Edward F. Poolos
Director

Jeffery W. Kitchens
Deputy Director



Kay Ivey
Governor

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

September 25, 2026

Mr. Josh Pate
Vice President
CR Pate Logging, Inc.
20133 Brooklyn Road
Andalusia, AL 36420

RE: Draft Permit
Pate Rock Quarry
NPDES Permit Number AL0084093
Conecuh County (035)

Dear Mr. Pate:

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

Since the Department has made a tentative decision to **Reissue** 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 Steven Sandlin at (334) 274-4238 or steven.sandlin@adem.alabama.gov.

Sincerely,

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

WDM/sos File: DPER/54692

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

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

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

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

ADEM
Alabama Department of Environmental Management

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

PERMITTEE: CR Pate Logging, Inc.
20133 Brooklyn Road
Andalusia, AL 36420

FACILITY LOCATION: Pate Rock Quarry
Oil Well Road Off County Road 29 South
Castleberry, AL 36432
Conecuh County
T4N, R12E, S9; T4N, R12E, S10;
T4N, R12E, S15; T4N, R12E, S16

PERMIT NUMBER: AL0084093

DSN & RECEIVING STREAM: 001 - 1 Unnamed Tributary to Ard Creek
002 - 1 Unnamed Tributary to Dry Creek
Groundwater

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

ISSUANCE DATE:

EFFECTIVE DATE:

EXPIRATION DATE:

Draft

Alabama Department of Environmental Management
Water Division Chief

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

LIMESTONE QUARRY, DRY PREPARATION, STORING, LOADING, TRANSPORTATION AND ASSOCIATED AREAS

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PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

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

B. REQUIREMENTS TO ACTIVATE A PROPOSED MINING OUTFALL

1. Discharge from any point source identified on Page 1 of this Permit which is a proposed outfall is not authorized by this Permit until the outfall has been constructed and certification received by the Department from a professional engineer, registered in the State of Alabama, certifying that such facility has been constructed according to good engineering practices and in accordance with the Pollution Abatement and/or Prevention (PAP) Plan.

2. Certification required by Part I.B.1. shall be submitted on a completed ADEM Form 432. The certification shall include the latitude and longitude of the constructed and certified outfall.

3. Discharge monitoring and Discharge Monitoring Report (DMR) reporting requirements described in Part I.C. of this Permit do not apply to point sources that have not been constructed and certified.

4. Upon submittal of the certification required by Part I.B.1. to the Department, all monitoring and DMR submittal requirements shall apply to the constructed and certified outfall.

C. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS

1. Sampling Schedule and Frequency

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

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

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

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

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

2. Measurement Frequency

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

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

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

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

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

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

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

3. Monitoring Schedule

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

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

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

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

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

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

4. Sampling Location

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

5. Representative Sampling

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

6. Test Procedures

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

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

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

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

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

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

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

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

7. Recording of Results

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

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

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

c. The dates and times the analyses were performed;

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

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

f. The results of all required analyses.

8. Routine Inspection by Permittee

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

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

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

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

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

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

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

9. Records Retention and Production

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

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

10. Monitoring Equipment and Instrumentation

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

D. DISCHARGE REPORTING REQUIREMENTS

1. Requirements for Reporting of Monitoring

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

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

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

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

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

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

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

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

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

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

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

Certified and Registered Mail shall be addressed to:

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

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

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

2. Noncompliance Notification

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

(1) Potentially threatens human health or welfare;

(2) Potentially threatens fish or aquatic life;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

E. OTHER REPORTING AND NOTIFICATION REQUIREMENTS

1. Anticipated Noncompliance

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

2. Termination of Discharge

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

3. Updating Information

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

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

4. Duty to Provide Information

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

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

F. SCHEDULE OF COMPLIANCE

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

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

PART II OTHER REQUIREMENTS, RESPONSIBILITIES, AND DUTIES

A. OPERATIONAL AND MANAGEMENT REQUIREMENTS

1. Facilities Operation and Management

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

2. Pollution Abatement and/or Prevention Plan

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

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

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

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

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

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

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

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

3. Best Management Practices (BMPs)

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

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

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

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

e. Spill Prevention, Control, and Management

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

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

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

discharge would exceed any applicable discharge limitation specified in Part I.A. of this Permit.

4. Biocide Additives

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

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

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

(c) Quantities to be used;

(d) Frequencies of use;

(e) Proposed discharge concentrations; and

(f) EPA registration number, if applicable.

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

5. Facility Identification

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

6. Removed Substances

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

7. Loss or Failure of Treatment Facilities

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

8. Duty to Mitigate

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

B. BYPASS AND UPSET

1. Bypass

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

b. A bypass is not prohibited if:

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

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

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

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

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

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

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

(3) The Permittee submits a written request for authorization to bypass to the Director at least ten (10) days, if possible, prior to the anticipated bypass or within 24 hours of an unanticipated bypass, the Permittee is granted such authorization, and

Permittee complies with any conditions imposed by the Director to minimize any adverse impact to waters resulting from the bypass.

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

2. Upset

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

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

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

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

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

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

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

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

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

(i) An upset occurred;

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

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

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

d. A discharge which is an overflow from a treatment facility or system, or an excess discharge from a point source associated with a treatment facility or system and which

results from a 24-hour precipitation event larger than a 10-year, 24-hour precipitation event is not eligible to be considered as a result of an upset unless:

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

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

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

C. PERMIT CONDITIONS AND RESTRICTIONS

1. Prohibition against Discharge from Facilities Not Certified

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

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

2. Permit Modification, Suspension, Termination, and Revocation

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

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

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

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

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

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

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

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

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

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

3. Automatic Expiration of Permits for New or Increased Discharges

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

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

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

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

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

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

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

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

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

4. Transfer of Permit

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

5. Groundwater

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

6. Property and Other Rights

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

D. RESPONSIBILITIES

1. Duty to Comply

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

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

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

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

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

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

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

2. Change in Discharge

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

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

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

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

4. Compliance with Water Quality Standards and Other Provisions

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

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

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

5. Compliance with Statutes and Rules

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

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

6. Right of Entry and Inspection

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

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

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

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

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

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

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

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

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

PART III ADDITIONAL REQUIREMENTS, CONDITIONS, AND LIMITATIONS

A. CIVIL AND CRIMINAL LIABILITY

1. Tampering

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

2. False Statements

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

3. Permit Enforcement

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

4. Relief From Liability

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

B. OIL AND HAZARDOUS SUBSTANCE LIABILITY

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

C. AVAILABILITY OF REPORTS

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

D. DEFINITIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17. DO - means dissolved oxygen.

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

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

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

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

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

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

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

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

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

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

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

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

28. MGD - means million gallons per day.

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

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

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

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

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

31. New Source - means:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

48. TRC - means Total Residual Chlorine.

49. TSS – means the pollutant parameter Total Suspended Solids

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

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

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

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

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

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

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

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

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

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

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

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

E. SEVERABILITY

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

F. PROHIBITIONS AND ACTIVIES NOT AUTHORIZED

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

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

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

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

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

G. DISCHARGES TO IMPAIRED WATERS

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

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

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

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

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION

NPDES INDIVIDUAL PERMIT RATIONALE

Company Name:	CR Pate Logging, Inc.
Facility Name:	Pate Rock Quarry
County:	Conecuh
Permit Number:	AL0084093
Prepared by:	Steven Sandlin
Date:	September 24, 2026
Receiving Waters:	Unnamed Tributary to Ard Creek Unnamed Tributary to Dry Creek Groundwater
Permit Coverage:	Limestone quarry, dry preparation, storing, loading, transportation and associated areas
SIC Code:	1422

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

This proposed permit covers a limestone quarry, dry preparation, storing, loading, transportation and associated areas which discharge to surface waters of the state and to groundwater.

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

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

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

The instream WQS for pH, for streams classified as F&W is 6.0 - 8.5 s.u. per ADEM Admin Code r. 335-6-10-.09. Regardless, the discharge shall not cause the instream pH to deviate more than 1.0 s.u. from the normal or natural pH, nor be less than 6.0 s.u. nor greater than 8.5 s.u.

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

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

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

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

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

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

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

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

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

The proposed permit does not authorize new or increased discharges of pollutants to a Tier II water. Therefore, the Antidegradation Policy (ADEM Admin. Code 335-6-10-.04) does not apply to this permit.

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

version 4.9

(Submission #: HQC-T5E7-019PA, version 2)

Details

Submission ID	HQC-T5E7-019PA
Status	In Process

Fees

	$5,820.00
Payments/Adjustments	($5,820.00)
Balance Due	$0.00 (Paid)

Form Input

General Instructions

Processing Information

Purpose of Application
Reissuance of Permit Due to Approaching Expiration

Please indicate if the Permittee is applying for a permit transfer and/or name change in addition to permit modification or reissuance:
None

Action Type
Reissuance

Briefly describe any planned changes at the facility that are included in this reissuance application:
None

Is this a coalbed methane operation?
No

Permit Information

Permit Number
AL0084093

Current Permittee Name
CR Pate Logging, Inc.

Permittee

Permittee Name
CR Pate Logging, Inc.

Mailing Address

20133 Brooklyn Road

Andalusia, AL 36420

Responsible Official

Prefix
Mr.

First Name	Last Name
Josh	Pate

Title
Vice President

Organization Name
CR Pate Logging, Inc.

Phone Type	Number	Extension
Business	2515783743	

Email
crplog@yahoo.com

Mailing Address

20133 Brooklyn Road

Andalusia, AL 36420

Existing Permit Contacts

Affiliation Type	Contact Information	Remove?
Permittee	CR Pate Logging, Inc.	Keep
Responsible Official,Notification Recipient	Josh Pate, CR Pate Logging, Inc.	Keep

Facility/Operations Information

Facility/Operations Name
Pate Rock Quarry (Cedar Creek Pit)

Permittee Organization Type
Corporation

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

Landowner(s) Name, Address and Phone Number:
CR Pate Logging, Inc.
20133 Brooklyn Road
Andalusia, AL 36420

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

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

Facility/Operations Address or Location Description
Oil Well Road Off County Road 29 South
Castleberry, AL 36432

Facility/Operations County (Front Gate)
Conecuh

Do the operations span multiple counties?
No

Detailed Directions to the Facility/Operations
From Evergreen, take CR29 south for approximately 11 miles, turn left onto Oil Well Road for approximately 0.2 miles, turn right on Chopper Road, and follow that road approximately 1.9 miles to the entrance on the right.

Facility/Operations Front Gate Latitude and Longitude
31.313424,-86.855205

Off County Road 29 South, Andalusia, 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)
T4N, R12E, S9; T4N, R12E, S10; T4N, R12E, S15; and T4N, R12E, S16

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

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

Facility/Operations Contact

Prefix
Mr.

First Name **Last Name**
Josh Pate

Title
Vice President

Organization Name
CR Pate Logging, Inc.

Phone Type **Number** **Extension**
Business 2515783743

Email
crplog@yahoo.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
Joel Pate	President	22699 Brooklyn Road, Andalusia, AL 36420
Josh Pate	VP	272 Racetrack Road Andalusia, AL 36420
Carol Pate	Treasurer	22699 Brooklyn Road, Andalusia, AL 36420

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

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

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

Additional Contacts (1 of 1)

ADDITIONAL CONTACTS:

Contact Type
NONE PROVIDED

Contact

First Name **Last Name**
NONE PROVIDED *NONE PROVIDED*

Title
NONE PROVIDED

Organization Name
NONE PROVIDED

Phone Type **Number** **Extension**
NONE PROVIDED

Email
NONE PROVIDED

Address
[NO STREET ADDRESS SPECIFIED]
[NO CITY SPECIFIED], AL *[NO ZIP CODE SPECIFIED]*

Compliance History

Has the applicant ever had any of the following:

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

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

For this facility, list any other NPDES or other environmental permits (including permit numbers), authorizations, or certifications that have been applied for or issued within the State by ADEM, EPA, Alabama Department of Labor (ADOL), US Army Corp of Engineers (USACE), or other agency, to the applicant, parent corporation, subsidiary, or LLC member whether presently effective, expired, suspended, revoked, or terminated:
AL0084093

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:
ALG890695 - Pate Pit 2 - Noncoal Mining less than 5 acres
ALG890300 - Pate Pit - Noncoal Mining less than 5 acres
AL0081051 - Brooklyn Limestone Pit

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)?
No

Activity Description & Information

Narrative description of activity(s):
Digging and excavating for the mining of limestone, dry preparation, storing, loading, and transporting of mined limestone.

Total Facility/Operations Area (acres)
271.00

Total Disturbed Area (acres)
213.00

Anticipated Commencement Date
02/01/2020

Anticipated Completion Date
01/31/2045

Please identify which of the following apply to this operation:

Activity/Condition	Appy?
An existing facility/operation which currently results in discharges to State waters?	Yes
A proposed facility/operation which will result in a discharge to State waters?	No
Be located within any 100-year flood plain?	No
Discharge to Municipal Separate Storm Sewer?	No
Discharge to waters of or be located in the Coastal Zone?	No
Need/have ADEM UIC permit coverage?	No
Be located on Indian/historically significant lands?	No
Need/have ADEM SID permit coverage?	No
Need/have ASMC permit coverage?	No
Need/have State Oil & Gas Board permit coverage?	No
Need/have ADOL permit coverage?	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 ½ mile of any PWS well?	No
Incised pit	Yes

Does your facility/operation use cooling water?
No

Material to be Removed, Processed, or Transloaded

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

Mineral(s)/Mineral product(s)	%
Limestone, crushed limestone and dolomite	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

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

If the operation will include activities other than those listed above, please describe them below:
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	On Road Diesel
10,000.0	Off Road Diesel

SPCC Plan
Pate Rock Quarry - Cedar Creek Pit SPCC.pdf - 10/08/2025 01:41 PM
Comment
NONE PROVIDED

ASMC Regulated Entities

Is this a coal mining operation regulated by ASMC?
No

Topographic Map Submittal

Topographic Map

Attach to this application a 7.5 minute series U.S.G.S. topographic map(s) or equivalent map(s) no larger than, or folded to a size of 8.5 by 11 inches (several pages may be necessary), of the area extending to at least one mile beyond property boundaries. The topographic or equivalent map(s) must include a caption indicating the name of the topographic map, name of the applicant, facility name, county, and township, range, & section(s) where the facility are located. Unless approved in advance by the Department, the topographic or equivalent map(s), at a minimum, must show: a) An accurate outline of the area to be covered by the permit (b) An outline of the facility (c) All existing and proposed disturbed areas (d) Location of intake and discharge areas (e) Proposed and existing discharge points (f) Perennial, intermittent, and ephemeral streams (g) Lakes, springs, water wells, wetlands (h)

All known facility dirt/improved access/haul roads (i) All surrounding unimproved/improved roads (j) High-tension power lines and railroad tracks (k) Contour lines, township-range-section lines (l) Drainage patterns, swales, washes (m) All drainage conveyance/treatment structures (ditches, berms, etc.) (n) Any other pertinent or significant feature.

Topographic Map

Pate Rock Quarry-Topo Map.pdf - 09/13/2025 12:59 PM

Comment

NONE PROVIDED

Detailed Facility Map Submittal

Detailed Facility Map

Pate Rock Quarry-Facility Map.pdf - 09/13/2025 12:58 PM

Comment

NONE PROVIDED

Outfalls (1 of 2)

Outfall Identifier: 001

Feature Type
Outfall (External)

Outfall Identifier
001

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
Ard Creek

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

Location of Outfall
31.32416700000000, -86.86472200000000

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

New/Corrected Lat/Long Coordinates
31.326389, -86.866111

Distance to Receiving Water (ft)
1,400.0

Disturbed Area (acres)
143.0

Drainage Area (acres)
150.0

303(d) Segment?
No

TMDL Segment?
No

Outfalls (2 of 2)

Outfall Identifier: 002

Feature Type
Outfall (External)

Outfall Identifier
002

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
Dry Creek

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

Location of Outfall
31.31944400000000, -86.84222200000001

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

New/Corrected Lat/Long Coordinates
31.320556, -86.845833

Distance to Receiving Water (ft)
1,500.0

Disturbed Area (acres)
70.0

Drainage Area (acres)
80.0

303(d) Segment?
No

TMDL Segment?
No

Discharge Characterization

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

Required attachment:
Form315TableB.xlsx - 05/23/2025 03:02 PM
Comment
NONE PROVIDED

Required attachment:
Form315TableC.xlsx - 05/23/2025 03:03 PM
Comment
NONE PROVIDED

Discharge Structure Description & Pollutant Source

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

Required attachment:
Form315DischargeStructure.xlsx - 05/23/2025 03:04 PM
Comment
NONE PROVIDED

Variance Request

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

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

Outfall(s):
001E, 002E

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	N/A
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	N/A
Trees, boulders, and other obstructions removed from pond during initial construction	N/A
Width of top of dam greater than 12'	N/A
Side slopes of dam no steeper than 3:1	N/A
Cutoff trench at least 8' wide	N/A
Side slopes of cutoff trench no less than 1:1	N/A
Cutoff trench located along the centerline of the dam	N/A
Cutoff trench extends at least 2' into bedrock or impervious soil	N/A
Cutoff trench filled with impervious material	N/A

Outfall Questions:	Please select one:
Embankments and cutoff trench 95% compaction standard proctor ASTM	N/A
Embankment free of roots, tree debris, stones >6" diameter, etc.	N/A
Embankment constructed in lifts no greater than 12"	N/A
Spillpipe sized to carry peak flow from a one year storm event	N/A
Spillpipe will not chemically react with effluent	N/A
Subsurface withdrawal	N/A
Anti-seep collars extend radially at least 2' from each joint in spillpipe	N/A
Splashpad at the end of the spillpipe	N/A
Emergency Spillway sized for peak flow from 25-yr 24-hr event if discharge not into PWS classified stream	N/A
Emergency spillway sized for peak flow from 50-yr 24-hr event if discharge is into PWS classified stream	N/A
Emergency overflow at least 20' long	N/A
Side slopes of emergency spillway no steeper than 2:1	N/A
Emergency spillway lined with riprap or concrete	N/A
Minimum of 1.5' of freeboard between normal overflow and emergency overflow	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	N/A
Sustained grade of haul road <10%	Yes
Maximum grade of haul road <15% for no more than 300'	Yes
Outer slopes of haul road no steeper than 2:1	Yes
Outer slopes of haul road vegetated or otherwise stabilized	Yes
Detail drawings supplied for all stream crossings	Yes
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):
The pit will be incised; therefore, there will not be a sediment treatment basin constructed on site.

Pollution Abatement & Prevention (PAP) Plan Review Checklist

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

Identify and provide detailed explanation for any "N" or "N/A" response(s):
This is a dry prep facility.

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	N/A
Cross-section Views	N/A
Method of Diverting Runoff to Treatment Basins	N/A
Line Drawing of Water Flow through Facility with Water Balance or Pictorial Description of Water Flow	N/A

Identify and provide detailed explanation for any "N" or "N/A" response(s):
No wet prep plant or designed treatment basins are planned for this project; therefore, no detailed design diagram are required.

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

Schematic Diagram:	Please select one:
Disposal System	Yes

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

Identify and provide detailed explanation for any "N" or "N/A" response(s):
This site is an incised pit with no effluent.

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

Identify and provide detailed explanation for any "N" or "N/A" response(s):
No wet prep plant or designed treatment basins are planned for this project so not waste treatment facility.

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

Identify and provide detailed explanation for any "N" or "N/A" response(s):
No wet prep plant or designed treatment basins are planned for this project and no chemical treatment.

Pollution Abatement & Prevention (PAP) Plan

Is this a coal mining operation regulated by ASMC?
No

PAP Plan (non-coal mining facilities)
Pate Rock Quarry PAP.pdf - 09/18/2026 03:48 PM
Comment
NONE PROVIDED

Professional Engineer (PE)

Registration License Number
23771

Professional Engineer

Prefix
Mr.

First Name	Last Name
Troy	Hudson

Title
President

Organization Name
Southern Engineering Solutions, Inc.

Phone Type	Number	Extension
Business	334-222-1849	

Email
troy@southernengineeringsolutions.com

Address
P.O. Box 610
Andalusia, AL 36420

Information for the Applicant

Please read the following information and acknowledge below:

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

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

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

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

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

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

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

Additional Attachments

Additional Attachments
NONE PROVIDED
Comment
NONE PROVIDED

Application Preparer

Application Preparer

Prefix
Mrs.

First Name **Last Name**
Tonya Maraman

Title
Environmental Specialist

Organization Name
Southern Engineering Solutions, Inc.

Phone Type	Number	Extension
Business	334-222-1849	

Email
tonya@southernengineeringsolutions.com

Address

P.O. Box 610

Andalusia, AL 36420

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

Attachments

Date	Attachment Name	Context	Confidential?	User
9/18/2026 3:48 PM	Pate Rock Quarry PAP.pdf	Attachment	No	Tonya Maraman

Date	Attachment Name	Context	Confidential?	User
10/8/2025 1:41 PM	Pate Rock Quarry - Cedar Creek Pit SPCC.pdf	Attachment	No	Tonya Maraman
9/13/2025 12:59 PM	Pate Rock Quarry-Topo Map.pdf	Attachment	No	Tonya Maraman
9/13/2025 12:58 PM	Pate Rock Quarry-Facility Map.pdf	Attachment	No	Tonya Maraman
5/23/2025 3:04 PM	Form315DischargeStructure.xlsx	Attachment	No	Tonya Maraman
5/23/2025 3:03 PM	Form315TableC.xlsx	Attachment	No	Tonya Maraman
5/23/2025 3:02 PM	Form315TableB.xlsx	Attachment	No	Tonya Maraman

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

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

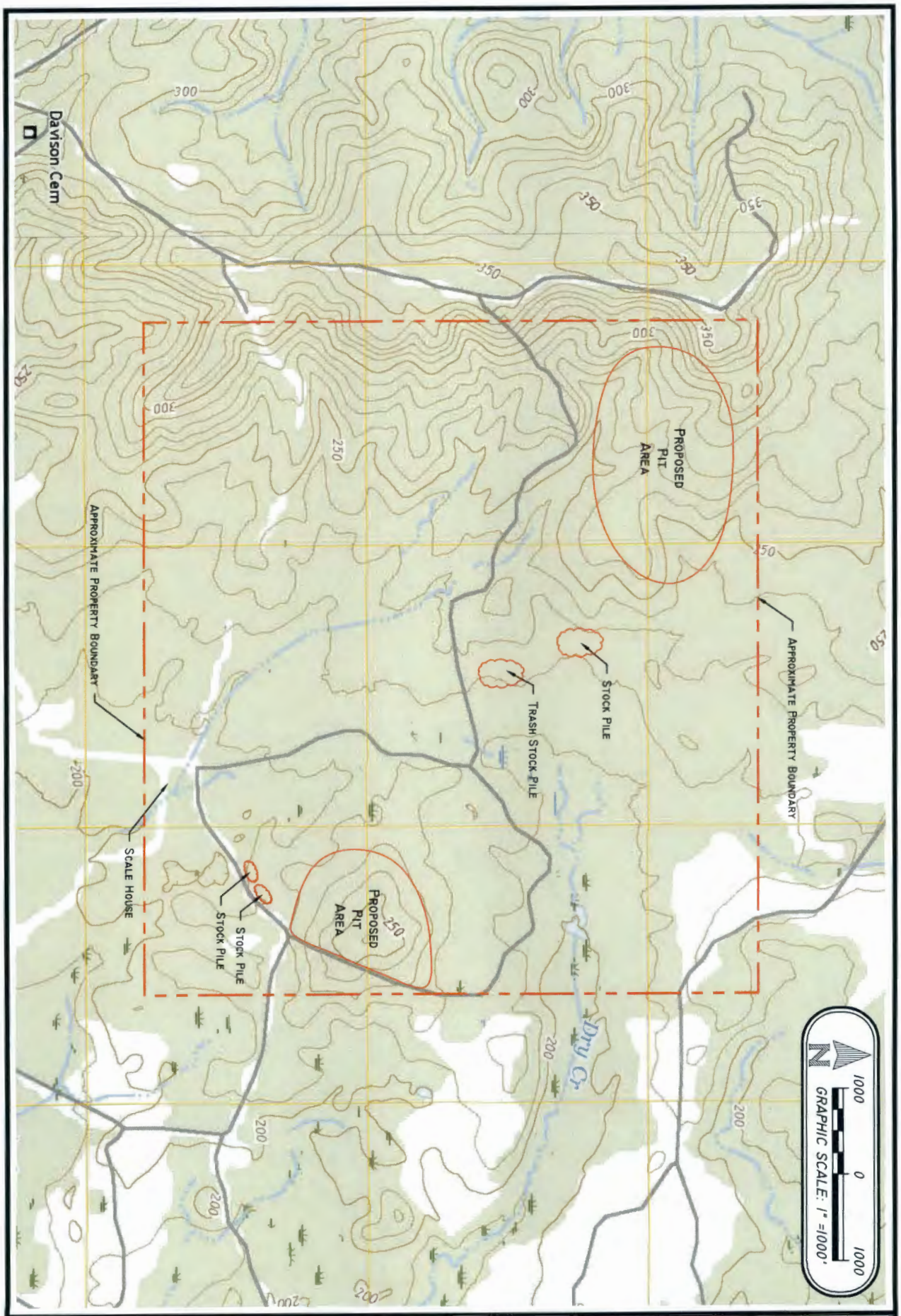
Outfall	Discharge structure Description	Description of Origin of pollutants	Surface Discharge	Groundwater Discharge	Wet Prep -Other Production Plant	Pumped or Controlled Discharge	Low Volume STP
001E	Incised Pit	9,10	No	Yes	No	No	No
002E	Incised Pit	9,10	No	Yes	No	No	No

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

Outfall E/P	Reason Believed Present	Information Source - # of Samples								
			lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L
001E	Not Believed Present									
002E	Not Believed Present									

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

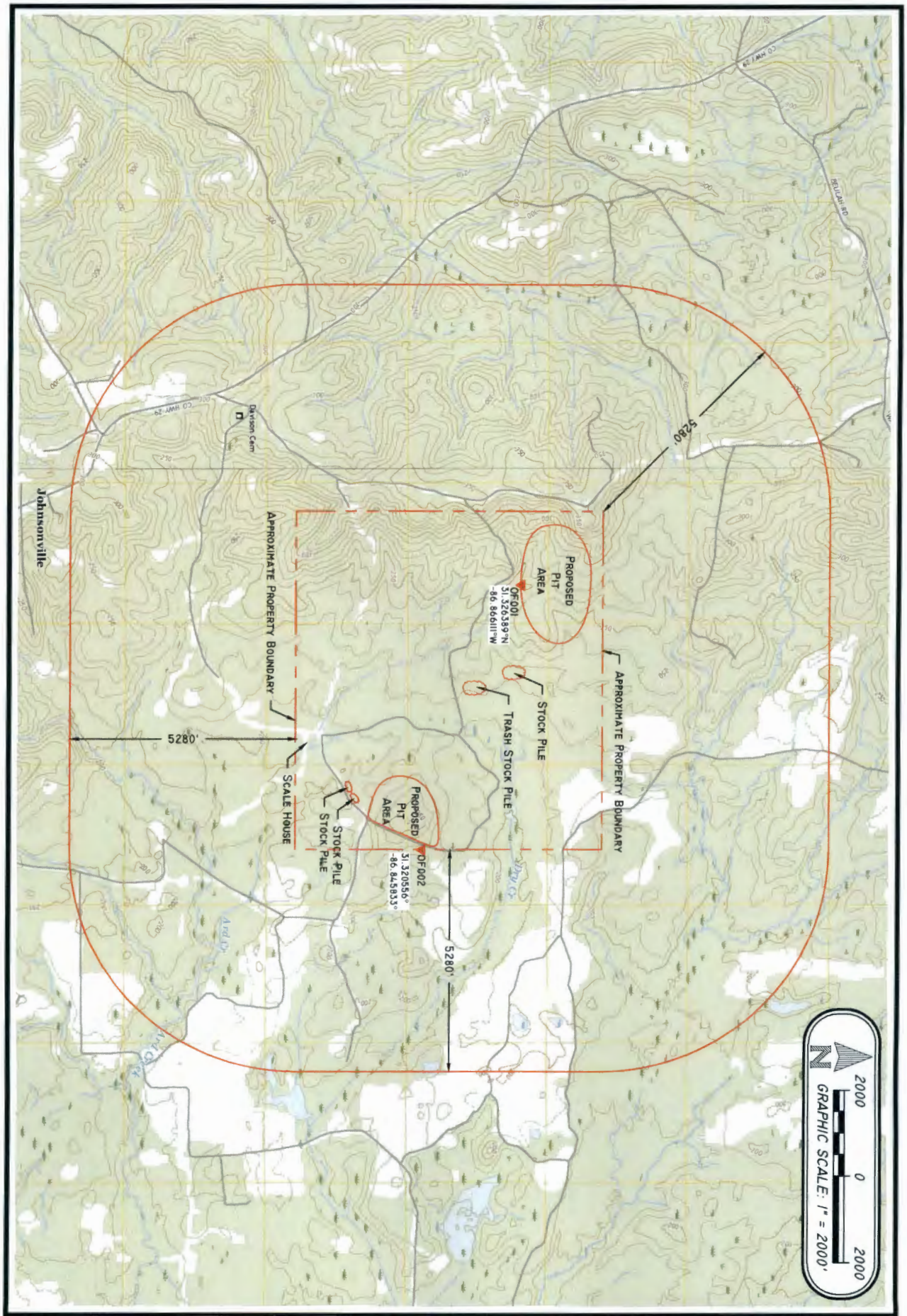
Outfall E/P	Information Source - # of Samples	Flow (cfs)	Flow (gpd)	Frequency (hours/day)	Frequency (days/month)	Sum/Win Temp, (°C)	pH (s.u.)	BOD5 (lbs/day)	TSS (lbs/day)	Tot Fe (lbs/day)	Tot Mn (lbs/day)	Tot Al (lbs/day)
001E	N/A	0	0	No Discharge	No Discharge	N/A	N/A	N/A	N/A	N/A	N/A	N/A
002E	N/A	0	0	No Discharge	No Discharge	N/A	N/A	N/A	N/A	N/A	N/A	N/A



PAGE 1 OF 1

FACILITES MAP
PATE ROCK QUARRY- CEDAR CREEK PIT AL0084093
T4N, R12E, S9
CONECUH COUNTY, ALABAMA

SOUTHERN
ENGINEERING SOLUTIONS
201 EAST TROY STREET
P.O. BOX 610
ANDALUSIA, AL 36420
PHONE 334.222.1849
FAX 334.222.1869
WWW.SOUTHERNENGINEERINGSOLUTIONS.COM



PAGE 1 OF 1

TOPOGRAPHICAL MAP

PATE ROCK QUARRY - CEDAR CREEK PIT AL0084093
T4N, R12E, S9
CONECUH COUNTY, ALABAMA

SOUTHERN ENGINEERING SOLUTIONS
201 East Troy Street
P.O. Box 610
Andalusia, AL 36420
Phone 334.222.1849
Fax 334.222.1869
www.southernengineeringsolutions.com

Pollution Abatement Plan (PAP)

for:

Pate Rock Quarry
Evergreen, Alabama

Permittee:

CR Pate Logging, Inc.
32440 County Road 6
Evergreen, AL 36401
crplog@yahoo.com

PAP Contact / QCP:

Southern Engineering Solutions, Inc.
Troy Hudson, PE
PO Box 610
Andalusia, Alabama
334-222-1849
troy@southernengineeringsolutions.com

PAP Preparation Date:

Revised September 2026

Estimated Permit Dates:

Project Start Date: **05/12/2026**
Project Completion Date: **05/31/2031**

SOUTHERN ENGINEERING SOLUTIONS



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1.0 INTRODUCTION

The Environmental Protection Agency (EPA) mandates that specific industries properly manage stormwater and prevent pollution. Specifically, owners and operators of Noncoal Mining Pits are required to obtain a permit for stormwater discharge associated with this industry. This Pollution Abatement and Prevention Plan (PAP) is required as part of the individual NPDES permit application for C.R. Pate Logging, Inc.'s Pate Rock Quarry (Cedar Creek Pit) facility.

Tonya Maraman prepared this PAP Plan under the supervision of Troy Hudson, PE in general accordance with ADEM Administrative Code R. 335-6-9. The purpose of this PAP Plan is to outline management practices and operating procedures implemented at the facility to prevent significant contamination of stormwater.

This Plan shall be maintained at the Pate Rock Quarry (Cedar Creek Pit) facility, also owned and operated by C.R. Pate Logging, Inc., and kept on site during operations and shall be available for review and inspection by the ADEM upon the request of the Director or his designee. Significant changes in the facility's processes, or additional requirements that may be established by ADEM, may require periodic updating of this plan.

A log of inspections and the documentation of training on the implementation of this PAP Plan shall also be maintained at the office and shall be available for inspection by representatives of ADEM.

2.0 FACILITY/SITE INFORMATION

2.1 OWNER/OPERATOR

The Pate Rock Quarry (Cedar Creek Pit) is owned and operated by CR Pate Logging, Inc. The mailing address for CR Pate Logging, Inc. is 20133 Brooklyn Road, Andalusia, Alabama 36421.

The facility site consists of approximately 271 acres of permitted property that includes two active mining disturbance areas and associated stockpile areas. It is located in T4N, R12E, S9; T4N, R12E, S10; T4N, R12E, S15; and T4N, R12E, S16 of Conecuh County, Alabama. The parcel description of the property for the pit is as follows:

Tract 1 Parcel Description

A parcel of land in Section 9, T4N, R12E Conecuh County, Alabama being described as the N ½ of the SW ¼ of the NW ¼, and W ¾ of the S ½ of the S ½ of the N ½, and the W ¾ of the S ½ all lying North of the Dirt Road. being better described as follows;

Commencing at a Concrete Marker being the Northeast Corner of NW ¼ of NW ¼ Section 9, T4N, R12E; thence S00°09'33"W along the East forty line a distance of 1341.26 feet to a ½" Capped Iron Pin "DHLS-1127" being the Point of Beginning; thence S00°12'49"W a distance of 679.01 feet to concrete marker; thence S88°23'13"E a distance of 2671.91 feet to a busted concrete marker; thence S0°38'50"W a distance of 2481.84 feet to a ½" Capped Iron Pin "DHLS-1127 set on the North margin of a privately maintained dirt road; thence S83°28'35"W along said North margin a distance of 777.94 feet to a ½" Capped Iron Pin "DHLS-1127; thence continue along said north margin along a curve to the right having a

radius of 132.23 feet, chord bearing of N52°13'56"W a chord distance of 206.77 feet to a ½" Capped Iron Pin "DHLS-1127"; thence N05°22'25"W a distance of 179.95 feet to a ½" Capped Iron Pin "DHLS-1127"; thence along a curve to the left having a radius of 204.55 feet, a chord bearing of N55°14'42"W a chord distance of 326.06 feet to a ½" Capped Iron Pin "DHLS-1127"; thence S84°53'53"W a distance of 132.24 feet to a ½" Capped Iron Pin "DHLS-1127"; thence along a curve to the right having a radius 363.62 feet, a chord bearing of N72°22'51"W, a chord distance of 178.93 feet to a ½" Capped Iron Pin "DHLS-1127"; thence N51°11'54"W a distance of 317.74 feet to a ½" Capped Iron Pin "DHLS-1127"; thence along a curve to the left having a radius of 289.33 feet, a chord bearing of N72°17'30"W, a chord distance of 248.57 feet to a ½" Capped Iron Pin "DHLS-1127"; thence S81°25'19"W a distance of 153.15 feet to a ½" Capped Iron Pin "DHLS-1127"; thence along a curve to the right having a radius of 186.98 feet, a chord bearing of N56°12'42"W, a chord distance of 178.62 feet to a ½" Capped Iron Pin "DHLS-1127"; thence N29°17'23"W a distance of 572.59 feet to a ½" Capped Iron Pin 'DHLS-1127"; thence along a curve to the left having a radius of 240.22 feet, a chord bearing of N71°56'45"W, a chord distance of 317.13 feet to a ½" Capped Iron Pin "DHLS-1127"; thence S68°13'08"W a distance of 446.97 feet to a ½" Capped Iron Pin "DHLS-1127"; thence along a curve to the left having a radius of 305.91 feet, a chord bearing of S52°19'15"W a chord distance of 303.13 feet to a ½" Capped Iron Pin "DHLS-1127"; thence S53°31'43"W a distance of 173.84 feet to a ½" Capped Iron Pin "DHLS-1127"; thence along a curve to the left having a radius of 1064.24 feet, a chord bearing of S50°15'58"W a chord distance of 359.11 feet to a ½" Capped Iron Pin "DHLS-1127"; thence N00°00'01"W departing said North Margin a distance of 2525.39 feet to a ½" Capped Iron Pin "DHLS-1127"; thence S89°59'48"E a distance of 1319.99 feet back to the Point of Beginning. Said tract of land consist of ±191.75 acres.

Tract 2 Parcel Description

A parcel of land in Section 10 and Section 15, T4N, R12E Conecuh County, Alabama, being described as E ¾ of the S ½ of the S ½ of the SW ¼ Sec. 10 all lying West of an old dirt road also the E ¾ of the NW ¼ of section 15 all lying West of an old dirt road, being better described as follows;

Commencing at a Concrete Marker being the Northeast Corner of NW ¼ of Section 15, T4N, R12E; thence N01°25'58"E along the East forty line a distance of 654.06 feet to a point; thence N90°00'00"W a distance of 183.60 feet to a ½" Capped Iron Pin "DHLS-1127" set on the West side of an old dirt road also being the Point of Beginning; thence along a the West margin of a said road along a curve to the Right having a radius of 5602.11, a chord bearing of S21°17'04"W, a chord distance of 2038.21 feet to a ½" Capped Iron Pin "DHLS-1127"; thence S54°25'25"W a distance of 203.97 feet to a ½" Capped Iron Pin "DHLS-1127"; thence S40°40'10"W a distance of 279.07 feet to a ½" Capped Iron Pin "DHLS-1127"; thence S50°51'46"W a distance of 261.85 feet to a ½" Capped Iron Pin "DHLS-1127"; thence S62°52'59"W a distance of 611.92 feet to a ½" Capped Iron Pin "DHLS-1127"; thence N0°38'19"E a distance of 2665.24 feet to a ½" Capped Iron Pin "DHLS-1127"; thence N89°43'33"E a distance of 1805.70 feet back to the Point of Beginning. Said parcel consist of ±76.55 acres.

Tract 3 Parcel Description

A parcel of land in Section 16, T4N, R12E Conecuh County, Alabama being described as SE

¼ of the SE ¼ lying South and East of the Maintained Dirt Road, being better described as follows;

Commencing at a Concrete Marker being the Southwest Corner of E ½ of E ½ of NE ¼ Section 16, T4N, R12E; thence S89°32'07"E along the South forty line a distance of 49.87 feet to a ½" Capped Iron Pin "DHLS-1127" set on the East side of a maintained dirt road also being the Point of Beginning; thence N15°58'43"W along East margin of said dirt road a distance of 260.83 feet to a ½" Capped Iron Pin "DHLS-1127"; thence along a curve to the right having a radius of 97.73 feet a chord bearing of N51°16'17"E a distance of 124.21 feet ½" Capped Iron Pin "DHLS-1127; thence S87°55'51"E a distance of 113.75 feet to a ½" Capped Iron Pin "DHLS-1127", thence S00°36'19"W departing said dirt road a distance of 326.64 feet to the aforementioned South forty line; thence N89°31'51"W a distance of 278.96 feet back to the Point of Beginning. Said parcel consist of ±1.74 acres.

2.2 GENERAL FACILITY INFORMATION

The Pate Rock Quarry (Cedar Creek Pit) employs 5 full-time employees. Their hours of operation are Monday – Friday from 7:00 AM to 5:00 PM. The operation is a Limestone Burrow Pit. All material excavated from the site is dry prepped at the primary site before being sold to public and private entities and transported off site.

Josh Pate, Vice President of CR Pate Logging, is the Emergency Contact and Person Responsible for the PAP. His contact information is as follows:

Mr. Josh Pate
20133 Brooklyn Road
Andalusia, Alabama 36420
(251) 578-3743

2.3 NARRATIVE OF OPERATION

Limestone is blasted, excavated, crushed, screened and sorted to be sold to public and private entities for use for various activities. This is a dry process facility; there is no wet prep at this facility.

2.4 PHYSICAL SITE INFORMATION

The facility is located in the US Topo 7.5-minute map for Brooklyn, Alabama. The soil type is Oktibbeha-Cadeville complex with 1-8% slopes. The total size of disturbance area is projected for 213 acres. There are no impervious surfaces at the facility. The average annual rainfall is 61 inches per year.

2.5 TOPOGRAPHIC MAP

A topographic map and a site facility map showing the two excavation areas, property boundaries, theoretical pit outfalls, access/haul road location, facility sign location, on- site office location, facility scale location, stockpile area locations and the existing and proposed pit limits, and etc. is depicted in Appendix A.

2.6 LOCATION OF STREAMS ADJACENT TO MINING AREA

An unnamed tributary to Ard Creek is located approximately 921 feet from the existing pit outfall E001, and an unnamed tributary to Dry Creek is located approximately 1,180 feet from the existing pit outfall E002.

There are no streams and/or receiving waters in close proximity to the facility, therefore, a vegetative buffer or silt fence is not needed to ensure the mining activities do not impact the water quality.

3.0 MANAGEMENT PRACTICES

In general, all areas of the facility shall be kept clean. Trash will be collected and disposed of properly and general cleanliness will be maintained. Daily inspections of the facility when operating will indicate any deficiencies that may require correction. Equipment maintenance is not performed at the facility; therefore, contamination from this type of operation should not be a factor. In addition to good housekeeping and inspections, the following management practices shall be implemented to prevent stormwater pollution.

3.1 SEDIMENT AND EROSION CONTROL

Preservation of vegetation in areas that are not being mined will reduce the potential for erosion at the facility as well as providing a vegetative strip to allow for sediment to settle out of runoff before leaving the facility. Areas not actively being mined for 13 plus days will be temporarily vegetated. Additionally, vegetation growth is encouraged in the roadside ditches to reduce the potential for sedimentation from the dirt haul roads.

3.2 METHOD OF DIVERTING SURFACE WATER RUNOFF

This facility will be an incised basin pit. This type of basin is designed so that all surface runoff water associated with the land disturbance of the basin will stay within the excavated boundaries of the basin.

Utilizing the natural topography, two small settling basins/ponds large enough to accommodate surface water runoff from the disturbed area and the stockpile area will prevent a surface water discharge under normal circumstances. The small settling ponds that need not be engineered will be dug inside the basin to capture runoff and will hold the runoff to allow proper infiltration time back into groundwater. Each basin will be monitored to ensure that it continues to function as it is constructed.

Diversion dikes and ditches are used around the perimeter of the excavation areas and throughout the pit to slow the velocity of runoff and ensure that runoff is diverted back into the mined area. If in the future, conditions warrant additional engineering controls to contain and dispose of runoff, this PAP plan will be amended to include the engineered design of these controls and disposal methods.

3.3 SEDIMENT CONTROL FOR HAUL ROADS

The haul road is unpaved and will have a sustained greater of no greater than 10% to control erosion. The outer slopes are no steeper than 2:1 and stabilized. The road will be stabilized with rock and vegetative buffers. These BMPs will be maintained and inspected regularly. If inspections determine additional measures are needed, they will be installed and maintained.

Roads are to be treated or otherwise maintained to control dust in order to minimize fine particles in the air and water on site. The typical method of control is operating a water truck or sprinkler system to lightly wet the roads and suppress the production of dust during dry conditions.

4.0 RAW MATERAILS, PROCESSES, AND PRODUCTS

Limestone is the primary material mined at this facility. This operation consists of blasting, excavating by backhoe, crushing, stockpiling and transporting material off site. The main waste product, silt, will be diverted back into the mined area, as will most surface runoff. There will be no flocculants, coagulants, or flocculants used in the operations. There will be no wet preparation or products produced at this facility that will generate wastewater.

5.0 SCHEMATIC DIAGRAM

A schematic diagram is provided in Appendix B showing all processes both proposed and existing at the site.

6.0 POST TREATMENT QUANITY AND QUALITY OF EFFLUENT

By design of an incised pit, there should be no surface water discharge associated with the pit. Water is collected in the pit, diverted to small settling areas that traps sediment as water discharges to groundwater by percolation. The settling areas will be dug and backfilled as needed as the pit expands. Based on the nature of the operation, there should be no surface water discharges. However, in the event of a surface water discharge, the pH, iron, and TSS should pose no problem remaining within compliance with the NPDES parameter requirements and will be monitored to ensure the permit limits are not exceeded.

7.0 WASTE TREATMENT FACILITIES

Runoff associated with this facility will be treated by percolation back into the groundwater system by using small settling basins within the incised pit. As the pit expands, new non-engineered basins will be dug to accommodate the additional runoff and existing basins that are no longer needed will be backfilled. The minimum width at the top of the dam will be at least 12 feet. The side slopes of the dam will be no steeper than 3:1. Annual and perennial grasses will be established on the embankments of the dam to cover at least 80%. The dams will be equipped with emergency spillways sized for peak flows from a 25-year, 24-hour storm event. The emergency spillway should be 20 feet long, lined with riprap, and with side slopes not steeper than 2:1. At least 1.5 feet of freeboard should be below the emergency spillway.

Accumulated sediment/sludge in the settling basin/ponds will be removed when the pond has lost 60% of the liquid storage capacity due to sedimentation.

The treatment areas are to be maintained until mining has ceased, the site has been completely reclaimed, and the operator has received written permission from ADEM to remove the ponds.

8.0 POTENTIAL NON-POINT SOURCE POLLUTION COUNTERMEASURES

Since the mining operation is an incised pit, any pollutant associated with the mining operation would drain to the settling basin preventing a nonpoint source discharge.

9.0 SPILL PREVENTION CONTROL AND COUNTERMEASURES (SPCC) PLAN

A SPCC Plan has been prepared for this facility and is being submitted with the application for renewal.

10.0 RUNOFF CALCULATIONS

Run off calculations are not applicable at this time due to the fact that this is an incised pit and surface water does not discharge out of the pit. If in the future, conditions at the pit are changed to where sedimentation basins are needed to treat stormwater, this PAP Plan will be amended to show the runoff calculations for each basin needed. These numbers will be calculated using the Rational Method (Q=CIA). Also as stated in the regulations, spillway pipes will be sized the carry the expected peak flow from a one-year frequency storm event and the emergency spillways shall be designed to carry the expected peak flow from a 25-year, 24-hour storm or shorter event.

11.0 RECLEMATION PROCEDURE

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

12.0 INSPECTION AND PREVENTATIVE MAINTENANCE

The inspection of the facility along with regularly scheduled preventive maintenance will provide the environment a large measure of protection from the pollution caused by the unintentional release of contaminants. The following items should be included as part of the routine inspections and maintenance at the facility:

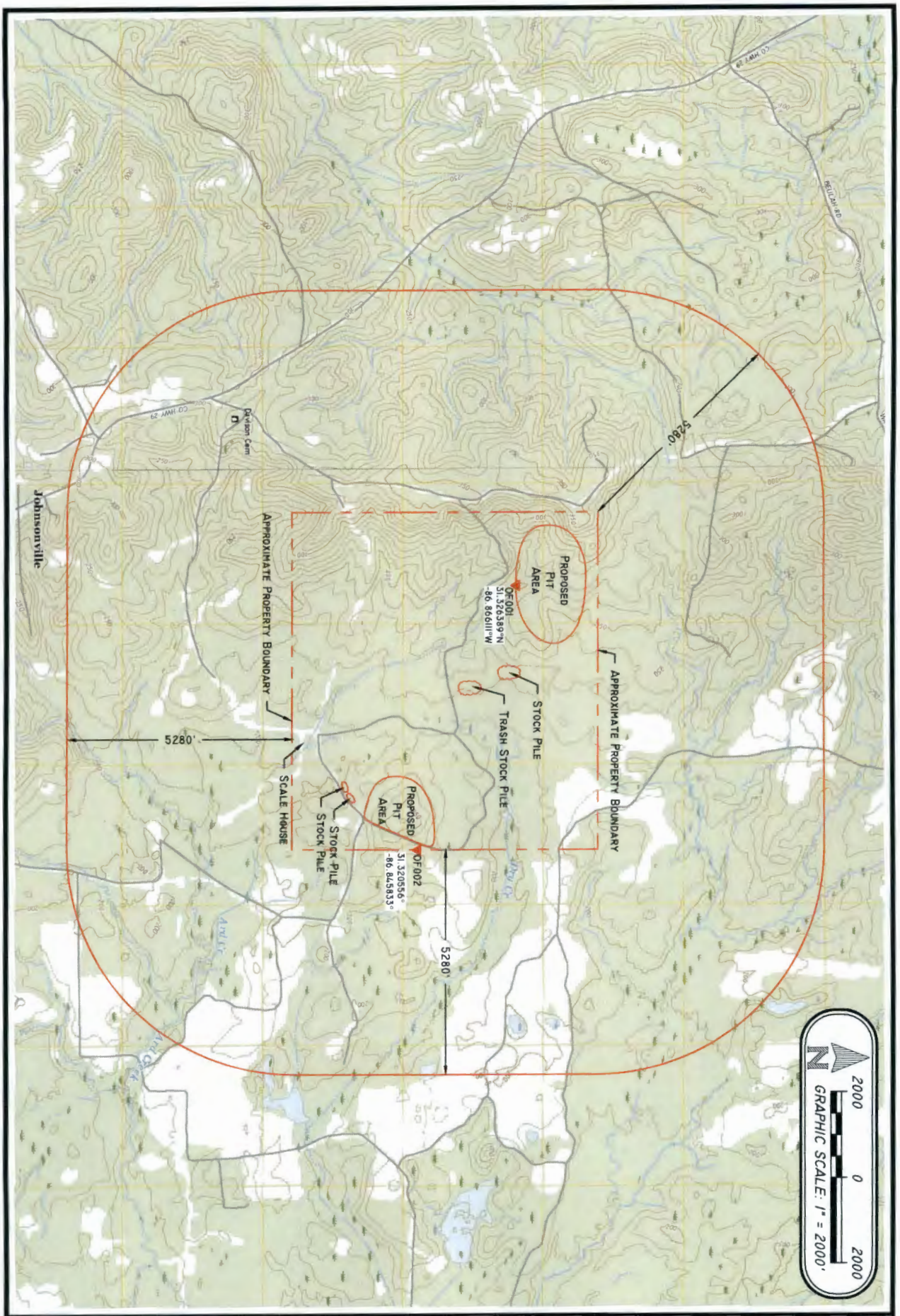
- inspection of grounds
- inspection of stormwater conveyances and maintenance to prevent excessive erosion
- inspection and testing of equipment operational systems

The best way to prevent the contamination of stormwater by pollutants is to prevent their contact. At the Pate facility, diligent management practices are employed to prevent the contact of pollutants with stormwater that runs onto or off the property.

13.0 PUBLIC WATER SUPPLY IMPOUNDMENT

This mining facility is not located in the watershed of an impoundment classified as a public water supply.

APPENDIX A – SITE MAPS

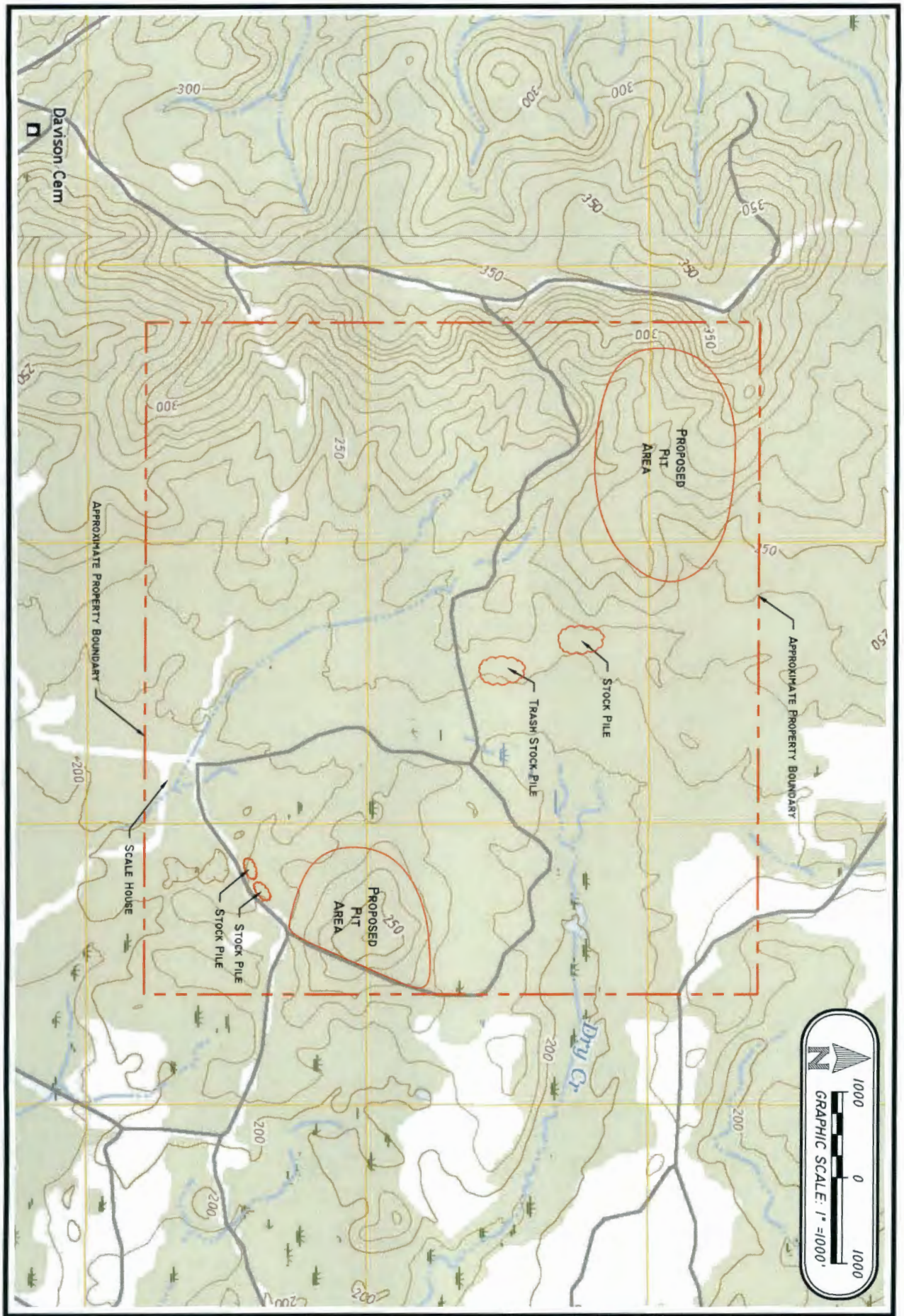


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TOPOGRAPHICAL MAP

PATE ROCK QUARRY - CEDAR CREEK PIT AL0084093
T4N, R12E, S9
CONECUH COUNTY, ALABAMA

SOUTHERN ENGINEERING SOLUTIONS
201 EAST TROY STREET
P.O. BOX 610
ANDALUSIA, AL 36420
PHONE 334.222.1849
FAX 334.222.1869
WWW.SOUTHERNENGINEERINGSOLUTIONS.COM



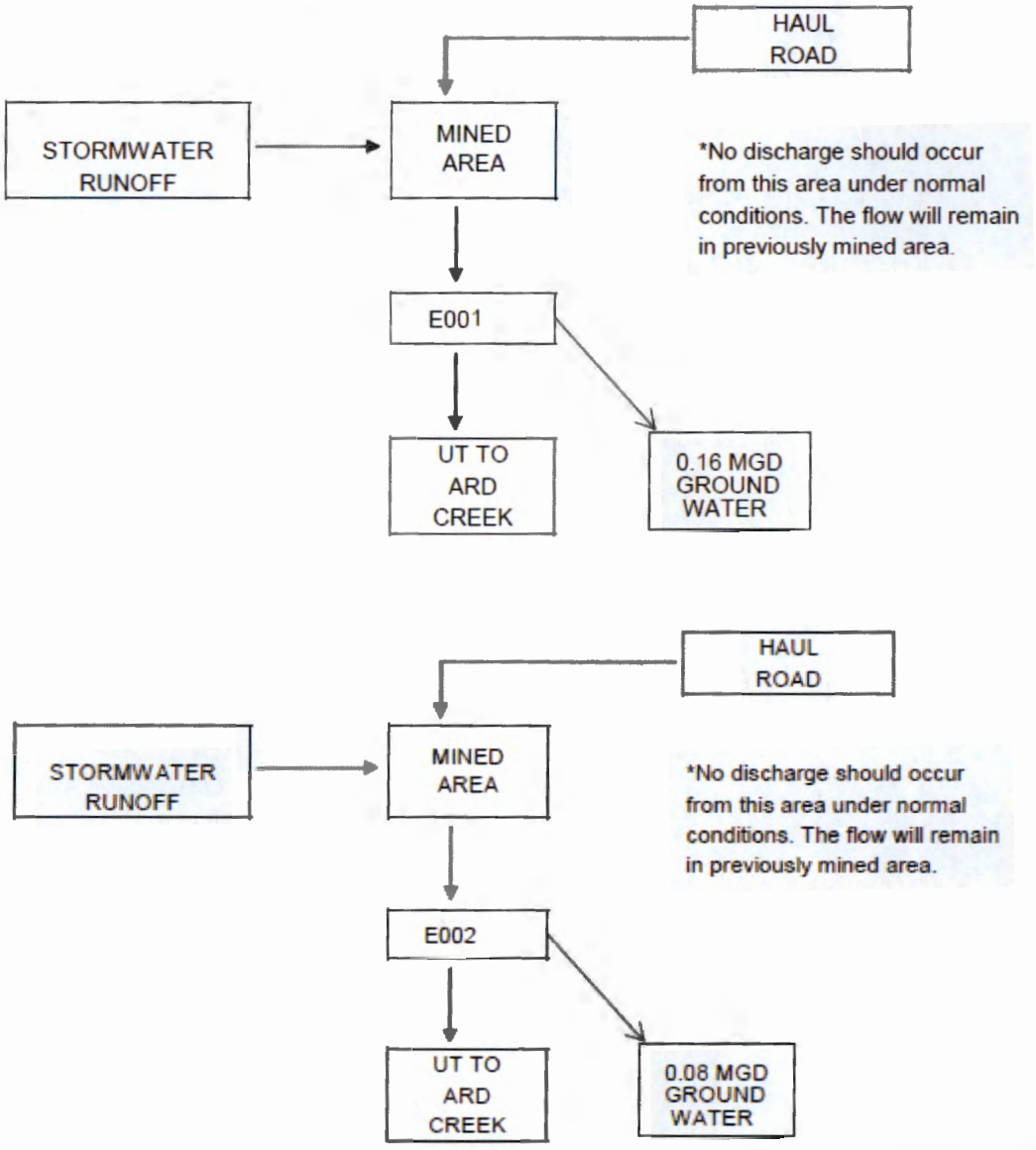
PAGE 1 OF 1

FACILITES MAP
PATE ROCK QUARRY- CEDAR CREEK PIT AL0084093
T4N, R12E, S9
CONECUH COUNTY, ALABAMA

SOUTHERN
ENGINEERING SOLUTIONS
201 EAST TROY STREET
P.O. BOX 610
ANDALUSIA, AL 36420
PHONE 334.222.1849
FAX 334.222.1869
WWW.SOUTHERNENGINEERINGSOLUTIONS.COM

APPENDIX B – PLANT SCHEMATICS

Facility Flow Schematic



*Under normal conditions, all runoff should remain in incised pit and pit sediment basins until it discharges to groundwater.

APPENDIX C –CALCULATIONS

Runoff Calculations for Groundwater Discharges

Annual estimated rainfall for Conecuh County, Alabama is 61 inches.
61 inches/365 = 0.17in/day of rainfall = 0.0071 in/hr

Q = CIA (Q = discharge, C = runoff coefficient, I = storm intensity, A = drainage area)

Disturbance Area Outfall E001:

C = 0.30, I = 0.0071 in/hr, A = 143 AC
Q = 0.30 x 0.0071 in/hr x 143 AC
Q = 0.305 cfs = 197,127 gal/day
197,127 gal/day = 0.16 MGD

Disturbance Area Outfall E002:

C = 0.30, I = 0.0071 in/hr, A = 70 AC
Q = 0.30 x 0.0071 in/hr x 70 AC
Q = 0.149 cfs = 96,301 gal/day
96,301 gal/day = 0.08 MGD

APPENDIX D –POLLUTION ABATEMENT/TREATMENT MEASURES AND SEDIMENT CONTROL STRUCTURES CERTIFICATION REPORT

WATER DIVISION
MINING AND NATURAL RESOURCES SECTION
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

POLLUTION ABATEMENT/TREATMENT MEASURES AND SEDIMENT CONTROL STRUCTURES CERTIFICATION REPORT

Please type or print in ink. Use one form per outfall. Please complete all questions. Use "N/A" where appropriate. Incorrect/Incomplete Forms will be returned and may delay approval.

Name of Permittee:_____

Postal Address of Permittee:_____

Facility Name:_____

NPDES Permit Number:_____

Point Source (Outfall) Number:_____

Location of Outfall:

County: _____ Township:_____ Range:_____ Section:_____

Latitude:_____ Longitude:_____ (In degrees, minutes, & seconds)

Consulting Firm Name & Address:_____

_____

Consulting Firm Phone:(____)_____ Fax:(____)_____ Email Address:_____

Based upon the post-construction inspection of the above-referenced facility on (date)_____

which I or personnel under my supervision (Print name: _____) conducted, I certify that all pollution abatement/treatment structures/measures, including each basin and its associated structures, have been designed and properly constructed according to good engineering practices, and in accordance with the requirements of the above-referenced NPDES permit and: (check one)

ASMC PERMITTED OR BONDED FACILITIES

☐ In accordance with ASMC Administrative Code 880-X-8F and 880-X-10C and/or the detailed design plans approved by ASMC.

NON-ASMC PERMITTED OR BONDED FACILITIES

ADEM Administrative Code r. 335-6-9, including Appendix A and B, and applicable sections of Chapters 335-6-3, 335-6-6, and are built:

☐ In accordance with good engineering practices, and in strict agreement with the above-referenced NPDES permit, ADEM regulations, and the construction plans or revision accepted for the above-referenced NPDES permit application.

☐ In accordance with good engineering practices, and in strict agreement with the above-referenced NPDES permit, ADEM regulations, and substantial agreement with the construction plans or revision accepted for the above-referenced NPDES permit application with minor exceptions. **Detail these minor exceptions below or on back of form and submit revised construction plans if necessary. Document all reasons for exceptions.**

_____ _____ _____

PE Name (Please Type or Print) Signature Date

_____

PE Registration # and Affix Seal

SPILL PREVENTION, CONTROL AND COUNTERMEASURES (SPCC) PLAN

for:

Pate Rock Quarry
Evergreen, Alabama

Permittee:

CR Pate Logging, Inc.
32440 County Road 6
Evergreen, AL 36401
crplog@yahoo.com

PAP Contact / QCP:

Southern Engineering Solutions, Inc.
Troy Hudson, PE
PO Box 610
Andalusia, Alabama 36420
334-222-1849
troy@southernengineeringsolutions.com

PAP Preparation Date: July 2025

SOUTHERN
ENGINEERING SOLUTIONS

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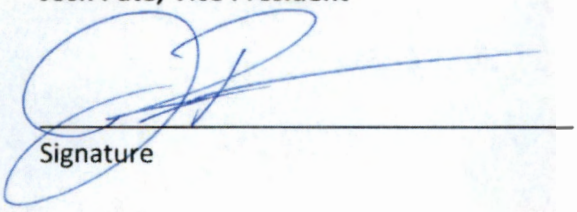
1.0 MANAGEMENT APPROVAL

C.R. Pate Logging, Inc. is committed to maintaining the highest standards for preventing discharges of oil to navigable waters and the environment through the implementation of this SPCC Plan. This SPCC Plan has the full approval of C.R. Pate Logging, Inc. management. C.R. Pate Logging, Inc.'s management has committed the necessary resources to implement the measures described in this Plan.

Josh Pate is the Designated Person Accountable for Oil Spill Prevention at this Pate Rock Quarry (Cedar Creek Facility) and has the authority to commit the necessary resources to implement the Plan as described.

Authorized Facility Representative:

Josh Pate, Vice President



Signature

Date: 10/8/25

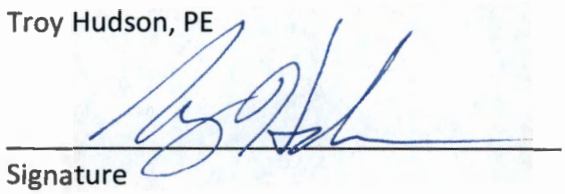
2.0 PROFESSIONAL ENGINEER CERTIFICATION (40 CFR 112.3(d))

The undersigned Registered Professional Engineer is familiar with the requirements of Part 112 of Title 40 of the Code of Federal Regulations (40 CFR part 112) and has visited and examined the facility or has supervised examination of the facility by appropriately qualified personnel. The undersigned Registered Professional Engineer attests that this Spill Prevention, Control, and Countermeasure Plan has been prepared in accordance with good engineering practice, including consideration of applicable industry standards and the requirements of 40 CFR part 112; that procedures for required inspections and testing have been established; and that this Plan is adequate for the facility. [112.3(d)]

This certification in no way relieves the owner or operator of the facility of his/her duty to prepare and fully implement this SPCC Plan in accordance with the requirements of 40 CFR part 112.

Troy Hudson, PE

Registration Number: 23771



Signature

Date: 07/24/2025

3.0 GENERAL FACILITY INFORMATION

3.1 INTRODUCTION

The Federal Oil Pollution Act (OPA) and the Oil Pollution Prevention Rule (Amended 40 CFR 112) requires C.R. Pate Logging, Inc. to prepare and implement a Spill Prevention Control and Countermeasures Plan (SPCC Plan) at all sites where oil in quantities greater than 55 gallons are stored, processed, distributed, or consumed, and when the total storage capacity of a facility exceeds 1,320 gallons.

A SPCC Plan contains the appropriate practices to be implemented at the facility to prevent discharges of oil into the waters of the United States. The primary goal is prevention of spills as opposed to response or cleanup measures once a spill has occurred.

This SPCC Plan has been prepared for C.R. Pate Logging, Inc. by Southern Engineering Solutions, Inc., in accordance with the guidelines set forth in 40 CFR 112.7. This SPCC Plan is a working document that should be maintained and/or updated by the permit registrant as deemed necessary to ensure continued compliance with all requirements. This SPCC Plan should remain at the facility and be available for review by ADEM personnel.

In accordance with 40 CFR 112.3(e), a complete copy of this SPCC is maintained at the scale house of this facility.

3.2 GENERAL FACILITY DESCRIPTION

The Pate Rock Quarry (Cedar Creek Facility) occupies approximately 271 acres and is located in Brooklyn, Conecuh County, Alabama, off of Conecuh County Road 29 (See attached facilities map in **Appendix A**). The facilities map shows the site topography and the location of the facility relative to waterways, roads, and inhabited areas.

The Pate Rock Quarry (Cedar Creek Facility) mines, and dry-screens 100% limestone. Aggregate is then loaded and sold to the public, as well as private industries. The Pate Rock Quarry (Cedar Creek Facility) is currently covered under an ADEM Individual Permit, AL0084093.

CONTACT PERSONNEL RESPONSIBLE FOR SPCC PLAN IMPLEMENTATION

Josh Pate C.R. Pate Logging, Inc. VP
20133 Brooklyn Road, Andalusia, AL 36421
(251) 578-3743

EMERGENCY CONTACT

National Response Center	1-800-424-8802	24-hour Hotline
U.S. EPA Region 4	(404) 562-8700	24-hour Hotline
ADEM	(334) 271-7700	1-800-843-0699 (24-hr)
Conecuh County EMA	(251) 578-5911	24-hour Hotline
Fire/Ambulance/Police	911	24-hour Hotline

3.3 TOPOGRAPHY AND RECEIVING WATER

The Pate Rock Quarry facility has two permitted outfalls. Outfall one is 1,400 feet from the receiving water, an unnamed tributary to Ard Creek; and outfall two is 1,500 feet from the receiving water, an unnamed tributary to Dry Creek. These tributaries eventually feed into Bottle Creek and then the Sepulga River.

The topography and the proximity to surface water can be viewed in the Facilities Topographical Map in **Appendix A**.

4.0 SPILL RESPONSE AND REPORTING

4.1 REGULATORY REPORTING

A facility is subject to the reporting requirements of 40 CFR Part 110 & 40 CFR Part 112 if it discharges a harmful quantity of oil to U.S. navigable waters. Under the Clean Water Act, the term "oil" has a broad definition and applies to both petroleum and non-petroleum oils (e.g. vegetable oil). "Harmful quantity" is defined by the "sheen rule":

- Discharges that cause a sheen or discoloration on the surface of a body of water.
- Discharges that violate applicable water quality standards.
- Discharges that cause a sludge or emulsion to be deposited beneath the surface of the water or on adjoining shorelines.

Additionally, facilities subject to 40 CFR Part 112 (the SPCC rule) must also report the following conditions to the EPA regional administrator and the state agency in charge of oil pollution control activities where the facility is located:

1. When the facility has a discharge of 1,000 gallons* or more of oil.
2. When the facility has two or more discharges of 42 gallons* or more each of oil within any 12-month period.

*The gallon amounts specified is the amount of oil that is discharged, not the amount of oil spilled.

4.2 VERBAL NOTIFICATION

The Pate Rock Quarry (Cedar Creek) staff is responsible for ensuring that the local authorities, the EPA and the ADEM are contacted about all spills regardless of discharge amounts. Josh Pate is responsible for ensuring that all required discharge notifications are made. If he is not available when a spill occurs, the general manager will begin the required discharge notifications.

4.3 WRITTEN NOTIFICATION

Written notification must be made to EPA and ADEM within 30 days of an emergency spill that results in a discharge to a water of the State or a discharge greater than 1,000 gallons.

The following information must be included in the reports to the EPA Regional Administrator:

- Name & location of the facility.
- Owner/operator name.
- Material spilled.
- Exact location of the spill.
- Date and time of spill discovery.
- Estimated amount spilled & estimated amount discharged.
- Maximum storage or handling capacity of the facility and normal daily throughput.
- Corrective action and countermeasures taken, including a description of equipment repairs and replacements.
- An adequate description of the facility, including maps, flow diagrams, and topographical maps, as necessary.
- Cause of the discharge, including a failure analysis of the system or subsystem in which the failure occurred.
- Spill impacts (e.g., injuries, property damage, sheen in waterway, etc.).
- Additional preventive measures taken or planned to minimize discharge recurrence.
- if the discharge was more than 1,000 gallons or was the 2nd discharge of 42 gallons or more into a waterway in any 12-month period.
- Other information the EPA Regional Administrator may reasonably require.

4.4 SPILL RESPONSE PROCEEDURES

In the event of a spill, the personnel observing the spill should immediately do the following:

- Shut off ignition sources.
- Stop the flow that is source of discharge.
- Ensure the flow has been stopped and contained.
- Secure the area.
- Notify Josh Pate at 251-578-3743 immediately so he can determine if additional contacts should be made.
- Contact Regulatory Agency: ADEM (Montgomery) at 334-271-7700 if requirements from Section 4.3 are met.

- Emergency 24-Hour Spill Response Contractor: CHEMTREC at 1-800-424-9300 or Robbie's Dozer & Construction Services at 251-578-0014 if services are required.

4.5 SPILL RESPONSE MATERIAL

Boom, sorbent, and other spill response materials are stored in the shed next to the loading area and are accessible by Pate Rock Quarry (Cedar Creek) personnel. The response equipment inventory for the facility includes:

(4)	Empty 55-gallons drums to hold contaminated material
(100 pounds)	"Oil-dry" loose absorbent material
(2 boxes)	2 ft x 3 ft absorbent pads
(1 box)	Gloves
(1)	Non-sparking shovel
(1)	Broom
(5)	Sandbags

Additional equipment and material are also kept at the Brooklyn Office. The inventory is checked monthly to ensure that used material is replenished. Supplies and equipment may be replenished as needed.

5.0 SPILL PREVENTION, CONTROL, AND COUNTERMEASURES

5.1 GENERAL DESCRIPTION OF PETROLEUM STORAGE AREA

C.R. Pate Logging, Inc. has a fixed fuel storage and dispensing operation at the facility. The types and amounts of fuel stored at the site are as follows: 2 - 10,000 gallon on-road diesel tank and 1 – 10,000 gallon off road diesel tank. The tanks are made of fiberglass shells with a poly lining. Their design and construction are compatible with the oil they contain and the temperature and pressure conditions of storage. The dispensing operation is covered by a roof 60'x 60', large enough to cover the tanks, fueling area, and secondary containment (See **Appendix B**, Design Calculations).

5.2 POTENTIAL SPILL SOURCES

The areas having the highest spill potential at the Pate Rock Quarry (Cedar Creek) include vehicle refueling areas and bulk storage tanks and other facilities associated with vehicle maintenance. Spills from these facilities may consist of various types of oil-related products, such as gasoline, diesel fuel, hydraulic fluid, and engine oil.

The potential spill sources at the facility are as follows:

a. Tank or valve rupture.

b. Tank overflows during fuel unloading.

c. Hose rupture during unloading of fuel and spillage from hoses after disconnecting.

d. Spillage from hoses during fuel unloading or pumping fuel from tanks into trucks and equipment.

5.3 SPILL PREVENTION MEASURES

Measures taken by facility personnel to minimize any potential for a spill include the following:

a. The fuel tanks and valves are inspected for leaks on a regular basis as part of the BMP Inspections performed at the facility. Any deficiencies are reported on the Inspection Form and the appropriate measures are taken.

b. Fuel supply drivers coordinate with the C.R. Pate Logging, Inc. to ensure the fuel is being supplied using the Owner's operating procedures for product receipts. The receipt capacity of a tank is verified prior to dispensing fuel into the tank.

c. Drivers are instructed to remain with their equipment while unloading. They are instructed to visually inspect truck hoses and utilize proper hose draining procedures.

d. During equipment fueling, drivers and facility personnel are instructed to pay attention during fueling procedures to ensure overfilling equipment does not occur.

5.4 SPILL CONTROL MEASURES

Controls implemented at the facility to control spills if one were to occur are as follows:

a. Secondary Containment – The fuel storage area includes a concrete containment structure. The interior dimensions of the structure are 60' x 57' x 24.5" deep. The structure has a capacity to hold 8,550 cubic feet of liquid. The volume of one of the tanks plus 110% equals 2,807.5 cubic feet. The secondary containment can adequately contain 110% of all three tanks. It is covered with a roof, so there is minimal potential for stormwater to collect in the bottom of containment structure. If a spill were to occur, the fuel would be contained in the structure. There are no drains in the floor so there is no concern for leaks. If a minor spill occurs within the secondary containment structure, the fuel will be left to evaporate. If the spill is substantial, the Owner will contact a qualified spill response contractor, and the fuel will be pumped out of the containment structure and into a leak proof container and property managed offsite.

b. Covered Fueling Area – The fueling area is covered with a roof eliminating the potential for stormwater to come in contact with a spill in the fueling area. If a spill were to occur outside the secondary containment structure, contaminated soil would be removed and properly managed offsite by a qualified spill response contractor.

c. Tank Truck Unloading – In order to ensure that spills do not occur as fuel is being unloaded from the tank trucks into the above ground storage tanks, tank trucks should adhere to proper tank unloading procedures as follows:

    - Driver must call prior to delivery and notify Pate Rock Quarry (Cedar Creek Facility) personnel.
    - Technician to verify area is secure and spill kit and secondary containment availability.
    - Make sure the tank truck and storage tank are properly vented before starting to unload.
    - Make sure wheel chocks or other similar barriers are in place to prevent premature truck departure during unloading.

- Technician and driver shall verify that storage tank has sufficient capacity to accept the delivered volume.
- Hook up unloading hose and place drip pans under all hose connections.
- Open all appropriate valves from tank truck belly exit to storage tank.
- Monitor storage tank levels during unloading to prevent overfill and spill.
- Close belly valve on tank truck to storage tank.
- Loosen loading hose to allow enough air to drain loading hose dry.
- Ensure that drips from hose drain into drip pans at the loading area.
- Disconnect loading hose completely and fasten securely.
- Promptly clean any spilled material.
- Inspect lowermost drain and valves of the tank truck for discharges/leaks and ensure that they are tightened, adjusted, or replaced as needed to prevent discharge while truck is in transit.

5.5 COUNTERMEASURES

The size of the secondary containment is sized so C.R. Pate Logging, Inc. has adequate controls to intercept or retain a catastrophic accidental discharge of fuel product at the facility.

If a substantial spill were to occur outside of the secondary containment structure, the contaminants would either soak into the ground or be diverted into the secondary containment area. Contaminated water in the containment area would be properly managed as described above. Contaminated soil would have to be removed and properly disposed offsite by a qualified spill response contractor.

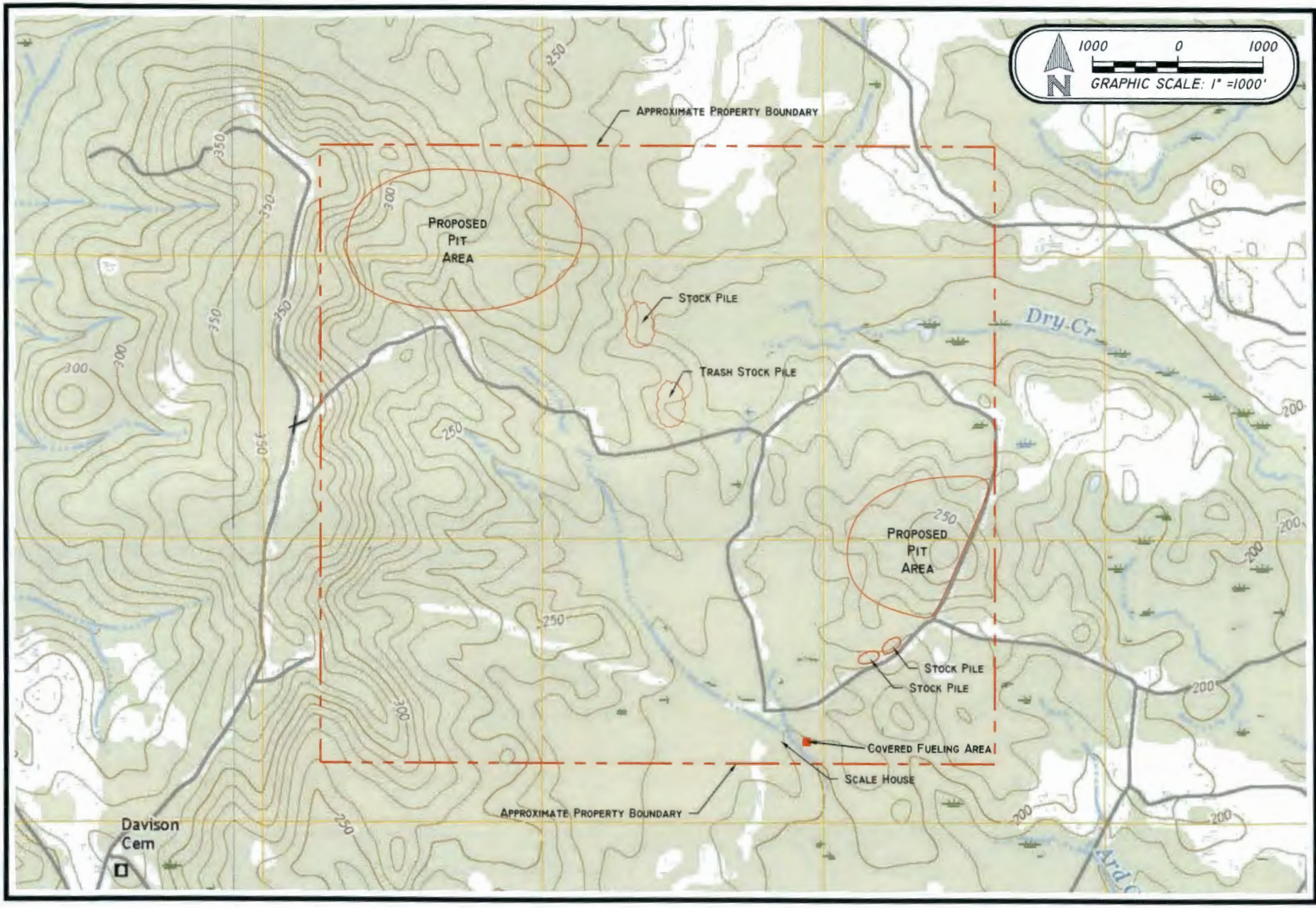
6.0 INSPECTIONS

Inspections of the facility BMPs are made twice weekly at the facility. The BMP inspections include a visual examination that consists of a walk-through of the tanks and around the fueling operation area. Personnel will examine all aboveground valves, fittings, gauges, and piping. Personnel inspect pumps to verify proper function and check for damage and leakage. They look for accumulation of water within the berms and verify the condition and position of valves. All malfunctions, improper operation of equipment, evidence of leakage, stained or discolored soil, etc. observed during the inspection will be recorded on the inspection form and reported to the Owner or the SPCC Supervisor. Upon notification of maintenance or repair issues, appropriate actions will be taken. See **Appendix C**- Inspection Checklist for a detained inspection list.

7.0 SPCC TRAINING

Personnel involved in fueling operations will be required to review this SPCC Plan and will receive training to properly operate and maintain the onsite fueling operations. Upon completion of SPCC training, qualified personnel must sign the Training Verification Form included in **Appendix D** of this Plan. The Training Verification Form is to be kept in the SPCC Plan and made available for review by ADEM personnel.

APPENDIX A – FACILITIES MAP



SOUTHERN ENGINEERING SOLUTIONS
201 East Troy Street
P.O. Box 610
Andalusia, AL 36420
Phone: 334.222.1849
Fax: 334.222.1869
www.southernengineeringsolutions.com

FACILITES MAP
PATE ROCK QUARRY
CONECUH COUNTY, ALABAMA

APPENDIX B – DESIGN CALCULATIONS

Spill Prevention Control and Countermeasure (SPCC) Plan

Construct New Secondary Containment

WORKSHEET

A. Determining required dike or berm dimensions for largest single tank

1. Calculate the volume of the tank

Largest Tank Shell Capacity (gal) = 10000 (a)

Largest Tank Volume (ft^3) = 10000 (a (gal)) ÷ 7.48 gal/ft^3

= 1336.80 ft^3 (b)

Note that state and local fire and safety codes may prescribe limits on the height of containment walls, minimum separation distances between tanks, and setback distances. For instance, Occupational Safety and Health Administration (OSHA) flammable and combustible liquids standards in 29 CFR 1910.106 prescribe separation distances between adjacent tanks. Such requirements may present constraints on the location, dimensions, and configuration of the secondary containment structure. The footprint of the tank or tanks and arrangement of the tanks when there is to be more than a single tank within secondary containment may also present constraints on the containment dimensions.

2. Specify the containment wall height and one containment lateral dimension D1 to calculate lateral dimension D2

Note: NaN = Not A Number. Once values **b, c, and e** are inputted, NaN will be replaced with the correct value for **f**.

Height of Containment Wall, SC_{Height} (ft) = 2 ft (c)

Height of Containment Wall, SC_{Height} (in) = 2 (c (ft)) x 12 in/ft

= 24 in (d)

D1 (ft) = 60 ft (e)

b is the volume of the largest tank calculated in Step 1.

D2 (ft) = 1336.80 (b (ft^3)) ÷ 2 (c (ft)) ÷ 60 (e (ft)) = 11.140 ft (f)

APPENDIX C – INSPECTION CHECKLIST

Further description and comments, if needed, should be provided on a separate sheet of paper and attached to this sheet. Any item answered "YES" needs to be promptly reported, repaired, or replaced, as it may result in non-compliance with regulatory requirements. Records are maintained with the SPCC Plan at the Cedar Creek Facility Scale House.

Date: _____ Signature: _____

	Yes	No	Description & Comments (Note tank/equipment ID)
Storage tanks and Separation Equipment			
Tank surfaces show signs of leakage			
Tanks show signs of damage, rust, or deterioration			
Bolts, rivets or seams are damaged			
Aboveground tank supports are deteriorated or			
Aboveground tank foundations have eroded or settled			
Gaskets are leaking			
Level gauges or alarms are inoperative			
Vents are obstructed			
Thief hatch and vent valve does not seal air tight			
Containment berm shows discoloration or stains			
Berm is breached or eroded or has vegetation			
Berm drainage valves are open/broken			
Tank area clear of trash and vegetation			
Equipment protectors, labels, or signs are missing			
Piping/Flowlines and Related Equipment			
Valve seals or gaskets are leaking.			
Pipelines or supports are damaged or deteriorated.			
Buried pipelines are exposed.			
Transfer equipment			
Loading/unloading lines are damaged or deteriorated.			
Connections are not capped or blank-flanged			
Secondary containment is damaged or stained			
Response Kit Inventory			
Discharge response material is missing or damaged or needs replacement			

Additional Remarks (attach sheet as needed):

APPENDIX D – TRAINING VERIFICATION FORM

Date	Type of Training	Personnel