



# Citizens' Guide to Understanding Quarry Permitting in Alabama

Alabama Department of  
Environmental Management

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## Introduction

Our goal with this document is to explain Alabama's quarry permitting process<sup>1</sup>. We'll focus on the **Alabama Department of Environmental Management (ADEM)**'s role and introduce other agencies that have regulatory authority over these facilities.

## ADEM's Role: Environmental Compliance

ADEM is the primary State agency responsible for issuing and enforcing environmental permits for quarries. Its authority originates from State and federal laws designed to protect Alabama's air, water, and land resources.

## What ADEM Regulates:

ADEM's permitting process for quarries typically focuses on:

- **Air Emissions:** 40 CFR Part 60, Subpart OOO *Standards of Performance for Nonmetallic Mineral Processing Plants* is the primary regulation that applies to air emissions from quarries. This rule limits particulate matter (dust) generated by nonmetallic mineral processing equipment like crushers, screens, and conveyors. The mining activity itself, including blasting and material removal, is not regulated by Subpart OOO. Nonmetallic mineral processing plants at quarries are required to use appropriate control technologies (typically, wet suppression) to limit the particulate emissions from mineral processing and a separate ADEM regulation limits fugitive dust from plant roads within the footprint of the quarry. Dust from these plant roads is usually controlled by paving or by wet suppression (water trucks). Processing plants at quarries often have stationary engines for pumps or to generate electricity. Certain EPA regulations apply to these engines that require regular maintenance to ensure the engine operates efficiently and pollutants in the exhaust are minimized.
- **Water Discharges:** Regulating stormwater runoff and wastewater discharges from the quarry site to ensure they meet discharge standards. This is accomplished through issuance and enforcement of National Pollutant Discharge Elimination System (NPDES) permits.

## The ADEM Permitting Process Generally Involves:

1. **Application Submission:** The quarry owner/operator submits detailed applications for air and water permits, including sufficient information for ADEM to ensure compliance with applicable pollution control regulations.

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<sup>1</sup> This document focuses on rock quarries that usually require both air and water permits, such as for mining and crushing limestone, granite, marble, or sandstone.

2. **Application Review:** ADEM technical staff review the applications for completeness and compliance with applicable requirements.
3. **Public Notice and Comment Period:** Once a draft permit is prepared, ADEM publishes a public notice, providing the public an opportunity to submit comments on the draft permit. This comment period is typically 30 days.
4. **Public Hearing (if required):** If there is significant public interest, ADEM may choose to hold a public hearing to receive additional input. Attendance at the public hearing is not necessary in order to have comments included in the public record. Written comments received no later than the close of the public comment period will also be considered, are given the same weight as those received at the public hearing, and will be entered into the public record.
5. **Comment Evaluation and Response:** ADEM evaluates all comments received and prepares a response.
6. **Final Permit Decision:** ADEM makes a final decision to issue, modify, or deny the permits based on whether the applicant demonstrates an ability to meet applicable environmental regulations.

**Important Note:** ADEM's authority is *limited to environmental compliance*. This means that if a proposed quarry can demonstrate, through technical review, that it can meet all applicable environmental regulations, ADEM is obligated to issue the permit.

#### **ADEM CANNOT:**

- **Determine Land Use Suitability:** ADEM does not have the authority to decide whether a proposed quarry is a "good" or "appropriate" use of a particular parcel of land.
- **Deny a Permit Based on Public Opposition Alone:** ADEM carefully considers all public comments; however, permit issuance is contingent upon an applicant's ability to meet environmental compliance standards, rather than solely on local opposition to a project's presence. Similarly, ADEM cannot deny a permit based on concerns outside the scope of its regulatory authority, such as truck traffic, noise, property devaluation, etc.

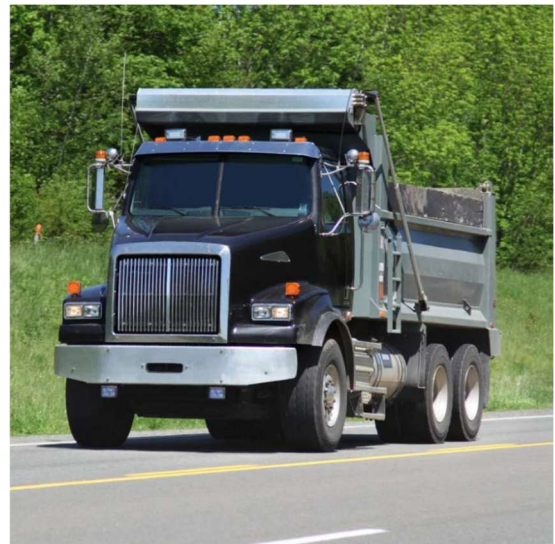


## Other Agencies with a Role in Regulating Quarries in Alabama

While ADEM handles environmental permits, several other agencies at the State and federal level may have some involvement in quarry operations.

- **Alabama Department of Workforce (formerly, the Alabama Department of Labor):** The Department of Workforce's surface mining program ensures that certain mines are reclaimed in accordance with the Alabama Surface Mining Act. Examples of minerals that are covered include sand, gravel, clay, and bauxite. Limestone, marble, dolomite, and coal are exempted under the Alabama Surface Mining Act. The program issues permits, ensures that mine sites are properly bonded for reclamation purposes, and makes periodic inspections.
  - **Contact:** Visit [labor.alabama.gov](http://labor.alabama.gov)
- **Mine Safety and Health Administration (MSHA):** MSHA, under the U.S. Department of Labor, is responsible for enforcing safety and health regulations in all mines, including quarries.
  - **Contact:** Visit [msha.gov](http://msha.gov) (Find contact information for regional offices)
- **U.S. Army Corps of Engineers (USACE):** If a quarry operation involves impacts to wetlands or waters of the U.S., a permit may be required from the USACE.
  - **Contact:** Visit [usace.army.mil](http://usace.army.mil) (Click on "Locations" to find the office that serves your area)
- **U.S. Fish and Wildlife Service (USFWS):** The USFWS may become involved if a quarry operation has the potential to impact federally listed endangered or threatened species or their critical habitat. They provide guidance and recommendations to other agencies (like EPA or USACE) to ensure compliance with the Endangered Species Act.
  - **Contact:** Visit [fws.gov/office/alabama-ecological-services](http://fws.gov/office/alabama-ecological-services)
- **Alabama Historical Commission:** If a proposed quarry site contains historical or archaeological resources, consultation with the Alabama Historical Commission may be necessary to ensure compliance with preservation laws.
  - **Contact:** Visit [ahc.alabama.gov](http://ahc.alabama.gov)
- **Alabama Department of Transportation (ALDOT):** ALDOT is responsible for State highways and interstates. For quarries that generate significant truck traffic on State roads, ALDOT may become involved.

- **Contact:** Visit [aldot.state.al.us](http://aldot.state.al.us)
- **Alabama Fire Marshal:** The State Fire Marshal is charged with regulating the use of explosives in the blasting of stone and rock at quarries.
  - **Contact:** Visit [firemarshal.alabama.gov](http://firemarshal.alabama.gov)
- **City and/or County Government:** Most cities and towns, and some county governments, require a local business license before a quarry located within their boundaries can operate. Some communities have the authority to adopt zoning and land-use ordinances, which can establish where, if at all, a quarry can be located.
  - **Contact:** Your city/town/county government likely has a business license department or revenue department that issues these licenses. You can also inquire if there are zoning requirements in your area.
- **County Road Departments (or equivalent local public works):** These departments are responsible for the maintenance and management of county roads. Quarries often rely on county roads for access and transportation of materials. Their involvement can include:
  - **Road Access and Use Agreements:** Quarries may need to enter into agreements with county road departments for access points, road improvements, or to address the impact of truck traffic on county roads.
  - **Weight Restrictions and Load Limits:** County road departments have the authority to impose weight limits on specific county roads or bridges, or for structurally deficient infrastructure.
  - **Permitting for Road Modifications:** If a quarry needs to modify or construct new access roads that connect to county roads, permits from the county road department may be required.
  - **Contact:** Typically, contact information can be found on the individual county's government website (e.g., [Your County Name] Commission or [Your City Name] Public Works Department).



**How to Make Impactful Comments on ADEM Permits**

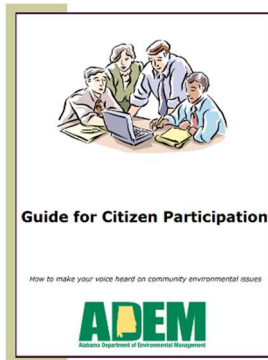
If you prepare written comments, you need not attend a public hearing to submit them. You can mail, e-mail, fax, or deliver your comments in person to the ADEM address provided in the public notice. Furthermore, ADEM will provide a written response to all comments, including written comments and verbal comments made during a formal public hearing. ADEM's written response will accompany the agency's final permit decision to issue, modify, or deny a permit.

Comments that are based on facts and refer to specific laws, rules and regulations, specific technical or scientific information, or specific facts about the proposed site or discharge will likely have more impact on ADEM's final decision than simply stating that you are for, or against, issuing a permit for the proposed quarry.

**Conclusion**

Understanding the distinct roles of state agencies, along with federal and local government authorities, is crucial for citizens concerned about quarry siting and/or operations. Zoning and land-use planning (where applicable) have the most direct and impactful influence on where quarries are permitted to operate.

**For more information:**



**Download ADEM's Guide for Citizen Participation, available at:**  
**[adem.alabama.gov/sites/default/files/2025-03/CitizensGuide.pdf](http://adem.alabama.gov/sites/default/files/2025-03/CitizensGuide.pdf).**

**Contact ADEM:**

**Alabama Department of Environmental Management (ADEM)** Phone: (334) 271-7700  
Website: [adem.alabama.gov](http://adem.alabama.gov)

