The temperatures should average between 85°F (25°C) in the summer and 60°F (16°C) in the winter.

IX. WASTE TREATMENT FACILITIES

As previously discussed, the treatment process for water quality control is to be constructed sedimentation pond(s). Details are presented in the "Pollution Abatement Plans – Detail Sheets". Pollution abatement facilities should be designed and constructed so as to control both spoil runoff and pit drainage. Pumping or pit de-watering activities shall be directed into an existing pit or treatment basin. Discharges as a result of pumping shall be monitored in accordance with the NPDES permit AL0077361 and shall meet the limitations of the NPDES permit.

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

The permittee is required to ensure access to all treatment structures and outfall structures at all times for monitoring and inspection. Roads to treatment structures must be maintained in an accessible / drivable condition. Vegetation on dams must be maintained / controlled so there is no impassable vegetation on the dam limiting vehicle or pedestrian access.

Outfall 003E is a surge pond and pump for the primary discharge. The pump hose in the mined pit will be outfitted with a float apparatus to keep it just under the water surface for subsurface withdrawal. Water will be tested to confirm that it meets all permit requirements before pumped discharge begins. Lab testing results, as well as the dates and times of pumping activities are to be kept and maintained on site at the facility office. The expected life of the treatment basin is for the life of the permit if properly maintained.

<u>Treatment Structure Calculations:</u>
Rational Method $Q = CIA$

Q=cfs C= Runoff Coefficient I=Rainfall Intensity inch/hour (2 year) A=Area (Acres)

006P	0.25 x 0.35 x 70 = 6.1 cfs	24'' Pipe	10' x 1' Spillway
007E	0.25 x 0.35 x 35 = 3.1 cfs	24'' Pipe	10' x 1' Spillway
008P	0.25 x 0.35 x 20 = 1.8 cfs	12'' Pipe	10' x 1' Spillway
009P	0.25 x 0.35 x 35 = 3.1 cfs	24'' Pipe	10' x 1' Spillway
010E	0.25 x 0.35 x 122 = 10.7 cfs	36'' Pipe	15' x 1' Spillway
011P	0.25 x 0.35 x 20 = 1.8 cfs	12'' Pipe	10' x 1' Spillway
012P	0.25 x 0.35 x 15 = 1.3 cfs	12'' Pipe	10' x 1' Spillway
013P	0.25 x 0.35 x 90 = 7.9 cfs	18'' Pipe	10' x 1' Spillway
014P	0.25 x 0.35 x 10 = 0.9 cfs	12'' Pipe	10' x 1' Spillway
015P	0.25 x 0.35 x 6 = 0.5 cfs	12'' Pipe	10' x 1' Spillway

X. SEDIMENT CONTROL FOR HAUL ROADS

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

a) The grade is designed not to exceed 10 percent.
b) The maximum grade is designed not to exceed 15 percent for 300 feet.
c) The roads are designed not to be more than 300 feet of 15 percent maximum grade for each 1,000 feet of road constructed.
d) The haul roads are required to be located so that runoff from the road enters a sediment basin or pit area constructed for the mining operation.
e) Outer slopes for haul roads out of the permitted area are designed not to be steeper than 2:1 and should be seeded with annual and perennial grasses with at least 80 percent cover to avoid erosion. Where this is not possible, basins, check dams or diversion ditches should be cut, built or placed to intercept runoff. Details outlining control measures must be included with the abatement plan. Contact Larry E. Speaks & Associates for plan amendments.
f) No stream crossings are planned for this site at this time. Should plans change the Engineer must be contacted immediately prior to any crossing construction so detailed drawings can be developed, and the U.S. Army Corps of Engineers can be contacted for permitting requirements.
g) Roads are to be treated or otherwise maintained to control dust in order to minimize fine particles in the air and water on site. The typical method of control is operating a water truck or sprinkler system to lightly wet the roads and suppress the production of dust during dry conditions.

Pit/haul roads will be ditched and stabilized so that runoff will be collected in mined/mining areas, sediment basins, abandoned pits, or other similar site feature(s) and treated by the final sedimentation basin in any series combination. In any instance where the haul roads or other minor disturbed areas do not drain to a basin, then temporary best management practices (BMPs) are required to prevent sediment loss from the site. The Engineer must be contacted for BMP recommendations, placement instructions, and PAP plan updates for any of these instances.

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

- Restrict vehicle use to designated entrances and exits.
- Use appropriate stabilization techniques at all entrances and exits onto paved roads.
- Unpaved entrances and exits and transitions from dirt to pavement are to be covered with a minimum of 1 to 3-inch diameter aggregate, 6-inches thick. The aggregate should extend the full width of the access road and be a minimum of 50-feet in length from the edge of pavement. A geotextile filter fabric is recommended between the aggregate fill and the soil surface to reduce the migration of the underlying soil into the stone and vice versa.
- Topdressing with clean stone will be required to maintain the effectiveness of a stone entrance/exit.
- Use of commercially available rumble grates, plates, and pads is acceptable. The devices must be adequately sized to accommodate the largest vehicle entering and exiting the site. The devices must be maintained per the manufacturer's recommendations to remain effective.
- If the majority of mud is not removed from vehicle tires by stone or other rumble devices, then tires are to be washed prior to the vehicle entering the roadway. Washing is to be strictly limited to tires only. The use of solvents, detergents and/or petroleum products is strictly prohibited. All wash water must be captured on site and directed to catch basins or other control BMPs such as filtration devices, filter bags, or other similar effective controls to remove sediment prior to discharging through a permitted outfall.
- Concrete and asphalt aprons at roadways are to be swept, shoveled, or vacuumed regularly to prevent tracking onto roadways. The removed sediment is to be taken back onto facility property for disposal as clean fill dirt.
- The State prohibits removal by hosing or sweeping tracked out sediment to any stormwater conveyance, storm drain inlet, or water of the State.
- The ditches of the haul road and all surrounding earthen areas near the entrances and exits are to be permanently stabilized with perennial vegetation. Temporary BMPs such as silt fence, check dams, grassed berms etc. are to be used to prevent sediment from entering the roadway until permanent stabilization is achieved.
-

XI. SEDIMENT CONTROL FOR RAIL SPUR CONSTRUCTION

The rail spur is located so that runoff from the access road enters a sediment basin constructed for the mining operation—outfall 010. The rail spur area will be ditched and stabilized so that runoff will be collected as illustrated on the grading and drainage plans. Runoff not directed to the sediment pond is to be treated with other BMPs. 'Other BMPs' will be inspected weekly to measure effectiveness. 'Other BMPs' will be maintained so they remain effective and in good condition at all times.

XII. DAM FOR THE SEDIMENT BASIN

The dam for the sediment pond(s) have been designed and are required to be built using the following as minimum criteria:

a) The dam for the sediment basin is designed for the top width to be no less than 12 feet wide.
b) The slope on either side of the dam is designed for no steeper than 3:1.
c) The dam is designed to be constructed with a cutoff trench at least 8 feet wide. The side slopes are designed to be no less than 1:1. The cutoff trench shall be located on the dam centerline and be of sufficient depth (not less than 2 feet) to extend into a relatively impervious material from which the core of the dam shall be constructed.
d) Trees, boulders and other obstructions are to be removed from the pond area during initial construction.
e) The entire embankment and cutoff trench shall be compacted to 95% density.
f) The material placed in the embankment should be free of sod, roots, stones over 6 inches in diameter, and other objectionable materials.
g) The fill material should be placed and spread over the entire dam area, starting at the lowest point of the foundation, in layers not to exceed 12 inches in thickness.
h) The spill pipe is designed to be sized to adequately carry the expected peak flow from a one-year frequency storm.
i) The spill pipe is designed to be made of a material capable of withstanding chemical reactions caused by the quality of water being discharged.
j) The spill pipe is designed to be equipped with a device, or constructed, to ensure that subsurface withdrawal is accomplished in order to prevent floating solids from discharging.
k) The spill pipe is designed to be equipped with anti-seep collars at each joint which radiate at least 2 feet from the pipe in all directions. The collars and their connections to the pipe should be watertight.
l) A splash pad or rip-rap is required to be placed under the discharge of the spill pipe, or the location of the discharge set, so as to ensure that the discharge does not erode the dam or pipe can be constructed to be level with the natural ground.
m) The emergency spillway is designed to safely carry the expected peak flow from a 25-year, 24-hour storm or shorter duration. The slope of the entrance and the exit to the emergency overflow are required to be constructed with a control section at least 20 feet long. The side slopes of the emergency overflow should not be steeper than 2:1. The emergency overflow is to be stabilized, rip-rapped or concreted, to prevent erosion. Outfall 005P and 006P are designed for a 50-year, 24-hour storm or shorter duration. These sediment basins are to be constructed with the same methods above. Outfall 003E is designed with an overflow pipe crossing under the haul road instead of an open top spillway. This pipe is sized to accommodate the flow from a 100-year storm event.
n) The spillway is designed to have a minimum of 1 ½ feet of freeboard between the normal overflow and the emergency overflow. There should be at least 1 ½ feet of freeboard between the maximum design flow elevation in the emergency overflow and the top of the dam.

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

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

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

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

Included with this pollution abatement plan is a drawing which has been reproduced from the USGS quad sheet at a 1" = 4000' scale showing the mining limits in relation to adjacent streams and major geographic features. The mining operation is required to provide a minimum 50-foot undisturbed, vegetated buffer zone around all streams and wetlands that may be identified in the project area. Buffer zones need to be surveyed and clearly identified with bright flagging or paint so areas to avoid are clearly visible. Equipment operators are to be educated as to the reason for the buffers, the location of the buffers, and the identification technique used to demarcate the buffers.

XIV. NON-POINT SOURCE POLLUTION

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

XV. WATER SUPPLY AND DISPOSITION

The eventual receiving waters will be the Tallapoosa River, Line Creek, an unnamed tributary (UT) to Line Creek, and Cubahatchee Creek. Line Creek and Cubahatchee Creek are not a public water supply (PWS). The Tallapoosa River is a public water supply (PWS). All discharges to receiving waters will meet effluent limitations. Each sedimentation pond is designed so that all discharges through a permitted outfall will meet effluent limitations due to settling time required in the sedimentation pond or existing excavated pit areas.

XVI. RECLAMATION PROCEDURE

As mining is completed in an area, the area shall be dressed/graded to eliminate any piles of dirt, or low areas which will hold water, with terraces to keep erosion to a minimum, topsoiled, and grassed with both perennial and annual grasses. A sump shall be maintained at the low end of all reclamation work until a satisfactory stand of grass is obtained. Disturbed areas without mining / grading activity for more than 21 days should be temporarily seeded and fertilized.

Outfalls that have been released from monitoring, by letter from ADEM, are considered finished. Therefore, the outfalls cannot receive any pumped water from the mining operation. Additionally, all runoff from mined areas is required to be directed to certified outfalls.

XVII. START-UP OPERATIONS AND BMP'S

Prior to the beginning of pond construction or any land disturbance not directed to a permitted and certified outfall, BMPs such as silt fence, hay bales, rip rap, etc. are required to be implemented to protect against sediment leaving the site or entering any streams. Sediment ponds should be constructed and permanently stabilized as soon as possible once mining begins.

XVIII. DESIGN DATA

Minimum dimensions required per ADEM regulations is 0.25 acre-feet per disturbed acre

OUTFALL 006P:
Disturbed Acreage 8 acres:
Therefore 2.00-acre-foot pond required

OUTFALL 007E:
Disturbed Acreage 113 acres:
Therefore 7.50-acre-foot pond required

OUTFALL 008P:
Disturbed Acreage 5 acres:
Therefore 1.25-acre-foot pond required

OUTFALL 009P:
Disturbed Acreage 30 acres:
Therefore 7.50-acre-foot pond required

OUTFALL 010E:
Disturbed Acreage 75 acres:
Therefore 18.75-acre-foot pond required

OUTFALL 011P:
Disturbed Acreage 20 acres:
Therefore 5.0-acre-foot pond required

OUTFALL 012P:
Disturbed Acreage 15 acres:
Therefore 3.75-acre-foot pond required

OUTFALL 013P:
Disturbed Acreage 90 acres:
Therefore 22.5-acre-foot pond required

OUTFALL 014P:
Disturbed Acreage 10 acres:
Therefore 2.5-acre-foot pond required

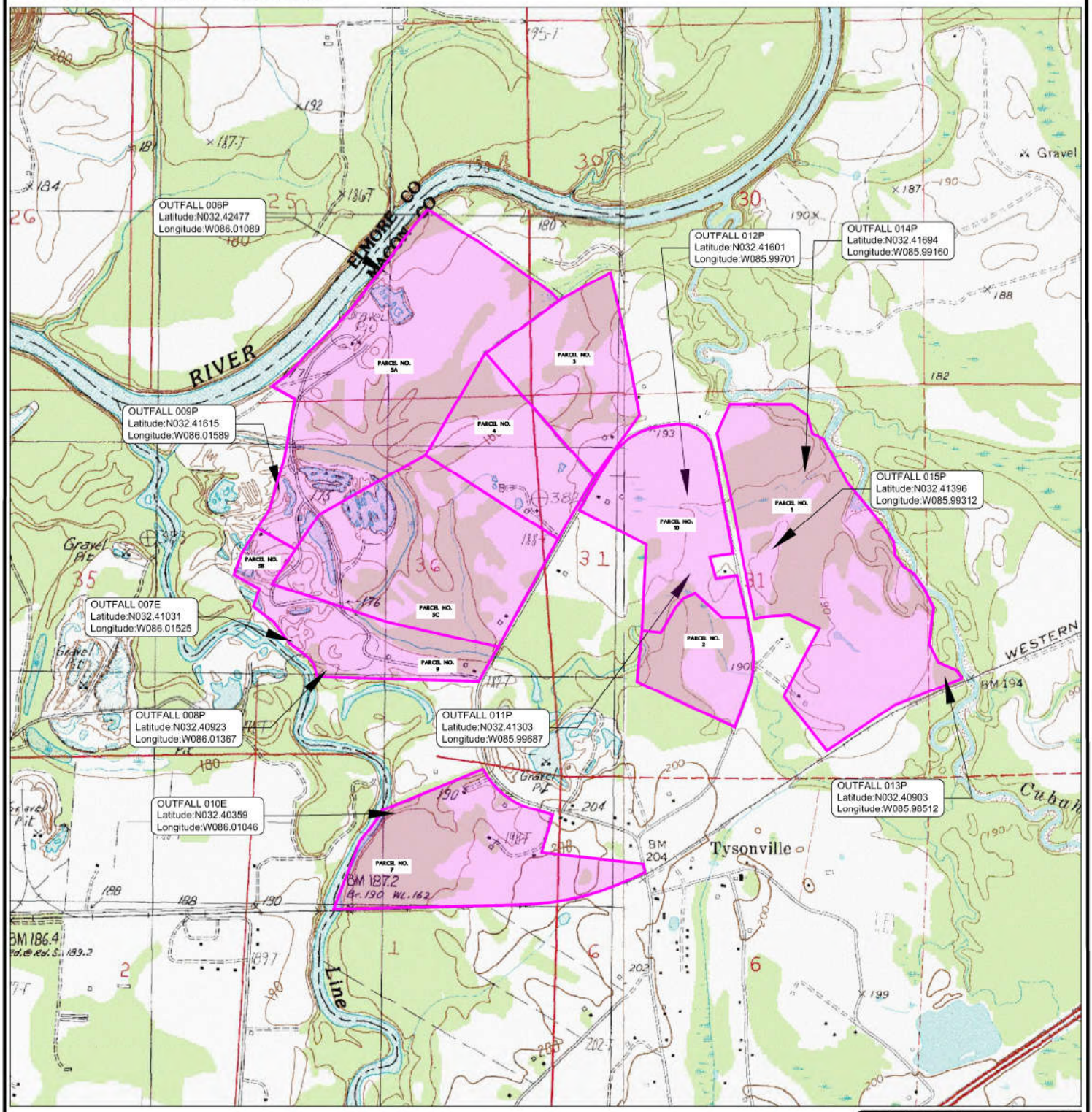
OUTFALL 015P:
Disturbed Acreage 6 acres:
Therefore 1.5-acre-foot pond required

Appendix A

Wiregrass Construction Company, Inc.
Hickory Bend Mine
Located in Section 25, 35 & 36, T-17-N, R-20-E
Section 30, 31 & 32, T-17-N, R-21-E
Section 1, T-16-N, R-20-E
Section 6, T-16-N, R-21-E
Macon County, Alabama
Brassell and Shorter Quadrangles

0 2000 4000 Feet

N W E S



NPDES PERMIT BOUNDARY

REVISED: 8/15/2025
DATE: 3/16/2022

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

Appendix B

NOTE:
WATER FROM PARCEL 3 & 4 DRAINS TO THE PUMP ON PARCEL 5C. PUMP AT PARCEL 5C PUMPS WATER BACK TO THE PROCESS WATER PONDS.

OUTFALL 006P
Latitude:032° 25' 29"
Longitude:-086° 00' 40"

PARCEL NO. 5A

PARCEL NO. 3

NOT A PART

PARCEL NO. 5A

PARCEL NO. 4

OUTFALL 012P
Latitude:032° 24' 58"
Longitude:-085° 59' 50"

OUTFALL 014P
Latitude:032° 25' 01"
Longitude:-085° 59' 30"

50' BUFFER ZONE FOR CREEK/STREAM

UT TO LINE CREEK

OUTFALL 009P
Latitude:032° 24' 58"
Longitude:-086° 00' 58"

ROAD

PROCESS WATER PONDS
POND C

POND D

PARCEL NO. 5C

POND B

PARCEL NO. 5B

PLANT AREA

NOT A PART

OUTFALL 011P
Latitude:032° 24' 47"
Longitude:-085° 59' 49"

OUTFALL 015P
Latitude:032° 24' 59"
Longitude:-085° 59' 36"

PARCEL NO. 1

POND A

OUTFALL 007E
Latitude:032° 24' 37"
Longitude:-086° 00' 55"

NOT A PART

OUTFALL 008P
Latitude:032° 24' 33"
Longitude:-086° 00' 50"

UT TO LINE CREEK

PARCEL NO. 9

PARCEL NO. 2

OUTFALL 013P
Latitude:032° 24' 33"
Longitude:-085° 59' 07"

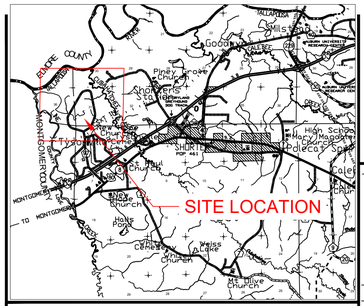
NOT A PART

NOT A PART

OUTFALL 010E
Latitude:032° 24' 13"
Longitude:-086° 00' 38"

POND 10

PARCEL NO. 7



LOCATION MAP
MACON COUNTY, AL

NORTH

LEGEND

- PERMIT BOUNDARY
- 50' PROPERTY BUFFER
- WETLAND BOUNDARY
- APPROXIMATE WETLAND BOUNDARY (PENDING FIELD DELINEATION)
- 50' WETLAND BUFFER

N
W E
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0 1000 2000 Feet

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

HICKORY BEND MINE
WIREGRASS CONSTRUCTION COMPANY, INC.
LOCATED IN SECTION 31
T-17-N, R-21-E
MACON COUNTY, ALABAMA

REVISIONS

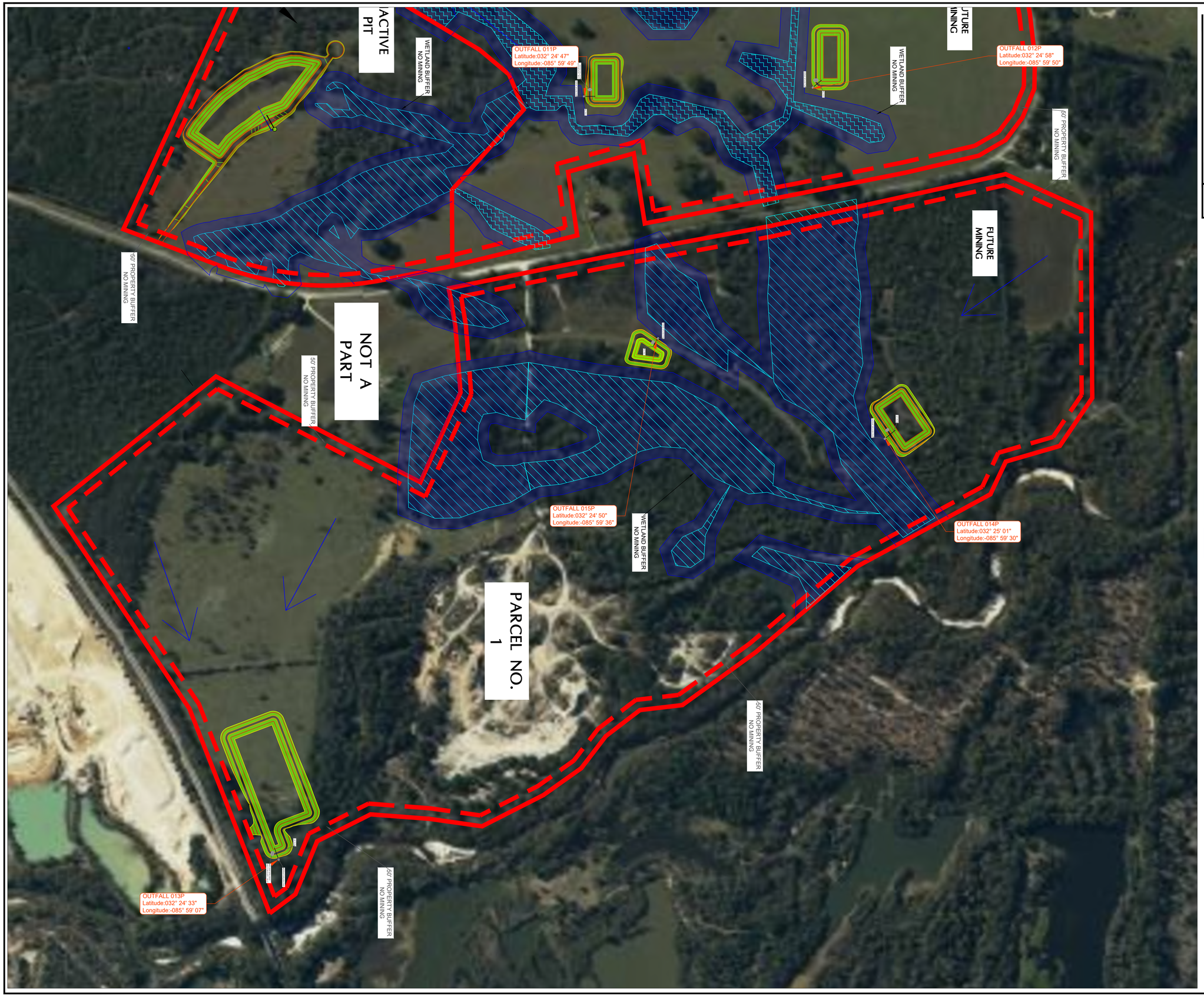
No.	DATE	DESCRIPTION

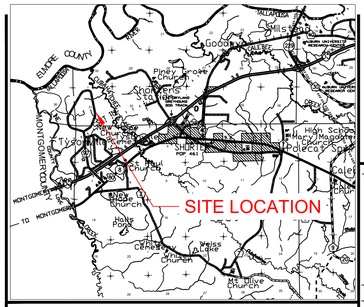
Project No.:	19645
Dwg Name:	HBM 2020 PAP.dwg
Scale:	1"=500'
Drawn By:	DRT
Reviewed By:	SES
Date Issued:	10/09/2020

WIREGRASS - HICKORY BEND PAP:

PAP SITE OVERVIEW

SHEET
1
OF TOTAL 11



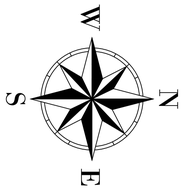


LOCATION MAP
MACON COUNTY, AL

NORTH

LEGEND

- PERMIT BOUNDARY
- 50' PROPERTY BUFFER
- WETLAND BOUNDARY
- APPROXIMATE WETLAND BOUNDARY (PENDING FIELD DELINEATION)
- 50' WETLAND BUFFER



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

HICKORY BEND MINE
WIREGRASS CONSTRUCTION COMPANY, INC.
LOCATED IN SECTION 31
T-17-N, R-21-E
MACON COUNTY, ALABAMA

REVISIONS

No.	DATE	DESCRIPTION

Project No.:	15645
Dwg Name:	HBM 2020 PAP.dwg
Scale:	1"=500'
Drawn By:	DRT
Reviewed By:	DCS
Date Issued:	10/09/2020

WIREGRASS - HICKORY BEND PAP:

PAP SITE OVERVIEW

SHEET 2 OF TOTAL 11

WETLAND BUFFER
NO MINING

WETLAND BUFFER
NO MINING

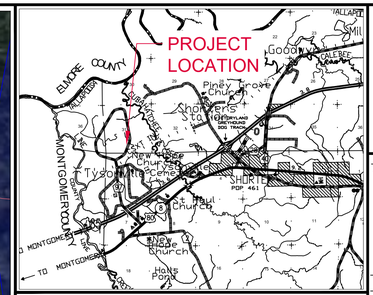
INACTIVE
PIT

WETLAND BUFFER
NO MINING

50' PROPERTY BUFFER
NO MINING

50' PROPERTY BUFFER
NO MINING

Latitude:032° 24' 47"
Longitude:-085° 59' 49"



LOCATION MAP
MACON COUNTY, AL
0 100 200 Feet
NORTH

LARRY E. SPEAKS ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
535 FERGUSON STREET
BIRMINGHAM, AL 35104
TEL (334)262-1091

HICKORY BEND MINE
WIREGRASS CONSTRUCTION COMPANY, INC.
LOCATED IN SECTION 31
T-17-N, R-21-E
MACON COUNTY, ALABAMA

REVISIONS

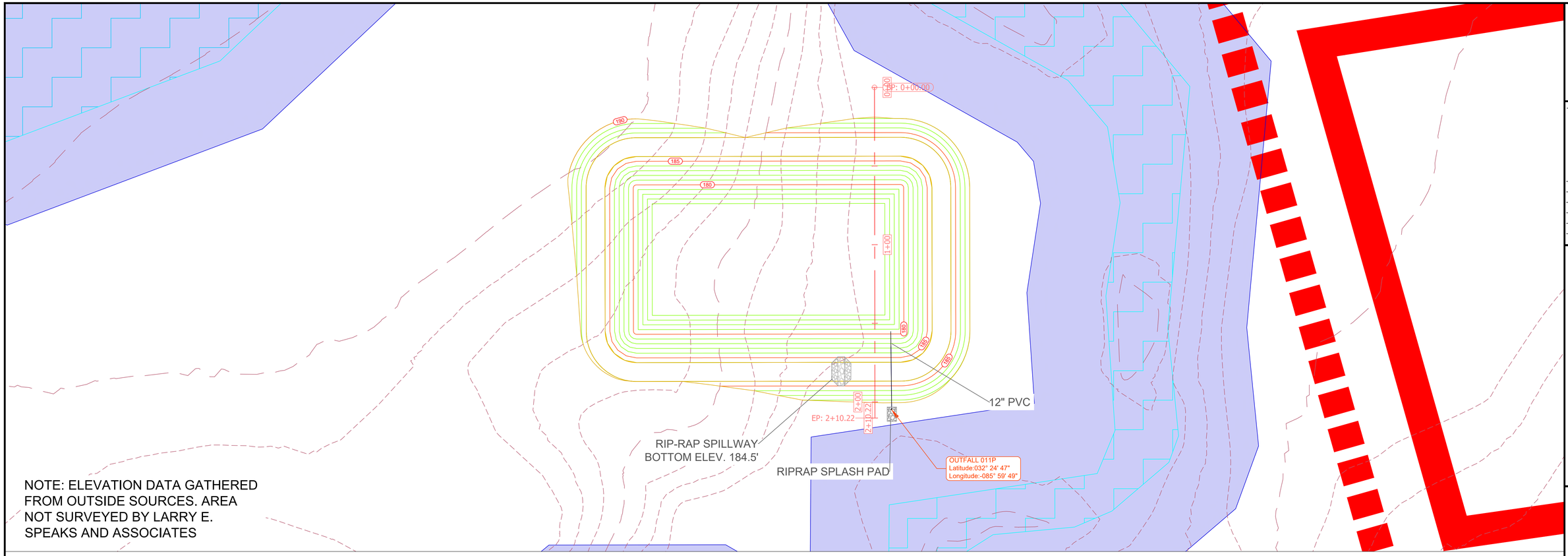
No.	DATE	DESCRIPTION

Project No.:	15645
Dwg. Name:	HBM 2020 PAP .dwg
Scale:	1"=100'
Drawn By:	DRT
Reviewed By:	SES
Date Issued:	10/09/2020

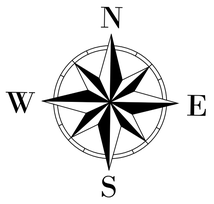
WIREGRASS - HICKORY BEND PAP:

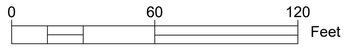
HARPER PARCEL 2

SHEET
3
OF TOTAL 11



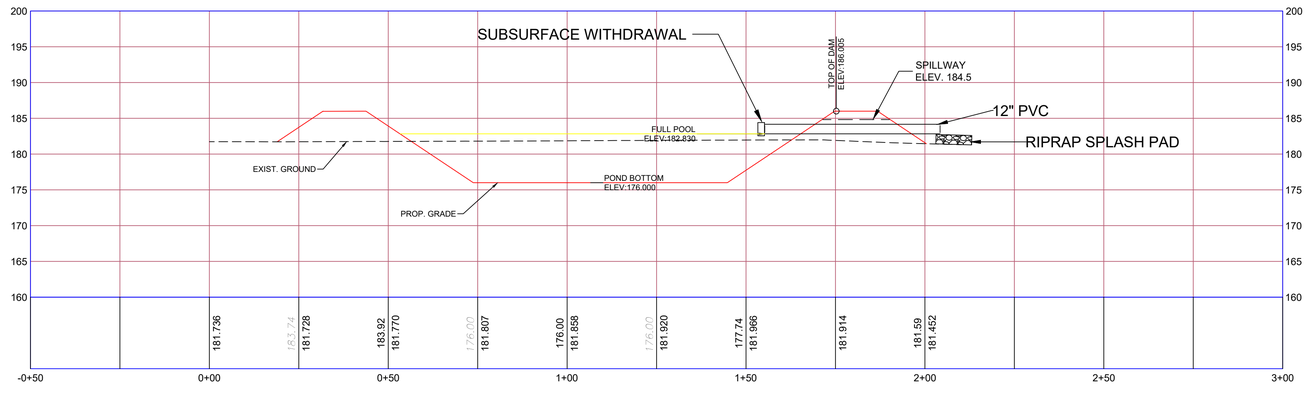
NOTE: ELEVATION DATA GATHERED FROM OUTSIDE SOURCES. AREA NOT SURVEYED BY LARRY E. SPEAKS AND ASSOCIATES





PLAN VIEW SCALE
1"=30'

BASIN 011 PROFILE



PROFILE VIEW SCALE:
HORIZONTAL: 1"=20'
VERTICAL: 1"=10'

LARRY E. SPEAKS ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
535 FRANKLIN STREET
HUNTSVILLE, AL 35804
TEL (334)262-1091

HICKORY BEND MINE
WIREGRASS CONSTRUCTION COMPANY, INC.
LOCATED IN SECTION 31
T-17-N, R-21-E
MACON COUNTY, ALABAMA

REVISIONS

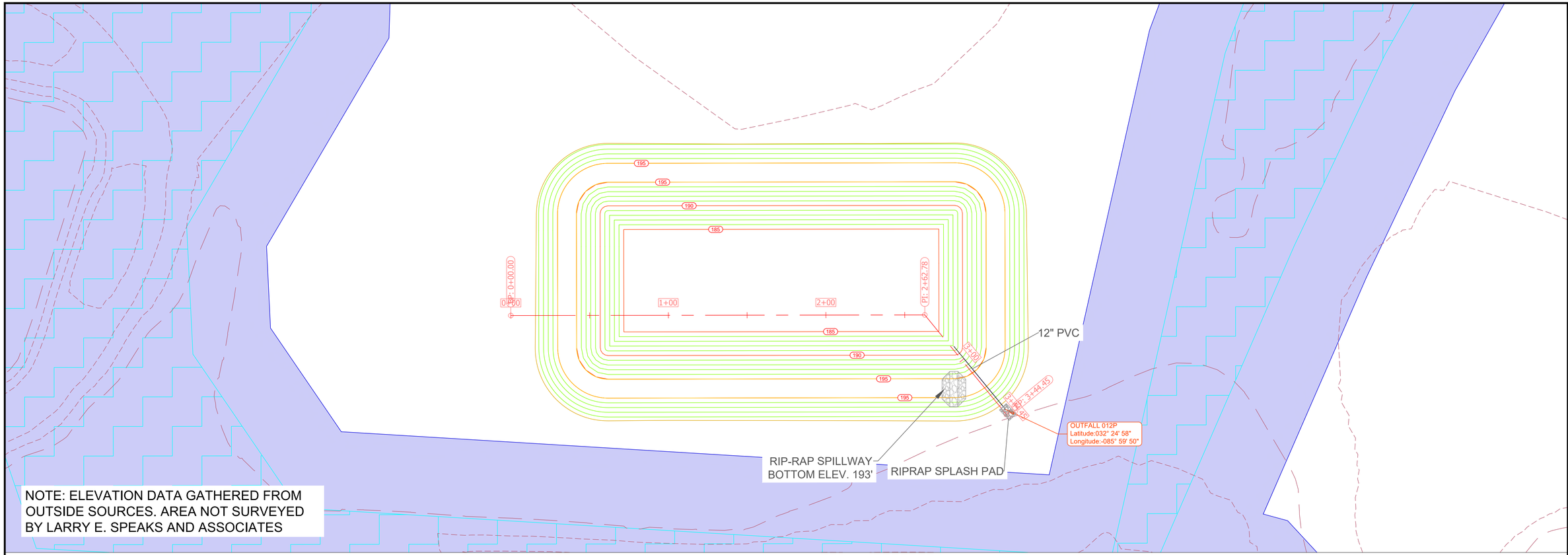
No.	DATE	DESCRIPTION

Project No.:	15045
Dwg Name:	HBM 2020 PAP.dwg
Scale:	1"=30'
Drawn By:	DRT
Reviewed By:	JES
Date Issued:	10/09/2020

WIREGRASS HICKORY BEND PAP:

BASIN 011 DETAILS

SHEET
4
OF TOTAL 11



NOTE: ELEVATION DATA GATHERED FROM OUTSIDE SOURCES. AREA NOT SURVEYED BY LARRY E. SPEAKS AND ASSOCIATES

N
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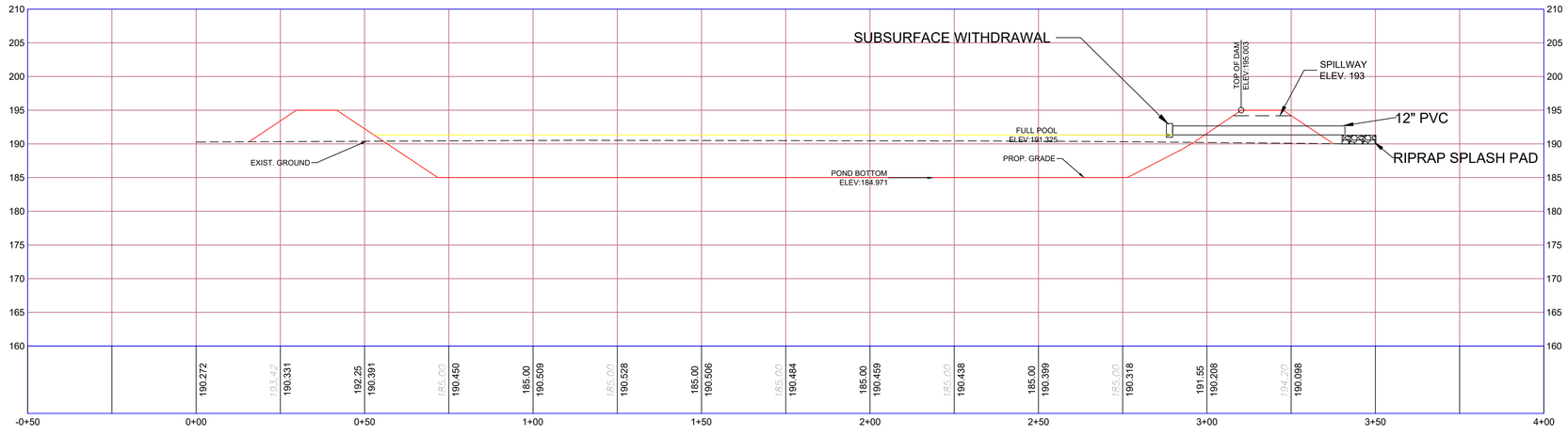
0 60 120 Feet

PLAN VIEW SCALE
1"=30'

BASIN 012 PROFILE



PROFILE VIEW SCALE:
HORIZONTAL: 1"=20'
VERTICAL: 1"=10'

LARRY E. SPEAKS ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
535 PERDIDO STREET
MOBILE, ALABAMA 36104
TEL (334)262-1091

HICKORY BEND MINE
WIREGRASS CONSTRUCTION COMPANY, INC.
LOCATED IN SECTION 31
T-17-N, R-21-E
MACON COUNTY, ALABAMA

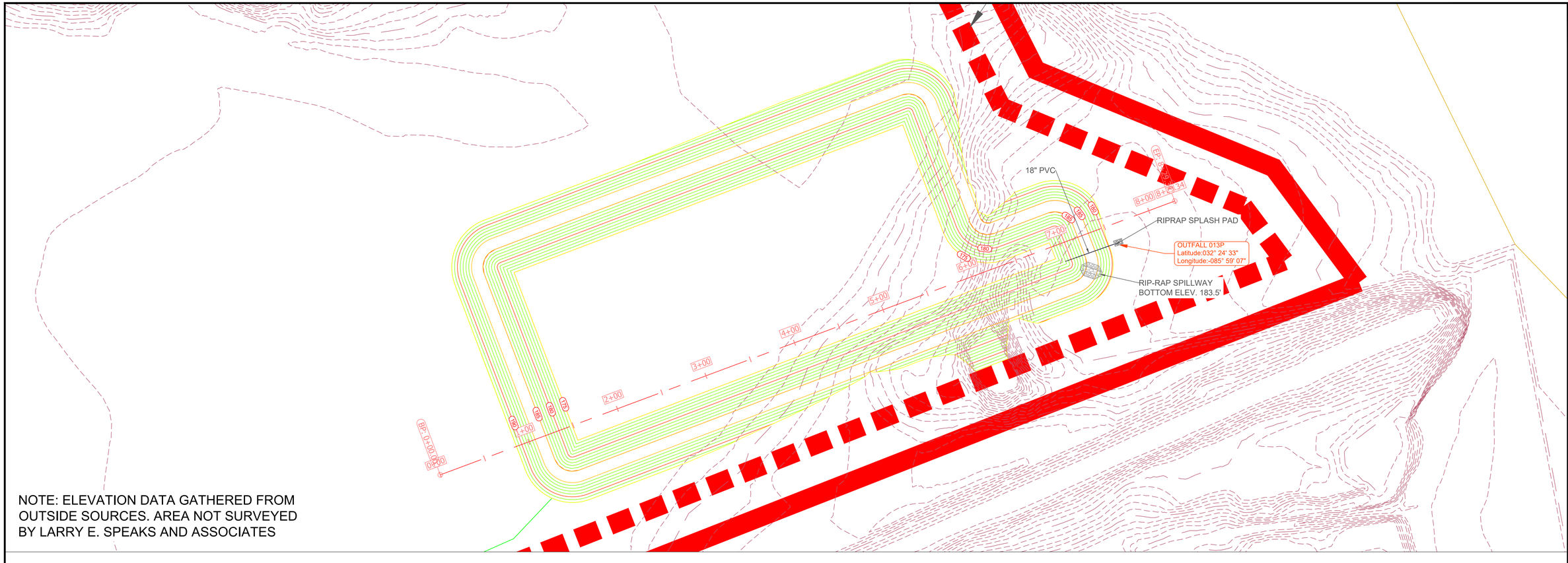
REVISIONS

No.	DATE	DESCRIPTION

Project No: 15645
Dwg Name: HBM 2020 PAP.dwg
Scale: 1"=30'
Drawn By: DRT
Reviewed By: SES
Date Issued: 10/06/2020

WIREGRASS HICKORY BEND PAP:
BASIN 012 DETAILS

SHEET
5
OF TOTAL 11



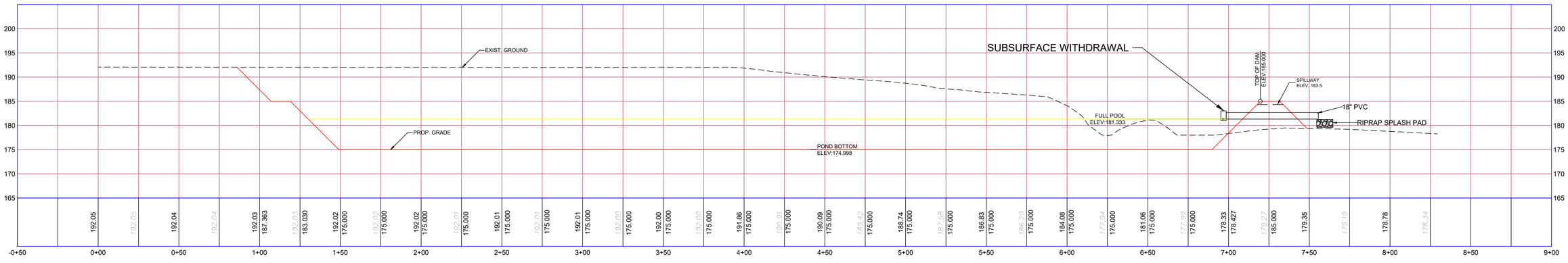
NOTE: ELEVATION DATA GATHERED FROM OUTSIDE SOURCES. AREA NOT SURVEYED BY LARRY E. SPEAKS AND ASSOCIATES

N
W E
S

0 100 200 Feet

PLAN VIEW SCALE
1"=50'

BASIN 013 PROFILE



PROFILE VIEW SCALE:
HORIZONTAL: 1"=30'
VERTICAL: 1"=10'

LARRY E. SPEAKS ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
535 FRANKLIN STREET
MACON, GEORGIA 31208
TEL (334)262-1091

HICKORY BEND MINE
WIREGRASS CONSTRUCTION COMPANY, INC.
LOCATED IN SECTION 31
T-17-N, R-21-E
MACON COUNTY, ALABAMA

REVISIONS

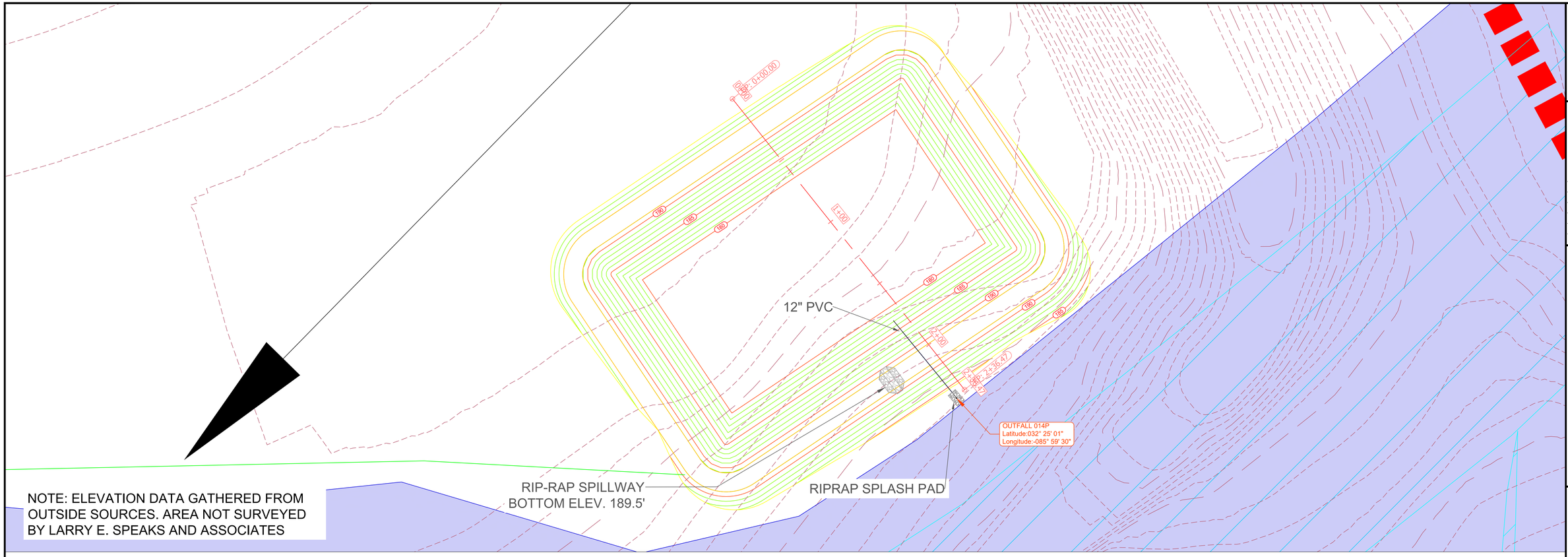
No.	DATE	DESCRIPTION

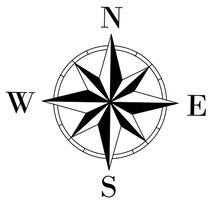
Project No.:	15045
Dwg Name:	HBM 2020 PAP.dwg
Scale:	1"=50'
Drawn By:	DRT
Reviewed By:	SES
Date Issued:	10/09/2020

WIREGRASS HICKORY BEND PAP:

BASIN 013 DETAILS

SHEET
6
OF TOTAL 11

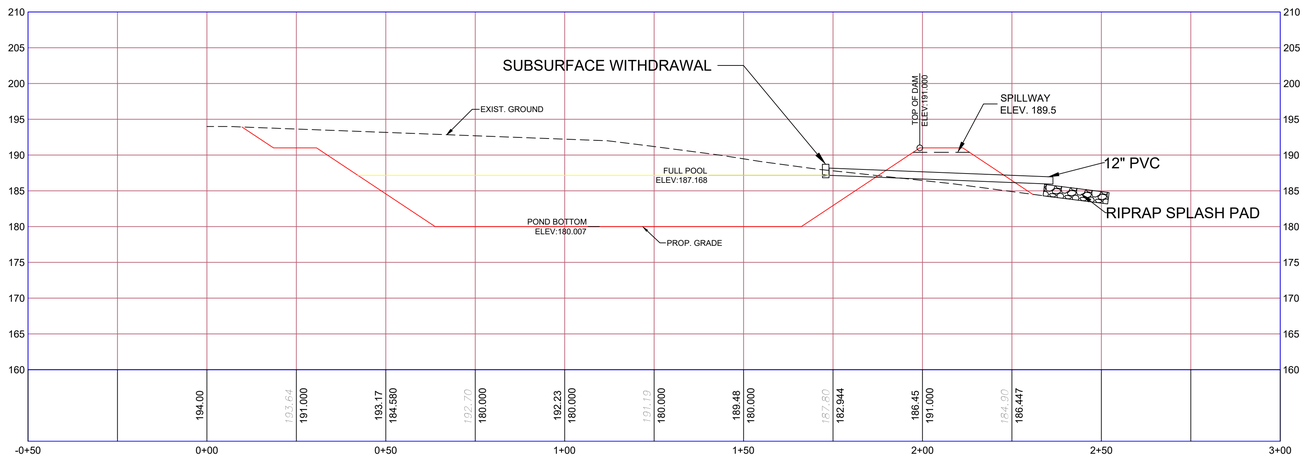




0 60 120 Feet

PLAN VIEW SCALE
1"=30'

BASIN 014 PROFILE



PROFILE VIEW SCALE:
HORIZONTAL: 1"=20'
VERTICAL: 1"=10'

LARRY E. SPEAKS ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
535 FRANKLIN STREET
MACON, GEORGIA 31208
TEL (334)262-1091

HICKORY BEND MINE
WIREGRASS CONSTRUCTION COMPANY, INC.
LOCATED IN SECTION 31
T-17-N, R-21-E
MACON COUNTY, ALABAMA

REVISIONS

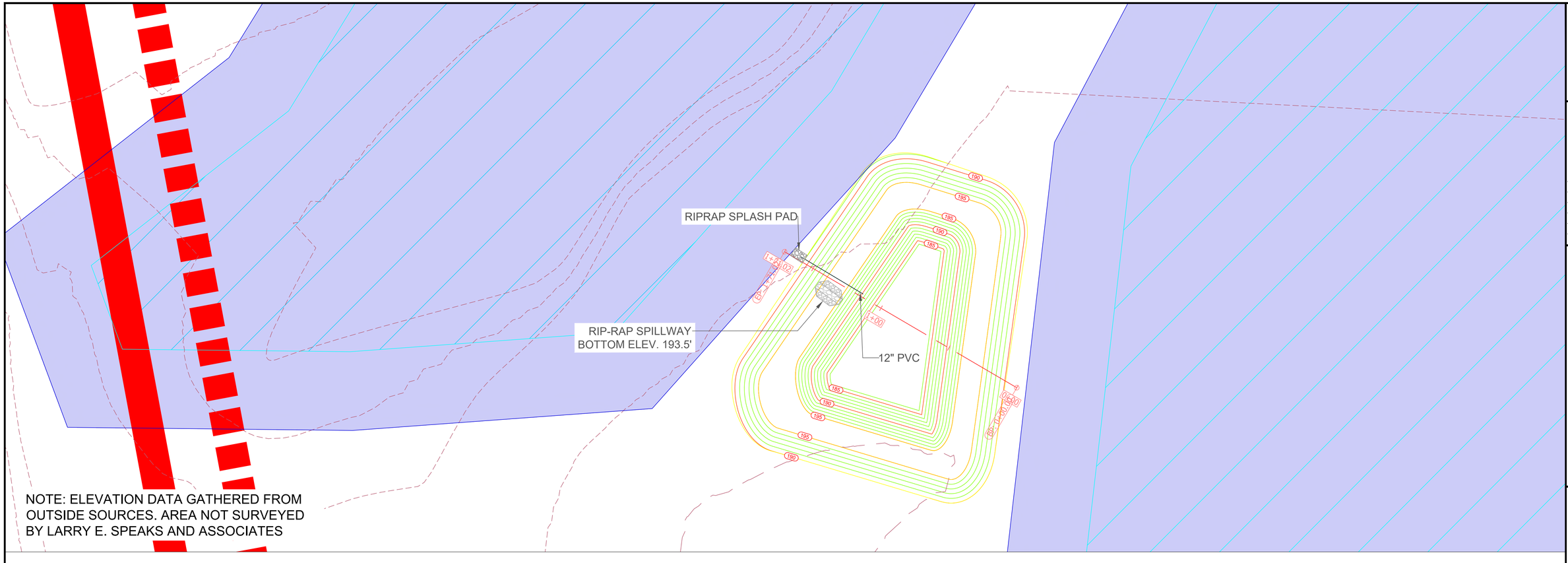
No.	DATE	DESCRIPTION

Project No.:	15045
Dwg Name:	HBM 2020 PAP.dwg
Scale:	1"=30'
Drawn By:	DRT
Reviewed By:	SES
Date Issued:	10/09/2020

WIREGRASS HICKORY BEND PAP:

BASIN 014 DETAILS

SHEET
7
OF TOTAL 11



NOTE: ELEVATION DATA GATHERED FROM OUTSIDE SOURCES. AREA NOT SURVEYED BY LARRY E. SPEAKS AND ASSOCIATES

N

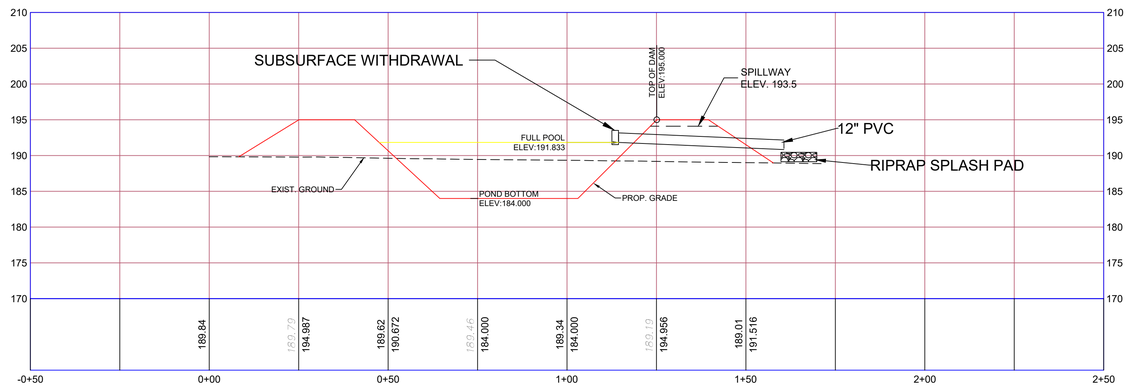
W E

S

0 60 120 Feet

PLAN VIEW SCALE
1"=30'

BASIN 015 PROFILE



PROFILE VIEW SCALE:
HORIZONTAL: 1"=20'
VERTICAL: 1"=10'

LARRY E. SPEAKS ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
535 FRANKLIN STREET
MACON, GEORGIA 31204
TEL (334)262-1091

HICKORY BEND MINE
WIREGRASS CONSTRUCTION COMPANY, INC.
LOCATED IN SECTION 31
T-17-N, R-21-E
MACON COUNTY, ALABAMA

REVISIONS

No.	DATE	DESCRIPTION

Project No.:	15045
Dwg Name:	HBM 2020 PAP.dwg
Scale:	1"=30'
Drawn By:	DRT
Reviewed By:	SES
Date Issued:	10/09/2020

WIREGRASS HICKORY BEND PAP:

BASIN 015 DETAILS

SHEET
8
OF TOTAL 11

NOT A PART

NOT A PART

OUTFALL 010E
Latitude:032° 24' 13"
Longitude:-086° 00' 38"

50' BUFFER ZONE FOR PROPERTY BOUNDARY

POND 10

FUTURE MINING

PARCEL NO. 7

ROAD

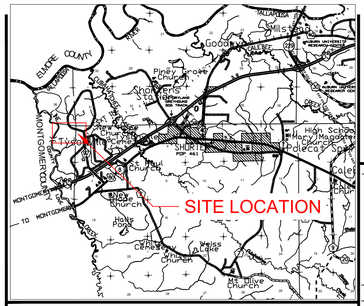
R'QD BERM/DIKE

50' BUFFER ZONE FOR WETLAND

INACTIVE PIT

RAIL LOADOUT AREA

TRENCH TO DIRECT WATER TOWARDS 010E



LOCATION MAP
MACON COUNTY, AL

NORTH

LEGEND

- PERMIT BOUNDARY
- 50' PROPERTY BUFFER
- WETLAND BOUNDARY
- APPROXIMATE WETLAND BOUNDARY (PENDING FIELD DELINEATION)
- 50' WETLAND BUFFER
- WATER FLOW DIRECTION

N
W E
S

PLAN VIEW SCALE
1"=200'

LARRY E. SPEAKS ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
535 FREDON STREET
SPRINGDALE, PA 15144
TEL (724)262-1091

HICKORY BEND MINE
WIREGRASS CONSTRUCTION COMPANY, INC.
LOCATED IN SECTION 1, T-16-N, R-20-E
& SECTION 6, T-16-N, R-21-E
MACON COUNTY, ALABAMA

REVISIONS

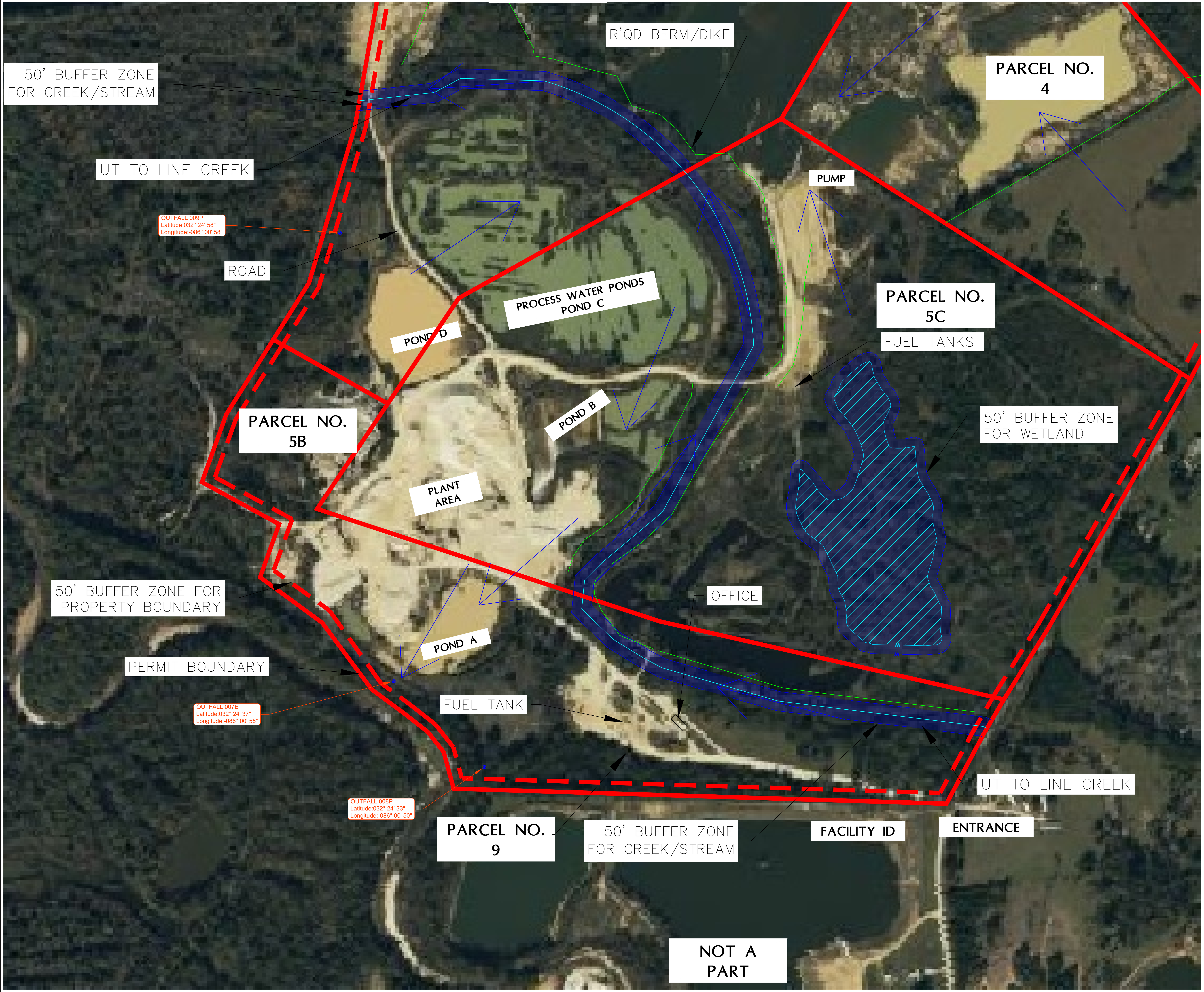
No.	DATE	DESCRIPTION

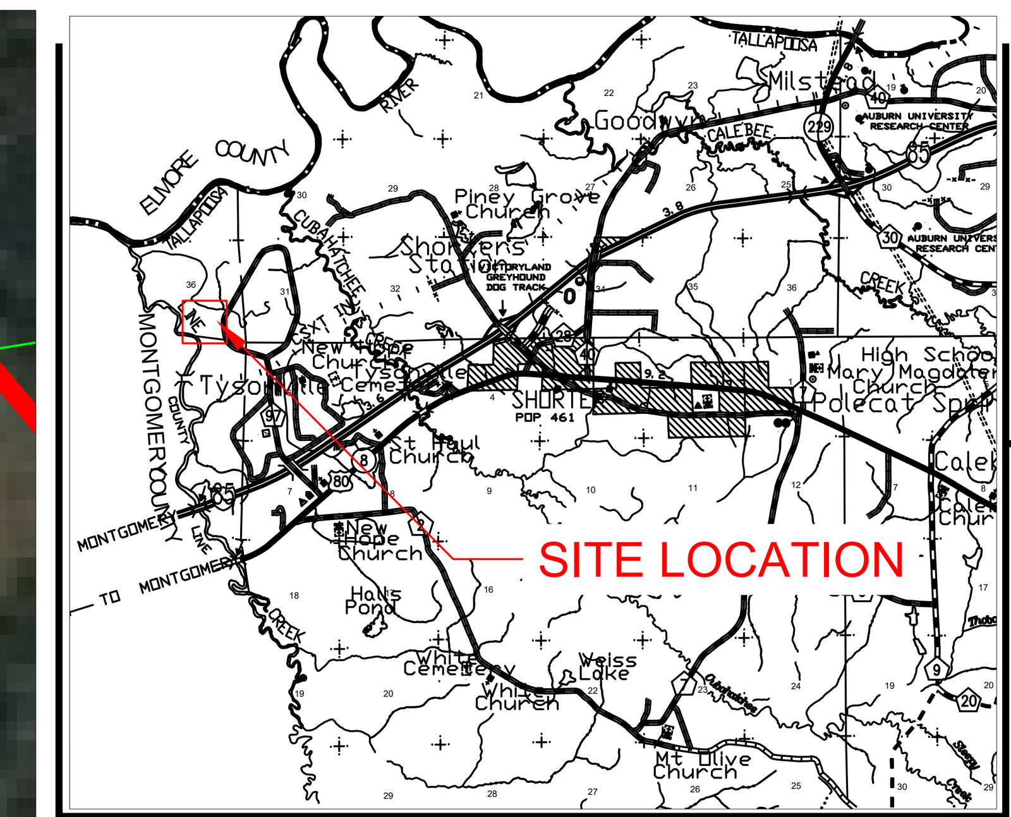
Project No.:	15645
Dwg Name:	HBM 2020 PAP.dwg
Scale:	1"=200'
Drawn By:	DRT
Reviewed By:	JES
Date Issued:	10/09/2020

WIREGRASS - HICKORY BEND PAP:

PARCEL 7

SHEET
9
OF TOTAL 11





LOCATION MAP
MACON COUNTY, AL

LEGEND

- PERMIT BOUNDARY
- 50' PROPERTY BUFFER
- WETLAND BOUNDARY
- APPROXIMATE WETLAND BOUNDARY (PENDING FIELD DELINEATION)
- 50' WETLAND BUFFER
- WATER FLOW DIRECTION

N E S W

0 400 800 Feet

PLAN VIEW SCALE 1"=200'

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

HICKORY BEND MINE
WIREGRASS CONSTRUCTION COMPANY, INC.
LOCATED IN SECTION 35 & 36
T-17-N, R-20-E
MACON COUNTY, ALABAMA

REVISIONS

No.	DATE	DESCRIPTION

Project No.:	15645
Dwg Name:	HBM 2020 PAP.dwg
Scale:	1"=200'
Drawn By:	DRT
Reviewed By:	SES
Date Issued:	10/09/2020

WIREGRASS - HICKORY BEND PAP:
PARCELS 5C AND 9

SHEET 10 OF TOTAL 11

NOTE:
WATER FROM PARCEL 3 & 4 DRAINS TO THE PUMP ON PARCEL 5C. PUMP AT PARCEL 5C PUMPS WATER BACK TO THE PROCESS WATER PONDS.

INACTIVE PIT RECLAIMED/GRADED

OUTFALL 006P
Latitude:032° 25' 29"
Longitude:-086° 00' 40"

PARCEL NO. 5A

INACTIVE PIT

INACTIVE PIT

ACTIVE PIT

PARCEL NO. 3

PARCEL NO. 5A

R'QD BERM/DIKE

PARCEL NO. 4

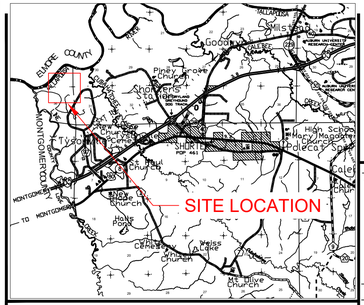
PUMP

PROCESS WATER PONDS
POND C

POND D

PARCEL NO. 5C

FUEL TANKS



LOCATION MAP
MACON COUNTY, AL

NORTH

LEGEND

- PERMIT BOUNDARY
- 50' PROPERTY BUFFER
- WETLAND BOUNDARY
- APPROXIMATE WETLAND BOUNDARY (PENDING FIELD DELINEATION)
- 50' WETLAND BUFFER
- WATER FLOW DIRECTION

N
W E
S

0 400 800 Feet

PLAN VIEW SCALE
1"=200'

LARRY E. SPEAKS ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
535 FRERON STREET
AUBURN, ALABAMA 36104
TEL (334)262-1091

HICKORY BEND MINE
WIREGRASS CONSTRUCTION COMPANY, INC.
LOCATED IN SECTION 25 & 36, T-17-N, R-20-E
AND SECTION 30 & 31, T-17-N, R-21-E
MACON COUNTY, ALABAMA

REVISIONS

No.	DATE	DESCRIPTION

Project No.:	15645
Dwg Name:	HBM 2020 PAP.dwg
Scale:	1"=200'
Drawn By:	DRT
Reviewed By:	JES
Date Issued:	10/09/2020

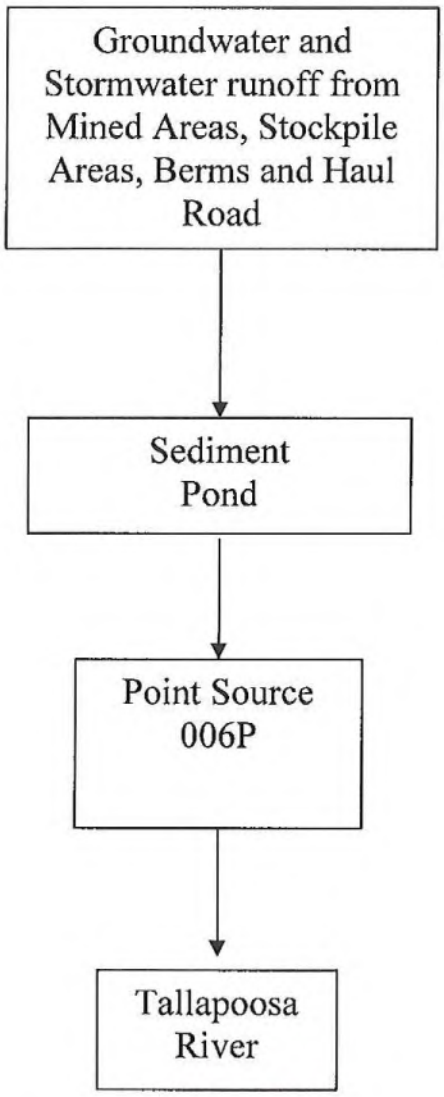
WIREGRASS - HICKORY BEND PAP:

PARCELS 3, 4, AND 5A

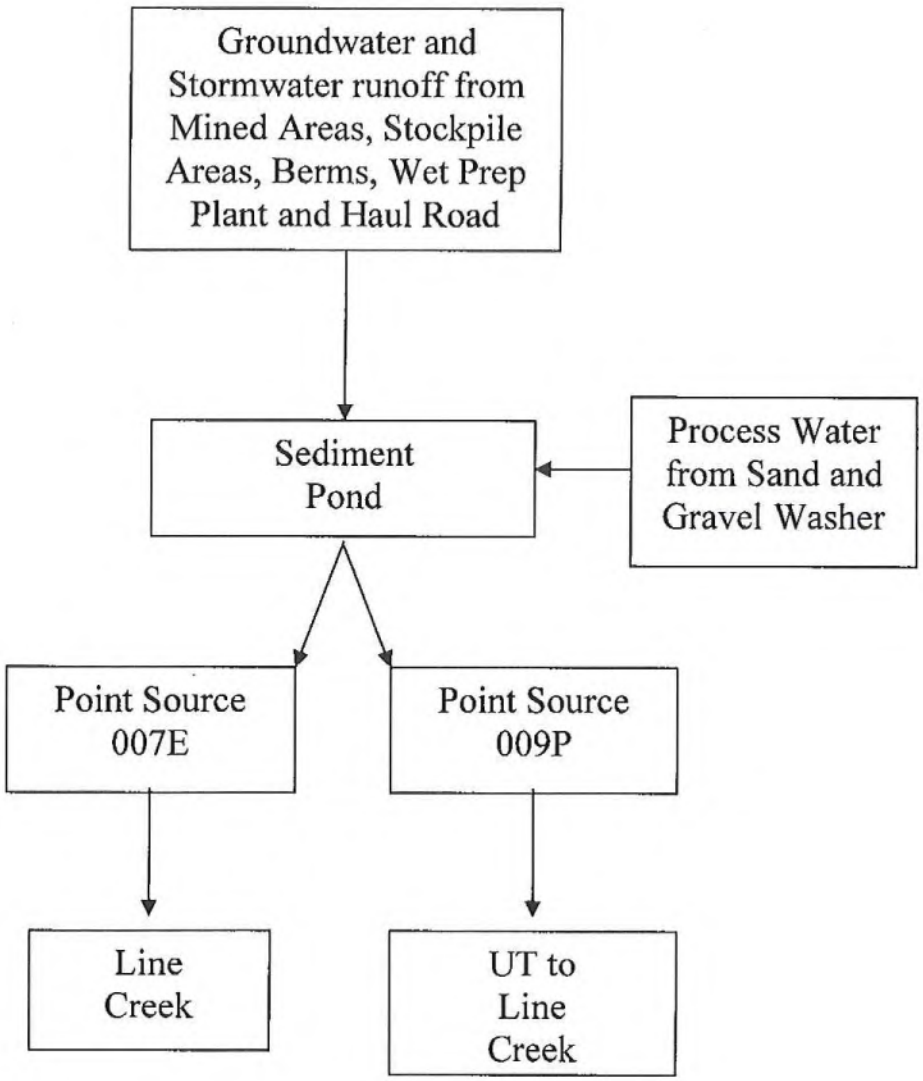
SHEET
11
OF TOTAL 11

Appendix C

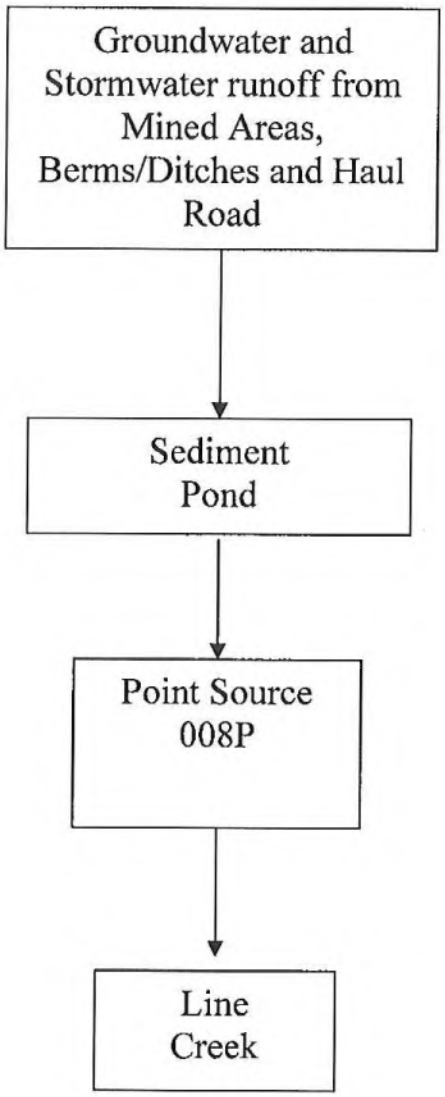
SCHEMATIC DIAGRAM FOR THE
HICKORY BEND MINE
A SAND AND GRAVEL MINING OPERATION
POINT SOURCE 006P



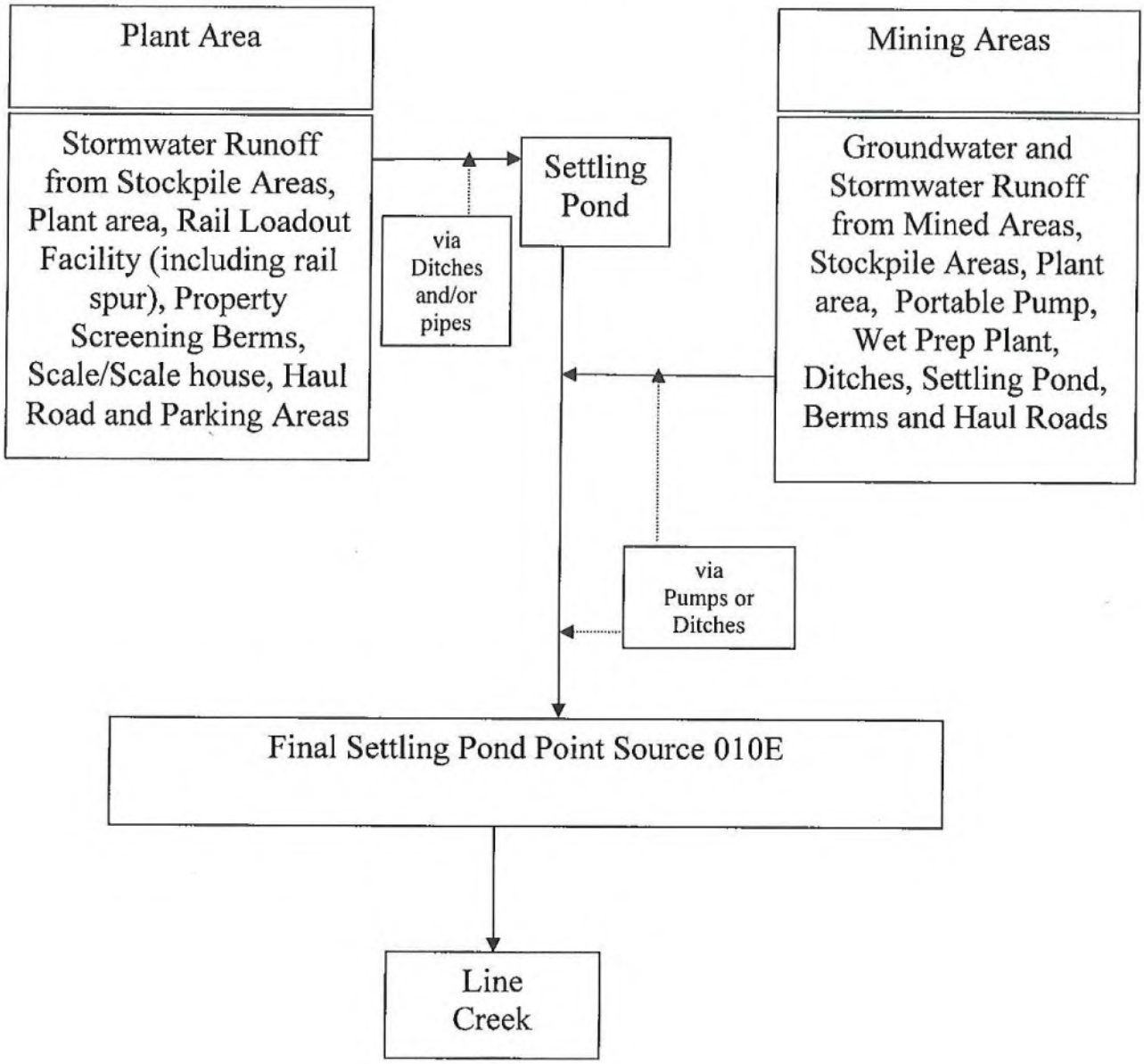
SCHEMATIC DIAGRAM FOR THE
HICKORY BEND MINE
A SAND AND GRAVEL MINING OPERATION
POINT SOURCE
007E & 009P



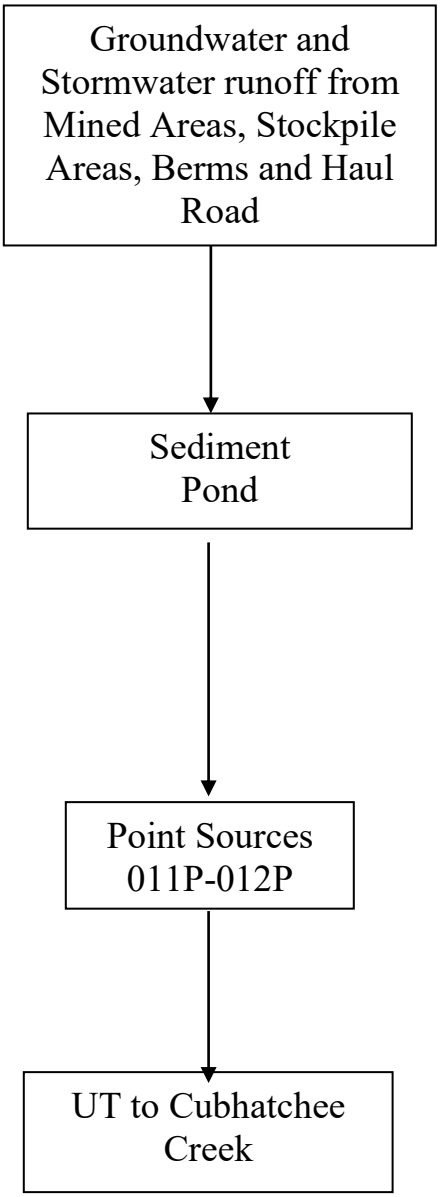
SCHEMATIC DIAGRAM FOR THE
HICKORY BEND MINE
A SAND AND GRAVEL MINING OPERATION
POINT SOURCE 008P



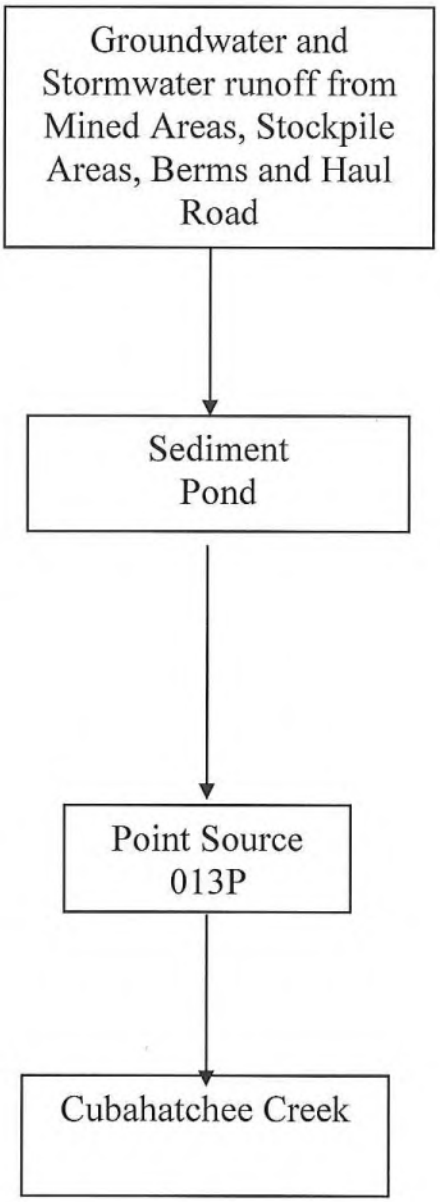
SCHEMATIC DIAGRAM FOR THE
HICKORY BEND MINE
A SAND AND GRAVEL MINING OPERATION
POINT SOURCE 010E



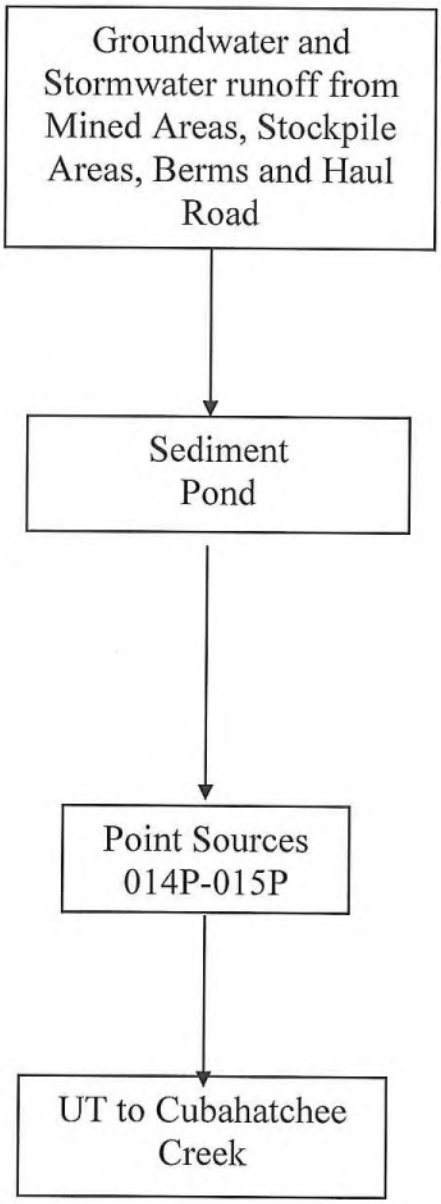
SCHEMATIC DIAGRAM FOR THE
HICKORY BEND MINE
A SAND AND GRAVEL MINING OPERATION
POINT SOURCES 011P-012P



SCHEMATIC DIAGRAM FOR THE
HICKORY BEND MINE
A SAND AND GRAVEL MINING OPERATION
POINT SOURCE 013P



SCHEMATIC DIAGRAM FOR THE
HICKORY BEND MINE
A SAND AND GRAVEL MINING OPERATION
POINT SOURCES 014P-015P



Appendix D

Parcel Legal Descriptions for Hickory Bend Mine, Macon County Alabama

Parcel No. 1

Begin at an iron pin located at the southeast corner of Lot 30A, Prairie Farms plat, as recorded in Plat Book 1 at pages 160 and 162 in the Office of the Judge of Probate, Macon County, Alabama (said point also being on the north Right-of-Way (100') of the Western Railway of Alabama); thence leaving said Right-of-Way N 35*27'30" W 734.92' to an iron pin; thence N 24*18'56" E 961.10' to an iron pin; thence N 11*16'19" W 753.53' to an iron pin; thence S 78*44'56" W 470.35' to an iron pin; thence N 11*07'47" W 2410.89' to an iron pin; thence N 28*56'17" W 450.11' to an iron pin; thence N 55*43'31" W 473.91' to an iron pin; thence N 85*18'02" W 406.94' to an iron pin; thence N 11*16'34" E 672.05' to a 3" open top pipe; thence S 78*43'26" E 1108.32' to a point located on the centerline of Cubahatchee Creek; along said centerline the following twenty-seven (27) courses: (1) S 14*29'52" E 138.22'; (2) S 53*19'21" E 227.01; (3) N 84*56'29" E 498.41'; (4) S 68*47'51" E 249.03'; (5) S 24*45'39" E 156.34'; (6) S 26*53'28" W 304.12'; (7) S 35*00'46" W 206.98'; (8) S 28*54'04" E 182.25'; (9) S 75*44'19" E 226.22'; (10) N 88*17'06" E 214.32'; (11) S 53-06'58" E 167.13'; (12) S 22*07'45" E 129.85'; (13) S 17*48'14" W 106.78'; (14) S 44*10'27" W 256.10'; (15) S 03*09'14" W 236.33'; (16) S 40*21'56" E 72.90'; (17) S 75*24'59" E 289.40'; (18) S 19*52'32" E 179.13'; (19) S 40*30'22" E 372.18'; (20) S 26*11'44" E 308.34'; (21) S 19*13'47" E 271.44'; (22) S 56*53'35" E 267.92'; (23) S 29*02'59" E 244.57'; (24) S 24*11'30" E 321.38'; (25) S 14*36'15" W 356.57'; (26) S 11*41'24" E 187.32'; (27) S 48*59'49" E 579.62' to a point located on the north Right-of-Way (100') of the Western Railway of Alabama; thence along said Right-of-Way the following three (3) courses; (1) S 56*40'11" W 727.5'; (2) Chord Bearing S 61*58'16" W Chord Distance 951.72'; Radius 5281.27'; (3) S 56*37'24" W 897.01' to the point of beginning. Containing 208.95 acres, more or less and lying in a d being a part of South ½ of Section 30, the NE ¼ of the NW ¼, the East ½ of Section 31. And the West ½ of Section 32, T-17-N, R-21-E, Macon County, Alabama.

Owner Contact: Joe Callaway
3277 Tysonville Loop
Shorter, Alabama 36075
Phone #: 334-421-8815

Parcel No. 2

BEGIN at an iron pin located at the southwest corner of Unit 36A, Prairie Farms, as same is recorded in Plat Book 1, at Pages 160 and 162 in the Office of the Judge of Probate, Macon County, Alabama; thence N 30*58'54" E397 180.21' to an iron pin; thence S 48*10'53" E 512.09' to an iron pin; thence N89*46'05" E 360.94' to an iron pin located on the west Right-of-Way the following three (3) courses: (1) S 11*15'04" E 334.19'; (2) Chord Bearing S 04*40'51" W, Chords Distance 763.9, Radius 1383.00'; (3) S20*52'22" W 505.45' to an iron pin; thence leaving said Right-of-Way N 65*16'40" W 1537.48' to the point of beginning. Containing 47.51 Acres, more or less.

Owner Contact: Sylvia N. Harper
8549 Wexford Trace
Montgomery, Alabama 36117

Phone #: 334-207-2144

Parcel No. 3

BEGIN at an Iron pin located at the northwest corner of Unit 23A, as same is recorded in Plat Book 1, at Pages 160 and 162, in the Office of the Judge of Probate, Macon County, Alabama; thence N 54*31'13" E 1326.66' to an Iron pin; thence N 60*32'54" E 782.02 to an Iron pin; thence S 12*45'14" E 766.38' to an Iron pin; thence S 10*49'03" E 1310.00' to an iron pin; thence S 85*51'23" W 1331.63' to an iron pin; thence N 41*05'01" W 1293.18' to the point of beginning. Containing 75.91 Acres, more or less.

Owner Contact: JeCynthia Woods
3332 Afton Ln
Birmingham, Alabama 35242
Phone #: 205-266-5573

Parcel No. 4

BEGIN at an iron pin located at the northwest corner of Unit 22A, as same is recorded in Plat Book 1, at Pages 160 and 162, in the Office of the Judge of Probate, Macon County, Alabama; thence S 41°05'01" E 1683.12' to an iron pin; thence S 60°03'06" W 597.33' to an iron pin; thence S 63°51'35" W 212.95' to an Iron pin; thence S 59°56'09" W 554.72' to an iron pin; thence N 57°36'15" W 928.42' to an iron pin; thence N 31°01'18" E 1681.69' to the point of beginning. Containing 43.73 acres, more or less.

Owner Contact: Sylvia N. Harper
8549 Wexford Trace
Montgomery, Alabama 36117
Phone #: 334-207-2144

PARCEL 5A:

BEGIN at an iron pin located at the Northeast corner of Lot 25B, Prairie Farms, as recorded in Plat Book 1, at Pages 160 and 162, in the Office of the Judge of Probate, Macon County, Alabama; thence S 54°31'13" W 1341.54' to an iron pin; thence S 31°01'18" W 1680.80' to an iron pin; thence S 60°54'47" W 1739.49' to an iron pin; thence S 33°54'03" W 604.84' to an iron pin; thence N 60°47'57" W 2141.10' to a point located on the centerline of Line Creek; thence along said centerline the following five (5) courses: (1) N 18°40'18" E 83.42'; (2) N 16°42'34" W 142.76'; (3) N 54°46'53" W 495.27'; (4) N 18°14'09" W 255.47';

(5) N 25°12'51" W 123.96' to a point; thence S 68°08'49" E 108.58' to a point located on the South bank of the Tallapoosa River; thence along said South and East bank the following ten (10) courses: (1) S 88°44'43" E 493.13'; (2) N 85°30'53" E 555.66'; (3) N 70°33'28" E 356.47; (4) N 64°42'44" E 361.37'; (5) N 61°37'29' E 325.77'; (6) N 49°06'12" E 487.05';

(7) N 43°57'01" E 940.63'; (8) N 36°55'54" E 1014.34'; (9) N 37°26'41" E 610.33';

(10) N 41°27'47" E 372.08' to a point; thence leaving said South bank S 55°00'08" E 2309.21' to the point of beginning. Containing 263.85 acres, more or less, and lying in and being a part of

the South 1/2 of Section 25, the East 1/2 of Section 35, T-17-N, R-20-E, and the SW 1/4 of the SW 1/4 of Section 30, and Section 36, T-17-N, R-21-E, Macon County, Alabama.

Owner Contact: Heirs of James Jackson
c/o Fleming Jackson
5333 Balboa Blvd, Apt 144
Encino CA 91316
Phone #: 213-200-6406

PARCEL 5B:

Commence at an iron pin located at the Northeast corner of Lot 21, Prairie Farms, as recorded in Plat Book 1, at pages 160 and 162, in the Office of the Judge of Probate, Macon County, Alabama (said point being located on the west Right-of-Way (R.O.W. varies) of Macon County Road No. 97 (Tysonville Loop); thence along said Right-of-Way

S 30°02'45" W 1356.98'to an iron pin and beginning of a Right-of-Way jog; thence along said jog N 59°52'30" W 15.00' to a concrete monument and end of jog; thence continue along said Right-of-Way S 30°17'35" W 394.04' to an iron pin and POINT OF BEGINNING for the herein described parcel of land; thence continue along said Right-of-Way S 30°03'18" W 209.95' to an iron pin; thence leaving said Right-of-Way

N 77°12'57" W 1612.53' to an iron pin; thence N 77°37'57" W 3040.42' to a point located on the centerline of Line Creek; thence along said centerline the following four (4) courses: (1) N 34°32'12" W 180.07'; (2) N 13°55'29' E 800.48'; (3) N 39°08'41" W 521.32';

(4) N 18°40'18" E 307.68' to a point; thence leaving said centerline S 60°47'57" E 2156.15' to an iron pin; thence S 33°54'03" W 598.66' to an iron pin; thence S 71°49'57" E 1700.00' to an iron pin; thence S 77°12'57" E 1665.43' to the point of beginning. Containing 65.15 acres, more or less, and lying in and being a part of the East 1/2 of Section 35 and the North 1/2 of Section 36, T-17-N, R-20-E, Macon County, Alabama.

Owner Contact: Heirs of James Jackson
c/o Fleming Jackson
5333 Balboa Blvd, Apt 144
Encino CA 91316
Phone #: 213-200-6406

PARCEL 5C:

BEGIN at an iron pin located at the Northeast corner of Lot 21, Prairie Farms, as recorded in Plat Book 1, at pages 160 and 162, in the Office of the Judge of Probate, Macon County, Alabama (said point being located on the West Right-of-Way (R.O.W. varies) of Macon County Road No. 97 (Tysonville Loop)); thence along said Right-of-Way S 30°02'45" W 1356.98'to an iron pin and beginning of a Right-of-Way jog; thence along said jog

N 59°52'30" W 15.00' to a concrete monument and end of jog; thence continue along said Right-of-Way S 30°17'35" W 394.04' to an iron pin; thence leaving said Right-of-Way

N 77°12’57” W 1665.43’ to an iron pin; thence N 71°49’57” W 1700.00’ to an iron pin; thence N 33°54’03” E 598.66’ to an iron pin; thence N 33°54’03” E 600.00’ to an iron pin; thence N 60°54’47” E 1739.89’ to an iron pin; thence S 57°36’15” E 2299.42’ to the point of beginning. Containing 151.33 acres, more or less, and lying in and being a part Section 36, T-17-N, R-20-E, Macon County, Alabama.

Owner Contact: Heirs of James Jackson
c/o Fleming Jackson
5333 Balboa Blvd, Apt 144
Encino CA 91316
Phone #: 213-200-6406

PARCEL NO. 7

Begin at an iron pin located at the southeast corner of Lot 19, Prairie Farms Plat, as

recorded in Plat Book 1, at pages 160 and 162, in the Office of the Judge of Probate,

Macon County, Alabama; thence N 67º43’42” E 19.67’ to an iron pin located on the west Right-of-Way (R.O.W. varies) of County Road No. 97 (Tysonville Loop); thence along said Right-of-Way the following two (2) courses: (1) Chord Bearing S 48º44’12” E; Chord Distance 857.35’, Radius 1003.55’; (2) S 74º03’28” E 343.11’ to an iron pin; thence leaving said Right-of-Way S 16º01’25” W 561.90’ to an iron pin; thence

S 83º39’14” E 1248.43’ to an iron pin; thence S 82º38’28” E 210.35’ to an iron pin located on the west Right-of-Way (R.O.W. varies) of County Road No. 97 (Tysonville Loop); thence along said Right-of-Way S 11º14’24” E 117.79’ to an iron pin located at the intersection of said Right-of-Way and said north Right-of-Way (100’) of the Western Railway of Alabama; thence along the north Right-of-Way the following three (3) courses: (1) Chord Bearing S 73º48’33” W, Chord Distance 1635.13’, Radius 3778.45’; (2) Chord Bearing S 87º39’23” W, Chord Distance 297.97’, Radius 7362.00’; (3) S 88º40’08” W 2575.13’ to a point located on the centerline of Line Creek; thence leaving said Right-of-Way go along said centerline the following three (3) courses: (1) N 21º07’11” E 1040.13’ (2) N 37º38’47” E 486.90’ (3) N 19º40’24” E 58.20’ to a point; thence leaving the centerline of Line Creek N 67º43’42” E 1557.00’ to the point of beginning. Containing 114.71 acres, more or less and lying in and being a part of Southeast 1/4 of Southeast 1/4 of Section 36, T-17-N, R-20-E, North 1/2 of Section 1,

T-16-N, R-20-E, Northwest 1/4 of Northwest 1/4 of Section 6, T-16-N, R-21-E, Macon County, Alabama.

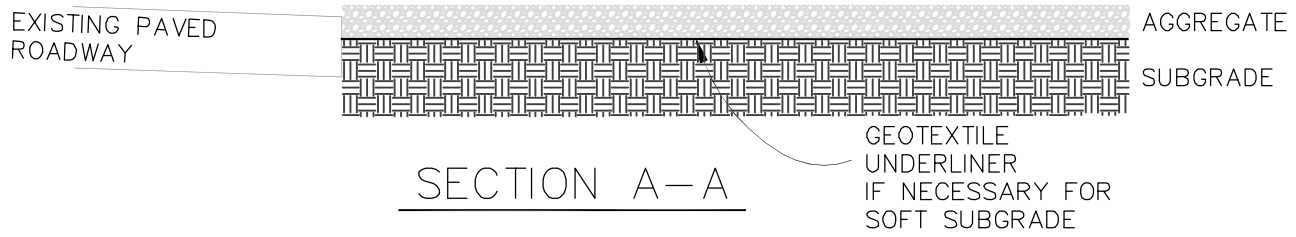
Owner Contact: Heirs of James Jackson
c/o Fleming Jackson
5333 Balboa Blvd, Apt 144
Encino CA 91316
Phone #: 213-200-6406

Parcel No. 10 (Parcel ID 1009310000009001)

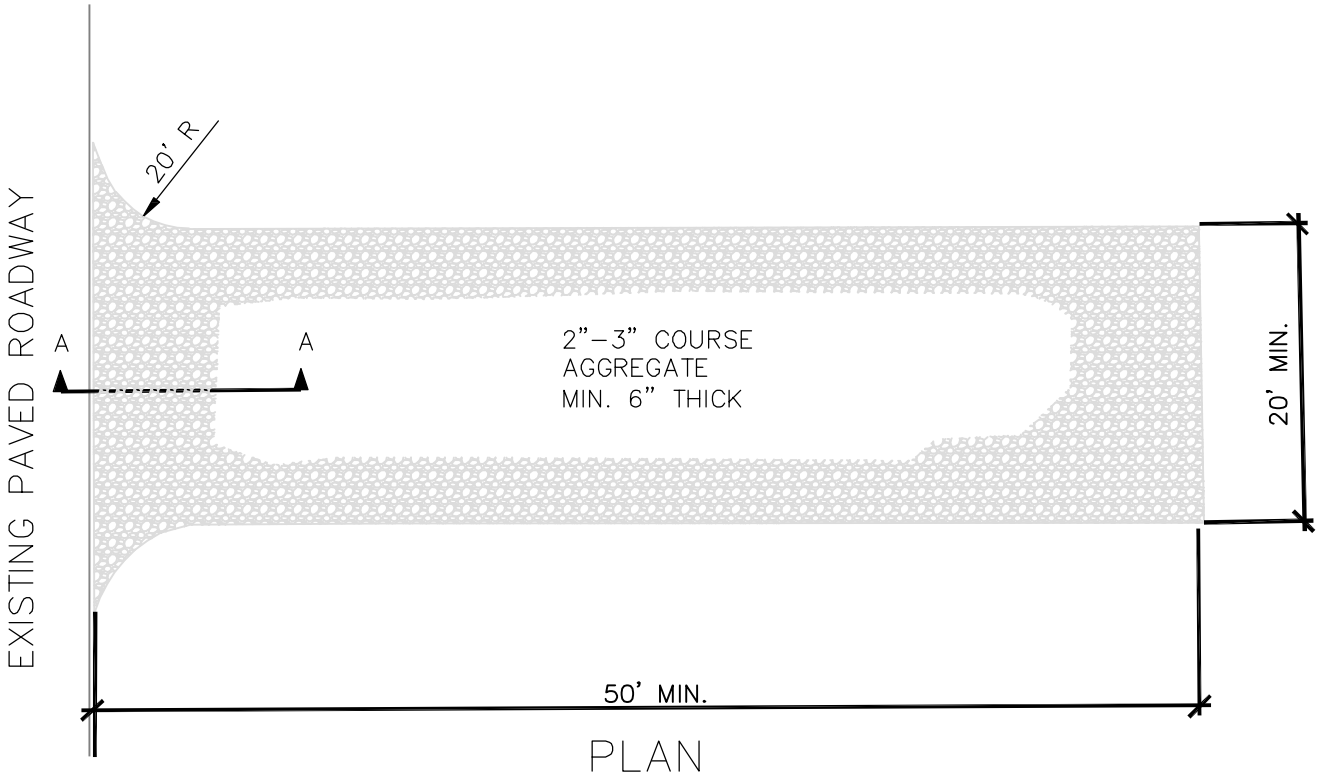
50.71 AC PRAIRIE FARMS UNIT 35A BEG NE COR UNIT 34A PRAIRIE FARMS TH NE 1381' TO W R/W CR 97 TH NELY & WLY ALNG R/W 3362' TO NW COR UNIT 34A TH LEAVE R/W SE 1059' TO POB S31 T17 R21. Containing 99.8 Acres, more or less.

Owner Contact: Sylvia N. Harper
8549 Wexford Trace
Montgomery, Alabama 36117
Phone #: 334-207-2144

Appendix E



SECTION A–A



PLAN

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

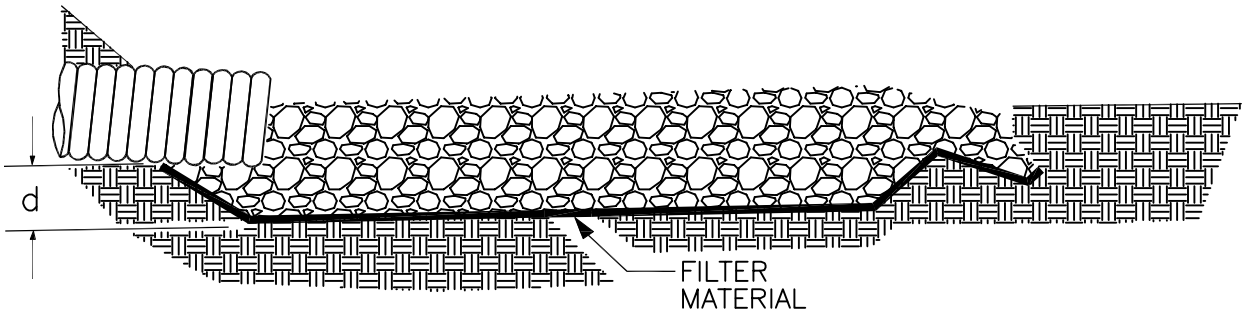
2. AN ALDOT COARSE AGGREGATE NO. 1 OR AN EQUIVALENT IS THE MINIMUM SIZE AGGREGATE RECOMMENDED.

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

TEMPORARY GRAVEL CONSTRUCTION ENTRANCE/EXIT

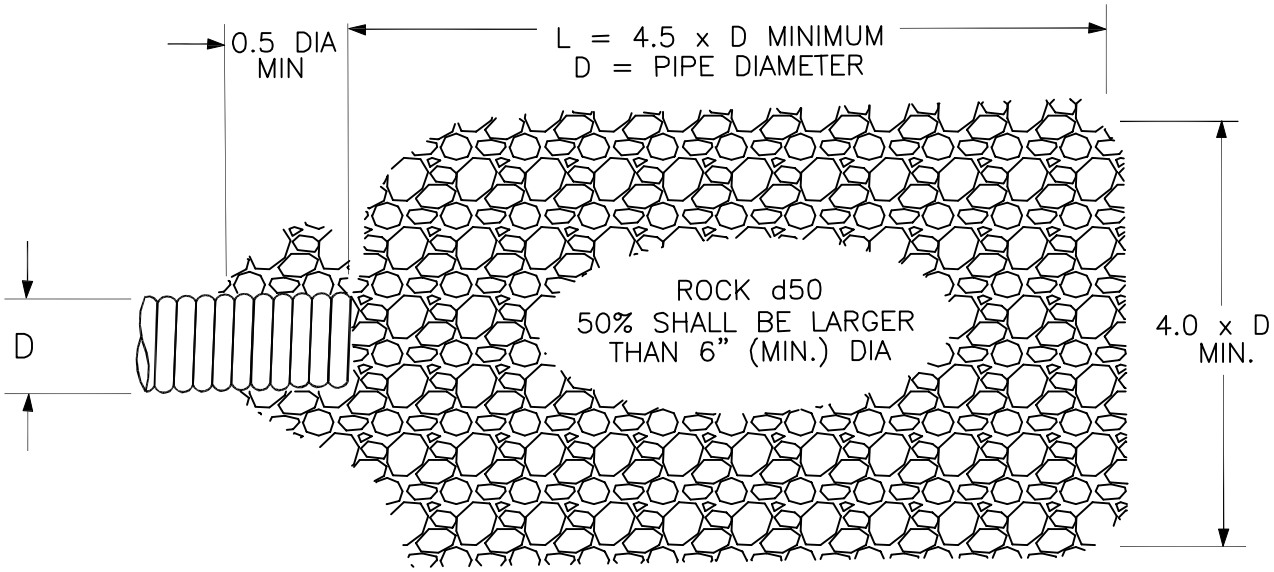
OUTLET PROTECTION

SIDE VIEW



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

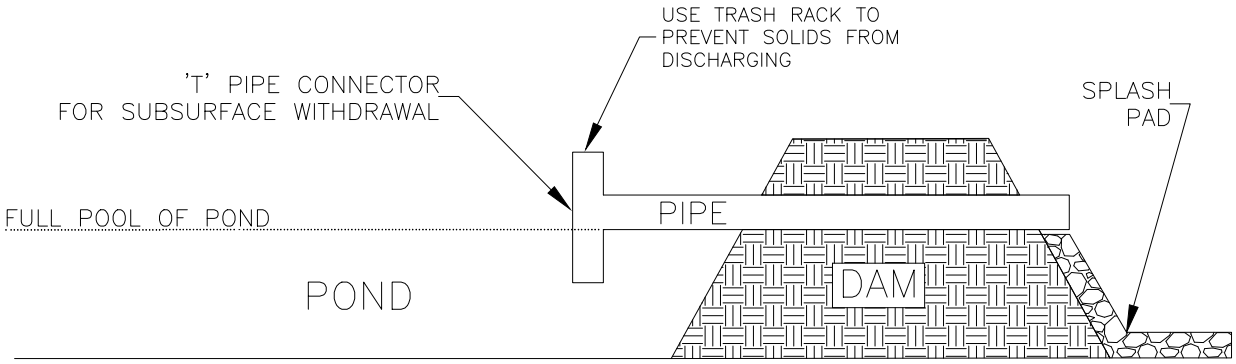
OVERHEAD VIEW

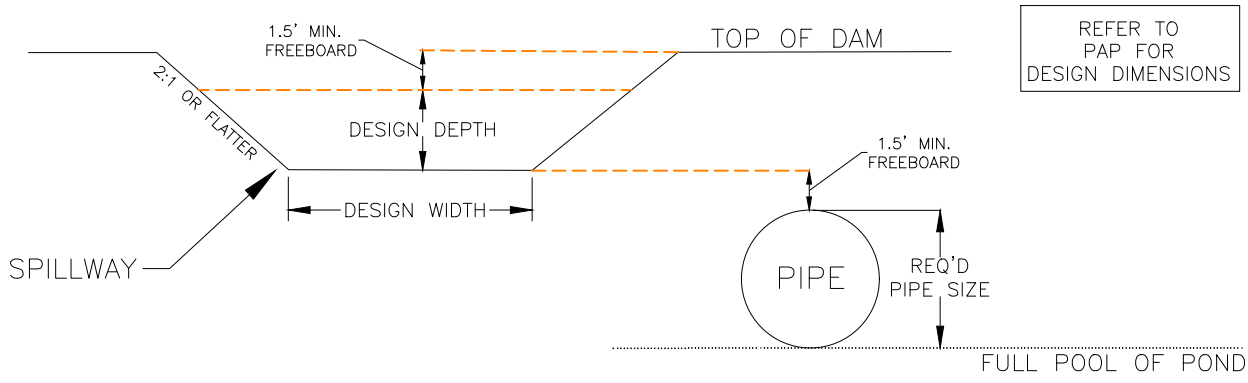


NOTES:

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

TYPICAL SECTION FOR DAM CONSTRUCTION



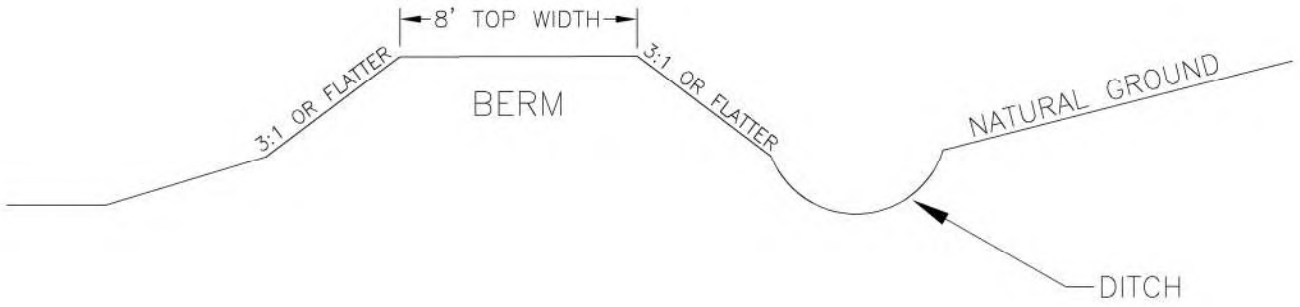


CONSTRUCTION REQUIREMENTS FOR DAM:

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

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

TYPICAL SECTION FOR DITCH AND/OR BERM TO DIVERT RUNOFF



NOTES FOR BERM / DITCH CONSTRUCTION:

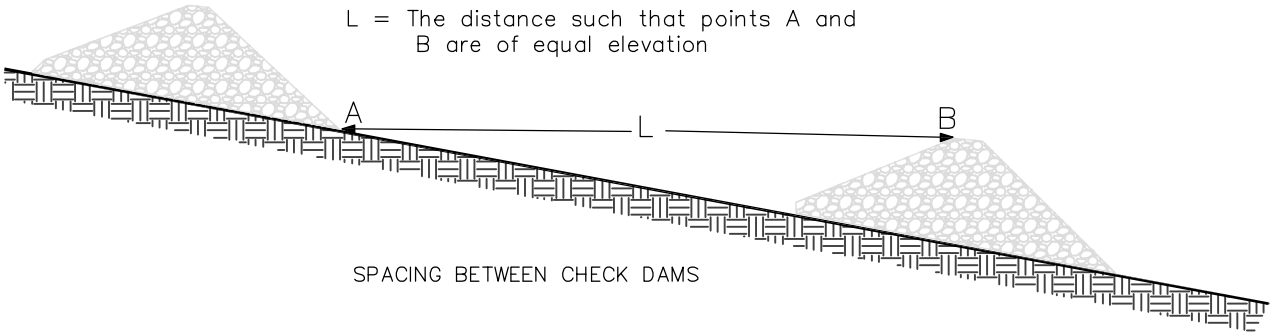
1. Use soil free of roots, large rocks, vegetation, organic matter, and other non-soil materials for construction. Berms must be substantial enough to maintain structural integrity.
2. Stabilize berm and ditch with grass or erosion control blanket immediately upon completing construction to prevent erosion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

RECLAMATION PROCEDURE:

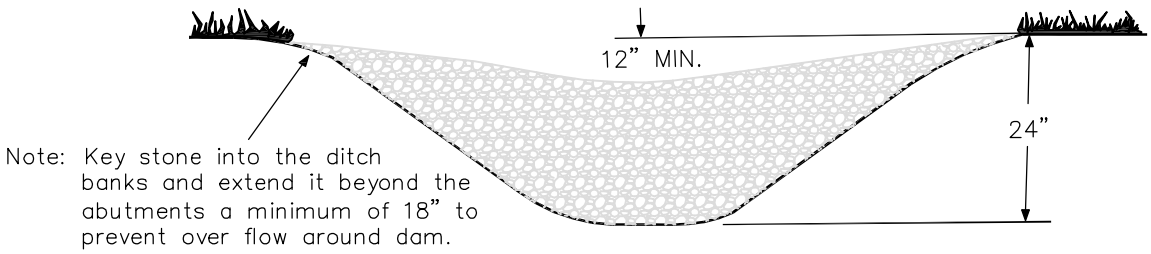
1. Areas not being used for daily mining or haul roads must be grassed with both perennial and annual grasses to ensure erosion is kept to a minimum. Grassed areas are to be limed and fertilized as necessary to establish and maintain an adequate stand of grass.
2. Disturbed and bare areas without grading/mining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

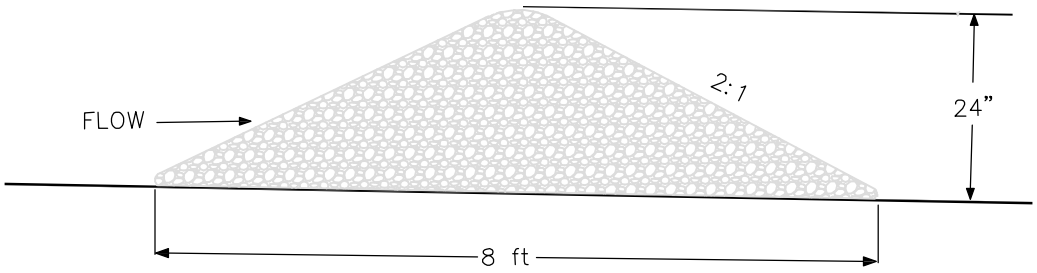
LARRY E. SPEAKS
&
ASSOCIATES
CONSULTING ENGINEERS
&
LAND SURVEYORS
535 HERRON STREET
MONTGOMERY, AL. 36104
TEL.-334/262-1091

CROSS SECTION OF TYPICAL ROCK CHECK DAM



PROFILE OF TYPICAL ROCK CHECK DAM





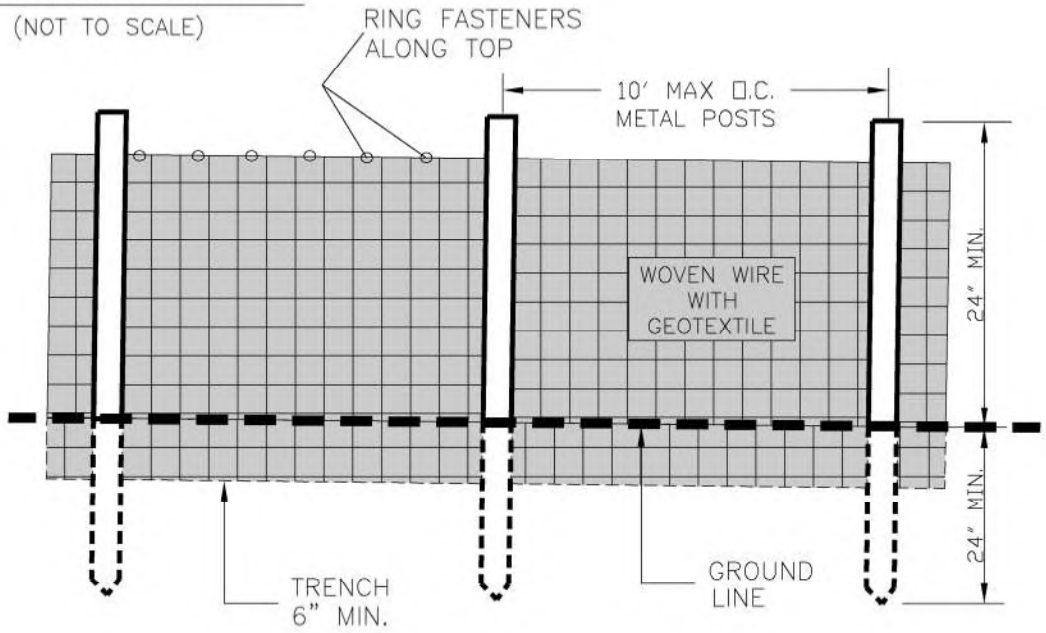
NOTES:

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

CHECK DAM

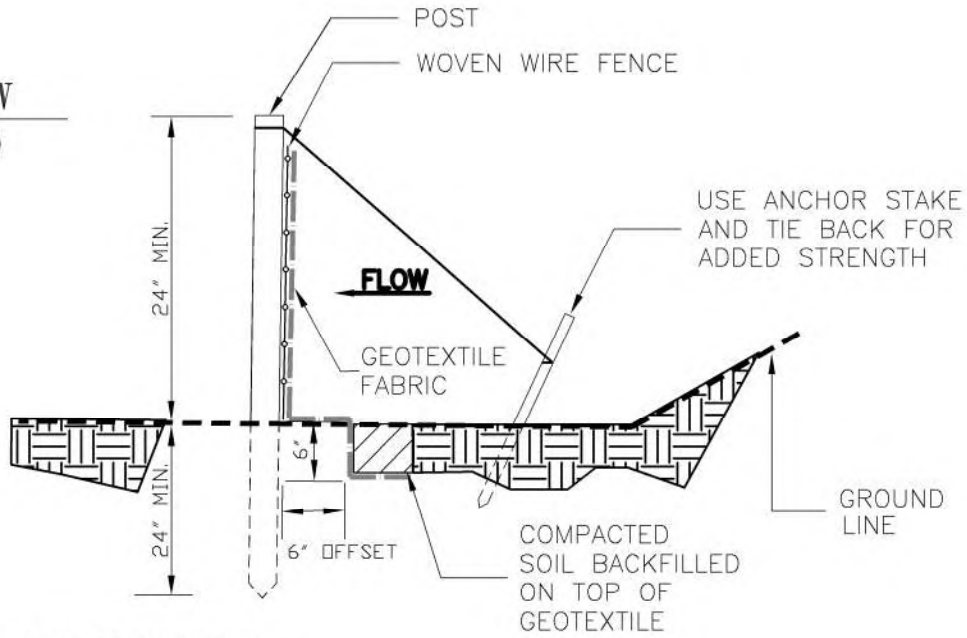
FRONT VIEW

(NOT TO SCALE)



SIDE VIEW

(NOT TO SCALE)



NOTES:

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

SILT FENCE TYPE A