Edward F. Poolos
Director

Jeffery W. Kitchens
Deputy Director

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

Kay Ivey
Governor

June 2, 2026

Mr. Joshua Eaton
Managing Partner
Eaton Resources LLC
16241 B and L Rd
Cottondale, AL 35453

RE: Draft Permit
Eaton Mine No. 1
NPDES Permit Number AL0084453
Tuscaloosa County (125)

Dear Mr. Eaton:

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 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 Jasmine White at (334) 270-5622 or jasmine.white@adem.alabama.gov.

Sincerely,

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

WDM/jlw File: DPER/57240

cc: Jasmine White, 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 Surface Mining Commission

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: Eaton Resources LLC
16241 B and L Road
Cottondale, AL 35453

FACILITY LOCATION: Eaton Mine No. 1
11526 George Newell Road
Vance, AL 35490
Tuscaloosa County
T20S, R7W, Sections 31 and 32
T21S, R7W, Sections 5 and 6

PERMIT NUMBER: AL0084453

DSN	RECEIVING STREAM
001-1	North Fork Hurricane Creek
003-1	Unnamed Tributary to North Fork Hurricane Creek
005-1	Unnamed Tributary to North Fork Hurricane Creek
008-1	Unnamed Tributary to North Fork Hurricane Creek
011-1	Unnamed Tributary to North Fork Hurricane Creek
013-1	Unnamed Tributary to North Fork Hurricane Creek
015-1	Unnamed Tributary to North Fork Hurricane Creek
017-1	Unnamed Tributary to North Fork Hurricane Creek
019-1	Unnamed Tributary to North Fork Hurricane Creek
021-1	Unnamed Tributary to Jimy Creek
023-1	Unnamed Tributary to North Fork Hurricane Creek

DSN	RECEIVING STREAM
002-1	Unnamed Tributary to North Fork Hurricane Creek
004-1	Unnamed Tributary to North Fork Hurricane Creek
007-1	Unnamed Tributary to North Fork Hurricane Creek
010-1	Unnamed Tributary to North Fork Hurricane Creek
012-1	Unnamed Tributary to North Fork Hurricane Creek
014-1	Unnamed Tributary to North Fork Hurricane Creek
016-1	Unnamed Tributary to North Fork Hurricane Creek
018-1	Unnamed Tributary to North Fork Hurricane Creek
020-1	Unnamed Tributary to North Fork Hurricane Creek
022-1	Unnamed Tributary to Jimy Creek
024-1	Unnamed Tributary to North Fork Hurricane 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: December 7, 2022

EFFECTIVE DATE: December 7, 2022

EXPIRATION DATE: December 6, 2027

MODIFICATION ISSUANCE DATE:

MODIFICATION EFFECTIVE DATE:

Draft

Alabama Department of Environmental Management
Water Division Chief

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

New Source Coal Mine, Surace and Underground Mine, Dry Preparations, Mineral Transportation, Mineral Storage, and Associated Areas

TABLE OF CONTENTS

PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

1. Active Mining 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. Except as provided in Parts I.A.2. and 3., discharges shall be limited and monitored by the Permittee as specified below:

Parameter	Discharge Limitations				Monitoring Requirements	
	4-Day Average	Daily Minimum	Monthly Average	Daily Maximum	Sample Type	Measurement Frequency[1]
Specific Conductance 00095	-------	-------	Report µS/cm	Report µS/cm	Grab	2/Month
Sulfate (As S) 00154	-------	-------	Report mg/L	Report mg/L	Grab	2/Month
pH 00400	-------	6.0 s.u.	-------	8.5 s.u.	Grab	2/Month
pH[2] 00400	-------	6.0 s.u.	-------	10.5 s.u.	Grab	2/Month
Solids, Total Suspended 00530	-------	-------	35.0 mg/L	70.0 mg/L	Grab	2/Month
Iron, Total (As Fe) 01045	3.45 mg/L	-------	3.0 mg/L	6.0 mg/L	Grab	2/Month
Manganese, Total (As Mn)[3] 01055	-------	-------	2.0 mg/L	4.0 mg/L	Grab	2/Month
Aluminum, Total (As Al) 01105	-------	-------	Report mg/L	Report mg/L	Grab	2/Month
Flow, In Conduit or Thru Treatment Plant[4] 50050	-------	-------	Report MGD	Report MGD	Instantaneous	2/Month
Toxicity, Ceriodaphnia Acute[5] 61425	-------	-------	-------	0 pass(0)/fail(1)	Grab	1/Quarter
Toxicity, Ceriodaphnia Chronic[6] **(Outfalls 014 through 025)** 61426	-------	-------	-------	0 pass(0)/fail(1)	Grab	1/Quarter
Toxicity, Pimephales Acute[5] 61427	-------	-------	-------	0 pass(0)/fail(1)	Grab	1/Quarter
Toxicity, Pimephales Chronic[6] 61428	-------	-------	-------	0 pass(0)/fail(1)	Grab	1/Quarter
Solids, Total Dissolved (TDS) 70296	-------	-------	Report mg/L	Report mg/L	Grab	1/Quarter

[1] See Part I.C.2. for further measurement frequency requirements.
[2] See Part IV.D. for pH Exemption Discharge Limitations.
[3] See Part IV.E. for Manganese Exemption Discharge Limitations.
[4] Flow must be determined at the time of sample collection by direct measurement, calculation, or other method acceptable to the Department.
[5] See Part IV.F. for Effluent Toxicity Limitations and Biomonitoring Requirements for Acute Toxicity.
[6] See Part IV.F. for Effluent Toxicity Limitations and Biomonitoring Requirements for Chronic Toxicity.

2. Precipitation Exemption Limitations and Monitoring Requirements[7]

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. During periods of applicable 24-hour precipitation events for which the Permittee claims an exemption of standard mining limits as provided by Part IV.C., such discharge shall be limited and monitored by the Permittee as specified below:

Parameter	Discharge Limitations				Monitoring Requirements	
	4-Day Average	Daily Minimum	Monthly Average	Daily Maximum	Sample Type	Measurement Frequency[8]
Specific Conductance 00095	-------	-------	Report µS/cm	Report µS/cm	Grab	2/Month
Sulfate (As S) 00154	-------	-------	Report mg/L	Report mg/L	Grab	2/Month
pH 00400	-------	6.0 s.u.	-------	9.0 s.u.	Grab	2/Month
Solids, Settleable[9] 00545	-------	-------	-------	0.5 mL/L	Grab	2/Month
Iron, Total (As Fe)[10] 01045	3.45 mg/L	-------	-------	7.0 mg/L	Grab	2/Month
Aluminum, Total (As Al) 01105	-------	-------	Report mg/L	Report mg/L	Grab	2/Month
Flow, In Conduit or Thru Treatment Plant[11] 50050	-------	-------	Report MGD	Report MGD	Instantaneous	2/Month
Solids, Total Dissolved (TDS) 70296	-------	-------	Report mg/L	Report mg/L	Grab	1/Quarter

7 See Part IV.C. for Precipitation Event Discharge Limitations.
8 See Part I.C.2. for further measurement frequency requirements.
9 The discharge limitation for Settable Solids is not applicable for precipitation events greater than a 10-year, 24-hour precipitation event.
10 The discharge limitation for Total Iron (As Fe) is only applicable for precipitation events less than or equal to a 2-year, 24-hour precipitation event.
11 Flow must be determined at the time of sample collection by direct measurement, calculation, or other method acceptable to the Department.

3. Post Mining Limitations and Monitoring Requirements[12]

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. For those outfalls which the Department has granted written approval pursuant to Part IV.D., such discharge shall be limited and monitored by the Permittee as specified below:

Parameter	Discharge Limitations				Monitoring Requirements	
	4-Day Average	Daily Minimum	Monthly Average	Daily Maximum	Sample Type	Measurement Frequency[13]
Specific Conductance 00095	-------	-------	Report µS/cm	Report µS/cm	Grab	1/Month
Sulfate (As S) 00154	-------	-------	Report mg/L	Report mg/L	Grab	1/Month
pH 00400	-------	6.0 s.u.	-------	8.5 s.u.	Grab	1/Month
Solids, Settleable 00545	-------	-------	-------	0.5 mL/L	Grab	1/Month
Iron, Total (As Fe) 01045	3.45 mg/L	-------	-------	-------	Grab	2/Month
Aluminum, Total (As Al) 01105	-------	-------	Report mg/L	Report mg/L	Grab	2/Month
Flow, In Conduit or Thru Treatment Plant[14] 50050	-------	-------	Report MGD	Report MGD	Instantaneous	1/Month
Solids, Total Dissolved (TDS) 70296	-------	-------	Report mg/L	Report mg/L	Grab	1/Quarter

[12] See Part IV.C. for Post-Mining Discharge Limitations.
[13] See Part I.C.2. for further measurement frequency requirements.
[14] Flow must be determined at the time of sample collection by direct measurement, calculation, or other method acceptable to the Department.

4. Instream Monitoring

a. 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 all outfalls, which are described more fully in the Permittee's application. In addition to the limitations and monitoring requirements presented in Parts I.A.1. through 3. of this Permit, such 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[15]
Turbidity, Background (Upstream) 52330	-------	-------	Report NTU	Instantaneous	1/Month
Turbidity (Downstream) 00070	-------	-------	Report NTU	Instantaneous	1/Month
Turbidity, Increase Over Background 52350	-------	-------	50 NTU	Calculated	1/Month

The instream monitoring addressed by Part I.A.4 is the reporting requirement implemented to monitor the change in turbidity of the receiving stream.

b. The Upstream Background Turbidity shall be taken at a location in the receiving stream approved of by the Department immediately upstream of the most upstream certified outfall. The Downstream Turbidity shall be taken at a location in the receiving steam approved of by the Department immediately downstream of all certified outfalls.

c. A topographic map with all certified outfalls identified as well as the instream sampling locations proposed to be used by the Permittee must be submitted at the time of each certification required by Part I. B. 1. Should the Department object to the instream sampling locations proposed to be used by the Permittee, the Permittee must adjust the instream sampling locations to locations that do meet the Department's approval.

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 in accordance with plans and specifications approved by the ASMC, if applicable. This requirement shall not apply to pumped discharges from the underground works of underground coal mines where no surface structure is required by the ASMC, 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. 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.

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

C. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS

1. Sampling Schedule and Frequency

d. Except as provided in Parts IV.B. and C., the Permittee shall collect samples of the discharge from each constructed and certified point source identified on Page 1 of this Permit and described more fully in the Permittee's application, at the frequency specified in Part I.A. Analysis of the samples shall be conducted for the parameters specified in Part I.A.

e. For each permitted, constructed, and certified point source which results from direct pumped drainage from the underground works of an underground coal mine or from surface drainage, if the final effluent is pumped in order to discharge (e.g. incised ponds, old highwall cuts, old pit areas or depressions), at least one grab sample from the permitted point source shall be obtained and analyzed each quarterly (three month) monitoring period if a discharge occurs at any time during the quarterly monitoring period.

f. 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

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

2.

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. If required by the Director, 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 Requirements

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

(3) The Permittee has certified to the Director that the 100% Bond Release has been granted by the Alabama Surface Mining Commission for all areas disturbed in the drainage basin(s) associated with the discharge;

(4) 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;

(5) 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;

(6) 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;

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

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

(9) The Permittee has certified to the Director in writing as part of the request, its compliance with (1) through (8) 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.

c. If monitoring reductions or releases have been granted by the Department for requirements under a previous permit version, permit requirements shall remain reduced or released for the approved outfalls. However, should any changes occur at the site or discharge conditions upon which the monitoring reduction or release was based, the Permittee is required to notify the Department in writing and immediately resume the monitoring and reporting requirements.

d. The Department may require the Permittee in writing to resume monitoring requirements for released outfalls pursuant to Part I.B of the NPDES Permit.

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. 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.

3. 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:

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

(2) 96-hour median tolerance limit data for organisms representative of the biota of the water(s) which the discharge(s) enter(s);

(3) Quantities to be used;

(4) Frequencies of use;

(5) Proposed discharge concentrations; and

(6) 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.

4. Facility Identification

3. 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(s).

4.

5. 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.

6. 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.

7. Duty to Mitigate

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

B. BYPASS AND UPSET

1. Bypass

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

b. A bypass is not prohibited if:

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

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

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

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

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

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

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

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

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

2. Upset

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

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

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

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

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

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

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

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

(2) No later than five (5) days after becoming aware of the occurrence of the upset, furnish the Director with evidence, including properly signed, contemporaneous

operating logs, design drawings, construction certification, maintenance records, weir flow measurements, dated photographs, rain gauge measurements, or other relevant evidence, demonstrating that:

(i) An upset occurred;

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

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

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

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

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

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

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

C. PERMIT CONDITIONS AND RESTRICTIONS

1. Prohibition against Discharge from Facilities Not Certified

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

b. Notwithstanding any other provisions of this Permit, if the permitted facility has obtained or is required to obtain a permit from the Alabama Surface Mining Commission, any discharge(s) from any point or nonpoint source(s) from the permitted facility which is associated with a treatment facility which was not constructed and certified to the Alabama Surface Mining Commission pursuant to applicable provisions of said Commission's

regulations, is prohibited until the Permittee submits to the Alabama Surface Mining Commission, certification by a professional engineer, registered in the State of Alabama, certifying that such facility has been constructed in accordance with plans and specifications approved by the Alabama Surface Mining Commission. This requirement shall not apply to pumped discharges from the underground works of underground coal mines where no surface structure is required by the Alabama Surface Mining Commission, provided the Department is notified in writing of the completion or installation of such facilities, and the pumped discharges will meet permit effluent limits without treatment.

2. Permit Modification, Suspension, Termination, and Revocation

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

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

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

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

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

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

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

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

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

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

3. Requirements for Metals, Cyanide, and Phenols Monitoring and Reporting

a. For all outfalls, the Permittee shall collect a sample of the discharge to be analyzed for antimony, arsenic, beryllium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, thallium, zinc, cyanide, and phenols no later six months following the effective date of the Permit. The analyses shall be submitted on EPA Form 2C and received by the Department no later than 28 days following six months after the effective date of the Permit.

b. For all outfalls, should a discharge not occur within the first six months following the effective date of this Permit, the Permittee shall collect a sample of the discharge to be analyzed for antimony, arsenic, beryllium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, thallium, zinc, cyanide, and phenols no later than six months following the date of the first discharge. The analyses shall be submitted on EPA Form 2C

and received by the Department no later than 28 days following six months after the first discharge.

c. Parts II.C.3.a. and b. do not apply for any outfall that is represented by analyses conducted at a substantially similar outfall as indicated on EPA Form 2C or 2D.

d. The Permit shall be reopened, if required, to address any new information resulting from the completion and submittal of the data referenced in Parts II.C.3.a. and b.

4. Automatic Expiration of Permits for New or Increased Discharges

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

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

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

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

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

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

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

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

e. If this permit was issued for a "new discharger" or "new source" associated with a "surface coal mine" it shall expire eighteen months after issuance if "construction" has not begun during that eighteen-month period, unless the Permittee has not started "construction" pending issuance of a permit by the "ASMC" and at the time the NPDES permit was issued had complied with the application requirements of the "ASMC" Administrative Code Title 880. In such cases, the NPDES permit shall expire 18 months after issuance of the "ASMC" permit if "construction" has not begun during that eighteen-month period. This period shall be tolled by any administrative request for hearing or an administrative or judicial stay.

5. Transfer of Permit

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

6. **Groundwater**

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

7. **Property and Other Rights**

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

D. RESPONSIBILITIES

1. **Duty to Comply**

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

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

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

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

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

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

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

2. Change in Discharge

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

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

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

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

4. Compliance with Water Quality Standards and Other Provisions

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

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

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

5. Compliance with Statutes and Rules

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

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

6. Right of Entry and Inspection

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

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

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

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

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

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

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

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

c. Failure of the Permittee to submit to the Department a complete application for reissuance of this Permit at least 180 days prior to the expiration date of this Permit will void the automatic continuation of this Permit as 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 subject to penalties and/or imprisonment as provided by the AWPCA and/or the AEMA.

3. Permit Enforcement

5. 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. Acid or ferruginous mine drainage - means mine drainage which, before any treatment, either has a pH of less than 6 or a total iron concentration equal to or greater than 10 mg/l.

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

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

4. Alkaline mine drainage - means mine drainage which, before any treatment, has a pH equal to or greater than 6.0 and total iron concentration of less than 10 mg/l.

5. 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).

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

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

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

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

10. Coal Mine - means an area, on or beneath land, used or disturbed in activities related to the extraction, removal, or recovery of coal from natural or artificial deposits, including active mining and reclamation.

11. Coal Preparation Plant - means a facility where coal is subjected to cleaning, concentrating, or other processing or preparation in order to separate coal from its impurities and then is loaded for transit to a consuming facility.

12. Coal Preparation Plant Associated Areas - means the coal preparation plant yards, immediate access roads, coal refuse piles and coal storage piles and facilities.

13. Coal Preparation Plant Water Circuit - means all pipes, channels, basins, tanks, and all other structures and equipment that convey, contain, treat, or process any water that is used in coal preparation processes within a coal preparation plant.

14. Coal Refuse Disposal Pile - means any coal refuse deposited on the earth and intended as permanent disposal or long-term storage (greater than 180 days) of such material, but does not include coal refuse deposited within the active mining area or coal refuse never removed from the active mining area.

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

16. 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.

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

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

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

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

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

22. 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).

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

24. DO - means dissolved oxygen.

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

26. 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.

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

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

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

30. 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).

31. 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.

32. 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.

33. 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.

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

35. MGD - means million gallons per day.

36. 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.)

37. 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.

38. 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.

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

40. 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.

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

42. 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).

43. 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.

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

45. 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.

46. 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.

47. 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".

48. 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.

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

50. 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.

51. 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.

6.

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

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

54. TRC - means Total Residual Chlorine.

55. TSS – means the pollutant parameter Total Suspended Solids

56. Total Year-to-Date discharge limitation - means the sum of the discharge mass flow rates of a pollutant on all previous days within a calendar year. For days when data has not been collected, the mass flow rates shall be assumed to be equal to the most recent calculated daily mass flow rate.

57. 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.

58. 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.

59. 24-hour precipitation event - means that amount of precipitation which occurs within any 24-hour period.

60. 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.

61. 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.

62. 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.

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

64. 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.

PART IV SPECIAL REQUIREMENTS, RESTRICTIONS, AND LIMITATIONS

A. 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.

B. PRECIPITATION EVENT DISCHARGE LIMITATIONS

1. Monitoring for Claims of Precipitation Event Discharge Limitation Exemption

Any sample of discharge collected in accordance with Parts I.C.1.a. and b. for which the Permittee submits a claim of exemption pursuant to Part IV.B.2., shall be collected within 48 hours after the commencement of the 24-hour precipitation event and prior to the cessation of the discharge or increased discharge. The sample shall be analyzed for each effluent characteristic as specified in Part I.A.2. Within 24 to 36 hours after the cessation of the 24-hour precipitation event, the Permittee shall collect an additional sample of the discharge and shall analyze such sample for each effluent characteristic specified in Part I.A.1. of this Permit.

2. Precipitation Event Discharge Limitation Exemption Submittal

Excluding discharges of drainage from the underground workings of an underground coal mine which are not commingled with other drainage eligible for precipitation event discharge limitations, any discharge or increase in the volume of a discharge which is caused by an applicable 24-hour precipitation event as described in Part IV.B.3. and which occurs during or within 24-hours after such event, may be exempt from the discharge limitations specified in Part I.A. provided that the discharge is addressed in Parts IV.B.4. through 8. and the Permittee submits a written claim of exemption to the Director with the DMR required to be submitted by Part I.D. of this Permit, which shall contain:

a. Persuasive evidence that the discharge or increase in the volume of a discharge was caused by an applicable 24-hour precipitation event;

b. Persuasive evidence of the amount of precipitation occurring during the applicable 24-hour precipitation event;

c. Persuasive evidence demonstrating the origin of the drainage causing a discharge;

d. The day and time at which the 24-hour precipitation event commenced and ceased;

e. The volume or amount in inches of the applicable 24-hour precipitation event; and

f. The results of monitoring conducted pursuant to Part I.A. of this Permit, if required thereby.

3. Applicable 24-Hour Precipitation Events

Applicable 24-hour precipitation events include those that are greater than 1-year, 24-hour precipitation events or less than, equal to, or greater than 2-year, 24-hour precipitation events, and 10-year, 24-hour precipitation events.

4. 24-Hour Precipitation Event Greater Than a 1-Year, 24-Hour Precipitation Event, but Less Than a 10-Year, 24-Hour Precipitation Events

Discharge limitations listed in Part I.A.2. may apply to discharges of acid or ferruginous drainage from coal refuse disposal piles, provided that the Permittee has met the submittal requirements of Part IV.B.2., for any discharge or increase in the volume of a discharge caused by a 24-hour precipitation event greater than a 1-year, 24-hour precipitation event, but less than or equal to a 10-year, 24-hour precipitation event.

5. 24-Hour Precipitation Event Less Than or Equal to a 2-Year, 24-Hour Precipitation Event

Discharge limitations listed in Part I.A.2. may apply to discharges of drainage from acid or ferruginous mining areas (excluding discharges from steep slope mining areas, discharges from mountaintop removal operations, discharges from controlled surface mine drainage, and discharges from underground workings of underground mines), provided that the Permittee has met the submittal requirements of Part IV.B.2., for any discharge or increase in the volume of a discharge caused by a 24-hour precipitation event less than or equal to a 2-year, 24-hour precipitation event.

6. 24-Hour Precipitation Event Greater Than a 2-Year, 24-Hour Precipitation Event, but Less Than a 10-Year, 24-Hour Precipitation Events

Discharge limitations listed in Part I.A.2. may apply to discharges of drainage from acid or ferruginous mining areas (excluding discharges from steep slope mining areas, discharges from mountaintop removal operations, discharges from controlled surface mine drainage, and discharges from underground workings of underground mines), provided that the Permittee has met the submittal requirements of Part IV.B.2., for any discharge or increase in the volume of a discharge caused by a 24-hour precipitation event greater than a 2-year, 24-hour precipitation event, but less than or equal to a 10-year, 24-hour precipitation event.

7. 24-Hour Precipitation Event Less Than or Equal to a 10-Year, 24-Hour Precipitation Event

Discharge limitations listed in Part I.A.2. may apply to discharges of drainage from steep slope mining areas, discharges of drainage from mountaintop removal areas, discharges of alkaline drainage (excluding discharges from underground workings of underground mines and that are not commingled with other discharges), and discharges from coal preparation plant associated areas (excluding acid or ferruginous mine drainage from coal refuse disposal piles), provided that the Permittee has met the submittal requirements of Part IV.B.2., for any discharge or increase in the volume of a discharge caused by a 24-hour precipitation event less than or equal to a 10-year, 24-hour precipitation event.

8. 24-Hour Precipitation Event Greater Than a 10-Year, 24-Hour Precipitation Event

Discharge limitations listed in Part I.A.2. may apply to discharges of drainage from alkaline, acid, or ferruginous mining areas, discharges of steep slope mining areas, discharges of drainage from mountaintop removal operations, discharges of drainage from coal preparation plants and associated areas, discharges of drainage from coal refuse piles, the underground workings of an underground coal mine which are commingled with other discharges eligible for precipitation event discharge limitations, and discharges from reclamation areas, provided that the Permittee has met the submittal requirements of Part IV.B.2., for any discharge or increase in the volume of a discharge caused by a 24-hour precipitation event greater than a 10-year, 24-hour precipitation event.

C. POST-MINING DISCHARGE LIMITATIONS

1. Excluding discharges from the underground workings of an underground coal mine, any discharge shall be exempt from the discharge limitations specified in Part I.A.1., provided that:

   a. All mining in the drainage basin(s) associated with the discharge has ceased;

   b. Revegetation has been established on all areas mined in the drainage basin(s) associated with the discharge;

   c. The Permittee has been granted, in writing, a Phase II Bond Release, if applicable, by the ASMC for all areas mined in the drainage basin(s) associated with the discharge;

   d. The Permittee has certified to the Director, in writing, its compliance with Parts IV.C.1.a. through c.; and

   e. The Permittee's request for post-mining discharge limitations has been approved by the Department in writing.

2. Any discharge, which pursuant to Part IV.C.1. is exempt from the discharge limitations specified in Part I.A.1., shall be limited and monitored by the Permittee as specified in Part I.A.3.

D. pH EXEMPTION DISCHARGE LIMITATIONS

Where the application of neutralization and sedimentation treatment technology results in the Permittee's inability to comply with applicable total manganese discharge limitations, the daily maximum discharge limitation for pH shall be 10.5 s.u. However, the discharge shall not cause the in-stream pH values 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. Use of this exemption must be noted on the DMR Form when submitted for each eligible outfall. Documentation justifying the necessity for the exemption must be also be submitted at the time of the associated DMR submittal.

E. MANGANESE EXEMPTION DISCHARGE LIMITATIONS

Limitations and monitoring requirements for total manganese do not apply if the drainage, before any treatment, has a pH equal to or more than 6.0 s.u. and a total iron concentration of less than 10.0 mg/l. Use of this exemption must be noted on the Discharge Monitoring Report (DMR) form when submitted for each eligible outfall. Documentation of alkaline mine drainage before treatment must also be submitted at the time of or prior to the associated DMR submittal.

F. EFFLUENT TOXICITY LIMITATIONS AND BIOMONITORING REQUIREMENTS FOR ACUTE TOXICITY

Except as provided below, the Permittee shall perform 48-hour acute toxicity screening tests on the discharges required to be tested for acute toxicity in Part I.A. of this Permit.

The Permittee may certify, in writing, that the activities at the site at the time of sample collection will result in representative discharges, and therefore perform the toxicity tests on only the samples collected from the representative outfalls. The certification must be signed by a responsible official of the Permittee as defined in ADEM Admin Code r. 335-6-6-.09 and include the following statement:

> "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."

1. **Test Requirements**

   a. The tests shall be performed using undiluted effluent.

   b. Any test where survival in the effluent concentration is less than 90% and statistically lower than the control indicates acute toxicity and constitutes noncompliance with this Permit.

2. **General Test Requirements**

   a. A grab sample shall be obtained for use in above biomonitoring tests. The holding time for each sample shall not exceed 36 hours. The control water shall be a water prepared in the laboratory in accordance with the EPA procedure described in EPA 821-R-02-012 or most current edition or another control water selected by the Permittee and approved by the Department.

   b. Effluent toxicity tests in which the control survival is less than 90% or in which the other requirements of the EPA Test Procedure are not met shall be unacceptable and the Permittee shall rerun the tests as soon as practical within the monitoring period.

   c. In the event of an invalid test, upon subsequent completion of a valid test, the results of all tests, valid and invalid, are reported with an explanation of the tests performed and results.

   d. Should results from five consecutive testing periods indicate that the effluent does not exhibit acute toxicity, the Permittee may request, in writing, that the Toxicity monitoring and reporting requirements be suspended. It remains the responsibility of the Permittee to comply with the Toxicity monitoring and reporting requirements until written authorization to suspend the monitoring and reporting is received by the Permittee from the Director.

3. **Reporting Requirements**

   a. The Permittee shall notify the Department in writing within 48 hours after toxicity has been demonstrated by the scheduled test(s).

   b. Biomonitoring test results obtained during each monitoring period shall be summarized and reported using the appropriate Discharge Monitoring Report (DMR) form approved by the Department. In accordance with Section 6. of this part, an effluent toxicity report containing the information in Section 6. shall be included with the DMR. Two copies of the test results must be submitted to the Department no later than 28 days after the month in which the tests were performed.

4. **Additional Testing Requirements**

   a. If acute toxicity is indicated (noncompliance with permit limit), the Permittee shall perform two additional valid acute toxicity tests in accordance with these procedures. The toxicity tests shall be performed on new samples collected during the first discharge event after becoming aware of the

acute toxicity. The additional samples shall be collected a minimum of 12 hours apart, or sooner if the discharge is not expected to continue for 12 hours. In the event that the discharge ceases prior to collection of the second additional sample, the sample shall be collected during the beginning of the next discharge event. The results of these tests shall be submitted no later than 28 days following the month in which the tests were performed. Additional testing sample collection and analysis timeframes may be extended, as necessary, to obtain the samples during discharges.

b. After evaluation of the results of the additional tests, the Department will determine if additional action is appropriate and may require additional testing and/or toxicity reduction measures. The Permittee may be required to perform a Toxicity Identification Evaluation (TIE) and/or a Toxicity Reduction Evaluation (TRE). The TIE/TRE shall be performed in accordance with the most recent protocols/guidance outlined by EPA (e.g., EPA/600/2-88/062, EPA/600/R-92/080, EPA/600/R-92/081, EPA/833/B-99/022 and/or EPA/600/6-91/005F, etc.).

5. Test Methods

The tests shall be performed in accordance with the latest edition of the "EPA Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms" and shall be performed using the fathead minnow (*Pimephales promelas*) and the cladoceran (*Ceriodaphnia dubia*).

6. Effluent Toxicity Testing Reports

The following information shall be submitted with each discharge monitoring report unless otherwise directed by the Department. The Department may at any time suspend or reinstate this requirement or may increase or decrease the frequency of submittals.

a. Introduction

(1) Facility Name, location and county

(2) Permit number

(3) Toxicity testing requirements of permit

(4) Name of receiving water body

(5) Contract laboratory information (if tests are performed under contract)

(i) Name of firm

(ii) Telephone number

(iii) Address

(6) Objective of test

b. Plant Operations

(1) Discharge operating schedule (if other than continuous)

(2) Volume of discharge during sample collection to include Mean daily discharge on sample collection date (MGD, CFS, GPM)

c. Source of Effluent Water and Dilution Water

(1) Effluent samples

(i) Sample point

(ii) Sample collection dates and times

(iii) Sample collection method

(iv) Physical and chemical data of undiluted effluent samples (water temperature, pH, alkalinity, hardness, specific conductance, total residual chlorine (if applicable), etc.)

(v) Sample temperature when received at the laboratory

(vi) Lapsed time from sample collection to delivery

(vii) Lapsed time from sample collection to test initiation

(2) Dilution Water samples

(i) Source

(ii) Collection date(s) and time(s) (where applicable)

(iii) Pretreatment (if applicable)

(iv) Physical and chemical characteristics (pH, hardness, water temperature, alkalinity, specific conductivity, etc.)

d. Test Conditions

(1) Toxicity test method utilized

(2) End point(s) of test

(3) Deviations from referenced method, if any, and reason(s)

(4) Date and time test started

(5) Date and time test terminated

(6) Type and volume of test chambers

(7) Volume of solution per chamber

(8) Number of organisms per test chamber

(9) Number of replicate test chambers per treatment

(10) Test temperature, pH and dissolved oxygen as recommended by the method (to include ranges)

(11) Feeding frequency, and amount and type of food

(12) Light intensity (mean)

e. Test Organisms

(1) Scientific name

(2) Life stage and age

(3) Source

(4) Disease treatment (if applicable)

f. Quality Assurance

(1) Reference toxicant utilized and source

(2) Date and time of most recent acute reference toxicant test(s), raw data, and current cusum chart(s)

(3) Results of reference toxicant test(s) (LC50, etc.), report concentration-response relationship and evaluate test sensitivity. The most recent reference toxicant test shall be conducted within 30-days of the routine.

(4) Physical and chemical methods utilized

g. Results

(1) Provide raw toxicity data in tabular form, including daily records of affected organisms in each concentration (including controls) and replicate

(2) Provide table of endpoints: LC50, NOAEC, Pass/Fail (as required in the applicable NPDES permit)

(3) Indicate statistical methods used to calculate endpoints

(4) Provide all physical and chemical data required by method

(5) Results of test(s) (LC50, NOAEC, Pass/Fail, etc.), report concentration-response relationship (definitive test only), report percent minimum significant difference (PMSD)

h. Conclusions and Recommendations

(1) Relationship between test endpoints and permit limits

(2) Action to be taken

G. EFFLUENT TOXICITY LIMITATIONS AND BIOMONITORING REQUIREMENTS FOR CHRONIC TOXICITY

Except as provided below, the Permittee shall perform short-term chronic toxicity tests on the discharges required to be tested for chronic toxicity by Part I.A. of this permit.

The Permittee may certify, in writing, that the activities at the site at the time of sample collection will result in representative discharges, and therefore perform the toxicity tests on only the samples collected from the representative outfalls. The certification must be signed by a responsible official of the Permittee as defined in ADEM Admin Code r. 335-6-6-.09 and include the following statement:

"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."

1. **Test Requirements (Screening Test)**

a. The samples shall be diluted using appropriate control water, to the Instream Waste Concentration (IWC) as shown below:

Outfall	IWC (% Effluent)
015-1, 016-1, 017-1, 018-1, 019-1, 020-1, 021-1, 022-1, 023-1, 024-1	100%

b. Any test result that shows a statistically significant reduction in survival, growth or reproduction between the control and the test at the 95% confidence level indicate chronic toxicity and constitute noncompliance with this permit.

2. **General Test Requirements**

a. A grab sample shall be obtained for use in the above biomonitoring tests and collected every other day so that the laboratory receives water samples on the first, third and fifth day of the seven-day test period. The holding time for each sample shall not exceed 36 hours, unless sample collection was not possible due to discharge cessation. The control water shall be a water prepared in the laboratory in accordance with the EPA procedure described in EPA 821-R-02-013 or the most current edition or another control water selected by the Permittee and approved by the Department.

b. Should the discharge cease prior to the third grab sample on the fifth day of discharge, the chronic test shall be terminated early and the code "NODI=F" shall be reported on the DMR to indicate insufficient flow. A report of insufficient flow shall not indicate noncompliance with the chronic toxicity testing requirements.

c. Effluent toxicity tests in which the control survival is less than 80%, *P. promelas* dry weight per surviving control organism is less than 0.25 mg, Ceriodaphnia number of young per surviving control organism is less than 15, Ceriodaphnia reproduction where less than 60% of surviving control females produce three broods or in which the other requirements of the EPA Test Procedure are not met shall be unacceptable and the Permittee shall rerun the tests as soon as practical within the monitoring period.

d. In the event of an invalid test, upon subsequent completion of a valid test, the results of all tests, valid and invalid, are reported with an explanation of the tests performed and results.

e. Should results from five consecutive testing periods indicate that the effluent does not exhibit chronic toxicity, the Permittee may request, in writing, that the Toxicity monitoring and reporting requirements be suspended. It remains the responsibility of the Permittee to comply with the Toxicity monitoring and reporting requirements until written authorization to suspend the monitoring and reporting is received by the Permittee from the Director.

3. Reporting Requirements

a. The Permittee shall notify the Department in writing within 48 hours after toxicity has been demonstrated by the scheduled test(s).

b. Biomonitoring test results obtained during each monitoring period shall be summarized and reported using the appropriate Discharge Monitoring Report (DMR) form approved by the Department. In accordance with Section 6. of this part, an effluent toxicity report containing the information in Section 6. shall be included with the DMR. Two copies of the test results must be submitted to the Department no later than 28 days after the month in which the tests were performed.

4. Additional Testing Requirements

a. If chronic toxicity is indicated (noncompliance with permit limit), the Permittee shall perform two additional valid chronic toxicity tests in accordance with these procedures. The toxicity tests shall be performed on new samples collected during the first discharge event after becoming aware of the chronic toxicity. The additional samples shall be collected a minimum of 12 hours apart, or sooner if the discharge is not expected to continue for 12 hours. In the event that the discharge ceases prior to collection of the second additional sample, the sample shall be collected during the beginning of the next discharge event. The results of these tests shall be submitted no later than 28 days following the month in which the tests were performed. Additional testing sample collection and analysis timeframes may be extended, as necessary, to obtain the samples during discharges.

b. After evaluation of the results of the additional tests, the Department will determine if additional action is appropriate and may require additional testing and/or toxicity reduction measures. The Permittee may be required to perform a Toxicity Identification Evaluation (TIE) and/or a Toxicity Reduction Evaluation (TRE). The TIE/TRE shall be performed in accordance with the most recent protocols/guidance outlined by EPA (e.g., EPA/600/2-88/062, EPA/600/R-92/080, EPA/600/R-92/081, EPA/833/B-99/022 and/or EPA/600/6-91/005F, etc.).

5. Test Methods

The tests shall be performed in accordance with the latest edition of the "EPA Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms." The Larval Survival and Growth Test, Methods 1000.0, shall be used for the fathead minnow (*Pimephales promelas*) test and the Survival and Reproduction Test, Method 1002.0, shall be used for the cladoceran (*Ceriodaphnia dubia*) test.

6. Effluent Toxicity Testing Reports

The following information shall be submitted with each discharge monitoring report unless otherwise directed by the Department. The Department may at any times suspend or reinstate this requirement or may decrease or increase the frequency of submittals.

a. Introduction

(1) Facility name, location and county

(2) Permit number

(3) Toxicity testing requirements of permit

(4) Name of receiving water body

(5) Contract laboratory information (if tests are performed under contract)

(i) Name of firm

(ii) Telephone number

(iii) Address

(6) Objective of test

b. Plant Operations

(1) Discharge Operating schedule (if other than continuous)

(2) Volume of discharge during sample collection to include Mean daily discharge on sample collection dates (MGD, CFS, GPM)

(3) Design flow of treatment facility at time of sampling

c. Source of Effluent and Dilution Water

(1) Effluent samples

(i) Sampling point

(ii) Sample collection dates and times

(iii) Sample collection method

(iv) Physical and chemical data of undiluted effluent samples (water temperature, pH, alkalinity, hardness, specific conductance, total residual chlorine (if applicable), etc.)

(v) Lapsed time from sample collection to delivery

(vi) Lapsed time from sample collection to test initiation

(vii) Sample temperature when received at the laboratory

(2) Dilution Water

(i) Source

(ii) Collection/preparation date(s) and time(s)

(iii) Pretreatment (if applicable)

(iv) Physical and chemical characteristics (water temperature, pH, alkalinity, hardness, specific conductance, etc.)

d. Test Conditions

(1) Toxicity test method utilized

(2) End point(s) of test

(3) Deviations from referenced method, if any, and reason(s)

(4) Date and time test started

(5) Date and time test terminated

(6) Type and volume of test chambers

(7) Volume of solution per chamber

(8) Number of organisms per test chamber

(9) Number of replicate test chambers per treatment

(10) Test temperature, pH and dissolved oxygen as recommended by the method (to include ranges)

(11) Specify if aeration was needed

(12) Feeding frequency, amount and type of food

(13) Specify if (and how) pH control measures were implemented

(14) Light intensity (mean)

e. Test Organisms

(1) Scientific name

(2) Life stage and age

(3) Source

(4) Disease(s) treatment (if applicable)

f. Quality Assurance

(1) Reference toxicant utilized and source

(2) Date and time of most recent chronic reference toxicant test(s), raw data and current control chart(s). The most recent chronic reference toxicant test shall be conducted within 30 days of the routine.

(3) Dilution water utilized in reference toxicant test

(4) Results of reference toxicant test(s) (NOEC, IC25, PASS/FAIL, etc.), report concentration-response relationship and evaluate test sensitivity

(5) Physical and chemical methods utilized

g. Results

(1) Provide raw toxicity data in tabular form, including daily records of affected organisms in each concentration (including controls) and replicate

(2) Provide table of endpoints: NOECs, IC25s, PASS/FAIL, etc. (as required in the applicable NPDES permit)

(3) Indicate statistical methods used to calculate endpoints

(4) Provide all physical and chemical data required by method

(5) Results of test(s) (NOEC, IC25, PASS/FAIL, etc.), report concentration-response relationship (definitive test only), report percent minimum significant difference (PMSD) calculated for sublethal endpoints determined by hypothesis testing.

h. Conclusions and Recommendations

(1) Relationship between test endpoints and permit limits

(2) Actions to be taken

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION

ANTIDEGRADATION RATIONALE

Company Name:	Eaton Resources LLC
Facility Name:	Eaton Mine No. 1
County:	Tuscaloosa
Permit Number:	AL0084453
Prepared by:	Jasmine White
Date:	April 29, 2026
Receiving Waters:	Unnamed tributaries to Jimy Creek and Unnamed tributaries to North Fork Hurricane Creek
Stream Category:	Tier II as defined by ADEM Admin. Code 335-6-10-.12
Discharge Description:	This proposed permit covers a new source coal mine, underground mine, dry preparation, transportation, 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 submits the discharger will create approximately 50 new jobs at the site.

2. The Permittee submits the discharger will be paying approximately $2,024,060 in additional state and local taxes.

3. The Permittee submits the discharger will provide public service to the community by producing metallurgical coking coal that will aid in the continued efficient production of steel as a building block of this country's industrial sectors.

4. The Permittee submits the discharger will provide economic and social benefit to the community by creating secondary jobs for the services needed to maintain the mining equipment, provide fuels and lubricants, mechanical parts and services to maintain mobile construction equipment and trucking required to transport the mined product to the customer.

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

Reviewed By: William McClimans

Date: 6/3/2026

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION

NPDES INDIVIDUAL PERMIT RATIONALE

Company Name:	Eaton Resources LLC
Facility Name:	Eaton Mine No. 1
County:	Tuscaloosa
Permit Number:	AL0084453
Prepared by:	Jasmine White
Date:	May 1, 2026
Receiving Waters:	Unnamed Tributaries to North Fork of Hurricane Creek, Jimy Creek
Permit Coverage:	New Source Coal Mine, Surface and Underground Mine, Dry Preparations, Transportation, Storage, and Associated Areas
SIC Code:	1221

The Department has made a tentative determination that the available information is adequate to support modification of this permit. The modification addresses the addition of outfalls 015 through 024, the deletion of Outfalls 006, 009, and relocation of Outfall 010, 013.

This proposed permit covers a new source coal mine, dry preparation, transportation and storage, and associated areas.

The proposed permit authorizes treated discharges into stream segments, other State waters, or local watersheds classified as Fish & Wildlife (F&W) per ADEM Admin. Code ch. 335-6-11. If the requirements of the proposed permit are fully implemented, the facility will not discharge pollutants at levels that will cause or contribute to a violation of the F&W classification.

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

The active discharge limitations for the daily minimum of pH, and the monthly average and daily maximum of Total Suspended Solids (TSS), Total Iron as Fe, and Total Manganese as Mn are based on the New Source Performance Standards (NSPS) Effluent Limit Guidelines (ELGs) found in 40 CFR Part 434.35 for acid or ferruginous mine drainage.

However, the Permittee may submit documentation that discharges from the site are alkaline mine drainage (i.e., the drainage prior to treatment has a pH equal to or more than 6.0 s.u. and a Total Fe concentration of less than 10.0 mg/L). Part IV.E. of the proposed permit provides that limitations and monitoring requirements for Total Manganese as Mn do not apply if the Permittee has provided the documentation of alkaline mine drainage. In such a case, the active mining discharge limitations for the daily maximum and

minimum of pH and Total Iron as Fe are based on the NSPS ELGs found in 40 CFR Part 434.45 for alkaline mine drainage.

The instream WQS for pH, for streams classified as F&W are 6.0 - 8.5 s.u per ADEM Admin Code r. 335-6-10-.09. Information provided in the Permittee's application indicated that Outfalls 015-1 through 024-1 could discharge chronically when the discharge/stream flow ratio may be high; therefore, discharge limitations for pH of 6.0 – 8.5 s.u. are proposed for Outfalls 015-1 through 024-1 per ADEM Admin Code r. 335-6-10-.09.

The ELGs of 40 CFR Part 434.62 allow the pH level in the final discharge to exceed 9.0 s.u. when neutralization and sedimentation treatment technology results in the Permittee's inability to comply with the applicable total manganese limitations. The acidity and metals composition of each discharge is unique and sometimes a pH value of 10.5 is necessary for the removal of manganese. However, the discharge shall not cause the in-stream pH to deviate more than 1.0 s.u. from the normal or natural pH, nor be less than 6.0 s.u., nor greater than 8.5 s.u. in accordance with ADEM Admin. Code r. 335-6-10-.09.

Post-mining discharge limitations are included in addition to the active mining and precipitation event discharge limitations. The post-mining discharge limitations are based on 40 CFR Part 434, Subpart E. This permit is more restrictive than the BAT Guidelines in that the Permittee, in order to qualify for the post-mining discharge limitations, must have received a Phase II Bond Release from the Alabama Surface Mining Commission for all areas mined in the drainage basin(s) associated with the discharge. The reason a Phase II Bond Release is required for post-mining limitations rather than a Phase I Bond Release is that topsoil replacement and the commencement of revegetation are frequently important factors in controlling the effluent quality from a coal mine. The Department has determined that tying the post-mining discharge limitations to the Phase II Bond Release will effectively protect water quality in Alabama as it relates to coal mining.

The precipitation event discharge limitations for the daily minimum and maximum for pH and the daily maximums for Total Iron as Fe and Settleable Solids are afforded under certain conditions and do not apply automatically. These alternative technology based limits are based on the ELGs for precipitation events found in 40 CFR Part 434.63.

Additional effluent monitoring for Specific Conductance, Sulfate as S, Total Dissolved Solids (TDS), and Acute and Chronic (at Outfalls 015 through 024) Whole Effluent Toxicity (WET) testing is required so that future determinations can be made as to whether or not a reasonable potential to cause or contribute to an excursion of numeric or narrative WQS exists from this and similar discharges.

Chronic WET testing, at the instream waste concentration (IWC), is included at Outfalls 015 through 024 in addition to acute WET testing because discharges may occur on a continuous basis and/or do not have an instream dilution less than 100:1. The IWC was calculated using the formula provided below and was based on the estimated individual outfall flow rate (Q_n) and the receiving streams seven-day low flow ($7Q_{10}$).

$$IWC\% = \frac{Q_n}{7Q_{10} + Q_n}$$

The applicant has, in accordance with 40 CFR Part 122.21 and their NPDES permit application, submitted representative effluent data for metals, cyanide, and total phenols as part of the application. The representative effluent was obtained as an in-pond sample from the basin associated with Outfall 011 at Eaton Mine No. 1 on September 26, 2025. The Department has acknowledged that the other Part A, B, and

C pollutants listed in EPA Form 2C and 2D are not believed to be present in the waste stream due to the processes involved in the mining activity. Therefore, testing for the other Part A, B, and C pollutants listed in EPA Form 2C and 2D is not required.

The Department completed a reasonable potential analysis (RPA) of the discharges based on the laboratory data provided in the application. The RPA indicates whether or not pollutants in treated effluent have the potential to contribute to excursions of Alabama's in-stream WQS. Based on the analytical data submitted by the Permittee, the RPA indicates that there was no reasonable potential for instream WQS to be exceeded.

Because the representative laboratory data submitted by the Applicant and used by the Department in completing the RPA was not from a discharge event, Part II.C.3. of the proposed permit requires the submittal of effluent data for metals, cyanide, and total phenols from the Eaton Mine No. 1 within six months of the effective date of the permit. If no discharges occur within the first six months, the data is required to be submitted within six months of the first discharge. The permit may be reopened if necessary to address any new information resulting from the submittal of the new discharge data.

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.

In accordance with ADEM Admin. Code r. 335-6-3-.07 the design professional engineer (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.

The Pollution Abatement/Prevention (PAP) plan for this facility has been prepared by a 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. By Memorandum of Understanding with the Alabama Surface Mining Commission (ASMC) the PAP for coal operations is reviewed/approved by ASMC. 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.

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 § 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.

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

The applicant is not proposing discharges of pollutants to a water of the State with an approved Total Maximum Daily Load (TMDL). However, the receiving streams flow into the Hurricane Creek watershed,

a watershed with an approved Total Maximum Daily Load (TMDL) for pathogens, aluminum (Al), iron (Fe), and turbidity at Outfalls 015 through 024.

Pathogens are not expected at levels of concern in discharges of this type; therefore, the facility is not expected to cause or contribute to a violation of applicable State WQS for *E. coli* in the receiving water.

Additional limitations for iron and monitoring requirements for aluminum are being imposed by the Department as a result of the Hurricane Creek watershed TMDL. The TMDL requires that discharges not exceed a 4-day average concentration for iron of 3.45 mg/L and that pH be maintained above 6.0 s.u. According to the TMDL, the watershed will inherently be protected against impairment from aluminum if these criteria for iron and pH are met.

The Hurricane Creek watershed TMDL states that storm water sources of turbidity can be expressed in narrative form [*e.g.*, as Best Management Practices (BMPs)]. Part II.A. of the proposed permit include requirements for BMPs that are expected to ensure discharges of turbidity do not cause or contribute to a violation of applicable State WQS. The proposed permit also requires instream turbidity monitoring in the receiving stream at points upstream and downstream of the facility's discharges and imposes an "increase over background turbidity" WQBEL of 50 NTUs in accordance with ADEM Admin. Code r. 334-6-10-.09(5)-9.

The proposed permit action authorizes new discharges of pollutants from Outfalls 015 through 024 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.

Facility Name: Eaton Resources, LLC - Easton Mine No.1

NPDES No.: AL0084453 Outfall 015-1 through 020-1, 023-1, and 024-1 [1234]

		Freshwater F&W classification.		Freshwater Acute (µg/l) Q_s =1Q10						Freshwater Chronic (µg/l) Q_s = 7Q10						Human Health Consumption Fish only (µg/l) Carcinogen Q_s = Annual Average Non-Carcinogen Q_s = 7Q10			
ID	Pollutant	RP?	Carcinogen yes	Background Instream (Cs) Daily Max	Max Daily Discharge as reported by Applicant[4] (C_{dmax})	Water Quality Criteria (C_r)	Draft Permit Limit (C_{dmax})	20% of Draft Permit Limit	RP?	Background Instream (Cs) Monthly Ave	Avg Daily Discharge as reported by Applicant (C_{davg})[4]	Water Quality Criteria (C_r)	Draft Permit Limit (C_{davg})	20% of Draft Permit Limit	RP?	Water Quality Criteria (C_r)	Draft Permit Limit (C_{davg})	20% of Draft Permit Limit	RP?
1	Antimony			0	0	-	-	-	-	0	0	-	-	-	-	3.73E+02	3.73E+02	7.47E+01	No
2	Arsenic		YES	0	0	340.000	340.000	68.000	No	0	0	150.000	150.000	30.000	No	3.03E-01	3.03E-01	6.06E-02	No
3	Berylium			0	0	-	-	-	-	0	0	-	-	-	-	-	-	-	-
4	Cadmium			0	0	2.014	2.014	0.403	No	0	0	0.246	0.246	0.049	No	-	-	-	-
5	Chromium/ Chromium III			0	0	569.763	569.763	113.953	No	0	0	74.115	74.115	14.823	No	-	-	-	-
6	Chromium/ Chromium VI			0	0	16.000	16.000	3.200	No	0	0	11.000	11.000	2.200	No	-	-	-	-
7	Copper			0	0	13.439	13.439	2.688	No	0	0	8.956	8.956	1.791	No	1.30E+03	1.30E+03	2.60E+02	No
8	Lead			0	0	64.581	64.581	12.916	No	0	0	2.517	2.517	0.503	No	-	-	-	-
9	Mercury			0	0	2.400	2.400	0.480	No	0	0	0.012	0.012	0.002	No	4.24E-02	4.24E-02	8.48E-03	No
10	Nickel			0	0	468.236	468.236	93.647	No	0	0	52.007	52.007	10.401	No	9.93E+02	9.93E+02	1.99E+02	No
11	Selenium			0	0	20.000	20.000	4.000	No	0	0	5.000	5.000	1.000	No	2.43E+03	2.43E+03	4.86E+02	No
12	Silver			0	0	3.217	3.217	0.643	No	0	0	-	-	-	-	-	-	-	-
13	Thallium			0	0	-	-	-	-	0	0	-	-	-	-	2.74E-01	2.74E-01	5.47E-02	No
14	Zinc			0	0	117.180	117.180	23.436	No	0	0	118.139	118.139	23.628	No	1.49E+04	1.49E+04	2.98E+03	No
15	Cyanide			0	0	22.000	22.000	4.400	No	0	0	5.200	5.200	1.040	No	9.33E+03	9.33E+03	1.87E+03	No
16	Total Phenolic Compounds			0	0	-	-	-	-	0	0	-	-	-	-	-	-	-	-
17	Hardness (As CaCO3)			0	0	-	-	-	-	0	0	-	-	-	-	-	-	-	-

[1]Outfalls 015-1 through 020-1, 023-1, and 024-1 discharge to unnamed tributaries to North Fork of Hurricane Creek. The 7Q10 for the receiving stream is 0 cfs. This is the receiving stream flow value used in the calculations.

[2]Outfall 020-1 is estimated to have to a discharge flow rate of 0.269 MGD. This is the discharge flow rate used in the calculations.

[3]A hardness of 100 mg/L was used in the calculations as a conservative assumption.

[4]Discharge data for all parameters are the results of an in-pond sample obtained from Outfall 011-1 at Easton Resources, LLC - Eaton Mine No. 1 on September 26, 2025.

Facility Name: Eaton Resources, LLC - Easton Mine No.1

NPDES No.: AL0084453 Outfall 021 and 022-1 [1234]

				Freshwater F&W classification.		Freshwater Acute (µg/l) Q_s =1Q10				Freshwater Chronic (µg/l) Q_s = 7Q10						Human Health Consumption Fish only (µg/l) Carcinogen Q_s = Annual Average Non-Carcinogen Q_s = 7Q10			
ID	Pollutant	RP?	Carcinogen yes	Background Instream (Cs) Daily Max	Max Daily Discharge as reported by Applicant[4] (C_{dmax})	Water Quality Criteria (C_r)	Draft Permit Limit (C_{dmax})	20% of Draft Permit Limit	RP?	Background Instream (Cs) Monthly Ave	Avg Daily Discharge as reported by Applicant (C_{davg})[4]	Water Quality Criteria (C_r)	Draft Permit Limit (C_{davg})	20% of Draft Permit Limit	RP?	Water Quality Criteria (C_r)	Draft Permit Limit (C_{davg})	20% of Draft Permit Limit	RP?
1	Antimony			0	0	-	-	-	-	0	0	-	-	-	-	3.73E+02	3.73E+02	7.47E+01	No
2	Arsenic		YES	0	0	340.000	340.000	68.000	No	0	0	150.000	150.000	30.000	No	3.03E-01	3.03E-01	6.06E-02	No
3	Berylium			0	0	-	-	-	-	0	0	-	-	-	-	-	-	-	-
4	Cadmium			0	0	2.014	2.014	0.403	No	0	0	0.246	0.246	0.049	No	-	-	-	-
5	Chromium/ Chromium III			0	0	569.763	569.763	113.953	No	0	0	74.115	74.115	14.823	No	-	-	-	-
6	Chromium/ Chromium VI			0	0	16.000	16.000	3.200	No	0	0	11.000	11.000	2.200	No	-	-	-	-
7	Copper			0	0	13.439	13.439	2.688	No	0	0	8.956	8.956	1.791	No	1.30E+03	1.30E+03	2.60E+02	No
8	Lead			0	0	64.581	64.581	12.916	No	0	0	2.517	2.517	0.503	No	-	-	-	-
9	Mercury			0	0	2.400	2.400	0.480	No	0	0	0.012	0.012	0.002	No	4.24E-02	4.24E-02	8.48E-03	No
10	Nickel			0	0	468.236	468.236	93.647	No	0	0	52.007	52.007	10.401	No	9.93E+02	9.93E+02	1.99E+02	No
11	Selenium			0	0	20.000	20.000	4.000	No	0	0	5.000	5.000	1.000	No	2.43E+03	2.43E+03	4.86E+02	No
12	Silver			0	0	3.217	3.217	0.643	No	0	0	-	-	-	-	-	-	-	-
13	Thallium			0	0	-	-	-	-	0	0	-	-	-	-	2.74E-01	2.74E-01	5.47E-02	No
14	Zinc			0	0	117.180	117.180	23.436	No	0	0	118.139	118.139	23.628	No	1.49E+04	1.49E+04	2.98E+03	No
15	Cyanide			0	0	22.000	22.000	4.400	No	0	0	5.200	5.200	1.040	No	9.33E+03	9.33E+03	1.87E+03	No
16	Total Phenolic Compounds			0	0	-	-	-	-	0	0	-	-	-	-	-	-	-	-
17	Hardness (As CaCO3)			0	0	-	-	-	-	0	0	-	-	-	-	-	-	-	-

[1]Outfalls 021 and 022-1 discharge to unnamed tributaries to Jimy Creek. The 7Q10 for the receiving stream is 0 cfs.
This is the receiving stream flow value used in the calculations.

[2]Outfall 021-1 is estimated to have to a discharge flow rate of 0.189 MGD. This is the discharge flow rate used in the calculations.

[3]A hardness of 100 mg/L was used in the calculations as a conservative assumption.

[4]Discharge data for all parameters are the results of an in-pond sample obtained from Outfall 011-1 at Easton Resources, LLC - Eaton Mine No. 1 on September 26, 2025.

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

version 4.9

(Submission #: HQC-5RT8-64770, version 2)

Details

Submission ID HQC-5RT8-64770

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
Major Modification

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
Major Modification

Brief description of the action/change that has resulted in the request for this permit modification:
Relocate Outfalls 010P & 013P. Add additional Outfalls 015P, 016P, 017P, 018P, 019P, 020P, 021P, 022P, 023P & 024P.

Is this a coalbed methane operation?
No

Permit Information

Permit Number
AL0084453

Current Permittee Name
Eaton Resources LLC

Permittee

Permittee Name
Eaton Resources LLC

Mailing Address

16241 B AND L RD

COTTONDALE, AL 35453

Responsible Official

Prefix
Mr.

First Name **Last Name**
JOSHUA EATON

Title
MANAGING PARTNER

Organization Name
Eaton Resources LLC

Phone Type	Number	Extension
Mobile	2053934442	

Email
eatonresourcesllc@gmail.com

Mailing Address

16241 B AND L RD

COTTONDALE, AL 35453

Existing Permit Contacts

Affiliation Type	Contact Information	Remove?
Applicant,Notification Recipient,Permittee	Eaton Resources LLC	*NONE PROVIDED*
Contact,Application Preparer,Professional Engineer,Notification Recipient,Engineer	Jerry Williams, TASK Engineering Management Inc.	*NONE PROVIDED*
Responsible Official,Owner,IPP Contact,Facility Contact,Contact,Notification Recipient	JOSHUA EATON, Eaton Resources LLC	*NONE PROVIDED*

Facility/Operations Information

Facility/Operations Name
Eaton Mine No. 1

Permittee Organization Type
LLC

Parent Corporation and Subsidiary Corporations of Applicant, if any:
N/A

Landowner(s) Name, Address and Phone Number:
SEE ATTACHED & SEE DETAILED FACILITY MAP (500 SCALE) FOR LANDOWNER TRACT LOCATIONS

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

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

Facility/Operations Address or Location Description

11526 George Newell Road
Vance, AL 35490

Facility/Operations County (Front Gate)
Tuscaloosa

Do the operations span multiple counties?
No

Detailed Directions to the Facility/Operations
From Tuscaloosa, Al take I20/59 east, take exit 89 to Diamler Benz Boulevard and turn left to Brookwood Parkway. Head north on Brookwood Parkway and turn right on George Newell Road at the first stop sign. Head right (north) on George Newell Road for 2.1 miles. The mine road is 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
33.23719941071173,-87.26079562398105

11526 George Newell Road, Vance, 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)
T20S, R7W, S31, S32; T21S, R7W, S5, S6

SIC Code(s) [Please select your primary SIC code first]:
1221-Bituminous Coal and Lignite Surface Mining

NAICS Code(s) [Please select your primary NAICS code first]:
212114-Surface Coal Mining

Facility/Operations Contact

Prefix
Mr.

First Name	Last Name
JOSHUA	EATON

Title
MANAGING PARTNER

Organization Name
Eaton Resources LLC

Phone Type	Number	Extension
Mobile	2053934442	

Email
eatonresourcesllc@gmail.com

Member Information

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

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

Name	Title/Position	Physical Address of Residence
Josha Eaton	Managing Partner	16241 B and L Rd., Cottondale, AL35453

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 2)

ADDITIONAL CONTACTS: Engineer

Contact Type
Engineer

Contact

First Name **Last Name**
Jerry Williams

Title
Professional Engineer

Organization Name
TASK Engineering Management Inc.

Phone Type **Number** **Extension**
Business 2059785070

Email
jerryw@taskemi.com

Address
2832 MONTE DESTE DR
HOOVER, AL 35216-4602

Additional Contacts (2 of 2)

ADDITIONAL CONTACTS: Owner

Contact Type
Owner

Contact

First Name JOSHUA **Last Name** EATON

Title
MANAGING PARTNER

Organization Name
Eaton Resources LLC

Phone Type	Number	Extension
Mobile	2053934442	

Email
eatonresourcesllc@gmail.com

Address
16241 B AND L RD
COTTONDALE, AL 35453

Compliance History

Has the applicant ever had any of the following:

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

Has the applicant, parent corporation, subsidiary, general partner, LLP partner, or LLC Member had any Warning Letters, Notice of Violations (NOVs), Administrative Actions, or litigation filed by ADEM or EPA during the three year (36 month) period preceding the date on which this form is signed?
No

For this facility, list any other NPDES or other environmental permits (including permit numbers), authorizations, or certifications that have been applied for or issued within the State by ADEM, EPA, Alabama Department of Labor (ADOL), US Army Corp of Engineers (USACE), or other agency, to the applicant, parent corporation, subsidiary, or LLC member whether presently effective, expired, suspended, revoked, or terminated:
NONE

For other facilities, list any other NPDES or other ADEM permits (including permit numbers), authorizations, or certifications that have been applied for or issued within the State by ADEM, EPA, ASMC, ADOL, or USACE, to the applicant, parent corporation, subsidiary, or LLC member whether presently effective, expired, suspended, revoked, or terminated:
NONE

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)?
Continued mining operations at this facility with expansion will create approximately 50 new jobs at this site.

How much reduction in employment will the discharger be avoiding?
NONE

How much additional state or local taxes will the discharger be paying?
The amount of state and local taxes paid as a result of the expanded operations at this site while dependent on market conditions and corresponding production and present economic conditions. The discharges projects yearly coal production of 620,000 tons and extimates the following yearly taxes; Personal Property Tax $160,000, Corporate State Income Tax $1,250,00, State Withholding Tax $106,310, Business Privilege Tax $7,250, Severance Tax $220,000, Fuel Tax $165,000 and State Sales Tax on Supplies, @115,500.

What public service to the community will the discharger be providing?
Economic conditions have made operating coal mines scarce, with the switch back to coal by the current administration, the production of steam quality coals will contribute to a stable power grid and fuels for efficient industrial processes. The production of metallurgical coking coal will aid in the continued efficient production of steel as a building block of this country's industrial sectors. Without raw materials the industrial communities of our country cannot grow. Direct and indirect support industries such as transportation entities, fuel/oil supplers, industrial materials suppliers and the additional jobs these support sectors will create new jobs. Local communities and governments will benefit from the increase in tax revenue to provide additional community services such as schools, parks, improved sanitation and water supples, fire and emergency services, etc.

What economic or social benefit will the discharger be providing to the community?
This operation will be paying additional taxes to the state and local community governments and will provide additional employment for local citizens. Additional secondary jobs will be created by the need to provide services to maintain the mining equipment, provide fuels and lubricants, mechanical parts and services to maintain mobile construction equipment and trucking required to transport the mined product to the customer.

Attach Form 311 (Alternative Analysis)
Eaton Mine No. 1 ADEM Form 311.pdf - 05/03/2025 03:43 PM
Comment
NONE PROVIDED

Please attach Form 312 (Public Sector Projects) or Form 313 (Private Sector Projects).
Eaton Mine No. 1 ADEM Form 313.pdf - 05/03/2025 03:42 PM
Comment
NONE PROVIDED

Activity Description & Information

Narrative description of activity(s):
Bituminous Coal Mining:
1.) Surface Coal Mining Utilizing Mobile Equipment
2.) Underground Coal Mining
3.) Highwall Mining

Total Facility/Operations Area (acres)
1523.00

Total Disturbed Area (acres)
1377.00

Anticipated Commencement Date
08/01/2025

Anticipated Completion Date
08/31/2030

Please identify which of the following apply to this operation:

Activity/Condition	Appy?

Activity/Condition	Appy?
An existing facility/operation which currently results in discharges to State waters?	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?	Yes
Need/have State Oil & Gas Board permit coverage?	No
Need/have ADOL permit coverage?	No
Generate, treat, store, or dispose of hazardous or toxic waste?	No
Be located in or discharge to a Public Water Supply (PWS) watershed or be located within ◆ mile of any PWS well?	No
Incised pit	No

Does your facility/operation use cooling water?
No

Material to be Removed, Processed, or Transloaded

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

Mineral(s)/Mineral product(s)	%
Coal	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	Yes
Cement production	No
Chemical processing or leaching	No
Chemicals used in process or wastewater treatment (coagulant, biocide, etc.)	No
Construction related temporary borrow pits/areas	No
Creek/stream crossings	Yes
Dredging	No
Excavation	Yes
Grading, clearing, grubbing, etc.	Yes
Hydraulic mining	No
Hydraulic mining, dredging, instream or between stream-bank mining	No
Lime production	No
Low volume sewage treatment package plant	No
Mineral dry processing (crushing & screening)	Yes
Mineral loading	Yes
Mineral storing	Yes

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

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

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
20,000.0	Diesel Fuel
1,250.0	Hydraulic Oil
50.0	Motor Oil

SPCC Plan
ADEM- SPCC PLAN-EATON MINE No. 1.pdf - 05/03/2025 04:06 PM
Comment
NONE PROVIDED

ASMC Regulated Entities

Is this a coal mining operation regulated by ASMC?
Yes

Please provide any pre-mining hydrologic sampling reports and Hydrologic Monitoring Reports which have been submitted to ASMC within the 36 months prior to submittal of this application.
ER1-ASMC PMR REPORTS 07-2025.zip - 07/29/2025 02:49 PM
Comment
NONE PROVIDED

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

ADEM NPDES 2000 MAP.pdf - 10/30/2025 08:09 PM

Comment

NONE PROVIDED

Detailed Facility Map Submittal

Detailed Facility Map

ADEM NPDES 500 MAP.pdf - 10/30/2025 08:09 PM

Comment

NONE PROVIDED

Outfalls (1 of 25)

Outfall Identifier: 001

Feature Type
Outfall (External)

Outfall Identifier
001

Outfall Status
Proposed

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

Permit Action
No Change

Receiving Water
North Fork Hurricane Creek

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

NONE PROVIDED

Location of Outfall
33.24607100000000, -87.26460299999999

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

New/Corrected Lat/Long Coordinates
033.246079/-87.264590

Distance to Receiving Water (ft)
285.0

Disturbed Area (acres)
15.0

Drainage Area (acres)
16.0

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 (2 of 25)

Outfall Identifier: 002

Feature Type
Outfall (External)

Outfall Identifier
002

Outfall Status
Proposed

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

Permit Action
No Change

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.24511699999999, -87.26376100000000

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

New/Corrected Lat/Long Coordinates
033.245300/-87.263647

Distance to Receiving Water (ft)
224.0

Disturbed Area (acres)
41.0

Drainage Area (acres)
41.0

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 25)

Outfall Identifier: 003

Feature Type
Outfall (External)

Outfall Identifier
003

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
No Change

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.23851300000000, -87.26597099999999

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

New/Corrected Lat/Long Coordinates
033,238457/-87.265811

Distance to Receiving Water (ft)
78.0

Disturbed Area (acres)
21.0

Drainage Area (acres)
21.0

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 (4 of 25)

Outfall Identifier: 004

Feature Type
Outfall (External)

Outfall Identifier
004

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
No Change

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.24131900000000, -87.26844400000000

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

New/Corrected Lat/Long Coordinates
033.241343/-87.268423

Distance to Receiving Water (ft)
88.0

Disturbed Area (acres)
31.0

Drainage Area (acres)
31.0

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 (5 of 25)

Outfall Identifier: 005

Feature Type
Outfall (External)

Outfall Identifier
005

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
No Change

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.24321500000000, -87.27127100000000

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

New/Corrected Lat/Long Coordinates
033.243859/-87.272263

Distance to Receiving Water (ft)
99.0

Disturbed Area (acres)
31.0

Drainage Area (acres)
31.0

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 (6 of 25)

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
Delete

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

Outfalls (7 of 25)

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
No Change

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.24700100000000, -87.27163600000000

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

New/Corrected Lat/Long Coordinates
33.247555/-87.270215

Distance to Receiving Water (ft)
126.0

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 "Delete" under "Permit Action" for the outfall. If you have any questions, please contact your permit engineer BEFORE proceeding.

Outfalls (8 of 25)

Outfall Identifier: 008

Feature Type
Outfall (External)

Outfall Identifier
008

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
No Change

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.24497300000000, -87.27429700000000

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

New/Corrected Lat/Long Coordinates
33.244948/-87.273983

Distance to Receiving Water (ft)
110.0

Disturbed Area (acres)
80.0

Drainage Area (acres)
86.0

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 25)

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
Delete

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

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

Outfalls (10 of 25)

Outfall Identifier: 010

Feature Type
Outfall (External)

Outfall Identifier
010

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
Move

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.24197400000000, -87.27114300000000

New/Corrected Lat/Long Coordinates
33.237502/-87.292664

Distance to Receiving Water (ft)
371.0

Disturbed Area (acres)
55.0

Drainage Area (acres)
115.0

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 (11 of 25)

Outfall Identifier: 011

Feature Type
Outfall (External)

Outfall Identifier
011

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
No Change

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.24158000000000, -87.28702100000000

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

New/Corrected Lat/Long Coordinates
33.240667/-87.282606

Distance to Receiving Water (ft)
0.0

Disturbed Area (acres)
123.0

Drainage Area (acres)
185.0

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 (12 of 25)

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
No Change

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.23752500000000, -87.29064800000000

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

New/Corrected Lat/Long Coordinates
33.241948/-87.287565

Distance to Receiving Water (ft)
0.0

Disturbed Area (acres)
57.0

Drainage Area (acres)
65.0

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 (13 of 25)

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
Move

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.23535300000000, -87.29251500000000

New/Corrected Lat/Long Coordinates
33.233605/-87.291133

Distance to Receiving Water (ft)
0.0

Disturbed Area (acres)
75.0

Drainage Area (acres)
75.0

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 (14 of 25)

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
No Change

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.23156600000000, -87.29807200000001

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

New/Corrected Lat/Long Coordinates
33.231802/-87.297851

Distance to Receiving Water (ft)
0.0

Disturbed Area (acres)
35.0

Drainage Area (acres)
35.0

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 (15 of 25)

Outfall Identifier: STM

Feature Type
Receiving Water (Ambient)

Outfall Identifier
STM

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
Add

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.24452236987835, -87.25790408948753

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

Distance to Receiving Water (ft)
0.0

Disturbed Area (acres)
28.0

Drainage Area (acres)
28.0

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 (16 of 25)

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
Add

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.234821,-87.286898

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

Distance to Receiving Water (ft)
0.0

Disturbed Area (acres)
28.0

Drainage Area (acres)
28.0

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 (17 of 25)

Outfall Identifier: 016

Feature Type
Outfall (External)

Outfall Identifier
016

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
Add

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.233993,-87.288431

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

Distance to Receiving Water (ft)
0.0

Disturbed Area (acres)
93.0

Drainage Area (acres)
93.0

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 (18 of 25)

Outfall Identifier: 017

Feature Type
Outfall (External)

Outfall Identifier
017

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
Add

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.234010,-87.283708

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

Distance to Receiving Water (ft)
56.0

Disturbed Area (acres)
97.0

Drainage Area (acres)
97.0

303(d) Segment?
No

TMDL Segment?
No

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Outfalls (19 of 25)

Outfall Identifier: 018

Feature Type
Outfall (External)

Outfall Identifier
018

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
Add

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.227268,-87.294749

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

Distance to Receiving Water (ft)
0.0

Disturbed Area (acres)
45.0

Drainage Area (acres)
117.0

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 (20 of 25)

Outfall Identifier: 019

Feature Type
Outfall (External)

Outfall Identifier
019

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
Add

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.222559,-87.229714

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

Distance to Receiving Water (ft)
0.0

Disturbed Area (acres)
20.0

Drainage Area (acres)
92.0

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 (21 of 25)

Outfall Identifier: 020

Feature Type
Outfall (External)

Outfall Identifier
020

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
Add

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.2400753,-87.2941470

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

Distance to Receiving Water (ft)
0.0

Disturbed Area (acres)
112.0

Drainage Area (acres)
166.0

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 (22 of 25)

Outfall Identifier: 021

Feature Type
Outfall (External)

Outfall Identifier
021

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
Add

Receiving Water
Jimy Creek

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

Location of Outfall
33.251611,-87.293383

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

Distance to Receiving Water (ft)
0.0

Disturbed Area (acres)
115.0

Drainage Area (acres)
117.0

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 (23 of 25)

Outfall Identifier: 022

Feature Type
Outfall (External)

Outfall Identifier
022

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
Add

Receiving Water
Jimy Creek

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

Location of Outfall
33.257438,-87.292362

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

Distance to Receiving Water (ft)
684.0

Disturbed Area (acres)
88.0

Drainage Area (acres)
88.0

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 (24 of 25)

Outfall Identifier: 023

Feature Type
Outfall (External)

Outfall Identifier
023

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
Add

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.251732,-87.307530

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

Distance to Receiving Water (ft)
0.0

Disturbed Area (acres)
171.0

Drainage Area (acres)
171.0

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 (25 of 25)

Outfall Identifier: 024

Feature Type
Outfall (External)

Outfall Identifier
024

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
Add

Receiving Water
North Fork Hurricane Creek

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

Location of Outfall
33.248319,-87.304480

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

Distance to Receiving Water (ft)
0.0

Disturbed Area (acres)
40.0

Drainage Area (acres)
40.0

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.

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:
ER-1 Form567 UPDATE 10-30-25.pdf - 10/30/2025 08:13 PM
WARRIOR MET BASIN 011 SAMPLE 2C ANALYSES.pdf - 10/30/2025 08:14 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:
ADEM Table C.pdf - 08/04/2025 03:51 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:

ADEM Table A- Disccharge Structure Description and Pollution Source.pdf - 08/04/2025 03:51 PM

Comment

NONE PROVIDED

Variance Request

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

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

Outfall(s):
SEE ATTACHED DETAILED FACILITY MAP FOR OUTFALL LOCATIONS AND DESIGNATIONS.

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	N/A
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	N/A
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	N/A
Splashpad at the end of the spillpipe	Yes
Emergency Spillway sized for peak flow from 25-yr 24-hr event if discharge not into PWS classified stream	Yes
Emergency spillway sized for peak flow from 50-yr 24-hr event if discharge is into PWS classified stream	Yes
Emergency overflow at least 20' long	Yes
Side slopes of emergency spillway no steeper than 2:1	Yes
Emergency spillway lined with riprap or concrete	Yes
Minimum of 1.5' of freeboard between normal overflow and emergency overflow	N/A
Minimum of 1.5' of freeboard between max. design flow of emergency spillway and top of dam	N/A
All emergency overflows are sized to handle entire drainage area for ponds in series	N/A
Dam stabilized with permanent vegetation	Yes
Sustained grade of haul road <10%	Yes
Maximum grade of haul road <15% for no more than 300'	Yes
Outer slopes of haul road no steeper than 2:1	Yes
Outer slopes of haul road vegetated or otherwise stabilized	Yes

Outfall Questions:	Please select one:
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):
N/A Responses Indicated Parameters Designed to ASMC Criteria.

Pollution Abatement & Prevention (PAP) Plan Review Checklist

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

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

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

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

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

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

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

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

Identify and provide detailed explanation for any "N" or "N/A" response(s):
Precipitation/Volume Calculations submitted to the Alabama Surface Mining Commission during Mine and Basin Design Review.

Pollution Abatement & Prevention (PAP) Plan

Is this a coal mining operation regulated by ASMC?
Yes

For coal mining facilities, has a detailed PAP Plan been submitted to ASMC according to submittal procedures for ASMC regulated facilities?
Yes

Please provide the date that the PAP Plan was submitted to ASMC:
03/08/2022

Professional Engineer (PE)

Registration License Number
12739 AI

Professional Engineer

Prefix
Mr.

First Name **Last Name**
Jerry Williams

Title
Professional Engineer

Organization Name
TASK Engineering Management Inc.

Phone Type	Number	Extension
Business	2059785070	
Mobile	2057061266	

Email
jerryw@taskemi.com

Address
2832 Monte Deste Drive
BIRMINGHAM, AL 35216

Information for the Applicant

Please read the following information and acknowledge below:

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

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

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

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

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

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

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

Additional Attachments

Additional Attachments
ADEM PERMIT-Attachment Appendix A&B.pdf - 08/04/2025 04:19 PM
Comment
NONE PROVIDED

Application Preparer

Application Preparer

Prefix
Mr.

First Name	Last Name
Jerry	Williams

Title
Professional Engineer

Organization Name
TASK Engineering Management Inc.

Phone Type	Number	Extension
Business	2059785070	
Mobile	2057061266	

Email
jerryw@taskemi.com

Address
2832 MONTE DESTE DR
VESTAVIA HLS, AL 35216

Fees Assessed

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

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

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

Fee

Fee
5820

Revisions

Revision	Revision Date	Revision By
Revision 1	4/27/2025 3:03 PM	Jerry Williams
Revision 2	10/30/2025 3:43 PM	Jerry Williams

Agreements and Signature(s)

SUBMISSION AGREEMENTS

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

Professional Engineer (PE)

A detailed, comprehensive Pollution Abatement & Prevention (PAP) Plan must be prepared, signed, and certified by a professional engineer (PE), registered in the State of Alabama, and the PE must certify as follows: "I certify under penalty of 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 Jerry Williams on 11/02/2025 at 3:13 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 Joshua Eaton on 11/03/2025 at 1:54 PM

Alternative Analysis

Applicant/Project: Eaton Resources LLC / Eaton Mine No. 1

All new or expanded discharged (except discharges eligible for coverage under general permits) covered by 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 alternative listed below, including a calculation of the total annualized project costs for each technically feasible alternative (using ADEM Form 312 for public-sector projects and ADEM Form 313 for private-sector projects). Alternatives with total annualized project costs that are less than 110% of the total annualized project costs for the Tier 2 discharge proposal are considered viable alternatives.

Alternative	Viable	Non-viable	Comment
1 Land Application		X	**Water Quantity too Great**
2 Pretreatment/Discharge to POTW		X	**Water Quantity too Great**
3 Relocation of Discharge		X	**Topography does not Support**
4 Reuse/Recycle		X	**No Use for Recycle Water**
5 Process/Treatment Alternatives		X	**Surface Water Discharge-Best Alternative**
6 On-site/Sub-surface Disposal		X	**Topography/Geology does not Support**
(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 conclusion indicated.

Signature: _____ *(Professional Engineer)*

Date: 05-03-2025

ALABAMA REGISTERED No. 12739 PROFESSIONAL ENGINEER LARRY W. WILLIAMS

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

Calculation of Total Annualized Project Costs for Private-Sector Projects

Capital Costs to be Financed (Supplied by applicant)	$ 850,000	(1)
Interest rate for Financing (Expressed as a decimal)	0.00	(i)
Time Period of Financing (Assume 10 years*)	10 years	(n)
Annualization Factor $\frac{i}{(1+i)^n - 1} + i$	0.00	(2)
Annualized Capital Cost [Calculate: (1) x (2)]	$ 85,000	(3)
Annual Costs of Operation and Maintenance (including but not limited to: monitoring, inspection, permitting fees, waste disposal charges, repair, administration and replacement)**	$ 19,600	(4)
Total Annual Cost of Pollution Control Project [(3) + (4)]	$ 104,600	(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).

POLLUTION ABATEMENT PLAN (PAP) - APPENDIX A & B INFORMATION

Y	N	N/A	**Outfall(s): 001P through 014P**
X			Runoff from all areas of disturbance is controlled
X			Drainage from pit area, stockpiles, and spoil areas directed to a sedimentation pond
		X1	Sedimentation basin at least 0.25 acre/feet for every acre of disturbed drainage
		X1	Sedimentation basin cleaned out when sediment accumulation is 60% of design capacity
X			Trees, boulders, and other obstructions removed from pond during initial construction
X			Width of top of dam greater than 12'
		X1	Side slopes of dam no steeper than 3:1
X			Cutoff trench at least 8' wide
X			Side slopes of cutoff trench no less than 1:1
X			Cutoff trench located along the centerline of the dam
X			Cutoff trench extends at least 2' into bedrock or impervious soil
X			Cutoff trench filled with impervious material
X			Embankments and cutoff trench 95% compaction standard proctor ASTM
X			Embankment free of roots, tree debris, stones >6" diameter, etc.
X			Embankment constructed in lifts no greater than 12"
X			Spillpipe sized to carry peak flow from a one year storm event
X			Spillpipe will not chemically react with effluent
X			Subsurface withdrawal
		X1	Anti-seep collars extend radically at least 2' from each joint in spillpipe
X			Splashpad at the end of the spillpipe
X			Emergency Spillway sized for peak flow from 25-yr 24-hr event if discharge not into PWS classified stream
		X2	Emergency Spillway sized for peak flow from 50-yr 24-hr event if discharge is into PWS classified stream
X			Emergency overflow at least 20' long
X			Side slopes of emergency spillway no steeper than 2:1
X			Emergency spillway lined with riprap or concrete
		X1	Minimum of 1.5' of freeboard between normal overflow and emergency overflow
		X1	Minimum of 1.5' of freeboard between max. design flow of emergency spillway and top of dam
		X1	All emergency overflows are sized to handle entire drainage area for ponds in series
X			Dam stabilized with permanent vegetation
X			Sustained grade of haul road <10%
X			Maximum grade of haul road <15% for no more than 300'
X			Outer slopes of haul road no steeper than 2:1
X			Outer slopes of haul road vegetated or otherwise stabilized
		X3	Detail drawings supplied for all stream crossings
		X4	Short-Term Stabilization/Grading And Temporary Vegetative Cover Plans
		X4	Long-Term Stabilization/Grading And Permanent Reclamation or Water Quality Remediation Plans

IDENTIFY AND PROVIDE DETAILED EXPLANATION FOR ANY "N" OR "N/A" RESPONSE(S):

X1 - Basins designed to ASMC Criteria
X2 - No Discharge into PWS Classified Stream
X3 - Stream Crossings designed to ASMC Criteria
X4 - Submitted in ASMC Reclamation Plans

XX. POLLUTION ABATEMENT PLAN (PAP) REVIEW CHECKLIST

Y	N	N/A	
			General Information:
X			PE Seal with License #
X			Name and Address of Operator
X			Legal Description of Facility
X			Name of Company
X			Number of Employees
X			Products to be Mined
X			Hours of Operation
X			Water Supply and Disposition
			Maps:
X			Topographic Map including Information from Part XIII (a)-(o) of this Application
X			1"-500' or Equivalent Facility Map including Information from Part XIV of this Application
			Detailed Design Diagrams:
X			Plan Views
X			Cross-section Views
X			Method of Diverting Runoff to Treatment Basins
X			Line Drawing of Water Flow through Facility with Water Balance from Part XIV of this Application
			Narrative of Operations:
X			Raw Materials Defined
X			Processes Defined
X			Products Defined
			Schematic Diagram:
X			Points of Waste Origin
X			Collection System
X			Disposal System
			Post Treatment Quantity and Quality of Effluent:
X			Flow
X			Suspended Solids
X			Iron Concentration
X			pH
			Description of Waste Treatment Facility:
X			Pre-Treatment Measures
X			Recovery System
X			Expected Life of Treatment Basin
			Measures for Ensuring Access of All Treatment Structures and Related Appurtenances including Outfall Locations
X			Schedule of Cleaning and/or abandonment
			Other:
X		**X1**	Precipitation/Volume Calculations/Diagram Attached
X			BMP Plan for Haul Roads
X			Measures for Minimizing Impacts to Adjacent Stream (*e.g.,* Buffer Strips, Berms)
X			Method for Minimizing Nonpoint Source Discharges
X			If Chemical Treatment Used, Methods for Ensuring Appropriate Dosage
X			Facility Closure Plans
		X2	PE Rationale(s) For Alternative Standards, Designs or Plans

IDENTIFY AND PROVIDE DETAILED EXPLANATION FOR ANY "N" OR "N/A" RESPONSE(S):

X1 - No Precipitation/volume calculations or diagrams required by ASMC permit process.
X2 - No alternate standards, designs or plans are proposed.

ATTACHMENT FOR APPENDIX A & B

SEDIMENT BASIN CONSTRUCTION SPECIFICATIONS

Sediment basins (temporary or permanent) will be designed and constructed using the following as minimum specifications:

EMBANKMENT REQUIREMENTS

1) The minimum width of the top of the embankment structure will be under no circumstance be less than twelve (12) feet.

2) Front and back slopes of the embankment structure will be no steeper than the slopes listed on the detailed design sheet.

3) The foundation area of the embankment structure will be cleared and grubbed of all organic matter with no surface slope steeper than 1v:1h. The entire wet area, as measured from the upstream toe of the embankment to the normal pool level, will be cleared of trees and large brush.

4) The embankment structure shall be constructed with a cutoff trench along the centerline of the structure to anchor the core which will be constructed of relatively impervious material.

5) The foundation and abutments for the embankment structure will be designed and constructed to be stable under normal construction and operating conditions, with a minimum static safety factor of 1.5 and a minimum seismic safety factor of 1.2, at normal pool level with a steady seepage saturation condition.

6) Construction of the embankment structure shall be undertaken only when the moisture content of fill materials will permit satisfactory compaction. The embankment material will be placed in layers of twelve (12) inches or less and compacted to ninety-five (95) percent of the standard proctor density, per ASTM requirements. The embankment construction material will be free of sod, roots, stumps, rocks, etc., which exceed six (6) inches in diameter.

7) The final embankment structure height will be a minimum of five (5) percent higher than the approved design height to allow for settling over the life of the embankment.

8) All sediment basins shall be equipped with a primary decant system and a secondary emergency decant system. All primary decant systems will be equipped with a device and/or constructed to ensure subsurface withdrawal is the standard de-watering system to prevent discharge of floating solids.

9) For sediment basins built in series, the combined total decant system for each shall be designed to accommodate the entire contributing drainage area.

10) The height of the embankment structure for both temporary and permanent sediment basin impoundments will be a minimum of one (1) foot above the maximum water runoff elevation from a ten (10) year - 24 hour, or a twenty-five (25) year - six (6) hour precipitation event (whichever is greater).

11) Point source discharge embankment structures shall be constructed with abutments keyed into undisturbed virgin ground if possible. If undesirable materials are encountered and this cannot be achieved, additional design and construction specifications will be submitted to the Regulatory Authority in the Detailed Basin Design Plans.

12) The embankment structure and adjacent areas disturbed during construction will be seeded with a mixture of perennial and annual grasses, fertilized and mulched to prevent erosion and ensure site stabilization. Hay dam, silt fences, rock check dams, etc. will be installed, as required for additional erosion prevention measures.

DISCHARGE STRUCTURE REQUIREMENTS

1) Primary spillways for sediment basins will be designed to accommodate the anticipated peak runoff from a ten (10) year - twenty-four (24) hour precipitation event. The combination primary and secondary (emergency) spillway system will be designed to safely accommodate the anticipated peak runoff from a twenty-five (25) year - six (6) hour precipitation event. Sediment basins proposed in the drainage course of a public water supply will be equipped with spillway systems designed and constructed to adequately carry the runoff from a fifty (50) year - twenty-four (24) hour precipitation event.

2) When pipe is utilized as the primary spillway, said pipe shall be installed according to Class "C" pipe installation for embankment structure.

3) When pipe is utilized as the primary spillway, a splash pad or riprap velocity dissipater may be required under the discharge of said pipe where necessary to insure that the discharge does not erode the embankment structure.

4) Secondary (emergency) spillways shall be trapezoidal, open channels and constructed in consolidated, non-erodible material and planted with a mixture of both annual and perennial grasses being predominantly fescue and bermuda. In the event that the spillway cannot be constructed in said consolidated, non-erodible material, the spillway will be lined with riprap, concrete, asphalt or durable rock (See Detailed Design Plans for Spillway Lining).

5) Sediment basins utilizing a single spillway system shall be an open channel constructed in consolidated, non-erodible material and lined with riprap, concrete, asphalt or durable rock (See Detailed Design Plan for Spillway Lining).

6) The primary spillway will be designed and constructed with an apparatus to eliminate floating solids from leaving the impoundment. Such apparatus will consist of a ninety (90) degree elbow for pipe spillways and a skimmer system for and open channel spillway.

INSPECTION, MAINTENANCE AND CERTIFICATION REQUIREMENTS

1) A qualified registered professional engineer or other qualified person under the direction of a professional engineer shall conduct regular inspections during the construction of sediment basins. Upon completion of construction, said sediment basin will be certified, by a qualified registered professional engineer, to the Regulatory Authorityas having been constructed in accordance with the approval detailed design plans.

2) Sediment basins will be inspected for stability, erosion, excessive leakage, etc. two (2) times a month until removal of the structure or until a Phase III Bond release.

3) Sediment basins shall be inspected quarterly for structural weakness, instability, erosion, or other hazardous conditions and maintenance performed as necessary. Annual inspections will be performed by a qualified registered professional engineer or other qualified person under the direction of a professional engineer, the results of which shall be reported, including any reports or modifications, in accordance with 880-X-10C-.20[1(j)] of the Alabama Surface Mining Regulations.

4) Maintenance repairs shall be conducted immediately and shall be on-going during the life of the mine or until the basin is removed or until a Phase III Bond release. Standard on-going anticipated maintenance shall include repairing rills and gullies, repairing slope failures, re-seeding areas of failed and/or spillways, etc. Hazardous conditions observed during inspections will be reported immediately to the Regulatory Authority for further consultation or instructtions.

5) Accumulated sediment will be removed from each sediment basin when the sediment level reaches the maximum allowable sediment volume (pond storage elevation) as set forth in the detailed design plans.

BASIN REMOVAL REQUIREMENTS

1) All sediment basins constructed during mining operations and not being left as permanent water impoundments shall, upon completion of mining, reclamation, stabilization and effluent standards compliance, be removed in the following manner:

   Upon written approval from the Regulatory Authority of the basin removal plans, the the impoundment will be dewatered in a controlled manner by either pumping or siphoning. Upon successful dewatering, a determination will be made as to the level of retained sediment in the basin. Upon determining the retained sediment level, a permanent channel will be cut into the embankment down to the retained sediment level on the side of the embankment deemed most suitable to reach natural ground without encountering prohibiting rock. The embankment material removed from the newly constructed channel will be spread and compacted over the previous impoundment (wet area) to prevent erosion and insure restabilization. The newly constructed channel will be of adequate design (width, depth

BASIN REMOVAL REQUIREMENTS Cont'd)

and grade) to cause all surface drainage to travel across this area as low velocity sheet flow to minimize the possibility of erosion. Also, where deemed necessary, hay dams will be strategically located across the width of the channel to retain sediment and slow the water velocity down to a favorable rate. Where anticipated discharge velocities require further attention, energy dissipaters such as rock check dams, concrete flumes, sacrete bags, etc. will be installed or constructed at the exit section of the newly constructed permanent channel. Upon removal of the embankment section, the remaining embankment material will be graded to the approximate original contour. All disturbed areas will be graded in such a manner to insure slope stability, successful restabilization and to minimize erosion. All disturbed areas will be seeded, fertilized and mulched in accordance with the approved Reclamation Plan (Part IV- C-5). No slope existing or created in the removal of the basin will be left on a grade that may slip or slough.

PERMAMENT WATER IMPOUNDMENT REQUIREMENTS

1) Prior to a request for a Phase II Bond Release, all sediment basins being left as permanent water impoundments will have supplemental data submitted to the Regulatory Authority concerning water quality, water quantity, size, depth, configuration, post mining land use, etc.

2) Final grading slopes of the entire permanent water impoundment will not exceed a slope of 2 horizontal to 1 vertical (2h:1v) to provide for safety and access for future water users.

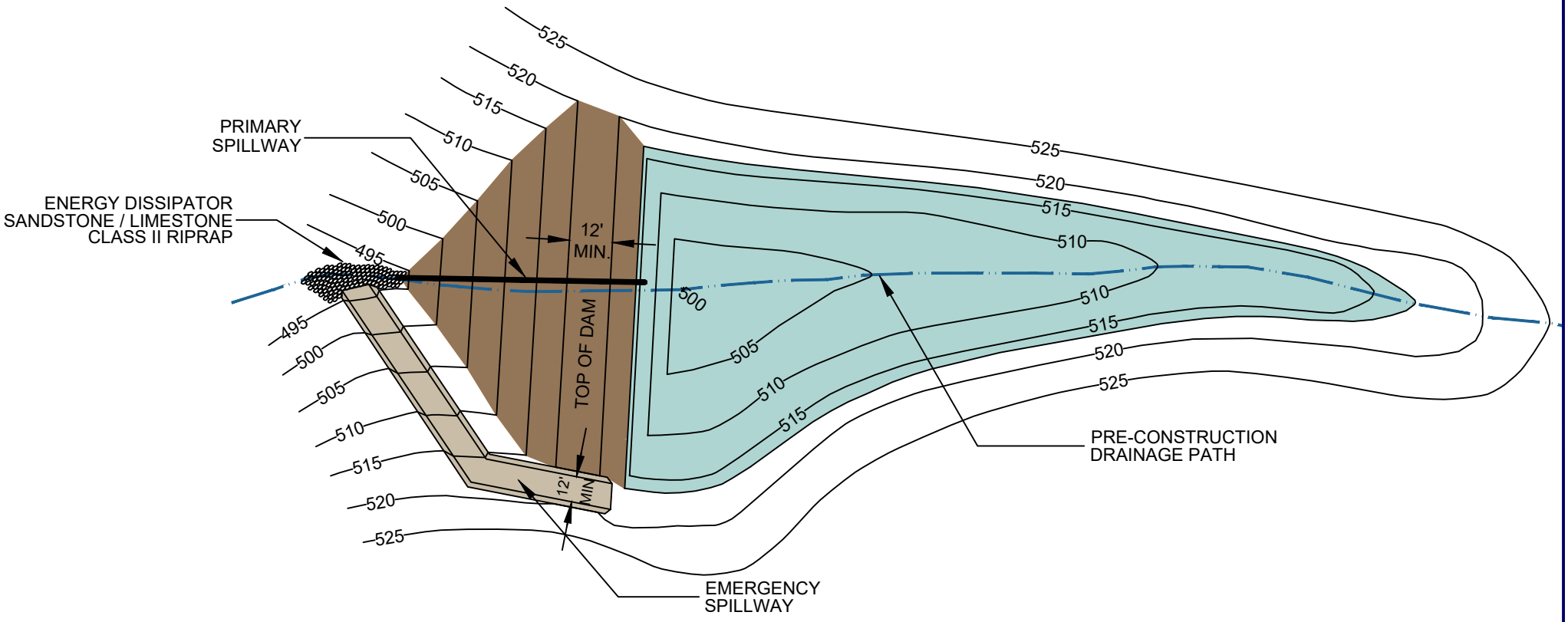
TYPICAL DRAWINGS FOR EMBANKMENT TYPE BASINS (ATTACHED)

Typical Pond Plan View

Typical Embankment Cross Section

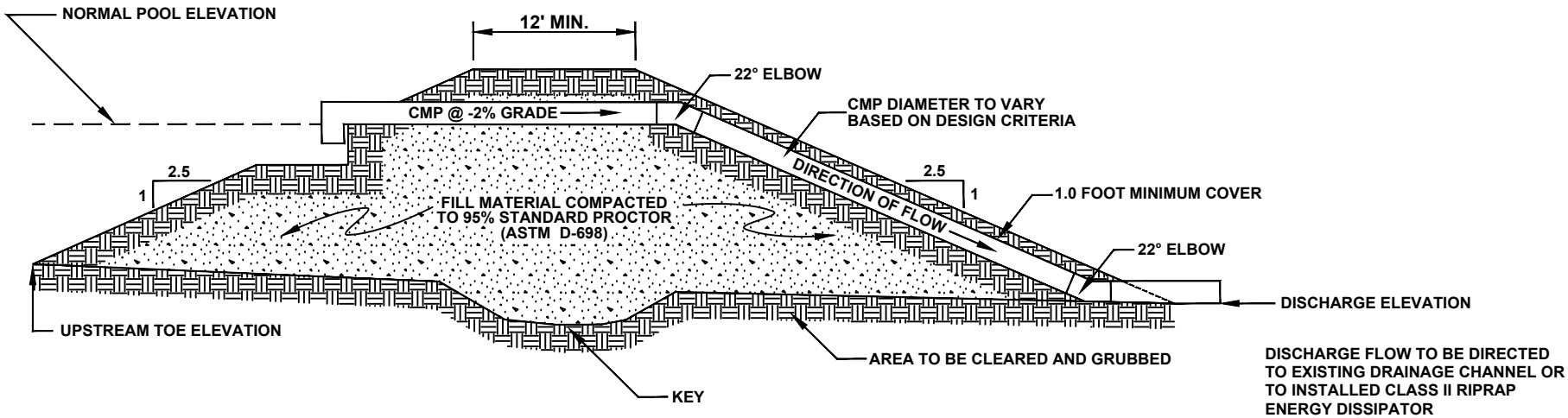
Typical Clay Liner

TYPICAL PLAN VIEW
OF
EMBANKMENT SEDIMENT BASIN

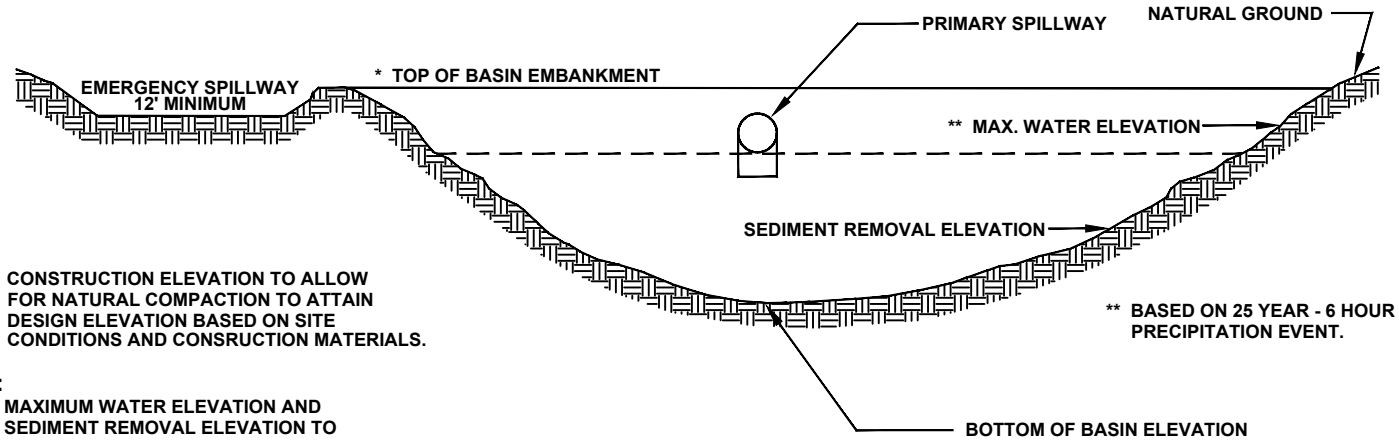


TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

TYPICAL EMBANKMENT CROSS-SECTION



TYPICAL IMPOUNDMENT CROSS-SECTION



* CONSTRUCTION ELEVATION TO ALLOW FOR NATURAL COMPACTION TO ATTAIN DESIGN ELEVATION BASED ON SITE CONDITIONS AND CONSRUCTION MATERIALS.

** BASED ON 25 YEAR - 6 HOUR PRECIPITATION EVENT.

NOTE:

MAXIMUM WATER ELEVATION AND SEDIMENT REMOVAL ELEVATION TO BE DETERMINED BY DESIGN CRITERIA BASED ON SITE CONDITIONS.

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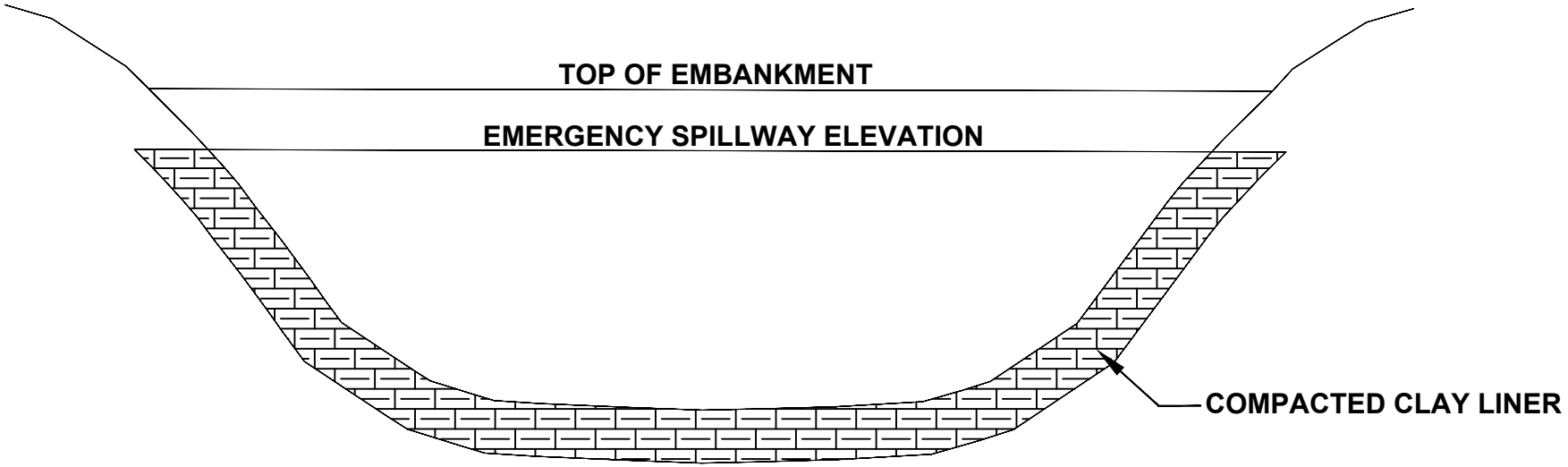
TYPICAL IMPOUNDMENT PROFILE
CROSS-SECTION WITH CLAY LINER DETAIL



When a sediment basin must be constructed in spoil material, the interior or wetted area of the basin will be lined up to the emergency spillway elevation with a minimum of one (1') foot of clay material with a permeability no greater than 0.000001 cm/sec. The clay liner material will be placed in lifts of no greater than six (6") inches and compacted to ninety-five (95%) percent of the standard proctor density.

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ATTACHMENT FOR APPENDIX A & B (Cont'd)

DIVERSION DITCH AND DIVERSION BERM
DESIGN AND CONSTRUCTION SPECIFICATIONS

1) Temporary diversions will be designed and constructed to pass safely the peak runoff from a two (2) year - six (6) hour precipitation event.

2) To protect fills and property and to avoid danger to public health and safety, permanent diversions will be designed and constructed to safely channel the peak runoff from a ten (10) year - six (6) hour precipitation event. Permanent diversions shall be constructed with gently sloping banks that are stabilized by vegetation.

3) Diversions shall be designed, constructed, and maintained in a manner which prevents additional contributions of suspended solids to stream flow and to runoff outside the permit area, to the extent possible using the best technology currently available. Appropriate sediment control measures for these diversions may include, but not be limited to, maintenance of appropriate gradients, channel lining, revegetation, roughness structures, and detention basins.

4) No diversion shall be located so as to increase the potential for landslides. No diversions shall be constructed on existing landslides, unless approved by the Regulatory Authority.

5) When no longer needed, each temporary diversion shall be removed and the affected land regraded, topsoiled, and revegetated in accordance with Rules 880-X-10C-.10, 880-X-10C-.11, 880-X-10C-.52 thru 880-X-10C-.58, 880-X-10C-.60 and 880-X-10C-.62 of the ASMC Regulations.

6) Channel linings, for diversions with slopes of three (3%) percent or less, will consist of a mixture of both annual and perennial grasses being predominantly fescue and bermuda. Channel linings, for diversions with slopes greater than three (3%) percent, will consist of riprap or other non-erodible material or cut into non-erodible material.

7) Adequate freeboard will be provided for protection for transition of flow and critical areas such as swales and curves along the entire diversion length.

8) At discharge points, where diversions intersect with natural streams or exit velocities of the diversion are greater than that of the receiving streams, energy dissipaters will be installed when deemed necessary.

9) Topsoil removed from the diversion area (if required) will be handled in accordance with Rules 880-X-10C-.07 thru 880-X-10C-.11 of the ASMC Regulations.

10) Excess material excavated in the construction of the diversion, not needed for diversion channel geometry or the regrading of the channel, will be disposed of in accordance with Rule 880-X-10C-.36 of the ASMC Regulations.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

DIVERSION DITCH AND DIVERSION BERM
DESIGN AND CONSTRUCTION SPECIFICATIONS

11) Diversions will not be designed or constructed to divert water into underground mines without written approval from the Regulatory Authority.

12) Energy dissipaters shall be installed, when required, at discharge points where natural streams and exit velocity of diversion ditch flow is greater than that of the receiving stream.

13) The entire area in which a diversion berm is proposed will be cleared and grubbed of all organic material, scarified, and no surface slopes will be left steeper than 1V:1H.

14) Diversion berms will be constructed with desirable material, free of sod, stones, roots, limbs, etc. over six (6) inches in diameter. The material will be spread in layers no greater than twelve (12) inches in thickness and compacted to ninety-five (95%) percent of the standard proctor density, as outlined by ASTM, until the design height is reached.

15) Upon completion of construction of diversion ditches or diversion berms, all disturbed areas will be seeded with a mixture of both annual and perennial grasses, fertilized, and mulched in order to minimize erosion and ensure restabilization.

16) All diversions (berms or ditches) will be examined quarterly for erosion, instability, structural weakness, or other hazardous conditions and maintenance performed as necessary.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

DESIGN, CONSTRUCTION, MAINTENANCE AND RECLAMATION SPECIFICATIONS FOR ANCILLARY ROADS

LOCATION

1) Ancillary roads will be located on ridges or high areas or on the most stable available slopes so as to control and prevent erosion, siltation, flooding, and adverse impacts to fish and wildlife, or their habitat and related environmental values, to the extent possible.

2) No part of any ancillary road will be located in the channel of an intermittent or perennial stream without written approval from the Regulatory Authority. (880-X-10C-.12 thru 880-X-10C-.14, 880-X-10C-.28) of the ASMC Regulations.

3) Road shall be located to minimize downstream sedimentation and flooding. If at all possible, ancillary roads will be located upstream of sediment basins to prevent, control and minimize additional contributions of suspended solids to stream flow or runoff outside the permit area, the violation of applicable State or Federal water quality standards, seriously altering the normal flow of water in stream-beds or drainage channels, and damage to all public or private property.

4) In instances where it is not possible to locate ancillary roads in the above manner, sediment control will be achieved by the use of silt fences, rock check dams, hay bale berms, etc.

DESIGN REQUIREMENTS

1) Ancillary roads will be designed, constructed, reconstructed and maintained to have adequate drainage control structures to safely pass the peak runoff anticipated from a ten (10) Year - six (6) Hour precipitation event.

CONSTRUCTION REQUIREMENTS

1) Prior to construction, the foundation area of the roadbed will be cleared and grubbed of all organic material and the topsoil will be removed. The disturbed area will be kept to the minimum necessary to accommodate the roadbed and/or associated drainage ditch construction.

2) Roads will be constructed of suitable subgrade material, free of sod, roots, stumps, etc., and will not contain rocks which will exceed twelve (12) inches in diameter. The road construction material will be placed in layers (12) inch maximum thickness and compacted to ninety-five (95%) percent of the standard proctor density, as set forth in ASTM.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

CONSTRUCTION REQUIREMENTS

3) The minimum top width of ancillary roads will under no circumstance be less than ten (10) feet and will be of maximum width necessary to facilitate the largest equipment using the road.

4) Roadbeds for ancillary roads will cut into consolidated, non-erodible material or will be surfaced with sufficiently durable, non-toxic, non-acid forming material as needed for the anticipated duration and frequency of use of the road. Because of the short term duration and infrequency of use of most ancillary roads, sufficiently durable mine overburden material from the mine site will be used for surfacing material, placed and compacted on the roadbed surface a minimum depth of four (4) inches. In instances where ancillary roads are proposed for an extended duration or heavy usage is anticipated, then durable, non-toxic, non-acid forming material, such as chert, crushed limestone, redrock, and/or crushed sandstone will be placed and compacted on the roadbed surface a minimum depth of four (4) inches.

5) Ancillary roads will be constructed with no sustained grades of ten (10) percent, unless unavoidable. If unavoidable, sediment control facilities such as silt fences, hay dams and/or rock check dams will be installed at strategic locations to prevent erosion and insure stability. Grades greater than fifteen (15) percent will require ditch relief drains, cross over drains and road drainways at a minimum of three hundred (300) feet apart.

DRAINAGE AND SEDIMENT CONTROL REQUIREMENTS

1) Ancillary roads will be constructed, reconstructed, and maintained to have adequate drainage control, using structures such as, but not limited to bridges, culverts, drainage pipes, ditches, cross drains, and ditch relief drains designed to safely pass the peak runoff anticipated from a ten (10) year - six (6) hour precipitation event. All drainage control structures will be designed and constructed in such a manner whereas, to allow free and operating conditions to prevent, control, and minimize erosion at the inlets and outlets.

2) Culverts shall be designed, installed, and maintained to sustain the vertical soil pressure, the passive resistance of the foundation, and the weight of vehicles using the road. All culverts or drainage pipes with diameters of forty-eight (48) inches or less will be covered with a minimum of one (1) foot and the maximum cover will not exceed fifty-seven (57) feet of desirable compacted material. All culverts or drainage pipes with diameters greater than forty-eight (48) inches will be covered with a minimum of two (2) feet and the maximum cover will not exceed forty-one (41) feet of desirable compacted material.

3) Culverts and drainage pipes will be designed and installed with adequate freeboard to prevent overtopping of the embankment.

4) Drainage pipes and culverts shall be installed/constructed to avoid plugging or collapse and erosion at inlets and outlets.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

DRAINAGE AND SEDIMENT CONTROL REQUIREMENTS

5) Drainage ditches, cross drains, and ditch relief drains will be constructed and maintained, as needed, to prevent, uncontrolled surface drainage over the road surface and roadway embankment.

6) Drainage ditches will be constructed with no sustained grades greater than five (5) percent, unless unavoidable. If ditches must be constructed with grades in excess of five (5) percent, drainage ditches will be lined with suitable liner material, such as, riprap, concrete, asphalt or durable rock, to prevent erosion and insure stabilization.

7) Sediment control will be achieved by the use of silt fences, rock check dams, hay bale berms, etc. in strategic locations, where necessary.

8) Upon completion of construction of ancillary roads, the side slopes of the roadway cut and fill sections, including all borrow areas formed in the construction, areas used for disposal of excess material, ditches, etc. will be seeded with a mixture of perennial and annual grasses, fertilized and mulched to prevent erosion and ensure restabilization. Grass mixtures will include but not limited to, fescue, bermuda, rye grass, brown top millet, clover and sericea.

INSPECTION AND MAINTENANCE REQUIREMENTS

1) Routine inspections and maintenance (such as regrading, resurfacing, maintenance of sediment control structures, spot replanting, and dust control) will be conducted regularly during the life of each road to ensure that each road continually meets design and performance standards.

2) Dust control will be achieved by the periodic application of water, chemical binders and/ or other dust suppressants.

3) Any road damaged by a catastrophic event, such as a flood, or earthquake, will be repaired as soon as practicable after the damage has occurred.

4) A road shall be maintained throughout its life to meet the performance standards of this part and any additional criteria specified by the Regulatory Authority.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

REMOVAL AND RECLAMATION REQUIREMENTS

All roads not to be retained under an approved post-mining land use will be removed and reclaimed in accordance with the approved grading and reclamation plans as soon as practicable after it is no longer needed for mining and reclamation purposes. The removal and reclamation shall include:

1) Closing the road to traffic.

2) Removing all bridges, culverts, drainage pipes, and other drainage control structures, unless otherwise approved as part of the post-mining land use.

3) Removing and/or otherwise disposing of road surfacing materials, that are not compatible with the post-mining land use and revegetation requirements, onsite or removed and stored for re-use.

4) Reshaping and regrading cut and fill slopes as necessary to be compatible with the post-mining land use and to compliment the natural drainage pattern of the surrounding terrain.

5) Protecting the natural drainage patterns by installing dikes or cross drains as necessary to control surface runoff and erosion.

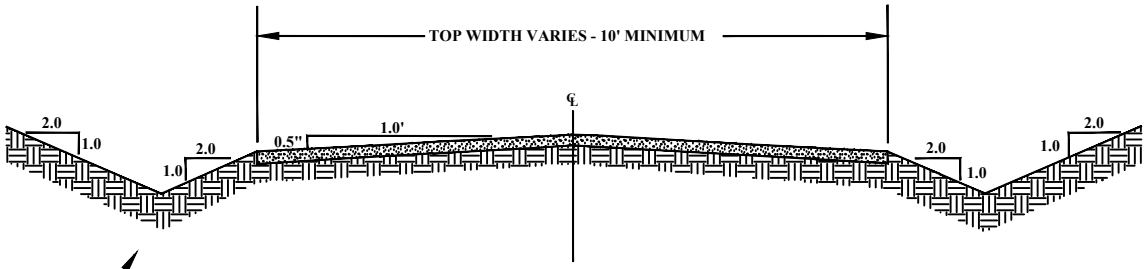
6) Scarifying or ripping the roadbed, replacing topsoil or substitute material, and revegetating the entire disturbed area in accordance with the approval reclamation plan.

TYPICAL ROADBED CONFIGUARATION

See attached **Typical Ancillary Road Drawing** for an illustration of the typical roadbed configurations.

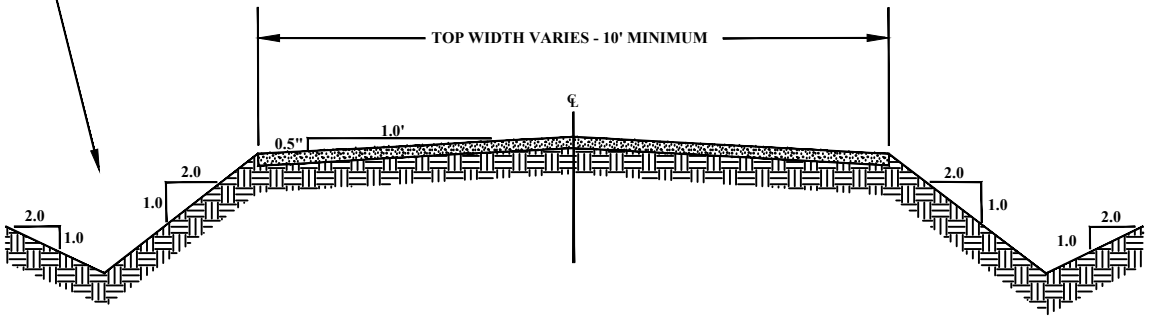
ANCILLARY ROAD DETAIL

ANCILLARY ROAD
TYPICAL CUT SECTION



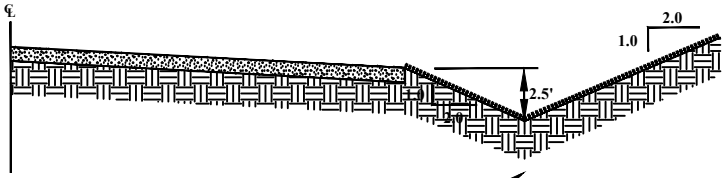
DRAINAGE DITCH TO BE LINE WITH GRASS MIXTURE

ANCILLARY ROAD
TYPICAL FILL SECTION



ANCILLARY ROAD
TYPICAL DRAINAGE DITCH CROSS-SECTION

MINIMUM DRY FREEBOARD: 0.5'
MAXIMUM FLOW DEPTH: 2.0'



MINIMUM GRADIENT: 0.5%
MAXIMUM GRADIENT: 10.0%

DRAINAGE DITCH TO BE LINED WITH GRASS MIXTURE

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ATTACHMENT FOR APPENDIX A & B (Cont'd)

DESIGN, CONSTRUCTION, MAINTENANCE, AND RECLAMATION SPECIFICATION FOR PRIMARY ROADS

LOCATION

1) Primary roads will be located on ridges or high areas or on the most stable available slopes so as to control and prevent erosion, siltation, flooding, and adverse impacts to fish and wildlife, or their habitat and related environmental values, to the extent possible.

2) No part of any primary road will be located in the channel of an intermittent or perennial stream without written approval from the Regulatory Authority. (880-X-10C-.12 thru 880-X-10C-.14, 880-X-10C-.28) of the ASMC Regulations.

3) If at all possible, all primary roads will be located upstream of sediment basins to prevent, control and minimize additional contributions of suspended solids to stream flow or runoff outside the permit area, the violation of applicable State or Federal water quality standards, seriously altering the normal flow of water in stream-beds or drainage channels, and damage to all public or private property.

4) In instances where it is not possible to locate primary roads in the above manner, sediment control will be achieved by the use of silt fences, rock check dams, hay bale berms, etc.

DESIGN REQUIREMENTS

1) Primary roads will be designed by or under the direct supervision of a qualified registered Professional Engineer experienced in the design and construction of roads, in accordance with the ASMC rules and regulations, and current, prudent engineering practices. No Primary Road grade will be steeper than seventeen (17) percent.

2) All primary roadway embankments will be designed and constructed to be stable under normal construction and operating conditions, with a minimum static safety factor of 1.3.

3) All primary roads will be designed, constructed, reconstructed and maintained to have adequate drainage control structures to safely pass the peak runoff anticipated from a ten (10) year - six (6) hour precipitation event.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

CONSTRUCTION REQUIREMENTS

1) The foundation area of the roadbed will be cleared and grubbed of all organic material and the topsoil will be removed. The disturbed area will be kept to the minimum necessary to accommodate the roadbed and/or associated drainage ditch construction.

2) The road construction material will be suitable subgrade material, free of sod, roots, stumps, etc., and will not contain rocks which exceed twelve (12) inches in diameter. The road construction material will be placed in layers (12 inch maximum thickness) and compacted to ninety-five (95) percent of the standard proctor density, as set forth in ASTM.

3) The minimum top width of primary roads will under no circumstances be less than eighteen (18) feet and will be a maximum width necessary to facilitate the largest equipment using road.

4) All slopes (cut and fill) will be no steeper than 2 horizontal to 1 vertical (2h:1v0, unless specified otherwise in the detail design.

5) Roadbeds will be cut into consolidated, non-erodible material or will be surfaced with durable, non-toxic, non-acid forming material. In most instances, durable sandstone overburden material from the mine site will be used for surfacing material. In instances where durable sandstone overburden material from the site is not available or suitable, then durable, non-toxic, non-acid forming material, such as chert, crushed limestone, redrock, and/or crushed sandstone will be hauled in from off site, placed and compacted on the roadbed surface a minimum depth of four (4) inches.

6) Primary roads will be constructed with grades as shown on the Detailed Primary Road Design Plans as approved by ASMC. No Primary Road grade will be steeper than seventeen (17) percent.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

DRAINAGE AND SEDIMENT CONTROL REQUIREMENTS

1) Primary roads will be constructed, reconstructed, and maintained to have adequate drainage control, using structures such as, but not limited to bridges, culverts, drainage pipes, ditches, cross drains, and ditch relief drains designed to safely pass the peak runoff anticipated from a ten (10) year - six (6) hour precipitation event. All drainage control structures will be designed and constructed in such a manner whereas, to allow free and operating conditions to prevent, control, and minimize erosion in the inlets and outlets.

2) Culverts shall be designed, installed, and maintained to sustain the vertical soil pressure, the passive resistance of the foundation, and the weight of vehicles using the road and to provide adequate support for the load of the largest equipment using the road. For design purposes, "H-20" (live load + impact) will be used. All culverts or drainage pipes with diameters of forty-eight (48) inches or less will be covered with a one (1) foot and the maximum cover will not exceed fifty-seven (57) feet of desirable compacted material. All culverts or drainage pipes with a diameter greater than forty-eight (48) inches will be covered with a minimum of two (2) feet and the maximum cover will not exceed forty-one (41) feet of desirable compacted material. See Detailed Primary Road Design Plans for actual depth of material proposed above each culvert or drainage pipe.

3) Culverts and drainage pipes will be designed and installed to allow adequate freeboard to prevent overtopping of the embankment.

4) Drainage pipes and culverts will be installed/constructed to avoid plugging or collapse and erosion at inlets and outlets.

5) Drainage ditches, cross drains, and ditch relief drains will be constructed and maintained to prevent uncontrolled surface drainage over the road surface and roadway embankment. Trash racks and debris basins shall be installed in the drainage ditches where debris from the drainage area may impair the functions of drainage and sediment control structures.

6) Drainage ditches will be constructed with no sustained grades greater than five (5) percent, unless unavoidable. In the event ditches must be constructed with grades in excess of five (5) percent, drainage ditches will be lined as specified on the Primary Road Detailed Design Plans.

7) Sediment control will be achieved by the use of silt fences, rock check dams, hay bale berms, etc. in strategic locations, to prevent excessive siltation to the receiving streams.

8) Upon completion of construction of all roads, the side slopes of the roadway cut and fill sections, including all borrow areas formed in the construction, areas used for disposal of excess material, ditches, etc. will be seeded with a mixture of perennial and annual grasses, fertilized and mulched to prevent erosion and ensure restabilization. Grass mixtures will include, but not limited to, fescue, bermuda, rye grass, brown top millet, clover and sericea.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

INSPECTION AND MAINTENANCE REQUIREMENTS

1) Routine inspections and maintenance (such as regrading, resurfacing, maintenance of sediment control structures, spot replanting, and dust control) will conducted regularly during the life of each road to assure that each road continually meets design and performance standards.

2) Dust control will be achieved by the periodic application of water, chemical binders and/or other dust suppressants.

3) Any road damaged by a catastrophic event, such as a flood, or earthquake, will be repaired as soon as it is practicable after the damage has occurred.

CERIFICATION REQUIREMENTS

1) The design and construction or reconstruction of primary roads shall be under the supervision of a qualified Registered Professional Engineer based on current, prudent engineering practices and any design criteria established by the Regulatory Authority. Primary roads will be designed by or under the direct supervision of a qualified Registered Professional Engineer experienced in the design and construction of roads, in accordance with the ASMC rules and regulations, and current, prudent engineering practices. Each design will be certified by a Registered Professional Engineer as being designed in accordance with the Regulations of the Alabama Surface Mining Commission, Chapter 880-X-10.

2) Upon the completion of the construction of each section of the primary road, as set forth in the detailed design plans, the construction will be certified by a Registered Professional Engineer, to the Alabama Surface Mining Commission, as being constructed in accordance with the approved detailed design plans.

3) In the event that a primary road is mined through in the mining process and must be reconstructed, the newly constructed primary road will be reconstructed to the minimum design criteria within the detailed design plans and the construction will be certified by a registered Professional Engineer, to the Alabama Surface Mining Commission, as being constructed in accordance with the approved detail design plans.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

REMOVAL AND RECLAMATION REQUIREMENTS

All primary roads which are not mined through and remain after the completion of mining may be left as permanent roads for landowners access, if there is no opposition by said landowner.

All primary roads which are not mined through and remain after the completion of mining which are not to be retained as permanent for landowner access will be removed and reclaimed in accordance with the approved grading and reclamation plans as soon as practicable after it is no longer needed for mining and reclamation purposes. This removal and reclamation will include:

1) Closing the road to traffic.

2) Removing all bridged, culverts, drainage pipes, and other drainage control structures, unless otherwise approved as part of the post mining land use.

3) Removing and/or otherwise disposing of road surfacing materials, that are not compatible with the post-mining land use and revegetation requirements, onsite or removed and stored for re-use.

4) Reshaping and regrading cut and fill slopes as necessary to be compatible with the post-mining land use and to compliment the drainage pattern of the surrounding terrain.

5) Protecting the natural drainage patterns by installing dikes or cross drains as necessary to control surface runoff and erosion.

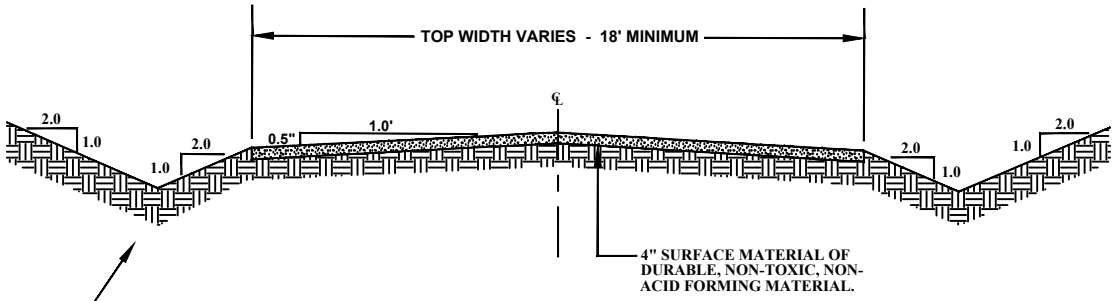
f) Scarifying or ripping the roadbed, replacing topsoil or substitute material, and revegetating the entire disturbed area in accordance with the approved reclamation plan.

TYPICAL ROADBED CONFIGURATION

See attached **Typical Primary Road Drawing** for an illustration of the typical roadbed configurations.

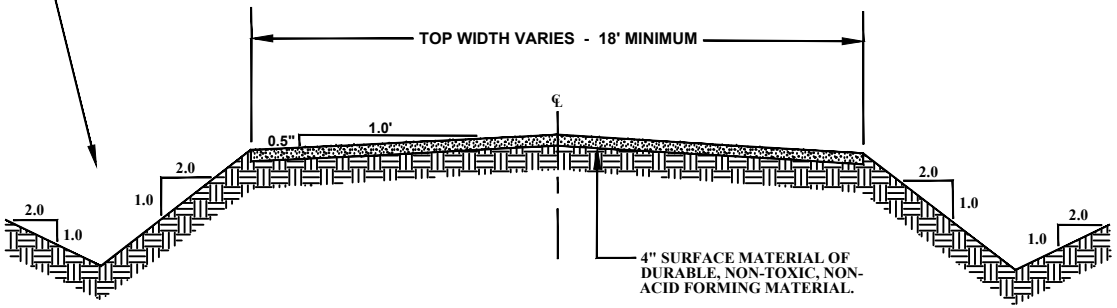
PRIMARY ROAD DETAIL

PRIMARY ROAD
TYPICAL CUT SECTION



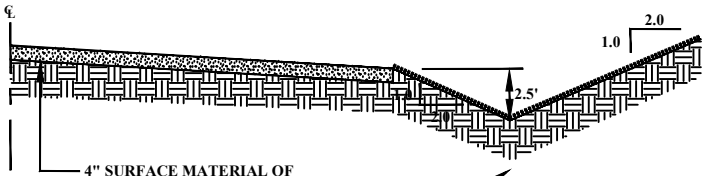
DRAINAGE DITCH TO BE LINED WITH GRASS MIXTURE. SEE SPECIFICATIONS, SEE DETAILED DESIGN PLANS FOR SPECIFIC DESIGN REQUIREMENTS.

PRIMARY ROAD
TYPICAL FILL SECTION



PRIMARY ROAD
TYPICAL DRAINAGE DITCH CROSS-SECTION

MINIMUM DRY FREEBOARD: 0.5'
MAXIMUM FLOW DEPTH: 2.0'



MINIMUM GRADIENT: 0.5%
MAXIMUM GRADIENT: 10.0%

DRAINAGE DITCH TO BE LINED WITH GRASS MIXTURE. SEE SPECIFICATIONS, SEE DETAILED DESIGN PLANS FOR SPECIFIC DESIGN REQUIREMENTS.

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ADEM Form 315 Table A

DISCHARGE STRUCTURE DESCRIPTION AND POLLUTION SOURCE

Description of Origin of Pollutants:

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

OUTFALL	Discharge Structure Description	Description of Origin of Pollutants	Surface Discharge	Groundwater Discharge	Wet Prep-Other Prod Plant	Pumped or Controlled Discharge	Low Volume STP	Other
001P	Pipe and/or Channel	2,3,8,9	X			X		
002P	Pipe and/or Channel	2,3,8,9	X			X		
003P	Pipe and/or Channel	2,3,8,9	X			X		
004E	Pipe and/or Channel	2,3,8,9	X			X		
005E	Pipe and/or Channel	2,3,8,9	X			X		
007E	Pipe and/or Channel	2,3,8,9	X			X		
008E	Pipe and/or Channel	2,3,8,9	X			X		
010P	Pipe and/or Channel	2,3,8,9	X			X		
011E	Pipe and/or Channel	2,3,8,9	X			X		
012P	Pipe and/or Channel	2,3,8,9	X			X		
013P	Pipe and/or Channel	2,3,8,9	X			X		
014P	Pipe and/or Channel	2,3,8,9	X			X		
015P	Pipe and/or Channel	2,3,8,9	X			X		
016P	Pipe and/or Channel	2,3,8,9	X			X		
017P	Pipe and/or Channel	2,3,8,9	X			X		
018P	Pipe and/or Channel	2,3,8,9	X			X		
019P	Pipe and/or Channel	2,3,8,9	X			X		
020P	Pipe and/or Channel	2,3,8,9	X			X		
021P	Pipe and/or Channel	2,3,8,9	X			X		
022P	Pipe and/or Channel	2,3,8,9	X			X		
023P	Pipe and/or Channel	2,3,8,9	X			X		
024P	Pipe and/or Channel	2,3,8,9	X			X		

ADEM Form 315 Table C

The applicant is required to supply the following information seperately for every proposed or existing outfall. Identify and list expected average dailey 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	Nickel							
			lbs/day	µg/l	lbs/day	mg/l	lbs/day	mg/l	lbs/day	mg/l
001P										
002P										
003P										
004E										
005E										
007E										
008E										
010P										
011E										
012P										
013P										
014P										
015P										
016P										
017P										
018P										
019P										
020P										
021P										
022P										
023P										
024P										

Date Printed: 10/24/2025

Location: , TASK-Special, Warrior Met -- P-3256 -- 011 **Lab ID:** 25093007-02

Sample Date: 9/26/2025 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Dissolved	BML	1.92 µg/L	EPA200.8	10/2/2025 12:23:57 PM	KyleThomas
Arsenic III	BML	0.30 µg/L	EPA200.8/HPLC	10/16/2025	KyleThomas
Arsenic, Dissolved	0.30	0.27 µg/L	EPA200.8	10/2/2025 12:23:57 PM	KyleThomas
Beryllium, Dissolved	BML	2.20 µg/L	EPA200.8	10/2/2025 12:23:57 PM	KyleThomas
Cadmium, Dissolved	BML	0.08 µg/L	EPA200.8	10/2/2025 12:23:57 PM	KyleThomas
Chromium, Dissolved	BML	1.64 µg/L	EPA200.8	10/2/2025 12:23:57 PM	KyleThomas
Copper, Dissolved	BML	0.90 µg/L	EPA200.8	10/2/2025 12:23:57 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	10/24/2025	KyleThomas
Lead, Dissolved	BML	0.31 µg/L	EPA200.8	10/2/2025 12:23:57 PM	KyleThomas
Mercury, Total	BML	0.010 µg/L	EPA245.7	10/1/2025 5:27:00 PM	KyleThomas
Nickel, Dissolved	BML	6.86 µg/L	EPA200.8	10/2/2025 12:23:57 PM	KyleThomas
Phenols, Total	BML	30.0 µg/L	EPA420.1	10/24/2025	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	10/2/2025 12:20:05 PM	KyleThomas
Silver, Dissolved	BML	0.15 µg/L	EPA200.8	10/2/2025 12:23:57 PM	KyleThomas
Thallium, Dissolved	BML	0.08 µg/L	EPA200.8	10/2/2025 12:23:57 PM	KyleThomas
Zinc, Dissolved	BML	16.45 µg/L	EPA200.8	10/2/2025 12:23:57 PM	KyleThomas

NA = Not Analyzed *ND = No Discharge* *BML = Below Minimum Level*

Post Office Box 3431 • 450 19th Street • Jasper, Alabama 35502-3431 • 205-221-0686 • Fax 205-221-7721 • www.mcgehee.org

Date Printed: 10/24/2025

Client: **TASK Engineering Management, Inc.**
P.O. Box 660548
Birmingham, AL 35266

REPORT OF FINDINGS

Location: , TASK-Special, Eaton Mine -- P-4002 -- 011 **Lab ID:** 25093007-01

Sample Date: 9/26/2025 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Dissolved	BML	1.92 µg/L	EPA200.8	10/2/2025 12:16:11 PM	KyleThomas
Arsenic III	BML	0.30 µg/L	EPA200.8/HPLC	10/16/2025	KyleThomas
Arsenic, Dissolved	0.32	0.27 µg/L	EPA200.8	10/2/2025 12:16:11 PM	KyleThomas
Beryllium, Dissolved	BML	2.20 µg/L	EPA200.8	10/2/2025 12:16:11 PM	KyleThomas
Cadmium, Dissolved	BML	0.08 µg/L	EPA200.8	10/2/2025 12:16:11 PM	KyleThomas
Chromium, Dissolved	BML	1.64 µg/L	EPA200.8	10/2/2025 12:16:11 PM	KyleThomas
Copper, Dissolved	BML	0.90 µg/L	EPA200.8	10/2/2025 12:16:11 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	10/24/2025	KyleThomas
Lead, Dissolved	BML	0.31 µg/L	EPA200.8	10/2/2025 12:16:11 PM	KyleThomas
Mercury, Total	BML	0.010 µg/L	EPA245.7	10/1/2025 5:22:00 PM	KyleThomas
Nickel, Dissolved	BML	6.86 µg/L	EPA200.8	10/2/2025 12:16:11 PM	KyleThomas
Phenols, Total	BML	30.0 µg/L	EPA420.1	10/24/2025	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	10/2/2025 12:00:42 PM	KyleThomas
Silver, Dissolved	BML	0.15 µg/L	EPA200.8	10/2/2025 12:16:11 PM	KyleThomas
Thallium, Dissolved	BML	0.08 µg/L	EPA200.8	10/2/2025 12:16:11 PM	KyleThomas
Zinc, Dissolved	BML	16.45 µg/L	EPA200.8	10/2/2025 12:16:11 PM	KyleThomas

NA = Not Analyzed *ND = No Discharge* *BML = Below Minimum Level*

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ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM)
NPDES MINING AND PREPARATION PLANT OUTFALL DATA FOR METALS, CYANIDE, AND TOTAL PHENOLS

NPDES Permit No.:	Applicant:	Facility:
AL0084453	Eaton Resources LLC	Eaton Mine No. 1

Outfall Sampled[1]:	Date of Sampling:	Was Sample Taken In-Pond?	Was Sample Taken from Discharge?	Substantially Identical Outfalls:	Description of Discharge:
Basin 011, P-3256	09/26/2025	☐ Yes ☒ No	☒ Yes ☐ No	Proposed Basins 001 thru 024	Sample taken from Discharge of Basin 011, Warrior Met - Mine #5, ASMC Permit 3256, NPDES Permit No. AL0029475.

Instructions: Supply the following information separately for every proposed or existing outfall evaluated or tested. If necessary, attach extra sheets. If you are a coal facility, mark "X" in appropriate column for all listed metals, cyanide, and total phenols. If the outfall is existing, you must provide the results of at least one representative analysis for that pollutant for a substantially identical existing outfall at the facility. If the outfall is proposed, you must either submit at least one representative analysis for a substantially identical existing outfall at the facility or, if not available, at least one representative analysis for a substantially identical outfall at another similar facility.

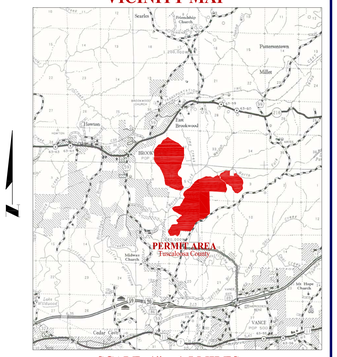
Pollutant	Mark "X"			Effluent												Instream		
	Existing Outfall (Testing Required)	Proposed Outfall – Parameter Believed Present	Proposed Outfall – Parameter Believed Absent	Maximum Daily Value		Maximum 30 Day Value (if available)		Long Term Average Value (if available)		# of Analyses	Frequency of Discharge (Days/Month Hours/Day)	EPA Approved Method Analysis Used[2]	Method Detection Limit (µ/L)	Receiving Water 7Q10 Flow (cfs)	Discharge Flow (cfs)	Background Instream Concentration (µ/L)	Instream Hardness (optional) (mg/L $CaCO_3$)[3]	Instream Flow (optional) (cfs)
				Concen-tration (µ/L)	Mass (lbs)	Concen-tration (µ/L)	Mass (lbs)	Concen-tration (µ/L)	Mass (lbs)									
1M. Antimony, Dissolved	X		X	<1.92	N/A					1	Precip. Based	EPA200.8	0.6	0.315	0.22			
2M. Arsenic, Dissolved Trivalent	X		X	<0.30	N/A					1	Precip. Based	EPA200.8 /HPLC	0.09	0.315	0.22			
3M. Beryllium, Dissolved	X		X	<2.20	N/A					1	Precip. Based	EPA200.8	0.69	0.315	0.22			
4M. Cadmium, Dissolved	X		X	<0.08	N/A					1	Precip. Based	EPA200.8	0.03	0.315	0.22			
5M. Chromium, Dissolved	X		X	<1.64	N/A					1	Precip. Based	EPA200.8	0.52	0.315	0.22			
6M. Copper, Dissolved	X		X	<0.90	N/A					1	Precip. Based	EPA200.8	0.28	0.315	0.22			
7M. Lead, Dissolved	X		X	<0.31	N/A					1	Precip. Based	EPA200.8	0.10	0.315	0.22			
8M. Mercury, Total Recoverable	X		X	<0.010	N/A					1	Precip. Based	EPA245.7	0.003	0.315	0.22			
9M. Nickel, Dissolved	X		X	<6.86	N/A					1	Precip. Based	EPA200.8	2.16	0.315	0.22			
10M. Selenium, Total Recoverable	X		X	<0.95	N/A					1	Precip. Based	EPA200.8	0.30	0.315	0.22			
11M. Silver, Dissolved	X		X	<0.15	N/A					1	Precip. Based	EPA200.8	0.05	0.315	0.22			
12M. Thallium, Dissolved	X		X	<0.08	N/A					1	Precip. Based	EPA200.8	0.03	0.315	0.22			
13M. Zinc, Dissolved	X		X	<16.45	N/A					1	Precip. Based	EPA200.8	5.17	0.315	0.22			
14M. Cyanide, Free	X		X	<3.0	N/A					1	Precip. Based	SM4500-CN-E	1	0.315	0.22			
15M. Phenols, Total	X		X	<30.00	N/A					1	Precip. Based	EPA420.1	2	0.315	0.22			

[1] Sampling results must be representative of the discharge.

[2] Test methods used must be in accordance with 40 CFR Part 136 and 40 CFR 122.21(g)(7)(i).

[3] The Department may assume Instream Hardness ($CaCO_3$) based on available information, the location of the discharge, and/or best professional judgment.

VICINITY MAP



SCALE: 1" = 1.5 MILES

SEDIMENT BASIN DATA		
Basin	Drainage Acres	Disturbed Acres
001P	16	15
002P	41	41
003P	21	21
004E	31	31
005E	48	48
006P	Deleted	Deleted
007E	20	20
008E	86	80
009P	Deleted	Deleted
010P	115	55
011E	185	123
012P	65	57
013P	75	75
014P	35	35
015P	28	28
016P	93	93
017P	97	97
018P	117	45
019P	92	20
020P	165	112
021P	117	115
022P	88	88
023P	171	171
024P	40	40

MAP LEGEND

- PERMIT AREA
- PREVIOUSLY DISTURBED AREA
- SURFACE OWNERSHIP DIVIDE OTHER THAN QUARTER/QUARTER LINE
- MINERAL OWNERSHIP DIVIDE OTHER THAN QUARTER/QUARTER LINE
- LAND HOOK
- (S-1) SURFACE OWNERSHIP
- (M-1) MINERAL OWNERSHIP
- (F-1) FEE OWNERSHIP (SURFACE & MINERAL)
- HW EXISTING HIGHWALL
- 23% SLOPE MEASUREMENT
- PUBLIC ROAD
- ROAD ROW
- ROAD SETBACK
- PRIVATE ROAD
- PRIMARY HAULROAD
- ANCILLARY ROAD
- PROJECTED FAULT LINE
- PERENNIAL AND/OR INTERMITTENT STREAM
- 100' STREAM BUFFER ZONE BOUNDARY
- 35' STREAM BUFFER ZONE BOUNDARY (REQUIRES DIRECTOR APPROVAL)
- DRAINAGE COURSE
- POWER TRANSMISSION LINE
- POWER TRANSMISSION RIGHT OF WAY
- C COAL STOCKPILE (SUBJECT TO CHANGE)
- CARTER COAL CROPLINE
- JOHNSON COAL CROPLINE
- P-3256 MINE No. 5
- P-3648 KELLERMAN No. 2 MINE
- P-3832 PANTHER MINE No. 3
- P-3852 EAST BROOKWOOD MINE
- BASIN 001 PROPOSED SEDIMENT BASIN\OUTFALL
- EXISTING SEDIMENT BASIN\OUTFALL
- IMPOUNDED WATER
- OCCUPIED DWELLING
- OUTBUILDING, BARN, SHED, ETC.
- RECLAMATION CROSS SECTION/ FENCE DIAGRAM DESIGNATION
- DIVERSION DITCH
- SF SILT FENCE
- DRAINAGE DIVERSION BERM W/SILT FENCE
- SW-3 STREAM WATER SITE
- MW-01 MONITORING WELL

NOTES:

NO BUILDINGS WITHIN 1,000' OF PERMIT AREA OTHER THAN SHOWN.

A TOPSOIL VARIANCE HAS BEEN REQUESTED, HOWEVER IF REQUIRED, TOPSOIL STOCKPILE WILL BE UTILIZED ONSITE.

SURFACE AND MINERAL OWNERSHIP BY INDICATED BY FORTY EXCEPT WHERE NOTED OTHERWISE.

LOCATIONS OF PROPOSED TOPSOIL AND COAL STOCKPILES ARE SUBJECT TO CHANGE DURING OPERATIONS.

COAL STOCKPILES MAY BE UTILIZED ONSITE WITH APPROPRIATE CONTROLS. HOWEVER, COAL MAY BE LOADED DIRECTLY INTO TRUCKS FROM PIT AREAS AND TRANSPORTED TO PURCHASE.

ALL 100' SETBACKS ALONG ROADS WILL BE OBSERVED UNLESS NECESSARY APPROVALS ARE OBTAINED FROM REGULATORY AGENCIES TO DISTURB WITHIN SAID SETBACKS.

100' SETBACKS OF PERENNIAL STREAMS WILL BE OBSERVED.

NO STREAMS WITHIN THIS PROPOSED PERMIT QUALIFY AS PERENNIAL OR INTERMITTENT STREAMS, ALL HAVING DRAINAGE AREAS LESS THAN 640 ACRES.

THE AREA OF THIS PROPOSED PERMIT IN NOT LOCATED WITHIN THE BOUNDARY OF A MUNICIPALITY OR POLICE JURISDICTION.

NPDES PERMIT #AL0084453
SUBMITTED TO ADEM 04-21-2022
STATUS - APPROVED 12-07-22

OWNERSHIP LEGEND

FEE OWNERSHIP
"NO LISTED FEE OWNERSHIP AT THIS SITE"

MINERAL OWNERSHIP
(M-1) SE BELCHER JR. PRIVATE FOUNDATION No. 3
(M-2) WARRIOR MET COAL MINING, LLC
(M-3) JO ANN ABSTON HYCHE et al
(M-4) MARTY E. ABSTON

SURFACE OWNERSHIP
(S-1) CAPSTONE TRUCK & EQUIPMENT, LLC
(S-2) M&M, LLC
(S-3) REX EDWIN MITCHELL
(S-4) ALAWEST-AL, LLC
(S-5) STELLA REGINA COWLEY DANIELS
(S-6) EATON RESOURCES, LLC
(S-7) TIMOTHY VANOY
(S-8) CHARLES STEPHEN PARAMORE
(S-9) NANCY ELAINE VANOY BRICKEN
(S-10) DAVID GREY BELCHER
(S-11) BIG M HOLDINGS, LLC
(S-12) KYLE SELLERS TESTAMENTARY
(S-13) BETTY JEAN DANIEL ETAL
(S-14) WARRIOR MET COAL MINING LLC
(S-15) ALTON HYCHE
(S-16) MARTY E. ABSTON
(S-17) TUSCALOOSA COUNTY BOARD OF EDUCATION

N W E S

SCALE 1" = 500'
CONTOUR INTERVAL: 20 FT.
SECTIONS 31 & 32
TOWNSHIP 20 SOUTH, RANGE 7 WEST,
SECTIONS 5 & 6
TOWNSHIP 21 SOUTH, RANGE 7 WEST,
ALL IN TUSCALOOSA COUNTY, ALABAMA.
BASE MAPS: COALING AND BROOKWOOD USGS QUADS

NPDES PERMIT MAP

NPDES PERMIT AL0084453
MAJOR PERMIT MODIFICATION
SECTIONS 31 & 32
TOWNSHIP 20 SOUTH, RANGE 7 WEST,
SECTIONS 3, 4, 5, 6, 8, 9, 17 & 18
TOWNSHIP 21 SOUTH, RANGE 7 WEST,
TUSCALOOSA COUNTY, ALABAMA
SCALE: 1"= 500'

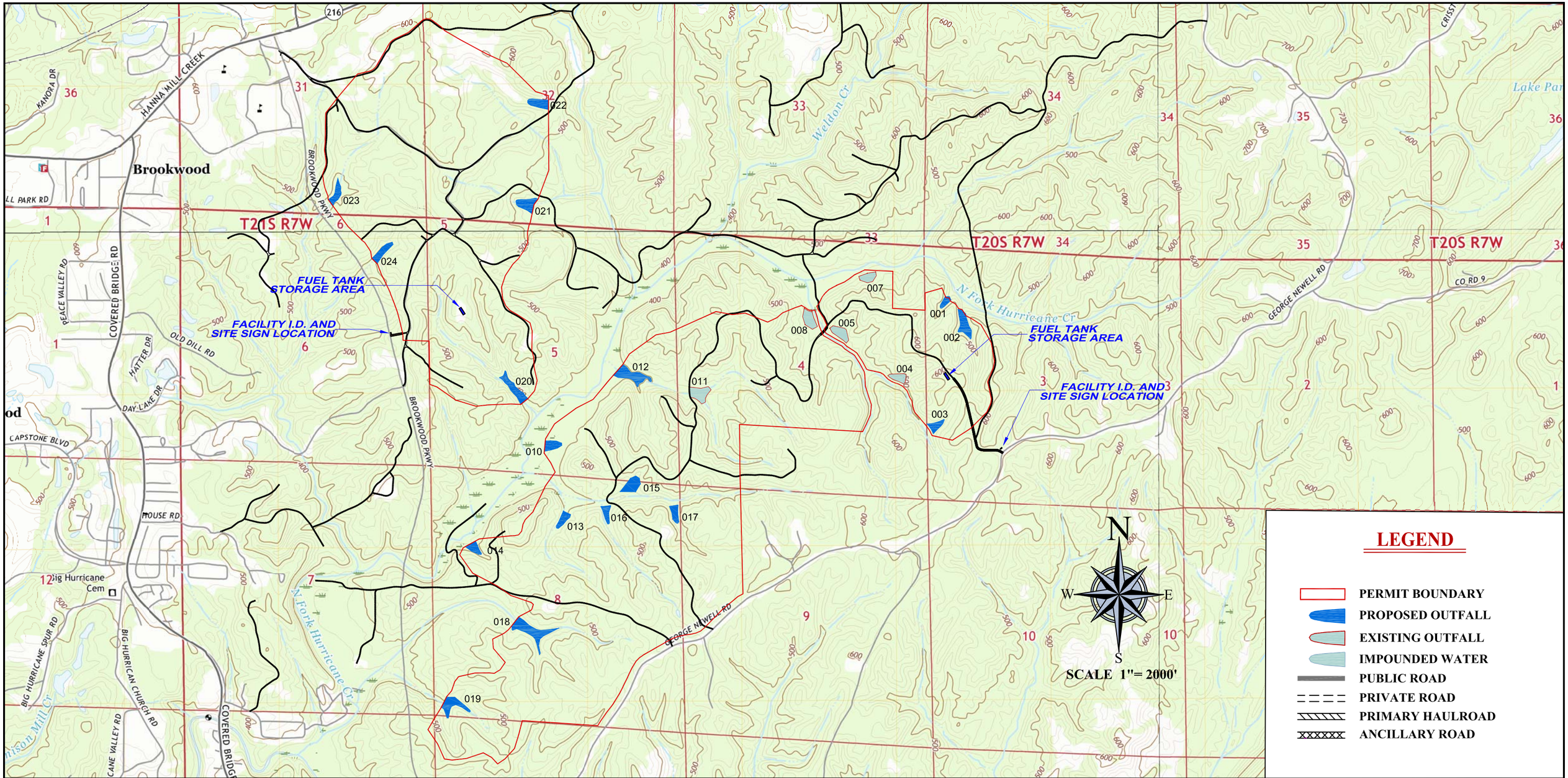
TASK ENGINEERING MANAGEMENT INC.
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205) 978-5070

EATON RESOURCES, LLC.

EATON MINE No. 1

NPDES PERMIT MAP
PERMIT #AL0084453

FILE:	SCALE:	JOB NO:
ER-002	1" = 500'	M-009
APPROVED BY:	DATE:	SHEET:
JWW	10-30-25	1 OF 1



LEGEND

- PERMIT BOUNDARY
- PROPOSED OUTFALL
- EXISTING OUTFALL
- IMPOUNDED WATER
- PUBLIC ROAD
- PRIVATE ROAD
- PRIMARY HAULROAD
- ANCILLARY ROAD

BASE MAP: BROOKWOOD & COALING USGS QUADS.

NPDES PERMIT MAP

NPDES PERMIT AL0084453
MAJOR PERMIT MODIFICATION
SECTIONS 31 & 32
TOWNSHIP 20 SOUTH, RANGE 7 WEST,
SECTIONS 3, 4, 5, 6, 8, 9, 17 & 18
TOWNSHIP 21 SOUTH, RANGE 7 WEST,
TUSCALOOSA COUNTY, ALABAMA
SCALE: 1"=2000'

TASK ENGINEERING MANAGEMENT INC.
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205) 978-5070

EATON RESOURCES, LLC.

EATON MINE No. 1

NPDES PERMIT MAP
PERMIT #AL0084453

FILE:	SCALE:	JOB NO:
ER-001	1" = 2000'	M-008
APPROVED BY: JWW	DATE: 10-30-25	SHEET: 1 OF 1

POLLUTION ABATEMENT PLAN (PAP) - APPENDIX A & B INFORMATION

Y	N	N/A	**Outfall(s): 001P through 014P**
X			Runoff from all areas of disturbance is controlled
X			Drainage from pit area, stockpiles, and spoil areas directed to a sedimentation pond
		X1	Sedimentation basin at least 0.25 acre/feet for every acre of disturbed drainage
		X1	Sedimentation basin cleaned out when sediment accumulation is 60% of design capacity
X			Trees, boulders, and other obstructions removed from pond during initial construction
X			Width of top of dam greater than 12'
		X1	Side slopes of dam no steeper than 3:1
X			Cutoff trench at least 8' wide
X			Side slopes of cutoff trench no less than 1:1
X			Cutoff trench located along the centerline of the dam
X			Cutoff trench extends at least 2' into bedrock or impervious soil
X			Cutoff trench filled with impervious material
X			Embankments and cutoff trench 95% compaction standard proctor ASTM
X			Embankment free of roots, tree debris, stones >6" diameter, etc.
X			Embankment constructed in lifts no greater than 12"
X			Spillpipe sized to carry peak flow from a one year storm event
X			Spillpipe will not chemically react with effluent
X			Subsurface withdrawal
		X1	Anti-seep collars extend radically at least 2' from each joint in spillpipe
X			Splashpad at the end of the spillpipe
X			Emergency Spillway sized for peak flow from 25-yr 24-hr event if discharge not into PWS classified stream
		X2	Emergency Spillway sized for peak flow from 50-yr 24-hr event if discharge is into PWS classified stream
X			Emergency overflow at least 20' long
X			Side slopes of emergency spillway no steeper than 2:1
X			Emergency spillway lined with riprap or concrete
		X1	Minimum of 1.5' of freeboard between normal overflow and emergency overflow
		X1	Minimum of 1.5' of freeboard between max. design flow of emergency spillway and top of dam
		X1	All emergency overflows are sized to handle entire drainage area for ponds in series
X			Dam stabilized with permanent vegetation
X			Sustained grade of haul road <10%
X			Maximum grade of haul road <15% for no more than 300'
X			Outer slopes of haul road no steeper than 2:1
X			Outer slopes of haul road vegetated or otherwise stabilized
		X3	Detail drawings supplied for all stream crossings
		X4	Short-Term Stabilization/Grading And Temporary Vegetative Cover Plans
		X4	Long-Term Stabilization/Grading And Permanent Reclamation or Water Quality Remediation Plans

IDENTIFY AND PROVIDE DETAILED EXPLANATION FOR ANY "N" OR "N/A" RESPONSE(S):

X1 - Basins designed to ASMC Criteria
X2 - No Discharge into PWS Classified Stream
X3 - Stream Crossings designed to ASMC Criteria
X4 - Submitted in ASMC Reclamation Plans

XX. POLLUTION ABATEMENT PLAN (PAP) REVIEW CHECKLIST

Y	N	N/A	
			General Information:
X			PE Seal with License #
X			Name and Address of Operator
X			Legal Description of Facility
X			Name of Company
X			Number of Employees
X			Products to be Mined
X			Hours of Operation
X			Water Supply and Disposition
			Maps:
X			Topographic Map including Information from Part XIII (a)-(o) of this Application
X			1"-500' or Equivalent Facility Map including Information from Part XIV of this Application
			Detailed Design Diagrams:
X			Plan Views
X			Cross-section Views
X			Method of Diverting Runoff to Treatment Basins
X			Line Drawing of Water Flow through Facility with Water Balance from Part XIV of this Application
			Narrative of Operations:
X			Raw Materials Defined
X			Processes Defined
X			Products Defined
			Schematic Diagram:
X			Points of Waste Origin
X			Collection System
X			Disposal System
			Post Treatment Quantity and Quality of Effluent:
X			Flow
X			Suspended Solids
X			Iron Concentration
X			pH
			Description of Waste Treatment Facility:
X			Pre-Treatment Measures
X			Recovery System
X			Expected Life of Treatment Basin
			Measures for Ensuring Access of All Treatment Structures and Related Appurtenances including Outfall Locations
X			Schedule of Cleaning and/or abandonment
			Other:
X		**X1**	Precipitation/Volume Calculations/Diagram Attached
X			BMP Plan for Haul Roads
X			Measures for Minimizing Impacts to Adjacent Stream (*e.g.,* Buffer Strips, Berms)
X			Method for Minimizing Nonpoint Source Discharges
X			If Chemical Treatment Used, Methods for Ensuring Appropriate Dosage
X			Facility Closure Plans
		X2	PE Rationale(s) For Alternative Standards, Designs or Plans

IDENTIFY AND PROVIDE DETAILED EXPLANATION FOR ANY "N" OR "N/A" RESPONSE(S):

X1 - No Precipitation/volume calculations or diagrams required by ASMC permit process.
X2 - No alternate standards, designs or plans are proposed.

ATTACHMENT FOR APPENDIX A & B

SEDIMENT BASIN CONSTRUCTION SPECIFICATIONS

Sediment basins (temporary or permanent) will be designed and constructed using the following as minimum specifications:

EMBANKMENT REQUIREMENTS

1) The minimum width of the top of the embankment structure will be under no circumstance be less than twelve (12) feet.

2) Front and back slopes of the embankment structure will be no steeper than the slopes listed on the detailed design sheet.

3) The foundation area of the embankment structure will be cleared and grubbed of all organic matter with no surface slope steeper than 1v:1h. The entire wet area, as measured from the upstream toe of the embankment to the normal pool level, will be cleared of trees and large brush.

4) The embankment structure shall be constructed with a cutoff trench along the centerline of the structure to anchor the core which will be constructed of relatively impervious material.

5) The foundation and abutments for the embankment structure will be designed and constructed to be stable under normal construction and operating conditions, with a minimum static safety factor of 1.5 and a minimum seismic safety factor of 1.2, at normal pool level with a steady seepage saturation condition.

6) Construction of the embankment structure shall be undertaken only when the moisture content of fill materials will permit satisfactory compaction. The embankment material will be placed in layers of twelve (12) inches or less and compacted to ninety-five (95) percent of the standard proctor density, per ASTM requirements. The embankment construction material will be free of sod, roots, stumps, rocks, etc., which exceed six (6) inches in diameter.

7) The final embankment structure height will be a minimum of five (5) percent higher than the approved design height to allow for settling over the life of the embankment.

8) All sediment basins shall be equipped with a primary decant system and a secondary emergency decant system. All primary decant systems will be equipped with a device and/or constructed to ensure subsurface withdrawal is the standard de-watering system to prevent discharge of floating solids.

9) For sediment basins built in series, the combined total decant system for each shall be designed to accommodate the entire contributing drainage area.

10) The height of the embankment structure for both temporary and permanent sediment basin impoundments will be a minimum of one (1) foot above the maximum water runoff elevation from a ten (10) year - 24 hour, or a twenty-five (25) year - six (6) hour precipitation event (whichever is greater).

11) Point source discharge embankment structures shall be constructed with abutments keyed into undisturbed virgin ground if possible. If undesirable materials are encountered and this cannot be achieved, additional design and construction specifications will be submitted to the Regulatory Authority in the Detailed Basin Design Plans.

12) The embankment structure and adjacent areas disturbed during construction will be seeded with a mixture of perennial and annual grasses, fertilized and mulched to prevent erosion and ensure site stabilization. Hay dam, silt fences, rock check dams, etc. will be installed, as required for additional erosion prevention measures.

DISCHARGE STRUCTURE REQUIREMENTS

1) Primary spillways for sediment basins will be designed to accommodate the anticipated peak runoff from a ten (10) year - twenty-four (24) hour precipitation event. The combination primary and secondary (emergency) spillway system will be designed to safely accommodate the anticipated peak runoff from a twenty-five (25) year - six (6) hour precipitation event. Sediment basins proposed in the drainage course of a public water supply will be equipped with spillway systems designed and constructed to adequately carry the runoff from a fifty (50) year - twenty-four (24) hour precipitation event.

2) When pipe is utilized as the primary spillway, said pipe shall be installed according to Class "C" pipe installation for embankment structure.

3) When pipe is utilized as the primary spillway, a splash pad or riprap velocity dissipater may be required under the discharge of said pipe where necessary to insure that the discharge does not erode the embankment structure.

4) Secondary (emergency) spillways shall be trapezoidal, open channels and constructed in consolidated, non-erodible material and planted with a mixture of both annual and perennial grasses being predominantly fescue and bermuda. In the event that the spillway cannot be constructed in said consolidated, non-erodible material, the spillway will be lined with riprap, concrete, asphalt or durable rock (See Detailed Design Plans for Spillway Lining).

5) Sediment basins utilizing a single spillway system shall be an open channel constructed in consolidated, non-erodible material and lined with riprap, concrete, asphalt or durable rock (See Detailed Design Plan for Spillway Lining).

6) The primary spillway will be designed and constructed with an apparatus to eliminate floating solids from leaving the impoundment. Such apparatus will consist of a ninety (90) degree elbow for pipe spillways and a skimmer system for and open channel spillway.

INSPECTION, MAINTENANCE AND CERTIFICATION REQUIREMENTS

1) A qualified registered professional engineer or other qualified person under the direction of a professional engineer shall conduct regular inspections during the construction of sediment basins. Upon completion of construction, said sediment basin will be certified, by a qualified registered professional engineer, to the Regulatory Authorityas having been constructed in accordance with the approval detailed design plans.

2) Sediment basins will be inspected for stability, erosion, excessive leakage, etc. two (2) times a month until removal of the structure or until a Phase III Bond release.

3) Sediment basins shall be inspected quarterly for structural weakness, instability, erosion, or other hazardous conditions and maintenance performed as necessary. Annual inspections will be performed by a qualified registered professional engineer or other qualified person under the direction of a professional engineer, the results of which shall be reported, including any reports or modifications, in accordance with 880-X-10C-.20[1(j)] of the Alabama Surface Mining Regulations.

4) Maintenance repairs shall be conducted immediately and shall be on-going during the life of the mine or until the basin is removed or until a Phase III Bond release. Standard on-going anticipated maintenance shall include repairing rills and gullies, repairing slope failures, re-seeding areas of failed and/or spillways, etc. Hazardous conditions observed during inspections will be reported immediately to the Regulatory Authority for further consultation or instructtions.

5) Accumulated sediment will be removed from each sediment basin when the sediment level reaches the maximum allowable sediment volume (pond storage elevation) as set forth in the detailed design plans.

BASIN REMOVAL REQUIREMENTS

1) All sediment basins constructed during mining operations and not being left as permanent water impoundments shall, upon completion of mining, reclamation, stabilization and effluent standards compliance, be removed in the following manner:

   Upon written approval from the Regulatory Authority of the basin removal plans, the the impoundment will be dewatered in a controlled manner by either pumping or siphoning. Upon successful dewatering, a determination will be made as to the level of retained sediment in the basin. Upon determining the retained sediment level, a permanent channel will be cut into the embankment down to the retained sediment level on the side of the embankment deemed most suitable to reach natural ground without encountering prohibiting rock. The embankment material removed from the newly constructed channel will be spread and compacted over the previous impoundment (wet area) to prevent erosion and insure restabilization. The newly constructed channel will be of adequate design (width, depth

BASIN REMOVAL REQUIREMENTS Cont'd)

and grade) to cause all surface drainage to travel across this area as low velocity sheet flow to minimize the possibility of erosion. Also, where deemed necessary, hay dams will be strategically located across the width of the channel to retain sediment and slow the water velocity down to a favorable rate. Where anticipated discharge velocities require further attention, energy dissipaters such as rock check dams, concrete flumes, sacrete bags, etc. will be installed or constructed at the exit section of the newly constructed permanent channel. Upon removal of the embankment section, the remaining embankment material will be graded to the approximate original contour. All disturbed areas will be graded in such a manner to insure slope stability, successful restabilization and to minimize erosion. All disturbed areas will be seeded, fertilized and mulched in accordance with the approved Reclamation Plan (Part IV- C-5). No slope existing or created in the removal of the basin will be left on a grade that may slip or slough.

PERMAMENT WATER IMPOUNDMENT REQUIREMENTS

1) Prior to a request for a Phase II Bond Release, all sediment basins being left as permanent water impoundments will have supplemental data submitted to the Regulatory Authority concerning water quality, water quantity, size, depth, configuration, post mining land use, etc.

2) Final grading slopes of the entire permanent water impoundment will not exceed a slope of 2 horizontal to 1 vertical (2h:1v) to provide for safety and access for future water users.

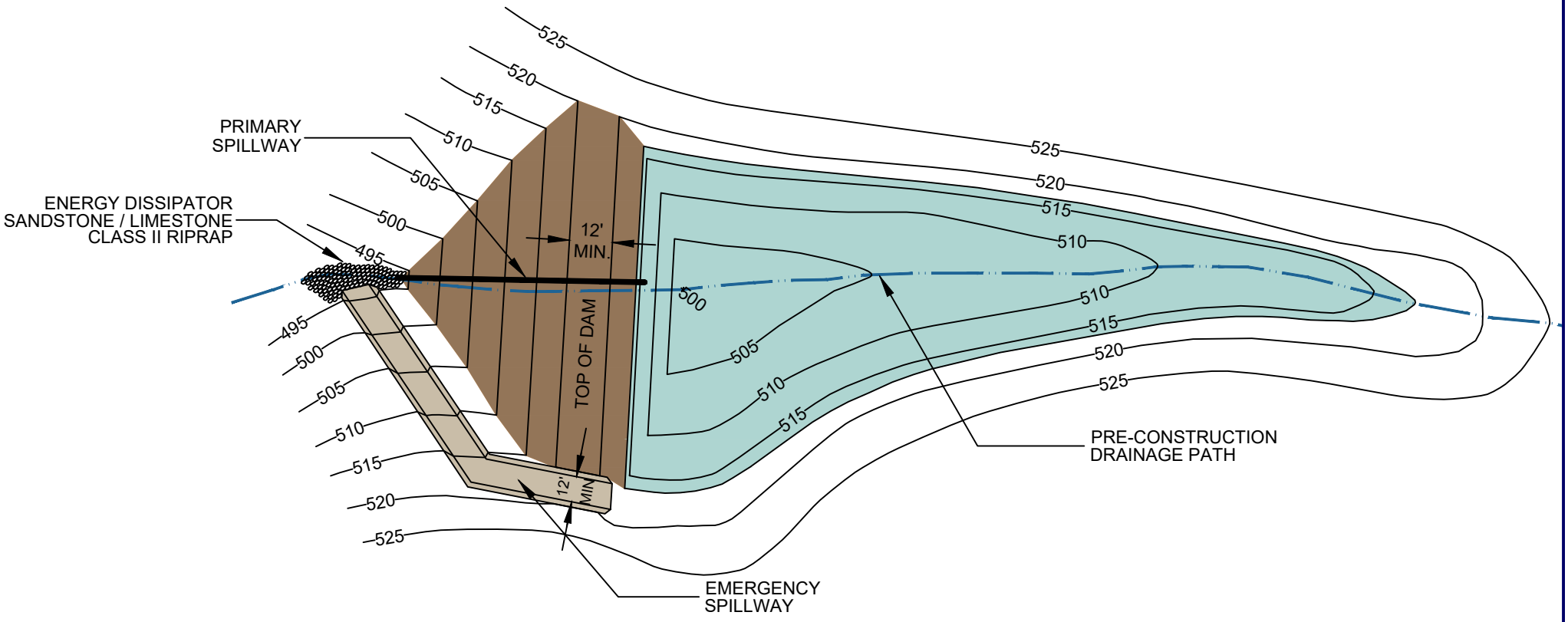
TYPICAL DRAWINGS FOR EMBANKMENT TYPE BASINS (ATTACHED)

Typical Pond Plan View

Typical Embankment Cross Section

Typical Clay Liner

TYPICAL PLAN VIEW
OF
EMBANKMENT SEDIMENT BASIN



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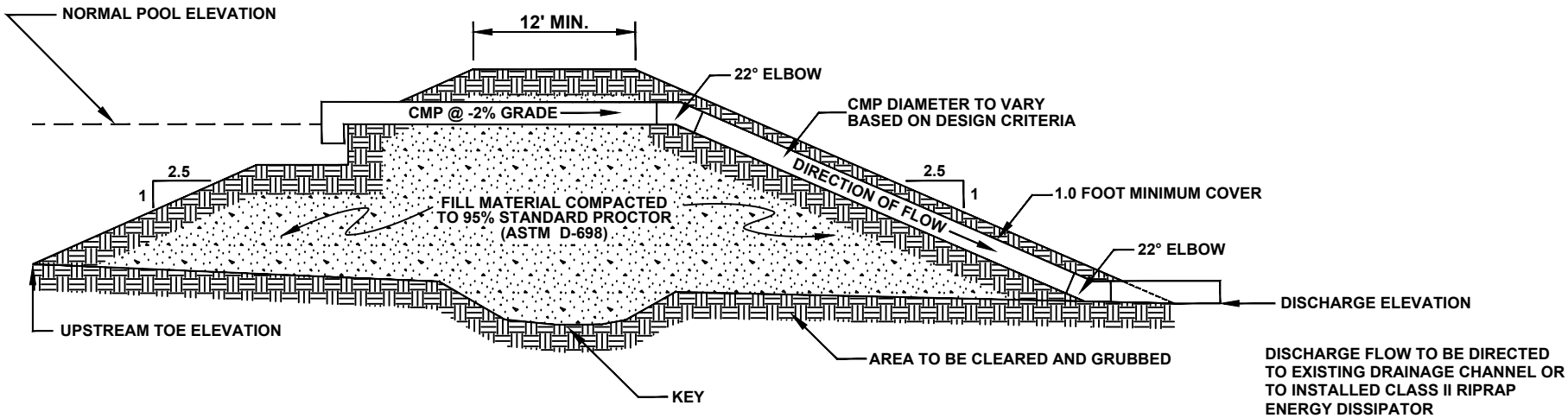
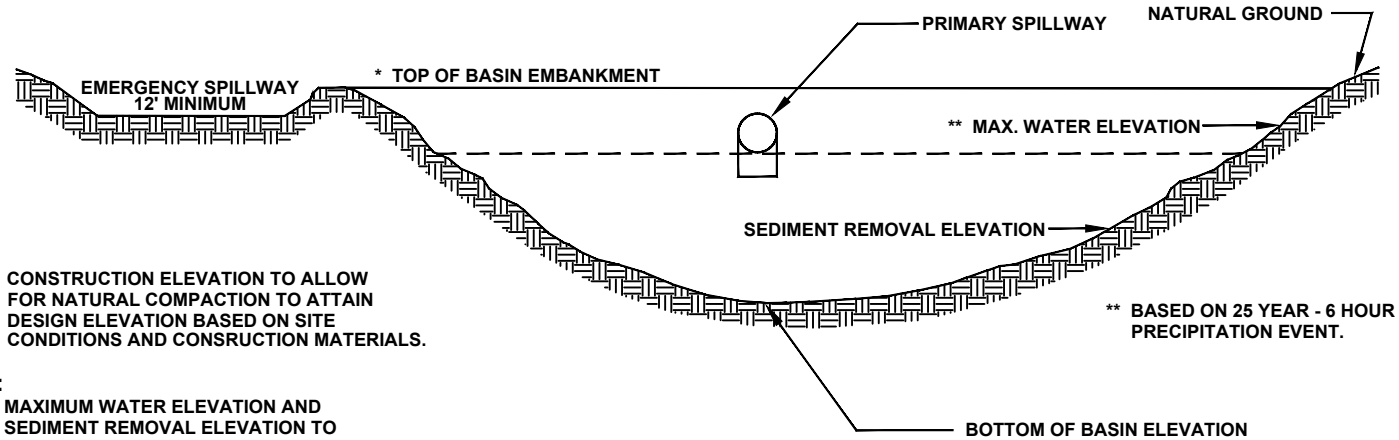
TYPICAL EMBANKMENT CROSS-SECTION



TYPICAL IMPOUNDMENT CROSS-SECTION



* CONSTRUCTION ELEVATION TO ALLOW FOR NATURAL COMPACTION TO ATTAIN DESIGN ELEVATION BASED ON SITE CONDITIONS AND CONSRUCTION MATERIALS.

** BASED ON 25 YEAR - 6 HOUR PRECIPITATION EVENT.

NOTE:

MAXIMUM WATER ELEVATION AND SEDIMENT REMOVAL ELEVATION TO BE DETERMINED BY DESIGN CRITERIA BASED ON SITE CONDITIONS.

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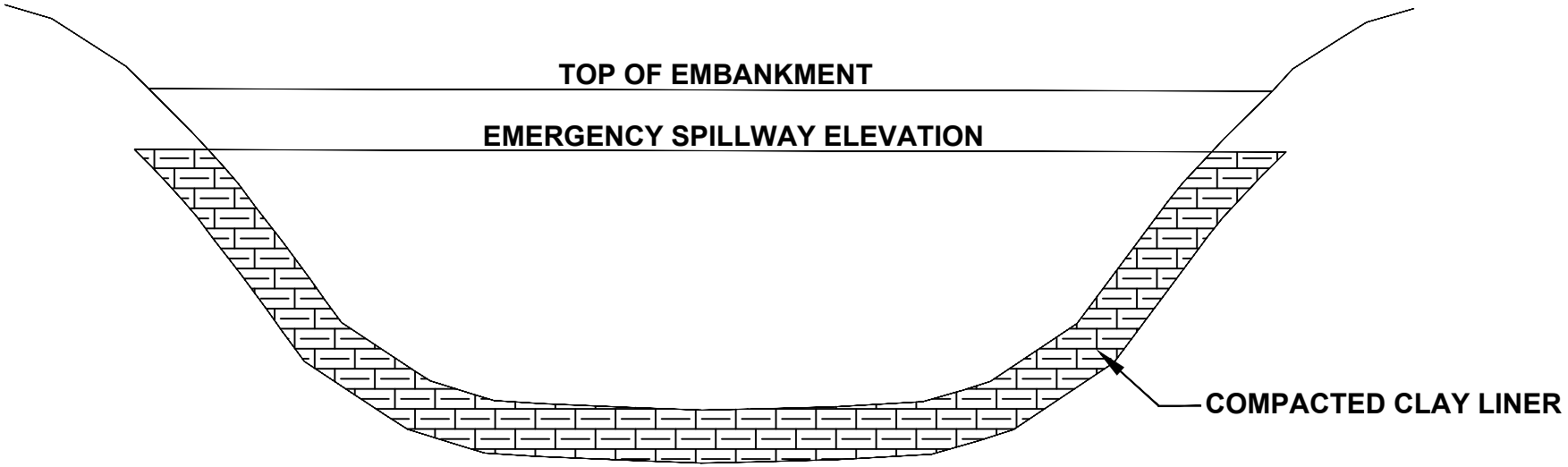
TYPICAL IMPOUNDMENT PROFILE
CROSS-SECTION WITH CLAY LINER DETAIL



When a sediment basin must be constructed in spoil material, the interior or wetted area of the basin will be lined up to the emergency spillway elevation with a minimum of one (1') foot of clay material with a permeability no greater than 0.000001 cm/sec. The clay liner material will be placed in lifts of no greater than six (6") inches and compacted to ninety-five (95%) percent of the standard proctor density.

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ATTACHMENT FOR APPENDIX A & B (Cont'd)

DIVERSION DITCH AND DIVERSION BERM
DESIGN AND CONSTRUCTION SPECIFICATIONS

1) Temporary diversions will be designed and constructed to pass safely the peak runoff from a two (2) year - six (6) hour precipitation event.

2) To protect fills and property and to avoid danger to public health and safety, permanent diversions will be designed and constructed to safely channel the peak runoff from a ten (10) year - six (6) hour precipitation event. Permanent diversions shall be constructed with gently sloping banks that are stabilized by vegetation.

3) Diversions shall be designed, constructed, and maintained in a manner which prevents additional contributions of suspended solids to stream flow and to runoff outside the permit area, to the extent possible using the best technology currently available. Appropriate sediment control measures for these diversions may include, but not be limited to, maintenance of appropriate gradients, channel lining, revegetation, roughness structures, and detention basins.

4) No diversion shall be located so as to increase the potential for landslides. No diversions shall be constructed on existing landslides, unless approved by the Regulatory Authority.

5) When no longer needed, each temporary diversion shall be removed and the affected land regraded, topsoiled, and revegetated in accordance with Rules 880-X-10C-.10, 880-X-10C-.11, 880-X-10C-.52 thru 880-X-10C-.58, 880-X-10C-.60 and 880-X-10C-.62 of the ASMC Regulations.

6) Channel linings, for diversions with slopes of three (3%) percent or less, will consist of a mixture of both annual and perennial grasses being predominantly fescue and bermuda. Channel linings, for diversions with slopes greater than three (3%) percent, will consist of riprap or other non-erodible material or cut into non-erodible material.

7) Adequate freeboard will be provided for protection for transition of flow and critical areas such as swales and curves along the entire diversion length.

8) At discharge points, where diversions intersect with natural streams or exit velocities of the diversion are greater than that of the receiving streams, energy dissipaters will be installed when deemed necessary.

9) Topsoil removed from the diversion area (if required) will be handled in accordance with Rules 880-X-10C-.07 thru 880-X-10C-.11 of the ASMC Regulations.

10) Excess material excavated in the construction of the diversion, not needed for diversion channel geometry or the regrading of the channel, will be disposed of in accordance with Rule 880-X-10C-.36 of the ASMC Regulations.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

DIVERSION DITCH AND DIVERSION BERM
DESIGN AND CONSTRUCTION SPECIFICATIONS

11) Diversions will not be designed or constructed to divert water into underground mines without written approval from the Regulatory Authority.

12) Energy dissipaters shall be installed, when required, at discharge points where natural streams and exit velocity of diversion ditch flow is greater than that of the receiving stream.

13) The entire area in which a diversion berm is proposed will be cleared and grubbed of all organic material, scarified, and no surface slopes will be left steeper than 1V:1H.

14) Diversion berms will be constructed with desirable material, free of sod, stones, roots, limbs, etc. over six (6) inches in diameter. The material will be spread in layers no greater than twelve (12) inches in thickness and compacted to ninety-five (95%) percent of the standard proctor density, as outlined by ASTM, until the design height is reached.

15) Upon completion of construction of diversion ditches or diversion berms, all disturbed areas will be seeded with a mixture of both annual and perennial grasses, fertilized, and mulched in order to minimize erosion and ensure restabilization.

16) All diversions (berms or ditches) will be examined quarterly for erosion, instability, structural weakness, or other hazardous conditions and maintenance performed as necessary.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

DESIGN, CONSTRUCTION, MAINTENANCE AND RECLAMATION SPECIFICATIONS FOR ANCILLARY ROADS

LOCATION

1) Ancillary roads will be located on ridges or high areas or on the most stable available slopes so as to control and prevent erosion, siltation, flooding, and adverse impacts to fish and wildlife, or their habitat and related environmental values, to the extent possible.

2) No part of any ancillary road will be located in the channel of an intermittent or perennial stream without written approval from the Regulatory Authority. (880-X-10C-.12 thru 880-X-10C-.14, 880-X-10C-.28) of the ASMC Regulations.

3) Road shall be located to minimize downstream sedimentation and flooding. If at all possible, ancillary roads will be located upstream of sediment basins to prevent, control and minimize additional contributions of suspended solids to stream flow or runoff outside the permit area, the violation of applicable State or Federal water quality standards, seriously altering the normal flow of water in stream-beds or drainage channels, and damage to all public or private property.

4) In instances where it is not possible to locate ancillary roads in the above manner, sediment control will be achieved by the use of silt fences, rock check dams, hay bale berms, etc.

DESIGN REQUIREMENTS

1) Ancillary roads will be designed, constructed, reconstructed and maintained to have adequate drainage control structures to safely pass the peak runoff anticipated from a ten (10) Year - six (6) Hour precipitation event.

CONSTRUCTION REQUIREMENTS

1) Prior to construction, the foundation area of the roadbed will be cleared and grubbed of all organic material and the topsoil will be removed. The disturbed area will be kept to the minimum necessary to accommodate the roadbed and/or associated drainage ditch construction.

2) Roads will be constructed of suitable subgrade material, free of sod, roots, stumps, etc., and will not contain rocks which will exceed twelve (12) inches in diameter. The road construction material will be placed in layers (12) inch maximum thickness and compacted to ninety-five (95%) percent of the standard proctor density, as set forth in ASTM.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

CONSTRUCTION REQUIREMENTS

3) The minimum top width of ancillary roads will under no circumstance be less than ten (10) feet and will be of maximum width necessary to facilitate the largest equipment using the road.

4) Roadbeds for ancillary roads will cut into consolidated, non-erodible material or will be surfaced with sufficiently durable, non-toxic, non-acid forming material as needed for the anticipated duration and frequency of use of the road. Because of the short term duration and infrequency of use of most ancillary roads, sufficiently durable mine overburden material from the mine site will be used for surfacing material, placed and compacted on the roadbed surface a minimum depth of four (4) inches. In instances where ancillary roads are proposed for an extended duration or heavy usage is anticipated, then durable, non-toxic, non-acid forming material, such as chert, crushed limestone, redrock, and/or crushed sandstone will be placed and compacted on the roadbed surface a minimum depth of four (4) inches.

5) Ancillary roads will be constructed with no sustained grades of ten (10) percent, unless unavoidable. If unavoidable, sediment control facilities such as silt fences, hay dams and/or rock check dams will be installed at strategic locations to prevent erosion and insure stability. Grades greater than fifteen (15) percent will require ditch relief drains, cross over drains and road drainways at a minimum of three hundred (300) feet apart.

DRAINAGE AND SEDIMENT CONTROL REQUIREMENTS

1) Ancillary roads will be constructed, reconstructed, and maintained to have adequate drainage control, using structures such as, but not limited to bridges, culverts, drainage pipes, ditches, cross drains, and ditch relief drains designed to safely pass the peak runoff anticipated from a ten (10) year - six (6) hour precipitation event. All drainage control structures will be designed and constructed in such a manner whereas, to allow free and operating conditions to prevent, control, and minimize erosion at the inlets and outlets.

2) Culverts shall be designed, installed, and maintained to sustain the vertical soil pressure, the passive resistance of the foundation, and the weight of vehicles using the road. All culverts or drainage pipes with diameters of forty-eight (48) inches or less will be covered with a minimum of one (1) foot and the maximum cover will not exceed fifty-seven (57) feet of desirable compacted material. All culverts or drainage pipes with diameters greater than forty-eight (48) inches will be covered with a minimum of two (2) feet and the maximum cover will not exceed forty-one (41) feet of desirable compacted material.

3) Culverts and drainage pipes will be designed and installed with adequate freeboard to prevent overtopping of the embankment.

4) Drainage pipes and culverts shall be installed/constructed to avoid plugging or collapse and erosion at inlets and outlets.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

DRAINAGE AND SEDIMENT CONTROL REQUIREMENTS

5) Drainage ditches, cross drains, and ditch relief drains will be constructed and maintained, as needed, to prevent, uncontrolled surface drainage over the road surface and roadway embankment.

6) Drainage ditches will be constructed with no sustained grades greater than five (5) percent, unless unavoidable. If ditches must be constructed with grades in excess of five (5) percent, drainage ditches will be lined with suitable liner material, such as, riprap, concrete, asphalt or durable rock, to prevent erosion and insure stabilization.

7) Sediment control will be achieved by the use of silt fences, rock check dams, hay bale berms, etc. in strategic locations, where necessary.

8) Upon completion of construction of ancillary roads, the side slopes of the roadway cut and fill sections, including all borrow areas formed in the construction, areas used for disposal of excess material, ditches, etc. will be seeded with a mixture of perennial and annual grasses, fertilized and mulched to prevent erosion and ensure restabilization. Grass mixtures will include but not limited to, fescue, bermuda, rye grass, brown top millet, clover and sericea.

INSPECTION AND MAINTENANCE REQUIREMENTS

1) Routine inspections and maintenance (such as regrading, resurfacing, maintenance of sediment control structures, spot replanting, and dust control) will be conducted regularly during the life of each road to ensure that each road continually meets design and performance standards.

2) Dust control will be achieved by the periodic application of water, chemical binders and/ or other dust suppressants.

3) Any road damaged by a catastrophic event, such as a flood, or earthquake, will be repaired as soon as practicable after the damage has occurred.

4) A road shall be maintained throughout its life to meet the performance standards of this part and any additional criteria specified by the Regulatory Authority.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

REMOVAL AND RECLAMATION REQUIREMENTS

All roads not to be retained under an approved post-mining land use will be removed and reclaimed in accordance with the approved grading and reclamation plans as soon as practicable after it is no longer needed for mining and reclamation purposes. The removal and reclamation shall include:

1) Closing the road to traffic.

2) Removing all bridges, culverts, drainage pipes, and other drainage control structures, unless otherwise approved as part of the post-mining land use.

3) Removing and/or otherwise disposing of road surfacing materials, that are not compatible with the post-mining land use and revegetation requirements, onsite or removed and stored for re-use.

4) Reshaping and regrading cut and fill slopes as necessary to be compatible with the post-mining land use and to compliment the natural drainage pattern of the surrounding terrain.

5) Protecting the natural drainage patterns by installing dikes or cross drains as necessary to control surface runoff and erosion.

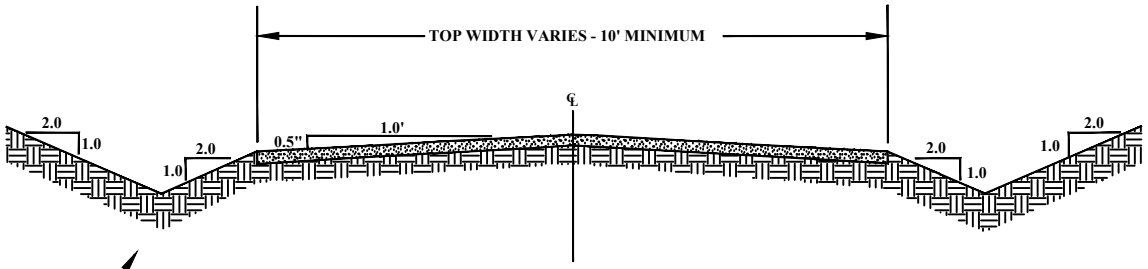
6) Scarifying or ripping the roadbed, replacing topsoil or substitute material, and revegetating the entire disturbed area in accordance with the approval reclamation plan.

TYPICAL ROADBED CONFIGUARATION

See attached **Typical Ancillary Road Drawing** for an illustration of the typical roadbed configurations.

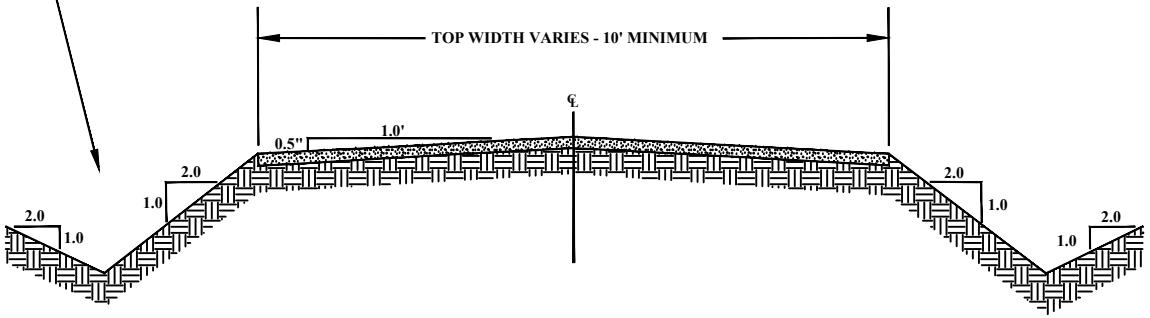
ANCILLARY ROAD DETAIL

ANCILLARY ROAD
TYPICAL CUT SECTION



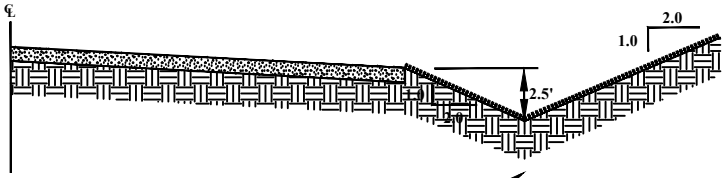
DRAINAGE DITCH TO BE LINE WITH GRASS MIXTURE

ANCILLARY ROAD
TYPICAL FILL SECTION



ANCILLARY ROAD
TYPICAL DRAINAGE DITCH CROSS-SECTION

MINIMUM DRY FREEBOARD: 0.5'
MAXIMUM FLOW DEPTH: 2.0'



MINIMUM GRADIENT: 0.5%
MAXIMUM GRADIENT: 10.0%

DRAINAGE DITCH TO BE LINED WITH GRASS MIXTURE

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ATTACHMENT FOR APPENDIX A & B (Cont'd)

DESIGN, CONSTRUCTION, MAINTENANCE, AND RECLAMATION SPECIFICATION FOR PRIMARY ROADS

LOCATION

1) Primary roads will be located on ridges or high areas or on the most stable available slopes so as to control and prevent erosion, siltation, flooding, and adverse impacts to fish and wildlife, or their habitat and related environmental values, to the extent possible.

2) No part of any primary road will be located in the channel of an intermittent or perennial stream without written approval from the Regulatory Authority. (880-X-10C-.12 thru 880-X-10C-.14, 880-X-10C-.28) of the ASMC Regulations.

3) If at all possible, all primary roads will be located upstream of sediment basins to prevent, control and minimize additional contributions of suspended solids to stream flow or runoff outside the permit area, the violation of applicable State or Federal water quality standards, seriously altering the normal flow of water in stream-beds or drainage channels, and damage to all public or private property.

4) In instances where it is not possible to locate primary roads in the above manner, sediment control will be achieved by the use of silt fences, rock check dams, hay bale berms, etc.

DESIGN REQUIREMENTS

1) Primary roads will be designed by or under the direct supervision of a qualified registered Professional Engineer experienced in the design and construction of roads, in accordance with the ASMC rules and regulations, and current, prudent engineering practices. No Primary Road grade will be steeper than seventeen (17) percent.

2) All primary roadway embankments will be designed and constructed to be stable under normal construction and operating conditions, with a minimum static safety factor of 1.3.

3) All primary roads will be designed, constructed, reconstructed and maintained to have adequate drainage control structures to safely pass the peak runoff anticipated from a ten (10) year - six (6) hour precipitation event.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

CONSTRUCTION REQUIREMENTS

1) The foundation area of the roadbed will be cleared and grubbed of all organic material and the topsoil will be removed. The disturbed area will be kept to the minimum necessary to accommodate the roadbed and/or associated drainage ditch construction.

2) The road construction material will be suitable subgrade material, free of sod, roots, stumps, etc., and will not contain rocks which exceed twelve (12) inches in diameter. The road construction material will be placed in layers (12 inch maximum thickness) and compacted to ninety-five (95) percent of the standard proctor density, as set forth in ASTM.

3) The minimum top width of primary roads will under no circumstances be less than eighteen (18) feet and will be a maximum width necessary to facilitate the largest equipment using road.

4) All slopes (cut and fill) will be no steeper than 2 horizontal to 1 vertical (2h:1v0, unless specified otherwise in the detail design.

5) Roadbeds will be cut into consolidated, non-erodible material or will be surfaced with durable, non-toxic, non-acid forming material. In most instances, durable sandstone overburden material from the mine site will be used for surfacing material. In instances where durable sandstone overburden material from the site is not available or suitable, then durable, non-toxic, non-acid forming material, such as chert, crushed limestone, redrock, and/or crushed sandstone will be hauled in from off site, placed and compacted on the roadbed surface a minimum depth of four (4) inches.

6) Primary roads will be constructed with grades as shown on the Detailed Primary Road Design Plans as approved by ASMC. No Primary Road grade will be steeper than seventeen (17) percent.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

DRAINAGE AND SEDIMENT CONTROL REQUIREMENTS

1) Primary roads will be constructed, reconstructed, and maintained to have adequate drainage control, using structures such as, but not limited to bridges, culverts, drainage pipes, ditches, cross drains, and ditch relief drains designed to safely pass the peak runoff anticipated from a ten (10) year - six (6) hour precipitation event. All drainage control structures will be designed and constructed in such a manner whereas, to allow free and operating conditions to prevent, control, and minimize erosion in the inlets and outlets.

2) Culverts shall be designed, installed, and maintained to sustain the vertical soil pressure, the passive resistance of the foundation, and the weight of vehicles using the road and to provide adequate support for the load of the largest equipment using the road. For design purposes, "H-20" (live load + impact) will be used. All culverts or drainage pipes with diameters of forty-eight (48) inches or less will be covered with a one (1) foot and the maximum cover will not exceed fifty-seven (57) feet of desirable compacted material. All culverts or drainage pipes with a diameter greater than forty-eight (48) inches will be covered with a minimum of two (2) feet and the maximum cover will not exceed forty-one (41) feet of desirable compacted material. See Detailed Primary Road Design Plans for actual depth of material proposed above each culvert or drainage pipe.

3) Culverts and drainage pipes will be designed and installed to allow adequate freeboard to prevent overtopping of the embankment.

4) Drainage pipes and culverts will be installed/constructed to avoid plugging or collapse and erosion at inlets and outlets.

5) Drainage ditches, cross drains, and ditch relief drains will be constructed and maintained to prevent uncontrolled surface drainage over the road surface and roadway embankment. Trash racks and debris basins shall be installed in the drainage ditches where debris from the drainage area may impair the functions of drainage and sediment control structures.

6) Drainage ditches will be constructed with no sustained grades greater than five (5) percent, unless unavoidable. In the event ditches must be constructed with grades in excess of five (5) percent, drainage ditches will be lined as specified on the Primary Road Detailed Design Plans.

7) Sediment control will be achieved by the use of silt fences, rock check dams, hay bale berms, etc. in strategic locations, to prevent excessive siltation to the receiving streams.

8) Upon completion of construction of all roads, the side slopes of the roadway cut and fill sections, including all borrow areas formed in the construction, areas used for disposal of excess material, ditches, etc. will be seeded with a mixture of perennial and annual grasses, fertilized and mulched to prevent erosion and ensure restabilization. Grass mixtures will include, but not limited to, fescue, bermuda, rye grass, brown top millet, clover and sericea.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

INSPECTION AND MAINTENANCE REQUIREMENTS

1) Routine inspections and maintenance (such as regrading, resurfacing, maintenance of sediment control structures, spot replanting, and dust control) will conducted regularly during the life of each road to assure that each road continually meets design and performance standards.

2) Dust control will be achieved by the periodic application of water, chemical binders and/or other dust suppressants.

3) Any road damaged by a catastrophic event, such as a flood, or earthquake, will be repaired as soon as it is practicable after the damage has occurred.

CERIFICATION REQUIREMENTS

1) The design and construction or reconstruction of primary roads shall be under the supervision of a qualified Registered Professional Engineer based on current, prudent engineering practices and any design criteria established by the Regulatory Authority. Primary roads will be designed by or under the direct supervision of a qualified Registered Professional Engineer experienced in the design and construction of roads, in accordance with the ASMC rules and regulations, and current, prudent engineering practices. Each design will be certified by a Registered Professional Engineer as being designed in accordance with the Regulations of the Alabama Surface Mining Commission, Chapter 880-X-10.

2) Upon the completion of the construction of each section of the primary road, as set forth in the detailed design plans, the construction will be certified by a Registered Professional Engineer, to the Alabama Surface Mining Commission, as being constructed in accordance with the approved detailed design plans.

3) In the event that a primary road is mined through in the mining process and must be reconstructed, the newly constructed primary road will be reconstructed to the minimum design criteria within the detailed design plans and the construction will be certified by a registered Professional Engineer, to the Alabama Surface Mining Commission, as being constructed in accordance with the approved detail design plans.

ATTACHMENT FOR APPENDIX A & B (Cont'd)

REMOVAL AND RECLAMATION REQUIREMENTS

All primary roads which are not mined through and remain after the completion of mining may be left as permanent roads for landowners access, if there is no opposition by said landowner.

All primary roads which are not mined through and remain after the completion of mining which are not to be retained as permanent for landowner access will be removed and reclaimed in accordance with the approved grading and reclamation plans as soon as practicable after it is no longer needed for mining and reclamation purposes. This removal and reclamation will include:

1) Closing the road to traffic.

2) Removing all bridged, culverts, drainage pipes, and other drainage control structures, unless otherwise approved as part of the post mining land use.

3) Removing and/or otherwise disposing of road surfacing materials, that are not compatible with the post-mining land use and revegetation requirements, onsite or removed and stored for re-use.

4) Reshaping and regrading cut and fill slopes as necessary to be compatible with the post-mining land use and to compliment the drainage pattern of the surrounding terrain.

5) Protecting the natural drainage patterns by installing dikes or cross drains as necessary to control surface runoff and erosion.

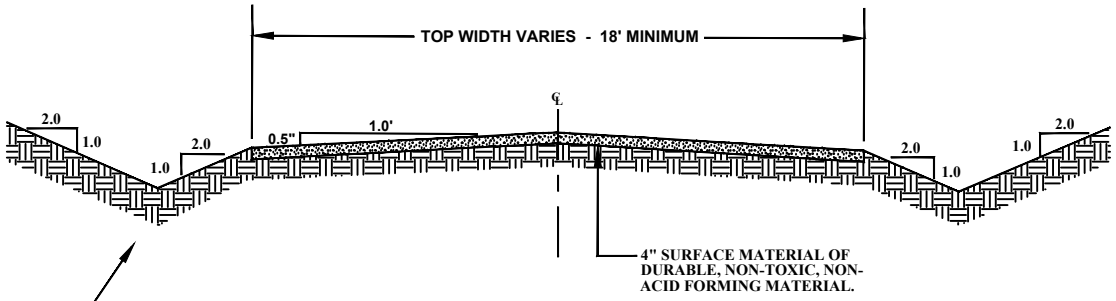
f) Scarifying or ripping the roadbed, replacing topsoil or substitute material, and revegetating the entire disturbed area in accordance with the approved reclamation plan.

TYPICAL ROADBED CONFIGURATION

See attached **Typical Primary Road Drawing** for an illustration of the typical roadbed configurations.

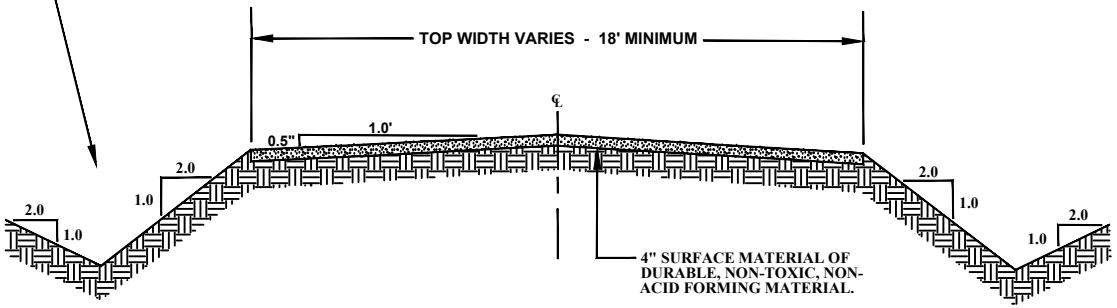
PRIMARY ROAD DETAIL

PRIMARY ROAD
TYPICAL CUT SECTION



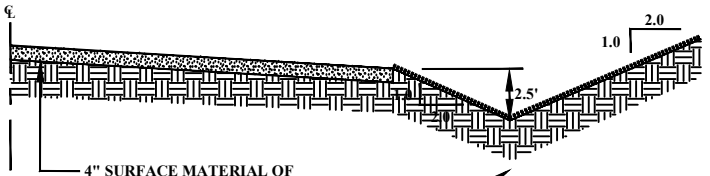
DRAINAGE DITCH TO BE LINED WITH GRASS MIXTURE. SEE SPECIFICATIONS, SEE DETAILED DESIGN PLANS FOR SPECIFIC DESIGN REQUIREMENTS.

PRIMARY ROAD
TYPICAL FILL SECTION



PRIMARY ROAD
TYPICAL DRAINAGE DITCH CROSS-SECTION

MINIMUM DRY FREEBOARD: 0.5'
MAXIMUM FLOW DEPTH: 2.0'



MINIMUM GRADIENT: 0.5%
MAXIMUM GRADIENT: 10.0%

DRAINAGE DITCH TO BE LINED WITH GRASS MIXTURE. SEE SPECIFICATIONS, SEE DETAILED DESIGN PLANS FOR SPECIFIC DESIGN REQUIREMENTS.

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

ADEM Form 315 Table A

DISCHARGE STRUCTURE DESCRIPTION AND POLLUTION SOURCE

Description of Origin of Pollutants:

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

OUTFALL	Discharge Structure Description	Description of Origin of Pollutants	Surface Discharge	Groundwater Discharge	Wet Prep-Other Prod Plant	Pumped or Controlled Discharge	Low Volume STP	Other
001P	Pipe and/or Channel	2,3,8,9	X			X		
002P	Pipe and/or Channel	2,3,8,9	X			X		
003P	Pipe and/or Channel	2,3,8,9	X			X		
004E	Pipe and/or Channel	2,3,8,9	X			X		
005E	Pipe and/or Channel	2,3,8,9	X			X		
007E	Pipe and/or Channel	2,3,8,9	X			X		
008E	Pipe and/or Channel	2,3,8,9	X			X		
010P	Pipe and/or Channel	2,3,8,9	X			X		
011E	Pipe and/or Channel	2,3,8,9	X			X		
012P	Pipe and/or Channel	2,3,8,9	X			X		
013P	Pipe and/or Channel	2,3,8,9	X			X		
014P	Pipe and/or Channel	2,3,8,9	X			X		
015P	Pipe and/or Channel	2,3,8,9	X			X		
016P	Pipe and/or Channel	2,3,8,9	X			X		
017P	Pipe and/or Channel	2,3,8,9	X			X		
018P	Pipe and/or Channel	2,3,8,9	X			X		
019P	Pipe and/or Channel	2,3,8,9	X			X		
020P	Pipe and/or Channel	2,3,8,9	X			X		
021P	Pipe and/or Channel	2,3,8,9	X			X		
022P	Pipe and/or Channel	2,3,8,9	X			X		
023P	Pipe and/or Channel	2,3,8,9	X			X		
024P	Pipe and/or Channel	2,3,8,9	X			X		

TABLE B - DISCHARGE CHARACTERIZATION

Outfall E/P	Information Source - # of Samples	Flow cfs	Flow gpd (24 Hrs)	Freq hours/day	Freq days/month	pH s.u.	BOD_5 lbs/day	Sum/Win Temp, C.	TSS lbs/day	Tot Fe lbs/day	Tot Mn lbs/day	Tot Al lbs/day
001P	BPE	0.04	25,970	8	7	7.3	0.03	31/8	4.00	0.02	0.03	N/A
002P	BPE	0.11	66,548	14	8	7.5	0.07	31/8	12.00	0.06	0.09	N/A
003P	BPE	0.05	34,085	4	7	7.7	0.03	31/8	6.00	0.03	0.05	N/A
004E	BPE	0.08	50,317	4	6	7.6	0.05	31/8	9.00	0.04	0.07	N/A
005E	BPE	0.12	77,910	6	6	7.6	0.07	31/8	13.00	0.06	0.10	N/A
006P	BASIN REMOVED BY NPDES PERMIT MODIFICATION											
007E	BPE	0.05	32,462	5	5	7.8	0.03	31/8	6.00	0.03	0.05	N/A
008E	BPE	0.22	139,588	6	6	7.4	0.06	31/8	11.00	0.05	0.09	N/A
009P	BASIN REMOVED BY NPDES PERMIT MODIFICATION											
010P	BPE	0.29	186,658	9	10	7.2	0.08	31/8	15.00	0.07	0.11	N/A
011E	BPE	0.47	300,276	14	16	7.7	0.19	31/8	34.00	0.15	0.26	N/A
012P	BPE	0.16	105,502	9	16	7.2	0.07	31/8	16.00	0.07	0.12	N/A
013P	BPE	0.19	121,734	10	7	7.8	0.11	31/8	21.00	0.10	0.16	N/A
014P	BPE	0.09	56,809	9	7	7.6	0.05	31/8	10.00	0.05	0.08	N/A
015P	BPE	0.07	45,447	8	6	7.4	0.04	31/8	8.00	0.04	0.06	N/A
016P	BPE	0.23	150,950	10	13	7.2	0.14	31/8	26.00	0.12	0.20	N/A
017P	BPE	0.25	157,442	12	18	7.0	0.15	31/8	27.00	0.12	0.21	N/A
018P	BPE	0.30	189,904	10	8	7.1	0.07	31/8	13.00	0.06	0.10	N/A
019P	BPE	0.23	149,326	8	15	7.4	0.04	31/8	6.00	0.03	0.05	N/A
020P	BPE	0.42	269,437	14	20	6.5	0.17	31/8	31.00	0.14	0.24	N/A
021P	BPE	0.30	189,905	12	20	6.2	0.18	31/8	32.00	0.15	0.24	N/A
022P	BPE	0.22	142,834	10	15	6.1	0.14	31/8	25.00	0.12	0.19	N/A
023P	BPE	0.43	277,552	16	20	6.2	0.26	31/8	47.00	0.22	0.36	N/A
024P	BPE	0.10	64,925	8	9	6.6	0.06	31/8	11.00	0.05	0.09	N/A

BPE - BEST PROFESSIONAL ESTIMATE

ADEM Form 315 Table C

The applicant is required to supply the following information seperately for every proposed or existing outfall. Identify and list expected average dailey 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	Nickel							
			lbs/day	µg/l	lbs/day	mg/l	lbs/day	mg/l	lbs/day	mg/l
001P										
002P										
003P										
004E										
005E										
007E										
008E										
010P										
011E										
012P										
013P										
014P										
015P										
016P										
017P										
018P										
019P										
020P										
021P										
022P										
023P										
024P										

QUARTERLY HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **4th Quarter 2023**

REPORT DATE: **January 23, 2024**

Date Sampled	SAMPLE I.D.	FLOW (mgd)	pH (s.u.)	Al (mg/l)	Spc (µ/cm)	FeT (mg/l)	MnT (mg/l)	SO_4 (mg/l)	TSS (mg/l)	SS (ml/l)	TDS (mg/l)	Acute Ceriod.	Acute Pimeph.	Turbidity SW-1(up) Units NTU	Turbidity SW-2(dn) Units NTU	Turbidity Increase Units NTU
	Minimum		6													
	Average	Report		Report	Report	3.00/3.45*	2.0	Report	35		Report	pass(0)	pass(0)	Report	Report	Report
	Maximum		8.5			6.0/7.0	4.0		70	0.5		fail(1)	fail(1)			<50
	Frequency	2/mth	2/mth	2/mth	2/mth		2/mth	2/mth	2/mth	2/mth	1/qtr	1/qtr	1/qtr	1/mth	1/mth	1/mth
10/09/23	BASIN 004	ND														
10/24/23	BASIN 004	ND														
11/08/23	BASIN 004	ND														
11/29/23	BASIN 004	ND														
12/06/23	BASIN 004	ND														
12/19/23	BASIN 004	ND														
12/06/23	BASIN 005	ND														
12/19/23	BASIN 005	ND														
	Frequency	1/qtr	1/qtr			1/qtr	1/qtr		1/qtr					1/mth	1/mth	1/mth
10/09/23	SW-1	0.0000												ND		
10/09/23	SW-2	9.0175													BTL	0
11/08/23	SW-1	0.0000												ND		
11/08/23	SW-2	6.3995													BTL	0
12/06/23	SW-1	0.0026	7.43			0.34	0.74		26					8		
12/06/23	SW-2	6.3026	7.30			0.05	3.30		8						BTL	0
12/06/23	SW-3	3.6846	7.41			0.03	1.44		1							
12/06/23	SW-4	5.0938	7.48			0.03	1.13		1							

ND = No Discharge NA =Not Analyzed BTL=Below Detection Limit *Not Required* *Permit Limit Exceeded*

Sampled and Analyzed by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **4th Quarter 2023**

REPORT DATE: **January 23, 2024**

SAMPLE LOCATION: **SW1**

SAMPLE DATE: **December 06, 2023**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	0.39	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	5.51	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	0.4	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	7.91	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	11.7	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	BML	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **4th Quarter 2023**

REPORT DATE: **January 23, 2024**

SAMPLE LOCATION: **SW2**

SAMPLE DATE: **December 06, 2023**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	0.62	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	0.09	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	6.21	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	0.41	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	82.49	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	50.04	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **4th Quarter 2023**

REPORT DATE: **January 23, 2024**

SAMPLE LOCATION: **SW3**

SAMPLE DATE: **December 06, 2023**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	0.56	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	BML	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	BML	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	34.79	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	BML	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **4th Quarter 2023**

REPORT DATE: **January 23, 2024**

SAMPLE LOCATION: **SW4**

SAMPLE DATE: **December 06, 2023**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	0.31	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	BML	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	BML	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	32.65	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	BML	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

Date Printed: 12/29/2023

Client: **TASK Engineering Management, Inc.**
P.O. Box 660548
Birmingham, AL 35266

REPORT OF FINDINGS

Location: , TASK-Special Eaton Mine No. 1 -- SW-1 **Lab ID:** 23121206-01

Sample Date: 12/6/2023 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	12/12/2023 4:30:45 PM	KyleThomas
Arsenic, Total	0.39	0.27 µg/L	EPA200.8	12/12/2023 4:30:45 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	12/12/2023 4:30:45 PM	KyleThomas
Cadmium, Total	BML	0.08 µg/L	EPA200.8	12/12/2023 4:30:45 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	12/12/2023 4:30:45 PM	KyleThomas
Copper, Total	5.51	0.90 µg/L	EPA200.8	12/12/2023 4:30:45 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	12/28/2023	KyleThomas
Lead, Total	0.40	0.31 µg/L	EPA200.8	12/12/2023 4:30:45 PM	KyleThomas
Nickel, Total	7.91	6.86 µg/L	EPA200.8	12/12/2023 4:30:45 PM	KyleThomas
Phenols, Total	11.7	6.0 µg/L	EPA420.1	12/27/2023	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	12/12/2023 4:30:45 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	12/12/2023 4:30:45 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	12/12/2023 4:30:45 PM	KyleThomas
Zinc, Total	BML	16.45 µg/L	EPA200.8	12/12/2023 4:30:45 PM	KyleThomas

NA = Not Analyzed *ND = No Discharge* *BML = Below Minimum Level*

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Date Printed: 12/29/2023

Location: , TASK-Special Eaton Mine No. 1 -- SW-2 **Lab ID:** 23121206-02

Sample Date: 12/6/2023 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	12/12/2023 4:34:36 PM	KyleThomas
Arsenic, Total	BML	0.27 µg/L	EPA200.8	12/12/2023 4:34:36 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	12/12/2023 4:34:36 PM	KyleThomas
Cadmium, Total	0.09	0.08 µg/L	EPA200.8	12/12/2023 4:34:36 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	12/12/2023 4:34:36 PM	KyleThomas
Copper, Total	6.21	0.90 µg/L	EPA200.8	12/12/2023 4:34:36 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	12/28/2023	KyleThomas
Lead, Total	0.41	0.31 µg/L	EPA200.8	12/12/2023 4:34:36 PM	KyleThomas
Nickel, Total	82.49	6.86 µg/L	EPA200.8	12/12/2023 4:34:36 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	12/27/2023	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	12/12/2023 4:34:36 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	12/12/2023 4:34:36 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	12/12/2023 4:34:36 PM	KyleThomas
Zinc, Total	50.04	16.45 µg/L	EPA200.8	12/12/2023 4:34:36 PM	KyleThomas

Location: , TASK-Special Eaton Mine No. 1 -- SW-3 **Lab ID:** 23121206-03

Sample Date: 12/6/2023 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	12/12/2023 4:50:07 PM	KyleThomas
Arsenic, Total	0.56	0.27 µg/L	EPA200.8	12/12/2023 4:50:07 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	12/12/2023 4:50:07 PM	KyleThomas
Cadmium, Total	BML	0.08 µg/L	EPA200.8	12/12/2023 4:50:07 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	12/12/2023 4:50:07 PM	KyleThomas
Copper, Total	BML	0.90 µg/L	EPA200.8	12/12/2023 4:50:07 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	12/28/2023	KyleThomas
Lead, Total	BML	0.31 µg/L	EPA200.8	12/12/2023 4:50:07 PM	KyleThomas
Nickel, Total	34.79	6.86 µg/L	EPA200.8	12/12/2023 4:50:07 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	12/27/2023	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	12/12/2023 4:50:07 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	12/12/2023 4:50:07 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	12/12/2023 4:50:07 PM	KyleThomas
Zinc, Total	BML	16.45 µg/L	EPA200.8	12/12/2023 4:50:07 PM	KyleThomas

NA = Not Analyzed ND = No Discharge BML = Below Minimum Level

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Date Printed: 12/29/2023

Location: , TASK-Special Eaton Mine No. 1 -- SW-4 **Lab ID:** 23121206-04

Sample Date: 12/6/2023 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	12/12/2023 4:54:05 PM	KyleThomas
Arsenic, Total	0.31	0.27 µg/L	EPA200.8	12/12/2023 4:54:05 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	12/12/2023 4:54:05 PM	KyleThomas
Cadmium, Total	BML	0.08 µg/L	EPA200.8	12/12/2023 4:54:05 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	12/12/2023 4:54:05 PM	KyleThomas
Copper, Total	BML	0.90 µg/L	EPA200.8	12/12/2023 4:54:05 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	12/28/2023	KyleThomas
Lead, Total	BML	0.31 µg/L	EPA200.8	12/12/2023 4:54:05 PM	KyleThomas
Nickel, Total	32.65	6.86 µg/L	EPA200.8	12/12/2023 4:54:05 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	12/27/2023	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	12/12/2023 4:54:05 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	12/12/2023 4:54:05 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	12/12/2023 4:54:05 PM	KyleThomas
Zinc, Total	BML	16.45 µg/L	EPA200.8	12/12/2023 4:54:05 PM	KyleThomas

Analysis Approved: 12/29/2023

John Morris
Laboratory Manager

NA = Not Analyzed *ND = No Discharge* *BML = Below Minimum Level*

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QUARTERLY HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **1st Quarter 2025**

REPORT DATE: **April 23, 2025**

Date Sampled	SAMPLE I.D.	FLOW (mgd)	pH (s.u.)	Al (mg/l)	Spc (µ/cm)	FeT (mg/l)	MnT (mg/l)	SO_4 (mg/l)	TSS (mg/l)	SS (ml/l)	TDS (mg/l)	Acute Ceriod.	Acute Pimeph.	Turbidity SW-1(up) Units NTU	Turbidity SW-2(dn) Units NTU	Turbidity Increase Units NTU
	Minimum		6													
	Average	Report		Report	Report	3.00/3.45*	2.0	Report	35		Report	pass(0)	pass(0)	Report	Report	Report
	Maximum		8.5			6.0/7.0	4.0		70	0.5		fail(1)	fail(1)			<50
	Frequency	2/mth	2/mth	2/mth	2/mth		2/mth	2/mth	2/mth	2/mth	1/qtr	1/qtr	1/qtr	1/mth	1/mth	1/mth
01/14/25	BASIN 004	ND														
01/14/25	BASIN 005	ND														
01/14/25	BASIN 007	ND														
01/29/25	BASIN 004	ND														
01/29/25	BASIN 005	ND														
01/29/25	BASIN 007	ND														
02/06/25	BASIN 004	ND														
02/06/25	BASIN 005	ND														
02/06/25	BASIN 007	ND														
02/24/25	BASIN 004	ND														
02/24/25	BASIN 005	ND														
02/24/25	BASIN 007	ND														
02/24/25	BASIN 008	ND														
03/13/25	BASIN 004	ND														
03/13/25	BASIN 005	ND														
03/13/25	BASIN 007	ND														
03/13/25	BASIN 008	ND														
03/27/25	BASIN 004	ND														
03/27/25	BASIN 005	ND														
03/27/25	BASIN 007	ND														
03/27/25	BASIN 008	ND														

Date Sampled	SAMPLE I.D.	FLOW (mgd)	pH (s.u.)	Al (mg/l)	Spc (µ/cm)	FeT (mg/l)	MnT (mg/l)	SO_4 (mg/l)	TSS (mg/l)	SS (ml/l)	TDS (mg/l)	Acute Ceriod.	Acute Pimeph.	Turbidity SW-1(up) Units NTU	Turbidity SW-2(dn) Units NTU	Turbidity Increase Units NTU
	Minimum		6													
	Average	Report		Report	Report	3.00/3.45*	2.0	Report	35		Report	pass(0)	pass(0)	Report	Report	Report
	Maximum		8.5			6.0/7.0	4.0		70	0.5		fail(1)	fail(1)			<50
STREAMS																
	Frequency	1/qtr	1/qtr			1/qtr	1/qtr		1/qtr					1/mth	1/mth	1/mth
01/29/25	SW-1	0.6788												3		
01/29/25	SW-2	17.2722													BTL	0
02/24/25	SW-1	0.5792												3		
02/24/25	SW-2	16.2896													BTL	0
03/27/25	SW-1	0.1940	7.24			0.58	1.33		4					2		
03/27/25	SW-2	13.9095	7.44			0.47	0.31		4						BTL	0
03/27/25	SW-3	3.0543	7.15			0.38	6.88		5							
03/27/25	SW-4	2.1494	7.09			0.27	3.44		6							

ND = No Discharge NA =Not Analyzed BTL=Below Detection Limit *Not Required* *Permit Limit Exceeded*

Sampled and Analyzed by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

TASK ENGINEERING MANAGEMENT INC.

2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205) 978-5070

July 24, 2023

Ms. Christa Marks, Hydro-Geologist
Alabama Surface Mining Commission
PO Box 2390
Jasper, Alabama 35502-2390

Re: Eaton Resources, LLC
Eaton Mine No. 1, ASMC Permit P-4002
2nd Quarter, 2023-Water Monitoring Reports

Dear Ms. Marks:

Please find enclosed the Performance Monitoring Water Reports for the above referenced mine and quarter.

If you need additional information or have any questions, please give us a call at the above number.

Sincerely,

Jerry W. Williams,
Ala. PE #12739

QUARTERLY HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **2nd Quarter 2023**

REPORT DATE: **July 24, 2023**

Date Sampled	SAMPLE I.D.	FLOW (mgd)	pH (s.u.)	Al (mg/l)	Spc (µ/cm)	FeT (mg/l)	MnT (mg/l)	SO_4 (mg/l)	TSS (mg/l)	SS (ml/l)	TDS (mg/l)	Acute Ceriod.	Acute Pimeph.	Turbidity SW-1(up) Units NTU	Turbidity SW-2(dn) Units NTU	Turbidity Increase Units NTU
	Minimum		6													
	Average	Report		Report	Report	3.00/3.45*	2.0	Report	35		Report	pass(0)	pass(0)	Report	Report	Report
	Maximum		8.5			6.0/7.0	4.0		70	0.5		fail(1)	fail(1)			<50
	Frequency	2/mth	2/mth	2/mth	2/mth		2/mth	2/mth	2/mth	2/mth	1/qtr	1/qtr	1/qtr	1/mth	1/mth	1/mth
04/05/23	BASIN 004	ND														
04/20/23	BASIN 004	ND														
05/05/23	BASIN 004	ND														
05/28/23	BASIN 004	ND														
06/12/23	BASIN 004	ND														
06/25/23	BASIN 004	ND														
	Frequency	1/qtr	1/qtr			1/qtr	1/qtr		1/qtr					1/mth	1/mth	1/mth
04/05/23	SW-1	2.4057												2		
04/05/23	SW-2	23.5073													BTL	0
05/05/23	SW-1	0.9634												BTL		
05/05/23	SW-2	22.3557													BTL	0
06/12/23	SW-1	0.3660	7.14			0.88	1.91		12					BTL		
06/12/23	SW-2	12.7601	6.81			0.07	5.24		5						BTL	0
06/12/23	SW-3	3.4497	7.06			0.16	10.16		11							
06/12/23	SW-4	1.4531	7.46			0.11	5.20		9							

ND = No Discharge NA =Not Analyzed BTL=Below Detection Limit *Not Required* *Permit Limit Exceeded*

Sampled and Analyzed by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **2nd Quarter 2023**

REPORT DATE: **July 24, 2023**

SAMPLE LOCATION: **SW1**

SAMPLE DATE: **June 14, 2023**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	0.62	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	1.39	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	0.32	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	BML	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	BML	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **2nd Quarter 2023**

REPORT DATE: **July 24, 2023**

SAMPLE LOCATION: **SW2**

SAMPLE DATE: **June 14, 2023**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	0.62	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	1.04	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	BML	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	45.31	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	39.95	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **2nd Quarter 2023**

REPORT DATE: **July 24, 2023**

SAMPLE LOCATION: **SW3**

SAMPLE DATE: **June 14, 2023**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	0.53	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	0.11	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	BML	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	BML	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	82.31	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	57.28	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **2nd Quarter 2023**

REPORT DATE: **July 24, 2023**

SAMPLE LOCATION: **SW4**

SAMPLE DATE: **June 14, 2023**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	BML	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	BML	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	BML	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	38.94	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	20.26	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

Date Printed: 7/12/2023

Client: **TASK Engineering Management, Inc.**
P.O. Box 660548
Birmingham, AL 35266

REPORT OF FINDINGS

Location: , TASK-Special Eaton Mine 1 -- SW1 **Lab ID:** 23061909-01

Sample Date: 6/14/2023 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	6/20/2023 1:19:53 PM	KyleThomas
Arsenic, Total	0.62	0.27 µg/L	EPA200.8	6/20/2023 1:19:53 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	6/20/2023 1:19:53 PM	KyleThomas
Cadmium, Total	BML	0.08 µg/L	EPA200.8	6/20/2023 1:19:53 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	6/20/2023 1:19:53 PM	KyleThomas
Copper, Total	1.39	0.90 µg/L	EPA200.8	6/20/2023 1:19:53 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	7/11/2023	KyleThomas
Lead, Total	0.32	0.31 µg/L	EPA200.8	6/20/2023 1:19:53 PM	KyleThomas
Nickel, Total	BML	6.86 µg/L	EPA200.8	6/20/2023 1:19:53 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	6/27/2023	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	6/20/2023 1:19:53 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	6/20/2023 1:19:53 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	6/20/2023 1:19:53 PM	KyleThomas
Zinc, Total	41.28	16.45 µg/L	EPA200.8	6/20/2023 1:19:53 PM	KyleThomas

NA = Not Analyzed *ND = No Discharge* *BML = Below Minimum Level*

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Date Printed: 7/12/2023

Location: , TASK-Special Eaton Mine 1 -- SW2 **Lab ID:** 23061909-02

Sample Date: 6/14/2023 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	6/20/2023 1:23:44 PM	KyleThomas
Arsenic, Total	BML	0.27 µg/L	EPA200.8	6/20/2023 1:23:44 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	6/20/2023 1:23:44 PM	KyleThomas
Cadmium, Total	BML	0.08 µg/L	EPA200.8	6/20/2023 1:23:44 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	6/20/2023 1:23:44 PM	KyleThomas
Copper, Total	1.04	0.90 µg/L	EPA200.8	6/20/2023 1:23:44 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	7/11/2023	KyleThomas
Lead, Total	BML	0.31 µg/L	EPA200.8	6/20/2023 1:23:44 PM	KyleThomas
Nickel, Total	45.31	6.86 µg/L	EPA200.8	6/20/2023 1:23:44 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	6/27/2023	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	6/20/2023 1:23:44 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	6/20/2023 1:23:44 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	6/20/2023 1:23:44 PM	KyleThomas
Zinc, Total	39.95	16.45 µg/L	EPA200.8	6/20/2023 1:23:44 PM	KyleThomas

Location: , TASK-Special Eaton Mine 1 -- SW3 **Lab ID:** 23061909-03

Sample Date: 6/14/2023 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	6/20/2023 1:27:39 PM	KyleThomas
Arsenic, Total	0.53	0.27 µg/L	EPA200.8	6/20/2023 1:27:39 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	6/20/2023 1:27:39 PM	KyleThomas
Cadmium, Total	0.11	0.08 µg/L	EPA200.8	6/20/2023 1:27:39 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	6/20/2023 1:27:39 PM	KyleThomas
Copper, Total	BML	0.90 µg/L	EPA200.8	6/20/2023 1:27:39 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	7/11/2023	KyleThomas
Lead, Total	BML	0.31 µg/L	EPA200.8	6/20/2023 1:27:39 PM	KyleThomas
Nickel, Total	82.31	6.86 µg/L	EPA200.8	6/20/2023 1:27:39 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	6/27/2023	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	6/20/2023 1:27:39 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	6/20/2023 1:27:39 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	6/20/2023 1:27:39 PM	KyleThomas
Zinc, Total	57.28	16.45 µg/L	EPA200.8	6/20/2023 1:27:39 PM	KyleThomas

NA = Not Analyzed ND = No Discharge BML = Below Minimum Level

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Date Printed: 7/12/2023

Location: , TASK-Special Eaton Mine 1 -- SW4 **Lab ID:** 23061909-04

Sample Date: 6/14/2023 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	6/20/2023 1:31:28 PM	KyleThomas
Arsenic, Total	BML	0.27 µg/L	EPA200.8	6/20/2023 1:31:28 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	6/20/2023 1:31:28 PM	KyleThomas
Cadmium, Total	BML	0.08 µg/L	EPA200.8	6/20/2023 1:31:28 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	6/20/2023 1:31:28 PM	KyleThomas
Copper, Total	BML	0.90 µg/L	EPA200.8	6/20/2023 1:31:28 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	7/11/2023	KyleThomas
Lead, Total	BML	0.31 µg/L	EPA200.8	6/20/2023 1:31:28 PM	KyleThomas
Nickel, Total	38.94	6.86 µg/L	EPA200.8	6/20/2023 1:31:28 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	6/27/2023	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	6/20/2023 1:31:28 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	6/20/2023 1:31:28 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	6/20/2023 1:31:28 PM	KyleThomas
Zinc, Total	20.26	16.45 µg/L	EPA200.8	6/20/2023 1:31:28 PM	KyleThomas

Analysis Approved: 7/12/2023

John Morris
Laboratory Manager

NA = Not Analyzed *ND = No Discharge* *BML = Below Minimum Level*

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TASK ENGINEERING MANAGEMENT INC.

2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205) 978-5070

July 25, 2025

Ms. Christa Marks, Hydro-Geologist
Alabama Surface Mining Commission
PO Box 2390
Jasper, Alabama 35502-2390

Re: Eaton Resources, LLC
Eaton Mine No. 1, ASMC Permit P-4002
2nd Quarter, 2025-Water Monitoring Reports

Dear Ms. Marks:

Please find enclosed the Performance Monitoring Water Reports for the above referenced mine and quarter.

If you need additional information or have any questions, please give us a call at the above number.

Sincerely,

Jerry W. Williams,
Ala. PE #12739

QUARTERLY HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **2nd Quarter 2025**

REPORT DATE: **July 25, 2025**

Date Sampled	SAMPLE I.D.	FLOW (mgd)	pH (s.u.)	Al (mg/l)	Spc (µ/cm)	FeT (mg/l)	MnT (mg/l)	SO_4 (mg/l)	TSS (mg/l)	SS (ml/l)	TDS (mg/l)	Acute Ceriod.	Acute Pimeph.	Turbidity SW-1(up) Units NTU	Turbidity SW-2(dn) Units NTU	Turbidity Increase Units NTU
	Minimum		6													
	Average	Report		Report	Report	3.00/3.45*	2.0	Report	35		Report	pass(0)	pass(0)	Report	Report	Report
	Maximum		8.5			6.0/7.0	4.0		70	0.5		fail(1)	fail(1)			<50
	Frequency	2/mth	2/mth	2/mth	2/mth		2/mth	2/mth	2/mth	2/mth	1/qtr	1/qtr	1/qtr	1/mth	1/mth	1/mth
04/10/25	BASIN 004	ND														
04/10/25	BASIN 005	ND														
04/10/25	BASIN 007	ND														
04/10/25	BASIN 008	ND														
04/28/25	BASIN 004	ND														
04/28/25	BASIN 005	ND														
04/28/25	BASIN 007	ND														
04/28/25	BASIN 008	ND														
05/15/25	BASIN 004	ND														
05/15/25	BASIN 005	ND														
05/15/25	BASIN 007	ND														
05/15/25	BASIN 008	ND														
05/26/25	BASIN 004	ND														
05/26/25	BASIN 005	ND														
05/26/25	BASIN 007	ND														
05/26/25	BASIN 008	ND														
06/12/25	BASIN 004	ND														
06/12/25	BASIN 005	ND														
06/12/25	BASIN 007	ND														
06/12/25	BASIN 008	ND														

Date Sampled	SAMPLE I.D.	FLOW (mgd)	pH (s.u.)	Al (mg/l)	Spc (µ/cm)	FeT (mg/l)	MnT (mg/l)	SO_4 (mg/l)	TSS (mg/l)	SS (ml/l)	TDS (mg/l)	Acute Ceriod.	Acute Pimeph.	Turbidity SW-1(up) Units NTU	Turbidity SW-2(dn) Units NTU	Turbidity Increase Units NTU
	Minimum		6													
	Average	Report		Report	Report	3.00/3.45*	2.0	Report	35		Report	pass(0)	pass(0)	Report	Report	Report
	Maximum		8.5			6.0/7.0	4.0		70	0.5		fail(1)	fail(1)			<50
	Frequency	2/mth	2/mth	2/mth	2/mth		2/mth	2/mth	2/mth	2/mth	1/qtr	1/qtr	1/qtr	1/mth	1/mth	1/mth
06/26/25	BASIN 004	ND														
06/26/25	BASIN 005	ND														
06/26/25	BASIN 007	ND														
06/26/25	BASIN 008	ND														

Date Sampled	SAMPLE I.D.	FLOW (mgd)	pH (s.u.)	Al (mg/l)	Spc (µ/cm)	FeT (mg/l)	MnT (mg/l)	SO_4 (mg/l)	TSS (mg/l)	SS (ml/l)	TDS (mg/l)	Acute Ceriod.	Acute Pimeph.	Turbidity SW-1(up) Units NTU	Turbidity SW-2(dn) Units NTU	Turbidity Increase Units NTU
	Minimum		6													
	Average	Report		Report	Report	3.00/3.45*	2.0	Report	35		Report	pass(0)	pass(0)	Report	Report	Report
	Maximum		8.5			6.0/7.0	4.0		70	0.5		fail(1)	fail(1)			<50
STREAMS																
	Frequency	1/qtr	1/qtr			1/qtr	1/qtr		1/qtr					1/mth	1/mth	1/mth
04/28/25	SW-1	3.0188												3		
04/28/25	SW-2	22.2172													BTL	0
05/26/25	SW-1	2.8013	7.20			0.25	1.69		6					1		
05/26/25	SW-2	103.7646	7.21			0.03	0.94		7						BTL	0
05/26/25	SW-3	11.2730	7.23			0.54	4.52		10							
05/26/25	SW-4	3.7816	7.21			0.14	3.11		9							
06/26/25	SW-1	1.2929												2		0
06/26/25	SW-2	10.2263													BTL	

ND = No Discharge NA =Not Analyzed BTL=Below Detection Limit *Not Required* *Permit Limit Exceeded*

Sampled and Analyzed by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **2nd Quarter 2025**

REPORT DATE: **July 25, 2025**

SAMPLE LOCATION: **SW1**

SAMPLE DATE: **May 26, 2025**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	0.47	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	BML	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	BML	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	BML	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	BML	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **2nd Quarter 2025**

REPORT DATE: **July 25, 2025**

SAMPLE LOCATION: **SW2**

SAMPLE DATE: **May 26, 2025**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	0.39	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	BML	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	BML	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	22.33	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	20.97	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **2nd Quarter 2025**

REPORT DATE: **July 25, 2025**

SAMPLE LOCATION: **SW3**

SAMPLE DATE: **May 26, 2025**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	0.58	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	BML	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	BML	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	48.42	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	48.75	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **2nd Quarter 2025**

REPORT DATE: **July 25, 2024**

SAMPLE LOCATION: **SW4**

SAMPLE DATE: **May 26, 2024**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	0.34	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	BML	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	BML	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	38.05	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	30.76	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

Date Printed: 7/2/2025

Client: **TASK Engineering Management, Inc.**
P.O. Box 660548
Birmingham, AL 35266

REPORT OF FINDINGS

Location: , TASK-Special Eaton Resources #1 -- SW-1 **Lab ID:** 25052906-01

Sample Date: 5/26/2025 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	5/29/2025 4:18:50 PM	KyleThomas
Arsenic, Total	0.47	0.27 µg/L	EPA200.8	5/29/2025 4:18:50 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	5/29/2025 4:18:50 PM	KyleThomas
Cadmium, Total	BML	0.08 µg/L	EPA200.8	5/29/2025 4:18:50 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	5/29/2025 4:18:50 PM	KyleThomas
Copper, Total	BML	0.90 µg/L	EPA200.8	5/29/2025 4:18:50 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	6/24/2025	KyleThomas
Lead, Total	BML	0.31 µg/L	EPA200.8	5/29/2025 4:18:50 PM	KyleThomas
Nickel, Total	BML	6.86 µg/L	EPA200.8	5/29/2025 4:18:50 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	6/23/2025	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	5/29/2025 4:18:50 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	5/29/2025 4:18:50 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	5/29/2025 4:18:50 PM	KyleThomas
Zinc, Total	BML	16.45 µg/L	EPA200.8	5/29/2025 4:18:50 PM	KyleThomas

NA = Not Analyzed *ND = No Discharge* *BML = Below Minimum Level*

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Date Printed: 7/2/2025

Location: , TASK-Special Eaton Resources #1 -- SW-2 **Lab ID:** 25052906-02

Sample Date: 5/26/2025 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	5/29/2025 4:22:43 PM	KyleThomas
Arsenic, Total	0.39	0.27 µg/L	EPA200.8	5/29/2025 4:22:43 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	5/29/2025 4:22:43 PM	KyleThomas
Cadmium, Total	BML	0.08 µg/L	EPA200.8	5/29/2025 4:22:43 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	5/29/2025 4:22:43 PM	KyleThomas
Copper, Total	BML	0.90 µg/L	EPA200.8	5/29/2025 4:22:43 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	6/24/2025	KyleThomas
Lead, Total	BML	0.31 µg/L	EPA200.8	5/29/2025 4:22:43 PM	KyleThomas
Nickel, Total	22.33	6.86 µg/L	EPA200.8	5/29/2025 4:22:43 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	6/23/2025	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	5/29/2025 4:22:43 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	5/29/2025 4:22:43 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	5/29/2025 4:22:43 PM	KyleThomas
Zinc, Total	20.97	16.45 µg/L	EPA200.8	5/29/2025 4:22:43 PM	KyleThomas

Location: , TASK-Special Eaton Resources #1 -- SW-3 **Lab ID:** 25052906-03

Sample Date: 5/26/2025 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	5/29/2025 4:26:35 PM	KyleThomas
Arsenic, Total	0.58	0.27 µg/L	EPA200.8	5/29/2025 4:26:35 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	5/29/2025 4:26:35 PM	KyleThomas
Cadmium, Total	0.18	0.08 µg/L	EPA200.8	5/29/2025 4:26:35 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	5/29/2025 4:26:35 PM	KyleThomas
Copper, Total	BML	0.90 µg/L	EPA200.8	5/29/2025 4:26:35 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	6/24/2025	KyleThomas
Lead, Total	BML	0.31 µg/L	EPA200.8	5/29/2025 4:26:35 PM	KyleThomas
Nickel, Total	48.42	6.86 µg/L	EPA200.8	5/29/2025 4:26:35 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	6/23/2025	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	5/29/2025 4:26:35 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	5/29/2025 4:26:35 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	5/29/2025 4:26:35 PM	KyleThomas
Zinc, Total	48.75	16.45 µg/L	EPA200.8	5/29/2025 4:26:35 PM	KyleThomas

NA = Not Analyzed ND = No Discharge BML = Below Minimum Level

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Date Printed: 7/2/2025

Location: , TASK-Special Eaton Resources #1 -- SW-4 **Lab ID:** 25052906-04

Sample Date: 5/26/2025 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	5/29/2025 4:30:29 PM	KyleThomas
Arsenic, Total	0.34	0.27 µg/L	EPA200.8	5/29/2025 4:30:29 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	5/29/2025 4:30:29 PM	KyleThomas
Cadmium, Total	0.10	0.08 µg/L	EPA200.8	5/29/2025 4:30:29 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	5/29/2025 4:30:29 PM	KyleThomas
Copper, Total	BML	0.90 µg/L	EPA200.8	5/29/2025 4:30:29 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	6/24/2025	KyleThomas
Lead, Total	BML	0.31 µg/L	EPA200.8	5/29/2025 4:30:29 PM	KyleThomas
Nickel, Total	38.05	6.86 µg/L	EPA200.8	5/29/2025 4:30:29 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	6/23/2025	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	5/29/2025 4:30:29 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	5/29/2025 4:30:29 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	5/29/2025 4:30:29 PM	KyleThomas
Zinc, Total	30.76	16.45 µg/L	EPA200.8	5/29/2025 4:30:29 PM	KyleThomas

Analysis Approved: 7/2/2025

Dylan Garner

Laboratory Manager

NA = Not Analyzed *ND = No Discharge* *BML = Below Minimum Level*

Post Office Box 3431 • 450 19th Street • Jasper, Alabama 35502-3431 • 205-221-0686 • Fax 205-221-7721 • www.mcgehee.org

QUARTERLY HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **4TH Quarter 2024**

REPORT DATE: **January 23, 2025**

Date Sampled	SAMPLE I.D.	FLOW (mgd)	pH (s.u.)	Al (mg/l)	Spc (µ/cm)	FeT (mg/l)	MnT (mg/l)	SO_4 (mg/l)	TSS (mg/l)	SS (ml/l)	TDS (mg/l)	Acute Ceriod.	Acute Pimeph.	Turbidity SW-1(up) Units NTU	Turbidity SW-2(dn) Units NTU	Turbidity Increase Units NTU
	Minimum		6													
	Average	Report		Report	Report	3.00/3.45*	2.0	Report	35		Report	pass(0)	pass(0)	Report	Report	Report
	Maximum		8.5			6.0/7.0	4.0		70	0.5		fail(1)	fail(1)			<50
	Frequency	2/mth	2/mth	2/mth	2/mth		2/mth	2/mth	2/mth	2/mth	1/qtr	1/qtr	1/qtr	1/mth	1/mth	1/mth
10/10/24	BASIN 004	ND														
10/10/24	BASIN 005	ND														
10/10/24	BASIN 007	ND														
10/23/24	BASIN 004	ND														
10/23/24	BASIN 005	ND														
10/23/24	BASIN 007	ND														
11/06/24	BASIN 004	ND														
11/06/24	BASIN 005	ND														
11/06/24	BASIN 007	ND														
11/22/24	BASIN 004	ND														
11/22/24	BASIN 005	ND														
11/22/24	BASIN 007	ND														
12/05/24	BASIN 004	ND														
12/05/24	BASIN 005	ND														
12/05/24	BASIN 007	ND														
12/16/24	BASIN 004	ND														
12/16/24	BASIN 005	ND														
12/16/24	BASIN 007	ND														

Date Sampled	SAMPLE I.D.	FLOW (mgd)	pH (s.u.)	Al (mg/l)	Spc (µ/cm)	FeT (mg/l)	MnT (mg/l)	SO_4 (mg/l)	TSS (mg/l)	SS (ml/l)	TDS (mg/l)	Acute Ceriod.	Acute Pimeph.	Turbidity SW-1(up) Units NTU	Turbidity SW-2(dn) Units NTU	Turbidity Increase Units NTU
	Minimum		6													
	Average	Report		Report	Report	3.00/3.45*	2.0	Report	35		Report	pass(0)	pass(0)	Report	Report	Report
	Maximum		8.5			6.0/7.0	4.0		70	0.5		fail(1)	fail(1)			<50
STREAMS																
	Frequency	1/qtr	1/qtr			1/qtr	1/qtr		1/qtr					1/mth	1/mth	1/mth
10/23/24	SW-1	0.0125												4		
10/23/24	SW-2	3.1534													BTL	0
11/22/24	SW-1	0.2514												2		
11/22/24	SW-2	16.6063													BTL	0
12/16/24	SW-1	1.9014	7.57			0.55	1.28		6					3		
12/16/24	SW-2	30.9138	7.29			0.53	0.14		4						BTL	0
12/16/24	SW-3	10.8024	7.53			0.32	7.26		6							
12/16/24	SW-4	1.5192	7.55			0.16	3.59		2							

ND = No Discharge NA =Not Analyzed BTL=Below Detection Limit *Not Required* *Permit Limit Exceeded*

Sampled and Analyzed by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **4th Quarter 2024**

REPORT DATE: **January 23, 2024**

SAMPLE LOCATION: **SW1**

SAMPLE DATE: **December 16, 2024**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	BML	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	BML	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	BML	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	BML	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	BML	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **4th Quarter 2024**

REPORT DATE: **January 23, 2024**

SAMPLE LOCATION: **SW2**

SAMPLE DATE: **December 16, 2024**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	0.29	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	BML	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	BML	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	BML	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	BML	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **4th Quarter 2024**

REPORT DATE: **January 23, 2024**

SAMPLE LOCATION: **SW3**

SAMPLE DATE: **December 16, 2024**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	0.66	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	BML	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	0.34	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	55.00	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	39.94	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **4th Quarter 2024**

REPORT DATE: **January 23, 2024**

SAMPLE LOCATION: **SW4**

SAMPLE DATE: **December 16, 2024**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	BML	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	BML	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	BML	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	37.59	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	19.46	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

Date Printed: 1/7/2025

Client: **TASK Engineering Management, Inc.**
P.O. Box 660548
Birmingham, AL 35266

REPORT OF FINDINGS

Location: , TASK-Special Eaton Resources #1 -- SW-1 **Lab ID:** 24121805-01

Sample Date: 12/17/2024 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	12/18/2024 4:26:33 PM	KyleThomas
Arsenic, Total	BML	0.27 µg/L	EPA200.8	12/18/2024 4:26:33 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	12/18/2024 4:26:33 PM	KyleThomas
Cadmium, Total	BML	0.08 µg/L	EPA200.8	12/18/2024 4:26:33 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	12/18/2024 4:26:33 PM	KyleThomas
Copper, Total	BML	0.90 µg/L	EPA200.8	12/18/2024 4:26:33 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	1/3/2025	KyleThomas
Lead, Total	BML	0.31 µg/L	EPA200.8	12/18/2024 4:26:33 PM	KyleThomas
Nickel, Total	BML	6.86 µg/L	EPA200.8	12/18/2024 4:26:33 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	12/31/2024	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	12/18/2024 4:26:33 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	12/18/2024 4:26:33 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	12/18/2024 4:26:33 PM	KyleThomas
Zinc, Total	BML	16.45 µg/L	EPA200.8	12/18/2024 4:26:33 PM	KyleThomas

NA = Not Analyzed *ND = No Discharge* *BML = Below Minimum Level*

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Date Printed: 1/7/2025

Location: , TASK-Special Eaton Resources #1 -- SW-2 **Lab ID:** 24121805-02

Sample Date: 12/17/2024 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	12/18/2024 4:30:29 PM	KyleThomas
Arsenic, Total	0.29	0.27 µg/L	EPA200.8	12/18/2024 4:30:29 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	12/18/2024 4:30:29 PM	KyleThomas
Cadmium, Total	BML	0.08 µg/L	EPA200.8	12/18/2024 4:30:29 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	12/18/2024 4:30:29 PM	KyleThomas
Copper, Total	BML	0.90 µg/L	EPA200.8	12/18/2024 4:30:29 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	1/3/2025	KyleThomas
Lead, Total	BML	0.31 µg/L	EPA200.8	12/18/2024 4:30:29 PM	KyleThomas
Nickel, Total	BML	6.86 µg/L	EPA200.8	12/18/2024 4:30:29 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	12/31/2024	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	12/18/2024 4:30:29 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	12/18/2024 4:30:29 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	12/18/2024 4:30:29 PM	KyleThomas
Zinc, Total	BML	16.45 µg/L	EPA200.8	12/18/2024 4:30:29 PM	KyleThomas

Location: , TASK-Special Eaton Resources #1 -- SW-3 **Lab ID:** 24121805-03

Sample Date: 12/17/2024 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	12/18/2024 4:34:20 PM	KyleThomas
Arsenic, Total	0.66	0.27 µg/L	EPA200.8	12/18/2024 4:34:20 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	12/18/2024 4:34:20 PM	KyleThomas
Cadmium, Total	BML	0.08 µg/L	EPA200.8	12/18/2024 4:34:20 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	12/18/2024 4:34:20 PM	KyleThomas
Copper, Total	BML	0.90 µg/L	EPA200.8	12/18/2024 4:34:20 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	1/3/2025	KyleThomas
Lead, Total	0.34	0.31 µg/L	EPA200.8	12/18/2024 4:34:20 PM	KyleThomas
Nickel, Total	55.00	6.86 µg/L	EPA200.8	12/18/2024 4:34:20 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	12/31/2024	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	12/18/2024 4:34:20 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	12/18/2024 4:34:20 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	12/18/2024 4:34:20 PM	KyleThomas
Zinc, Total	39.94	16.45 µg/L	EPA200.8	12/18/2024 4:34:20 PM	KyleThomas

NA = Not Analyzed ND = No Discharge BML = Below Minimum Level

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Date Printed: 1/7/2025

Location: , TASK-Special Eaton Resources #1 -- SW-4 **Lab ID:** 24121805-04

Sample Date: 12/17/2024 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	12/18/2024 4:38:17 PM	KyleThomas
Arsenic, Total	BML	0.27 µg/L	EPA200.8	12/18/2024 4:38:17 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	12/18/2024 4:38:17 PM	KyleThomas
Cadmium, Total	BML	0.08 µg/L	EPA200.8	12/18/2024 4:38:17 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	12/18/2024 4:38:17 PM	KyleThomas
Copper, Total	BML	0.90 µg/L	EPA200.8	12/18/2024 4:38:17 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	1/3/2025	KyleThomas
Lead, Total	BML	0.31 µg/L	EPA200.8	12/18/2024 4:38:17 PM	KyleThomas
Nickel, Total	37.59	6.86 µg/L	EPA200.8	12/18/2024 4:38:17 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	12/31/2024	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	12/18/2024 4:38:17 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	12/18/2024 4:38:17 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	12/18/2024 4:38:17 PM	KyleThomas
Zinc, Total	19.46	16.45 µg/L	EPA200.8	12/18/2024 4:38:17 PM	KyleThomas

Analysis Approved: 1/7/2025

John Morris
Laboratory Manager

NA = Not Analyzed *ND = No Discharge* *BML = Below Minimum Level*

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TASK ENGINEERING MANAGEMENT INC.

2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205) 978-5070

October 23, 2024

Ms. Christa Marks, Hydro-Geologist
Alabama Surface Mining Commission
PO Box 2390
Jasper, Alabama 35502-2390

Re: Eaton Resources, LLC
Eaton Mine No. 1, ASMC Permit P-4002
3rd Quarter, 2024-Water Monitoring Reports

Dear Ms. Marks:

Please find enclosed the Performance Monitoring Water Reports for the above referenced mine and quarter.

If you need additional information or have any questions, please give us a call at the above number.

Sincerely,

Jerry W. Williams,
Ala. PE #12739

QUARTERLY HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **3RD Quarter 2024**

REPORT DATE: **July 23, 2024**

Date Sampled	SAMPLE I.D.	FLOW (mgd)	pH (s.u.)	Al (mg/l)	Spc (µ/cm)	FeT (mg/l)	MnT (mg/l)	SO_4 (mg/l)	TSS (mg/l)	SS (ml/l)	TDS (mg/l)	Acute Ceriod.	Acute Pimeph.	Turbidity SW-1(up) Units NTU	Turbidity SW-2(dn) Units NTU	Turbidity Increase Units NTU
	Minimum		6													
	Average	Report		Report	Report	3.00/3.45*	2.0	Report	35		Report	pass(0)	pass(0)	Report	Report	Report
	Maximum		8.5			6.0/7.0	4.0		70	0.5		fail(1)	fail(1)			<50
	Frequency	2/mth	2/mth	2/mth	2/mth		2/mth	2/mth	2/mth	2/mth	1/qtr	1/qtr	1/qtr	1/mth	1/mth	1/mth
07/10/24	BASIN 004	ND														
07/10/24	BASIN 005	ND														
07/31/24	BASIN 004	ND														
07/31/24	BASIN 005	ND														
08/14/24	BASIN 004	ND														
08/14/24	BASIN 005	ND														
08/28/24	BASIN 004	ND														
08/28/24	BASIN 005	ND														
08/28/24	BASIN 007	ND														
09/11/24	BASIN 004	ND														
09/11/24	BASIN 005	ND														
09/11/24	BASIN 007	ND														
09/27/24	BASIN 004	ND														
09/27/24	BASIN 005	ND														
09/27/24	BASIN 007	ND														

Date Sampled	SAMPLE I.D.	FLOW (mgd)	pH (s.u.)	Al (mg/l)	Spc (µ/cm)	FeT (mg/l)	MnT (mg/l)	SO_4 (mg/l)	TSS (mg/l)	SS (ml/l)	TDS (mg/l)	Acute Ceriod.	Acute Pimeph.	Turbidity SW-1(up) Units NTU	Turbidity SW-2(dn) Units NTU	Turbidity Increase Units NTU
	Minimum		6													
	Average	Report		Report	Report	3.00/3.45*	2.0	Report	35		Report	pass(0)	pass(0)	Report	Report	Report
	Maximum		8.5			6.0/7.0	4.0		70	0.5		fail(1)	fail(1)			<50
STREAMS																
	Frequency	1/qtr	1/qtr			1/qtr	1/qtr		1/qtr					1/mth	1/mth	1/mth
07/31/24	SW-1	0.3033												4		
07/31/24	SW-2	17.5289													BTL	0
08/28/24	SW-1	0.1249	7.25			0.05	2.56		6					2		
08/28/24	SW-2	8.4560	6.44			0.85	1.44		4						BTL	0
08/28/24	SW-3	5.1845	7.10			0.26	5.49		10							
08/28/24	SW-4	1.4142	7.18			0.19	1.68		9							
09/27/24	SW-1	0.3017												5		
09/27/24	SW-2	2.6870													BTL	0

ND = No Discharge NA =Not Analyzed BTL=Below Detection Limit *Not Required* *Permit Limit Exceeded*

Sampled and Analyzed by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

TASK ENGINEERING MANAGEMENT INC.

2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205) 978-5070

July 22, 2024

Ms. Christa Marks, Hydro-Geologist
Alabama Surface Mining Commission
PO Box 2390
Jasper, Alabama 35502-2390

Re: Eaton Resources, LLC
Eaton Mine No. 1, ASMC Permit P-4002
2st Quarter, 2024-Water Monitoring Reports

Dear Ms. Marks:

Please find enclosed the Performance Monitoring Water Reports for the above referenced mine and quarter.

If you need additional information or have any questions, please give us a call at the above number.

Sincerely,

Jerry W. Williams,
Ala. PE #12739

QUARTERLY HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **2nd Quarter 2024**

REPORT DATE: **July 22, 2024**

Date Sampled	SAMPLE I.D.	FLOW (mgd)	pH (s.u.)	Al (mg/l)	Spc (µ/cm)	FeT (mg/l)	MnT (mg/l)	SO_4 (mg/l)	TSS (mg/l)	SS (ml/l)	TDS (mg/l)	Acute Ceriod.	Acute Pimeph.	Turbidity SW-1(up) Units NTU	Turbidity SW-2(dn) Units NTU	Turbidity Increase Units NTU
	Minimum		6													
	Average	Report		Report	Report	3.00/3.45*	2.0	Report	35		Report	pass(0)	pass(0)	Report	Report	Report
	Maximum		8.5			6.0/7.0	4.0		70	0.5		fail(1)	fail(1)			<50
	Frequency	2/mth	2/mth	2/mth	2/mth		2/mth	2/mth	2/mth	2/mth	1/qtr	1/qtr	1/qtr	1/mth	1/mth	1/mth
04/13/24	BASIN 004	ND														
04/13/24	BASIN 005	ND														
04/24/24	BASIN 004	ND														
04/24/24	BASIN 005	ND														
05/14/24	BASIN 004	ND														
05/14/24	BASIN 005	ND														
05/29/24	BASIN 004	ND														
05/29/24	BASIN 005	ND														
06/12/24	BASIN 004	ND														
06/12/24	BASIN 005	ND														
06/25/24	BASIN 004	ND														
06/25/24	BASIN 005	ND														

Date Sampled	SAMPLE I.D.	FLOW (mgd)	pH (s.u.)	Al (mg/l)	Spc (µ/cm)	FeT (mg/l)	MnT (mg/l)	SO_4 (mg/l)	TSS (mg/l)	SS (ml/l)	TDS (mg/l)	Acute Ceriod.	Acute Pimeph.	Turbidity SW-1(up) Units NTU	Turbidity SW-2(dn) Units NTU	Turbidity Increase Units NTU
	Minimum		6													
	Average	Report		Report	Report	3.00/3.45*	2.0	Report	35		Report	pass(0)	pass(0)	Report	Report	Report
	Maximum		8.5			6.0/7.0	4.0		70	0.5		fail(1)	fail(1)			<50
STREAMS																
	Frequency	1/qtr	1/qtr			1/qtr	1/qtr		1/qtr					1/mth	1/mth	1/mth
04/13/24	SW-1	0.1149												5		
04/13/24	SW-2	11.7865													BTL	0
05/14/24	SW-1	0.1496												BTL		
05/14/24	SW-2	15.3071													BTL	0
06/12/24	SW-1	0.0194	7.42			0.09	2.81		12					4		
06/12/24	SW-2	5.8178	6.79			1.40	1.14		18						BTL	0
06/12/24	SW-3	5.4299	7.34			0.19	6.60		10							
06/12/24	SW-4	3.9561	7.41			0.13	5.33		11							

ND = No Discharge NA =Not Analyzed BTL=Below Detection Limit *Not Required* *Permit Limit Exceeded*

Sampled and Analyzed by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **2nd Quarter 2024**

REPORT DATE: **July 22, 2024**

SAMPLE LOCATION: **SW1**

SAMPLE DATE: **June 12, 2024**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	0.59	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	BML	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	BML	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	BML	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	BML	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **2nd Quarter 2024**

REPORT DATE: **July 21, 2024**

SAMPLE LOCATION: **SW2**

SAMPLE DATE: **June 12, 2024**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	BML	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	BML	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	BML	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	20.31	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	BML	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **2nd Quarter 2024**

REPORT DATE: **July 22, 2024**

SAMPLE LOCATION: **SW3**

SAMPLE DATE: **June 12, 2024**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	0.44	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	BML	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	BML	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	46.30	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	24.79	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

BI-ANNUAL HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **2nd Quarter 2024**

REPORT DATE: **July 22, 2024**

SAMPLE LOCATION: **SW4**

SAMPLE DATE: **June 12, 2024**

SAMPLE PARAMETER	RESULT	MINIMUM LEVEL / UNITS	METHOD	ANALYST
Antimony, Total	BML	1.92 µg/L	EPA200.8	McGehee Engineering Corp
Arsenic, Total	BML	0.27 µg/L	EPA200.8	McGehee Engineering Corp
Beryllium, Total	BML	2.20 µg/L	EPA200.8	McGehee Engineering Corp
Cadmium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Chromium, Total	BML	1.64 µg/L	EPA200.8	McGehee Engineering Corp
Copper, Total	BML	0.90 µg/L	EPA200.8	McGehee Engineering Corp
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	McGehee Engineering Corp
Lead, Total	BML	0.31 µg/L	EPA200.8	McGehee Engineering Corp
Nickel, Total	28.19	6.86 µg/L	EPA200.8	McGehee Engineering Corp
Phenols, Total	BML	6.0 µg/L	EPA420.1	McGehee Engineering Corp
Selenium, Total	BML	0.95 µg/L	EPA200.8	McGehee Engineering Corp
Silver, Total	BML	0.15 µg/L	EPA200.8	McGehee Engineering Corp
Thallium, Total	BML	0.08 µg/L	EPA200.8	McGehee Engineering Corp
Zinc, Total	BML	16.45 µg/L	EPA200.8	McGehee Engineering Corp

ND = No Discharge NA =Not Analyzed BML=Below Minimum Limit

Sampled by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

Date Printed: 7/5/2024

Client: **TASK Engineering Management, Inc.**
P.O. Box 660548
Birmingham, AL 35266

REPORT OF FINDINGS

Location: , TASK-Special Eaton -- SW-1 **Lab ID:** 24061309-01

Sample Date: 6/12/2024 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	6/13/2024 5:59:16 PM	KyleThomas
Arsenic, Total	0.59	0.27 µg/L	EPA200.8	6/13/2024 5:59:16 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	6/13/2024 5:59:16 PM	KyleThomas
Cadmium, Total	BML	0.08 µg/L	EPA200.8	6/13/2024 5:59:16 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	6/13/2024 5:59:16 PM	KyleThomas
Copper, Total	BML	0.90 µg/L	EPA200.8	6/13/2024 5:59:16 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	7/3/2024	KyleThomas
Lead, Total	BML	0.31 µg/L	EPA200.8	6/13/2024 5:59:16 PM	KyleThomas
Nickel, Total	BML	6.86 µg/L	EPA200.8	6/13/2024 5:59:16 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	7/2/2024	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	6/13/2024 5:59:16 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	6/13/2024 5:59:16 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	6/13/2024 5:59:16 PM	KyleThomas
Zinc, Total	BML	16.45 µg/L	EPA200.8	6/13/2024 5:59:16 PM	KyleThomas

NA = Not Analyzed *ND = No Discharge* *BML = Below Minimum Level*

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Date Printed: 7/5/2024

Location: , TASK-Special Eaton -- SW-2 **Lab ID:** 24061309-02

Sample Date: 6/12/2024 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	6/13/2024 6:14:51 PM	KyleThomas
Arsenic, Total	BML	0.27 µg/L	EPA200.8	6/13/2024 6:14:51 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	6/13/2024 6:14:51 PM	KyleThomas
Cadmium, Total	BML	0.08 µg/L	EPA200.8	6/13/2024 6:14:51 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	6/13/2024 6:14:51 PM	KyleThomas
Copper, Total	BML	0.90 µg/L	EPA200.8	6/13/2024 6:14:51 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	7/3/2024	KyleThomas
Lead, Total	BML	0.31 µg/L	EPA200.8	6/13/2024 6:14:51 PM	KyleThomas
Nickel, Total	20.31	6.86 µg/L	EPA200.8	6/13/2024 6:14:51 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	7/2/2024	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	6/13/2024 6:14:51 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	6/13/2024 6:14:51 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	6/13/2024 6:14:51 PM	KyleThomas
Zinc, Total	BML	16.45 µg/L	EPA200.8	6/13/2024 6:14:51 PM	KyleThomas

Location: , TASK-Special Eaton -- SW-3 **Lab ID:** 24061309-03

Sample Date: 6/12/2024 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	6/13/2024 6:18:42 PM	KyleThomas
Arsenic, Total	0.44	0.27 µg/L	EPA200.8	6/13/2024 6:18:42 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	6/13/2024 6:18:42 PM	KyleThomas
Cadmium, Total	BML	0.08 µg/L	EPA200.8	6/13/2024 6:18:42 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	6/13/2024 6:18:42 PM	KyleThomas
Copper, Total	BML	0.90 µg/L	EPA200.8	6/13/2024 6:18:42 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	7/3/2024	KyleThomas
Lead, Total	BML	0.31 µg/L	EPA200.8	6/13/2024 6:18:42 PM	KyleThomas
Nickel, Total	46.30	6.86 µg/L	EPA200.8	6/13/2024 6:18:42 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	7/2/2024	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	6/13/2024 6:18:42 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	6/13/2024 6:18:42 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	6/13/2024 6:18:42 PM	KyleThomas
Zinc, Total	24.79	16.45 µg/L	EPA200.8	6/13/2024 6:18:42 PM	KyleThomas

NA = Not Analyzed ND = No Discharge BML = Below Minimum Level

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Date Printed: 7/5/2024

Location: , TASK-Special Eaton -- SW-4 **Lab ID:** 24061309-04

Sample Date: 6/12/2024 **Comments:**

Analyte	Result	Minimum Level / Units	Method	Analysis Date	Analyst
Antimony, Total	BML	1.92 µg/L	EPA200.8	6/13/2024 6:22:38 PM	KyleThomas
Arsenic, Total	BML	0.27 µg/L	EPA200.8	6/13/2024 6:22:38 PM	KyleThomas
Beryllium, Total	BML	2.20 µg/L	EPA200.8	6/13/2024 6:22:38 PM	KyleThomas
Cadmium, Total	BML	0.08 µg/L	EPA200.8	6/13/2024 6:22:38 PM	KyleThomas
Chromium, Total	BML	1.64 µg/L	EPA200.8	6/13/2024 6:22:38 PM	KyleThomas
Copper, Total	BML	0.90 µg/L	EPA200.8	6/13/2024 6:22:38 PM	KyleThomas
Cyanide, Total	BML	3.0 µg/L	SM4500-CN-E	7/3/2024	KyleThomas
Lead, Total	BML	0.31 µg/L	EPA200.8	6/13/2024 6:22:38 PM	KyleThomas
Nickel, Total	28.19	6.86 µg/L	EPA200.8	6/13/2024 6:22:38 PM	KyleThomas
Phenols, Total	BML	6.0 µg/L	EPA420.1	7/2/2024	KyleThomas
Selenium, Total	BML	0.95 µg/L	EPA200.8	6/13/2024 6:22:38 PM	KyleThomas
Silver, Total	BML	0.15 µg/L	EPA200.8	6/13/2024 6:22:38 PM	KyleThomas
Thallium, Total	BML	0.08 µg/L	EPA200.8	6/13/2024 6:22:38 PM	KyleThomas
Zinc, Total	BML	16.45 µg/L	EPA200.8	6/13/2024 6:22:38 PM	KyleThomas

Analysis Approved: 7/5/2024

John Morris
Laboratory Manager

NA = Not Analyzed *ND = No Discharge* *BML = Below Minimum Level*

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QUARTERLY HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **1st Quarter 2024**

REPORT DATE: **April 23, 2024**

Date Sampled	SAMPLE I.D.	FLOW (mgd)	pH (s.u.)	Al (mg/l)	Spc (µ/cm)	FeT (mg/l)	MnT (mg/l)	SO_4 (mg/l)	TSS (mg/l)	SS (ml/l)	TDS (mg/l)	Acute Ceriod.	Acute Pimeph.	Turbidity SW-1(up) Units NTU	Turbidity SW-2(dn) Units NTU	Turbidity Increase Units NTU
	Minimum		6													
	Average	Report		Report	Report	3.00/3.45*	2.0	Report	35		Report	pass(0)	pass(0)	Report	Report	Report
	Maximum		8.5			6.0/7.0	4.0		70	0.5		fail(1)	fail(1)			<50
	Frequency	2/mth	2/mth	2/mth	2/mth		2/mth	2/mth	2/mth	2/mth	1/qtr	1/qtr	1/qtr	1/mth	1/mth	1/mth
01/04/24	BASIN 004	ND														
01/04/24	BASIN 005	ND														
01/22/24	BASIN 004	ND														
01/22/24	BASIN 005	ND														
02/08/24	BASIN 004	ND														
02/08/24	BASIN 005	ND														
02/22/24	BASIN 004	ND														
02/22/24	BASIN 005	ND														
03/08/24	BASIN 004	ND														
03/08/24	BASIN 005	ND														
03/25/24	BASIN 004	ND														
03/25/24	BASIN 005	ND														

Date Sampled	SAMPLE I.D.	FLOW (mgd)	pH (s.u.)	Al (mg/l)	Spc (µ/cm)	FeT (mg/l)	MnT (mg/l)	SO_4 (mg/l)	TSS (mg/l)	SS (ml/l)	TDS (mg/l)	Acute Ceriod.	Acute Pimeph.	Turbidity SW-1(up) Units NTU	Turbidity SW-2(dn) Units NTU	Turbidity Increase Units NTU
	Minimum		6													
	Average	Report		Report	Report	3.00/3.45*	2.0	Report	35		Report	pass(0)	pass(0)	Report	Report	Report
	Maximum		8.5			6.0/7.0	4.0		70	0.5		fail(1)	fail(1)			<50
STREAMS																
	Frequency	1/qtr	1/qtr			1/qtr	1/qtr		1/qtr					1/mth	1/mth	1/mth
01/22/24	SW-1													3		
01/22/24	SW-2														BTL	0
02/22/24	SW-1	0.6788	7.22			0.03	1.88		12					2		
02/22/24	SW-2	8.6620	7.67			0.05	1.55		6						BTL	0
02/22/24	SW-3	2.2431	7.36			0.09	2.73		11							
02/22/24	SW-4	3.3097	7.48			0.11	2.56		5							
03/25/24	SW-1													BTL		
03/25/24	SW-2														BTL	0

ND = No Discharge NA =Not Analyzed BTL=Below Detection Limit *Not Required* *Permit Limit Exceeded*

Sampled and Analyzed by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070

QUARTERLY HYDROLOGIC MONITORING REPORT

COMPANY: **Eaton Resources LLC**
16241 B&L Road
Cottondale, AL 35483

TASK EMI
CONSULTING ENGINEERS
2832 MONTE DESTE DRIVE
BIRMINGHAM, ALABAMA 35216
(205)978-5070

MINE NAME: **Eaton Mine No. 1**
ASMC PERMIT NO.: **P-4002**
NPDES PERMIT NO.: **AL0084453**
REPORT QUARTER: **3rd Quarter 2023**

REPORT DATE: **October 23, 2023**

Date Sampled	SAMPLE I.D.	FLOW (mgd)	pH (s.u.)	Al (mg/l)	Spc (µ/cm)	FeT (mg/l)	MnT (mg/l)	SO_4 (mg/l)	TSS (mg/l)	SS (ml/l)	TDS (mg/l)	Acute Ceriod.	Acute Pimeph.	Turbidity SW-1(up) Units NTU	Turbidity SW-2(dn) Units NTU	Turbidity Increase Units NTU
	Minimum		6													
	Average	Report		Report	Report	3.00/3.45*	2.0	Report	35		Report	pass(0)	pass(0)	Report	Report	Report
	Maximum		8.5			6.0/7.0	4.0		70	0.5		fail(1)	fail(1)			<50
	Frequency	2/mth	2/mth	2/mth	2/mth		2/mth	2/mth	2/mth	2/mth	1/qtr	1/qtr	1/qtr	1/mth	1/mth	1/mth
07/12/23	BASIN 004	ND														
07/26/23	BASIN 004	ND														
08/15/23	BASIN 004	ND														
08/30/23	BASIN 004	ND														
09/13/23	BASIN 004	ND														
09/27/23	BASIN 004	ND														
	Frequency	1/qtr	1/qtr			1/qtr	1/qtr		1/qtr					1/mth	1/mth	1/mth
07/26/23	SW-1													BTL		
07/26/23	SW-2														BTL	0
08/30/23	SW-1	0.0000	NA			NA	NA		NA					BTL		
08/30/23	SW-2	7.3756	7.41			0.04	1.41		5						BTL	0
08/30/23	SW-3	1.1636	7.26			0.06	2.69		8							
08/30/23	SW-4	1.3381	7.35			0.06	2.44		1							
09/27/23	SW-1													BTL		
09/27/23	SW-2														BTL	0

ND = No Discharge NA =Not Analyzed BTL=Below Detection Limit *Not Required* *Permit Limit Exceeded*

Sampled and Analyzed by: TASK Engineering Management Inc., 2832 Monte Deste Dr., Birmingham, Alabama 35216, 205.978.5070