**Edward F. Poolos**
Director

**Jeffery W. Kitchens**
Deputy Director

**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

**Kay Ivey**
Governor

October 22, 2026

Mr. Declan Yearwood
Managing Member
Yearwood Quarries, LLC
P.O. Box 2418
Cullman, AL 35056

RE: Draft Permit
Rock Creek Quarry
NPDES Permit Number AL0084475
Winston County (133)

Dear Mr. Yearwood:

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

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

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

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

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

Sincerely,

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

WDM/rlg File: DPER/58654

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

Alabama Department of Environmental Management

# NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

| | | |
|---|---|---|
| PERMITTEE: | Yearwood Quarries, LLC<br>P.O. Box 2418<br>Cullman, AL 35056 | |
| FACILITY LOCATION: | Rock Creek Quarry<br>338 US Hwy 278<br>Addison, AL 35540<br>Winston County<br>TI0S, R6W, Sections 10 & 11 | |
| PERMIT NUMBER: | AL0084475 | |
| DSN & RECEIVING STREAM: | 001 - 1 | Rock Creek |
| | 002 - 1 | Blevens Creek |
| | 003 - 1 | Blevens Creek |
| | 004 - 1 | Blevens Creek |

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

| | |
|---|---|
| ISSUANCE DATE: | January 4, 2024 |
| EFFECTIVE DATE: | January 4, 2024 |
| EXPIRATION DATE: | January 3, 2029 |
| MODIFICATION ISSUANCE DATE: | |
| MODIFICATION EFFECTIVE DATE: | |

**Draft**

Alabama Department of Environmental Management
Water Division Chief

# NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

## Sandstone Quarry, Dry and Wet Preparation, Loading, Transportation and Storage, and Associated Areas

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# PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

## A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

| Parameter | Discharge Limitations | | | Monitoring Requirements | |
|---|---|---|---|---|---|
| | Daily Minimum | Monthly Average | Daily Maximum | Sample Type | Measurement Frequency[1] |
| pH<br>00400 | 6.0<br>s.u. | ------- | 9.0<br>s.u. | Grab | 2/Month |
| Solids, Total Suspended<br>00530 | ------- | 25.0<br>mg/L | 45.0<br>mg/L | Grab | 2/Month |
| Flow, In Conduit or Thru Treatment Plant[2]<br>50050 | ------- | Report<br>MGD | Report<br>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.

---

[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:** | Yearwood Quarries, LLC |
| **Facility Name:** | Rock Creek Quarry |
| **County:** | Winston |
| **Permit Number:** | AL0084475 |
| **Prepared by:** | Robert Glover |
| **Date:** | October 22, 2026 |
| **Receiving Waters:** | Rock Creek<br>Blevens Creek |
| **Permit Coverage:** | Sandstone Quarry, Dry and Wet Preparation, Loading, Transportation and Storage, and Associated Areas |
| **SIC Code:** | 1429 |

The Department has made a tentative determination that the available information is adequate to support modification of this permit. The modification of this permit addresses the addition of wet preparation to the existing permit. Also, this modification addresses a permittee transfer from Rock Creek Stone, LLC to Yearwood Quarries, LLC. No other changes were made to the permit.

Digitally signed by:
AEPACS
Date: 2026.07.28 18:00:01 -05:00
Reason: Submission Data
Location: State of Alabama

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

version 4.9

**(Submission #: HQN-62V0-MWV05, version 2)**

## Details

**Submission ID** HQN-62V0-MWV05

## Form Input

### General Instructions

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

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

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

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

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

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

### Processing Information

**Purpose of Application**
Minor Modification

**Please indicate if the Permittee is applying for a permit transfer and/or name change in addition to permit modification or reissuance:**
Permit Transfer

**Action Type**
Minor Modification with NOC

Please download, print, and sign the following:
Transfer Agreement (Form 466)

**Attach Transfer Agreement (Form 466)**
FORM466-SIGNED.pdf - 05/18/2026 11:15 AM
**Comment**
*NONE PROVIDED*

**Brief description of the action/change that has resulted in the request for this permit modification:**
Modification includes addition of wet preparation and a permittee transfer.

**Is this a coalbed methane operation?**
No

**Does this facility conduct Mineral Wet Preparation?**
Yes

## Permit Information

**Permit Number**
AL0084475

**Current Permittee Name**
Rock Creek Stone, LLC

**Permittee**

**Permittee Name**
Yearwood Quarries, LLC

**Mailing Address**
P.O. Box 2418
Cullman, AL 35056

**Responsible Official**

**Prefix**
Mr.

| First Name | Last Name |
|---|---|
| Declan | Yearwood |

**Title**
Managing Member

**Organization Name**
Yearwood Quarries, LLC

| Phone Type | Number | Extension |
|---|---|---|
| Business | 205-869-4505 | |

**Email**
dyearwood@brothersconcretesupply.com

**Mailing Address**
P.O. Box 2418
Cullman, AL 35056

**Existing Permit Contacts**

| Affiliation Type | Contact Information | Remove? |
|---|---|---|
| Responsible Official,Notification Recipient,Facility Contact | Drew Johnson | Remove |
| Application Preparer,Notification Recipient | Jonathan Whitlock | Remove |
| Applicant,Notification Recipient,Permittee | Rock Creek Stone, LLC | Remove |
| Professional Engineer | Sanford Hendon | Remove |

## Facility/Operations Information

**Facility/Operations Name**
Rock Creek Quarry

**Permittee Organization Type**
LLC

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

**Landowner(s) Name, Address and Phone Number:**
Yearwood Quarries: P.O. Box 2418, Cullman, AL 35056

**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**
338 US Hwy 278
Addison, AL 35540

**Facility/Operations County (Front Gate)**
Winston

**Do the operations span multiple counties?**
No

**Detailed Directions to the Facility/Operations**
From the intersection of Winston Co. Rd 41 and US Hwy 278 in Addison, travel east on US Hwy 278 approx. 2.6 miles to the quarry entrance on the left.

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

**Facility/Operations Front Gate Latitude and Longitude**
34.18322810989870,-87.14354696448038

338 US Hwy 278, Addison, 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)**
T10S, R6W, S10, S11

**SIC Code(s) [Please select your primary SIC code first]:**
1429-Crushed and Broken Stone

**NAICS Code(s) [Please select your primary NAICS code first]:**
212319-Other Crushed and Broken Stone Mining and Quarrying

**Facility/Operations Contact**

**Prefix**
Mr.

**First Name** **Last Name**
Declan Yearwood

**Title**
Managing Member

**Organization Name**
Yearwood Quarries, LLC

**Phone Type** **Number** **Extension**
Business 205-869-4505

**Email**
dyearwood@brothersconcretesupply.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 |
|---|---|---|
| Declan Yearwood | Representative | P.O. Box 2418, Cullman, AL 35056 |

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** *NONE PROVIDED*
**Last Name** *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:**
Air Permit No. 713-0027-X00

**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:**
Rock Creek Sand and Gravel: ADEM - ALG850304

## Professional Engineer (PE)

**Registration License Number**
32806

**Professional Engineer**

**Prefix**
Mr.

| First Name | Last Name |
|---|---|
| Robert | Roberts |

**Title**
Senior Engineer

**Organization Name**
Wilbanks Engineering & Environmental Solutions, LLC

| Phone Type | Number | Extension |
|---|---|---|
| Business | 205-285-9696 | |

**Email**
sammy@wilbankseng.com

**Address**
210 Redmayne Road
Gardendale, AL 35071

## 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**
PAP_PLAN_2026.pdf - 07/27/2026 09:43 AM
**Comment**
*NONE PROVIDED*

## Application Preparer

### Application Preparer

**Prefix**
*NONE PROVIDED*

| First Name | Last Name |
|---|---|
| Chloe | Cooksey |

**Title**
*NONE PROVIDED*

**Organization Name**
Wilbanks Engineering & Environmental Solutions, LLC

| Phone Type | Number | Extension |
|---|---|---|
| Business | 205-285-9696 | |

**Email**
chloe@wilbankseng.com

**Address**
210 Redmayne Road
Gardendale, AL 35071

## Fees Assessed

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

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

**Wet Preparation, Processing, Beneficiation (Minor Mod):**
3940

## Fee

**Fee**
3940

# Revisions

| Revision | Revision Date | Revision By |
|---|---|---|
| Revision 1 | 4/29/2026 12:42 PM | Zachary Wilbanks |
| Revision 2 | 7/27/2026 9:42 AM | Zachary Wilbanks |

# Agreements and Signature(s)

**SUBMISSION AGREEMENTS**

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

## Professional Engineer (PE)

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

**Signed By** Robert Roberts on 07/28/2026 at 5:53 PM

## Responsible Official

*This application must be signed and initialed by a Responsible Official of the applicant pursuant to ADEM Admin. Code Rule 335-6-6-.09 who has overall responsibility for the operation of the facility. I certify under penalty of law that this document, including technical information and data, the PAP Plan, including any SPCC plan, maps, engineering designs, and all other attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the PE and other person or persons under my supervision who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine or imprisonment for knowing violations. A comprehensive PAP Plan to prevent and minimize discharges of pollution to the maximum extent practicable has been prepared at my direction by a PE for this facility utilizing effective, good engineering and pollution control practices and in accordance with the provisions of ADEM Admin. Code Division 335-6, including Chapter 335-6-9 and Appendices A & B, and information contained in this application, including any attachments. I understand that regular inspections must be performed by, or under the direct supervision of, a PE and all appropriate pollution abatement/prevention facilities and structural & nonstructural management practices or Department approved equivalent management practices identified by the PE must be fully implemented prior to and concurrent with commencement of regulated activities and regularly maintained as needed at the facility in accordance with good sediment, erosion, and other pollution control practices and ADEM requirements. I understand that the PAP Plan must be fully implemented and regularly maintained so that discharges of pollutants can reasonably be expected to be effectively minimized to the maximum extent practicable and according to permit discharge limitations and other requirements to ensure protection of groundwater and surface water quality. I understand that failure to fully implement and regularly maintain required management practices for the protection of groundwater and surface water quality may subject the Permittee to appropriate enforcement action." "I certify that this form has not been altered, and if copied or reproduced, is consistent in format and identical in content to the ADEM approved form." "I further certify that the discharges described in this application have been tested or evaluated for the presence of non-stormwater discharges and any non-mining associated beneficiation/process pollutants and wastewaters have been fully identified." "I acknowledge my understanding that I may be required to obtain a permit from the ADOL." "I acknowledge my understanding that if the proposed activities will be conducted in or potentially impact waters of the state or waters of the US (including wetlands), that I may be required to obtain a permit from the USACE."*

**Signed By** Declan Yearwood on 07/27/2026 at 11:13 AM

# ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
# (ADEM) NPDES/SID/UIC PERMIT TRANSFER AGREEMENT

**Instructions:** This form should be submitted when a National Pollutant Discharge Elimination System (NPDES), State Indirect Discharge (SID), or Underground Injection Control (UIC) permit is being transferred from one entity to another. Permit transfers are subject to an application fee as prescribed in ADEM Admin. Code r. 335-1-6-.04. Applicants should contact the appropriate permitting section of the Water Division to determine if other information or forms may be required in addition to this form. If immediate operational changes that warrant a permit modification are planned, an application for such changes should be submitted with this transfer agreement. **Do NOT use this form if only a name change has occurred for the facility.**

**Does this transfer agreement apply to more than one facility?** ☑ No ☐ Yes If Yes, please use the Attachment page to identify the additional facilities.

**Affected NPDES/SID Permit Number(s):** AL0084475

**Facility Name (as it appears on the permit):** Rock Creek Quarry

**Facility Location Address (as it appears on the permit):** 338 US Hwy 278, Addison, AL, 35540

This Agreement is entered into this date by Company A and Company B in order to effect a transfer of Alabama Department of Environmental Management NPDES/SID Permit Number(s) referenced above or on the Attachment page of this form and the responsibility, coverage, and liability thereunder from Company A to Company B.

On the date such transfer becomes effective, Company B agrees to assume the responsibility, coverage, and liability of the permit(s). Company B also certifies that operational changes that warrant a permit modification will not be made without submitting the appropriate application. Company A agrees to relinquish all rights which it may have under said permit.

This agreement is entered into by both parties this 13th day of May, 2026; said transfer is to become effective on 5/13/26.

| Company A | Company B |
|---|---|
| Company A (Name): Rock Creek Stone, LLC | Company B (Name): Yearwood Quarries, LLC |
| Mailing Address: 5228 Helicon Road<br>Arley, AL, 35541 | Mailing Address: P.O. Box 2418<br>Cullman, AL 35056 |
| By: [signature]<br>Signature of Responsible Official | By: [signature]<br>Signature of Responsible Official |
| Drew Johnson<br>Printed Name of Responsible Official | Declan Yearwood<br>Printed Name of Responsible Official |
| President<br>Title of Responsible Official | Managing Member<br>Title of Responsible Official |
| 205-272-9777<br>Telephone Number | P.O. Box 2418<br>Mailing Address |
| djohnson.clearcolic@gmail.com<br>Email Address | Cullmen, AL 35056<br>Mailing City, State, Zip Code |
| [signature]<br>Witness Signature | 205-869-4505<br>Telephone Number |
| | dyearwood@brothersconcretesupply.com<br>Email Address |
| | [signature]<br>Witness Signature |

**If the permit contact person for Company B is different from the Responsible Official, please complete the following:**

| | | | |
|---|---|---|---|
| Contact Name | Contact Title | | |
| Mailing Address | Mailing City | Mailing State | Mailing Zip |
| Telephone Number | Email Address | | |

## ALABAMA DEPARTMENT OF ENVIRONMENT MANAGEMENT (ADEM)
## NPDES/SID/UIC PERMIT TRANSFER AGREEMENT

List the additional facilities to which this transfer agreement applies below:

| | Affected NPDES/SID Permit Number(s) | Facility Name | Facility Location Address |
|---|---|---|---|
| 2. | ALG850304 | Rock Creek Sand & Gravel | County Road 196, Haleyville, AL 35565 |
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July 27, 2026

# POLLUTION ABATEMENT AND/OR PREVENTION PLAN

Permit No. ALG850304

*for*

## YEARWOOD QUARRIES, LLC

**ROCK CREEK QUARRY**

**338 County Road 3780, Addison, AL 35540**

*Prepared by*


WILBANKS ENGINEERING
& ENVIRONMENTAL SOLUTIONS, LLC

210 REDMAYNE RD., GARDENDALE, AL 35071 (205) 285-9696


Robert S. Roberts

*Robert Roberts, No. 32806*

ALABAMA LICENSED No. 32806 PROFESSIONAL ENGINEER ROBERT S. ROBERTS

7-27-26

*Date*

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## SECTION 1.0
## POLLUTION ABATEMENT PLAN

### 1.1 PURPOSE

The purpose of this Pollution Abatement and/or prevention plan is to protect, maintain, and improve the quality of the waters of the state and to provide for the prevention, abatement and control of new or existing water pollution associated with surface mining operations. It addresses cost effective material management practices which minimize erosion, minimize or eliminates exposure of sediment materials into stormwater, and to outline planned stormwater pollution control construction designed to improve stormwater quality. This plan also addresses employee training, spill prevention, preventative maintenance and spill countermeasures.

This document is part of an application for the proposed NPDES permit for the Rock Creek Quarry facility for Yearwood Quarries, LLC. This application was prepared in accordance with the rules and regulations of the Alabama Department of Environmental Management.

The operator of the Rock Creek Quarry facility is Yearwood Quarries, LLC. Contact information is as follows:

Declan Yearwood, Managing Member
Yearwood Quarries, LLC
P.O. Box 2418
Cullman, Alabama, 35056

## SECTION 2.0
## GENERAL INFORMATION

### 2.1 FACILITY LOCATION

Rock Creek Quarry is in Section 10 & 11, Township 10 South, Range 6 West, Winston County, Alabama as illustrated on the Addison U.S.G.S Quadrangle. The facility is located at latitude 34.183228, -87.143546 at the location indicated in Figure 1. The facility has four (4) outfalls/sedimentation ponds discharge designated as sediment basin 001P through 004E as shown on Figure 1. Currently, sediment basin 003E and 004E are currently built and certified. An aerial photograph of these outfalls is shown as Figure 2. These sediment basins discharge to Rock Creek and Blevens Creek. The receiving waters are not a public water supply.

## SECTION 3.0
## SITE INDUSTRIAL ACTIVITIES

### 3.1 DESCRIPTION OF FACILITY ACTIVITIES

The Rock Creek Quarry facility is in accordance with all Oil Pollution Prevention Rules and Regulations listed in part 112 of 40 CFR. Yearwood Quarries, LLC will operate a rock and aggregates mining and processing facility. These materials are handled on-site by front-end loaders, track hoes, dump trucks, and rock crushers. Materials are typically mined, crushed, screened, stockpiled, and loaded onto dump trucks for shipment off-site. Some materials may be washed to improve the quality of the product. Ancillary operations include fueling portable equipment, maintenance of on-site equipment, weighing materials, and maintenance of yard areas and access roads. All containment areas will be sized to maintain a volume of at least 110% of the largest tank within the containment area. Responsible employees are aware of the damage possible when oil encounters the environment and are committed to preventing such encounters. The site will maintain 7 employees with typical hours of operation, Monday through Friday 7 am to 5 pm.

### 3.2 MATERIAL HANDLING PRACTICES AND SIGNIFICANT MATERIALS EXPOSED TO PRECIPITATION

Diesel fueling operations will be conducted outdoors and incidental spillage is exposed to precipitation. All incidental spillage is handled as per the facility's Spill Prevention Control and Countermeasures (SPCC) Plan. Diesel Fuel and Off-Road Diesel Fuel tanks are exposed to precipitation. Material handling equipment and hauling trailers, sand, gravel, and other inert materials are also exposed to precipitation. The yard is compacted soil and gravel, and exposed portions of the buildings are made of galvanized metal roofing, painted metal, masonry, and wood. All petroleum products are to be handled as per the facility's SPCC Plan.

### 3.3 NPDES MONITORING REQUIREMENTS

The Rock Creek Quarry stormwater discharge permit will comply with all NPDES permit requirements including any water quality monitoring and testing that may be required. Processing operations from this facility will produce sediment that will be trapped and eventually settle within the sediment basins. Discharge from all sediment basins (Outfall 001P – 004E) could occur during high rainfall

periods. Due to the type of activity occurring within this facility, flow, pH, and total suspended solids should not pose a problem and remain in compliance with the NPDES parameter requirements.

## 3.4 POTENTIAL SOURCES OF SUSPENDED SOLIDS AND OIL AND GREASE

All exposed soil in the material storage yard, the gravel parking areas, and earth embankments are potential erosion zones, and potential sources of suspended solids in stormwater runoff. All visible signs of erosion, such as rutting, slumping and broad wash-out zones are known areas of suspended solids generation and require immediate corrective action.

Potential sources of oil and grease include broken hydraulic hoses, fuel spills, waste oil/maintenance spills, and leaking equipment. Leaking equipment and spills are known sources of oil and grease and require immediate maintenance and cleanup.

## SECTION 4.0
## POLLUTION ABATEMENT CONTROLS

### 4.1 SITE DRAINAGE

The Rock Creek Quarry facility is designed for stormwater to sheet flow towards two proposed sedimentation basins (001P, 002P) and two existing sedimentation basins (003E, 004E). The settling basins are designed to trap and settle suspended solids from the stormwater. This removes the suspended solids prior to discharge. It is necessary to maintain positive drainage from all mining areas into the sedimentation basins to minimize the volume of untreated water that infiltrates into the ground. Regular maintenance of the drainage ditches is required to insure positive drainage into the sedimentation basins.

Stormwater and excess water from the proposed washer, within the facility, will flow along a concrete flume and through four sumps before entering Basin 004E. A pump on the dam of Basin 004E brings water back to the washer to create a closed system recirculating loop.

Overtime, sediment will accumulate in the basins which will reduce the basins' effectiveness. When the capacity of the proposed basins reaches sixty (60%) percent of their design capacity with sediment, it will then be necessary to dredge the accumulated sediment from the basins. Dredged material from the sedimentation basins will be stock-piled and evaluated. If possible, the sediment will be sold as construction aggregate. Otherwise, the sediment will be used as on-site fill material.

Phasing of mining activities on-site will provide for the proposed ponds to maintain adequate capacity for sediment retention throughout future operations. The current proposed total area of the permit site is 48-acres. Operations will be expected to continue for a minimum of five years.

### 4.2 EROSION PREVENTION AND REMEDIATION

Most of the flow across the Rock Creek Quarry facility is sheet flow. However, occasionally, rutting and rill erosion will develop. When this happens, it will be necessary to grade or fill the area to maintain sheet flow.

Some areas of the facility are not used for storage or traffic. It is recommended to establish turf grass in these areas. Proper seed selection and soil preparation is required to establish turf grass. A turf grass selection chart is available upon request. Areas to be planted must be disked or scarified prior to planting. Rough slope surfaces are preferred because they aid the establishment of vegetation, improve water infiltration, and decrease runoff velocity. Graded areas with smooth, hard surfaces may be initially attractive, but such surfaces increase the potential for erosion. A rough, loose soil surface gives a mulching effect that protects fertilizer and seed, while providing favorable moisture conditions. This aids in overall seed germination.

There are different methods for achieving a roughened soil surface on a slope, and the selection of an appropriate method depends upon the type of slope. Tracking with equipment perpendicular to the slope is a reliable method of scarification for industrial sites. Easily accessed areas may be plowed, disked, or scarified in a similar manner. After the area has been prepared and seeded, it will be necessary to mulch the seed to obtain a significant germination rate. A light covering of hay, straw, or grass clippings will greatly increase the effectiveness of a turf grass planting program. It may be necessary to re-seed steep slopes (such as the banks of the drainage channel) several times before a suitable stand of turf grass is established.

## 4.3 NON-POINT SOURCE DISCHARGE CONTROL

Drainage from Rock Creek Quarry should carry all sediments into the approved point source sediment basin outfalls. Sediment Basins 001P – 004E will control the runoff from crushing, screening, washing, and processing areas. All disturbed areas will be graded to ensure that all drainage will route through the sediment basins.

## 4.4 OPEN CHANNEL MAINTENANCE

Open channel flow ditches are proposed within the Rock Creek Quarry facility. The arrows in Figure 1 represent proposed locations of those ditches. These ditches require periodic maintenance to drain effectively and may change location as mining continues. When areas of open channel flow ditches show obvious signs of erosion, it will be necessary to perform maintenance. As necessary, the ditches' cross-section should be repaired to resemble the appropriate standard designs shown in Figures 4 and 5.

## 4.5 GOOD HOUSEKEEPING

Limiting the materials exposed to stormwater, along with good housekeeping practices, are cost effective and efficient methods of maintaining stormwater quality. Used tires, obsolete equipment, disabled vehicles, and miscellaneous debris should be removed from the site as part of regular facility maintenance.

## 4.6 GENERAL EROSION CONTROL MEASURES

Much of the stormwater flows across the Rock Creek Quarry facility is sheet flow. However, the potential exists for erosion channels to develop. If erosion channels develop, the area will be graded, seeded and mulched to stabilize and maintain positive flow. However, if the erosion channel appears to be chronic, it will be necessary to build an erosion resistant water course. Examples of typical engineered water courses and culvert outlet protection designs are shown in Figures 4 and 5.

## 4.7 SEDIMENTATION BASINS

The Rock Creek Quarry facility is designed to drain stormwater towards four sedimentation basins. The sedimentation basins discharge through outfalls 001P – 004E, into open channel ditches which flow to Rock Creek and Blevens Creek. The existing basins on-site are incised with typically no discharge occurring. Water is pumped out of the pool area of Basin 004E to facilitate water for the washing process in the facility.

The primary purpose of the sedimentation basins is to remove suspended solids from the stormwater prior to discharge. When the capacity of the proposed basins reaches sixty (60%) percent of their design capacity with sediment, then it will be necessary to dredge the accumulated sediment from the basins to increase their stormwater retention time. On-site sedimentation basins must be maintained throughout the permit life. Dredged material from the sedimentation basins will be stock-piled and evaluated. If possible, dredges will be sold as construction aggregate. Otherwise, dredges will be used as on-site fill material. Sediment Basin Detail Design Plans for all sedimentation basins will be designed prior to entering the watershed of said basin. Please see the attached typical drawings for sediment basins.

## 4.8 PETROLEUM USE AND STORAGE CONTROLS

Petroleum use and storage controls are addressed in the facility's Spill Prevention Control and Countermeasure Plan. General controls include incidental spill clean-up, inspection, secondary containment measures, and fuel handling administrative controls.

## 4.9 HAULROAD & INCIDENTALS SEDIMENT CONTROL

All haul roads, created or existing, will be ditched and stabilized to minimize erosion and enhance stabilization. All cut, fill, and borrow will be fertilized and mulched along with planting a grass mixture suitable for all conditions. Silt fences will be constructed in small areas to control runoff that cannot be diverted into sedimentation basins.

## 4.10 SETBACKS ON WATERS OF THE STATE

Included within this PAP Plan (i.e., Figure 1 & 2) are detailed facility maps that show the location of all adjacent streams and receiving waters (Waters of the State) of this operation. A minimum fifty (50') feet setback of stream buffer zone will be observed from all Waters of the State and are depicted within the attached facility maps. The Permittee shall ensure that the fifty (50') setback of stream buffer zone is clearly identified in the field with a sufficient number of permanent boundary markers that are at least visible from one marker to the next in areas where the permit boundary comes in close proximity to the fifty (50') feet setback of stream buffer zone. The Permittee shall frequently train, instruct, and educate all employees, subcontractors, other authorized personnel, etc., on the importance of the prohibition of any type land disturbances within fifty (50') feet of Waters of the State. The Permittee will inspect (no less than yearly) the fifty (50') feet setback or stream buffer zone to ensure the permanent boundary markers are in place and in good condition. Boundary markers that are missing or found to be in poor condition will be replaced.

## SECTION 5.0
## SITE RECLAMATION

### 5.1 FINAL RECLAMATION

The site manager will ensure completion of the following steps during the mine's final reclamation, within two (2) years of the termination of mining activities at the site:

1. All mining and processing equipment (mobile or stationary) will be removed from the site.

2. The contents of all fuel/lubricant storage vessels will be pumped for subsequent transportation off-site, and the vessels themselves will be removed.

3. All man-made structures will be removed or demolished; any remains of such structures will be disposed of or recycled off-site.

4. Any remaining stockpiles of material will be transported elsewhere for sale or utilized in the final reclamation.

5. Areas mined for sand & gravel will be graded to a 3:1 or flatter slope where necessary to minimize future erosion of topsoil, and to prevent bodies of standing water (other than reclaimed pits or settling ponds) from forming.

6. Gullies and washouts will be repaired by backfilling with soil or riprap, and stabilized with vegetative cover where appropriate

7. All lands shall be reclaimed to a neat, clean condition by removing litter, debris, or unusable equipment. and cables.

8. Best management practices will be utilized to minimize erosion.

9. A suitable berm or back sloping will be employed along the tops of sheer walls above all benches to prevent uncontrolled surface runoff over the sheer wall.

## ATTACHMENT FOR APPENDIX A & B

## POND CONSTRUCTION CRITERIA

The embankment for sediment basins (temporary and permanent) shall be designed and built using the following as minimum criteria:

1. The top of the dam shall be no less than 12 feet wide.

2. See design sheet for maximum and minimum embankment slopes.

3. The foundation and abutments for the impounding structure shall be designed to be stable under all conditions of construction and operation of the impoundments, with a minimum static safety factor of 1.5 for the normal pool with steady seepage saturation conditions, and a seismic safety factor of at least 1.30.

4. The dam shall be constructed with a cutoff trench based upon prudent engineering practices for the site. The cutoff shall be located on the dam centerline and be of sufficient depth to extend into a relatively impervious material from which the core of the dam shall also be constructed.

5. The embankment foundation area shall be cleared of all organic matter, all surfaces sloped to no steeper than lv:lh, and the entire foundation surface scarified.

6. The entire embankment and cutoff trench shall be compacted to 95 percent density, based on standard proctor as outlined in ASTM.

7. The material placed in the embankment shall be free of sod, roots, stones over 6 inches in diameter, and other objectionable materials. The fill material shall be placed and spread over the entire fill area, starting at the lowest point of the foundation, in layers not to exceed 12 inches in thickness. Construction of the fill shall be undertaken only at such times that the moisture content of the fill material will permit satisfactory compaction in accordance with paragraph 5.

8. The pool area of the basin will be cleared of timber and large undergrowth.

9. The primary decant system when consisting of a pipe shall be installed according to Class C pipe installation for embankment bedding.

10. The primary decant system shall be equipped with a device, or constructed, such as to ensure that subsurface withdrawal is accomplished to prevent discharge of floating solids. If a channel is used as the primary decant a skimmer shall be installed to prevent floating solids from discharging.

## ATTACHMENT FOR APPENDIX A & B (CONTINUED)

11. A splash pad or riprap may be required under the discharge of the primary decant system where necessary to ensure that the discharge does not erode the embankment.

12. The combination primary and secondary decant system shall be designed to safely carry the expected peak flow from a 25 year - 24 hour storm. The entire emergency overflow spillway channel will be a stabilized channel and will be stabilized upon completion of construction as specified within the detailed design plans using prudent engineering measures. These measures may consist of lining the spillway with concrete or a durable rock riprap, or the spillway being constructed in consolidated non-erodible material and planted with a mixture or both annual and perennial grasses, or a combination of any or all of the above.

13. Sediment basins using a single spillway system shall be an open channel of non-erodible construction consisting of concrete, durable rock riprap or its being constructed in consolidated non-erodible material as specified in the detailed design plans.

14. The settled embankment for temporary impoundments shall be a minimum of 5.0 foot above the maximum water elevation for the runoff from a 25 year - 24 hour, or a 10 year - 24 hour precipitation event. The settled embankment for permanent impoundments shall be a minimum of 5.0 foot above the maximum water elevation for the runoff from a 25 year- 24 hour precipitation event.

15. If basins are built in series, then the combined decant system for each shall be designed to accommodate the entire contributing drainage area.

16. The dam and all disturbed areas shall be seeded with both perennial and annual grasses, fertilized and mulched in order to insure erosion is minimized. Hay bales or riprap may be placed at the toe of the dam immediately upon completion of construction.

17. The constructed height of the dam shall be increased a minimum of 5 percent over the design height to allow for settlement over the life of the embankment.

18. Final graded slopes of the entire permanent water impoundment area shall not exceed 2.5H-1.0V to provide for adequate safety and access for proposed water users.

19. Prior to Phase II bond release, additional data concerning water quality, water quantity, depth, size, configuration, postmining land use, etc., for each proposed permanent water impoundment, shall be submitted to the Regulatory Authority for permanent water impoundment approval.

## ATTACHMENT FOR APPENDIX A & B (CONTINUED)

20. All sediment basins will be inspected for stability, erosion, etc. two (2) times a month until removal of the structure or release of the reclamation bond.

21. The embankment and spillway will be maintained by repairing any damage such as erosion, slope failure or spillway damage until removal of the structure or release of the performance bond.

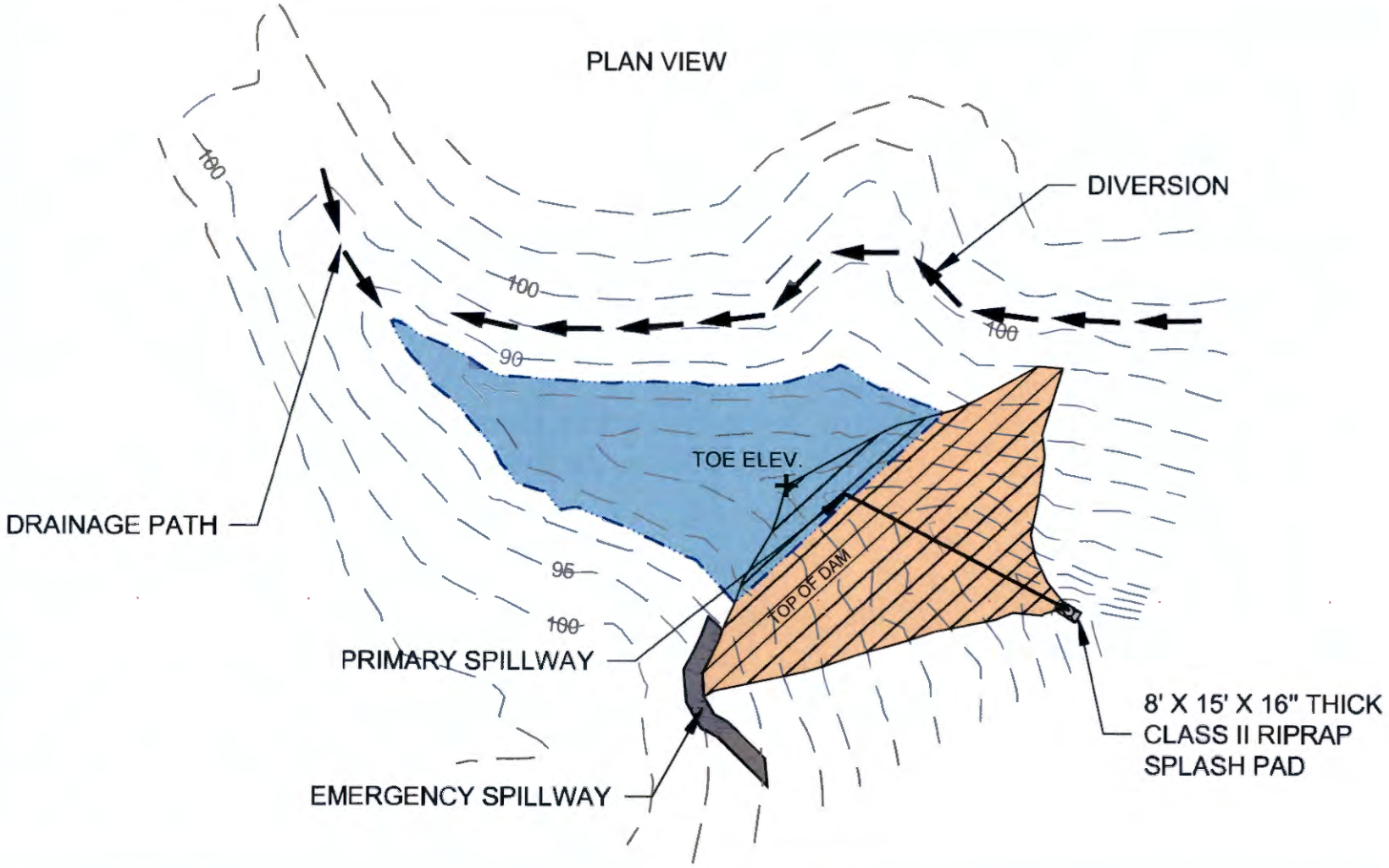
22. All ponds shall be examined quarterly for structural weakness, instability, erosion, or other hazardous conditions and maintenance performed as necessary. Formal inspections shall be made on an annual basis, including any reports or modifications.

23. Sediment will be removed from each pond when the accumulated sediment reaches the sediment storage volume as shown on the detailed design sheet.

24. Upon completion of mining, successful reclamation and effluent standards being met, each sediment basin not remaining as a permanent water impoundment will be dewatered in an environmentally safe manner (such as siphoning, pumping, etc.) and reclaimed to approximate original contours by the following procedure: A permanent diversion channel (designed for a 10 year- 24 hour precipitation event) shall be cut along the outer edge of the basin to re-route drainage around the basin and back through the stabilized spillway to allow reclamation of the sediment basin. The diversion channel shall be designed and grassed as per enclosed information. (See permanent diversion for basin disposal). Upon completion of the diversion channel the back slope of the dam shall be graded to a minimum 3H to 1V slope. The dewatered sediment basin area shall be seeded with some combination of the following: Fescue, Bermuda, rye grass, canary grass and willows. After seeding the area shall be mulched. Any additional sediment or embankment material not used to meet original contour, if non-toxic, shall be spread in thin layers within the permit area and vegetated as stated in the approved reclamation plan. All toxic material encountered in the basin disposal shall be buried and covered with 4 feet of non-toxic material and vegetated as stated in the approved reclamation plan.

25. A qualified registered professional engineer or other qualified professional specialist, under the direction of the professional engineer shall conduct regular inspections during construction and upon completion shall inspect each basin for certification purposes.

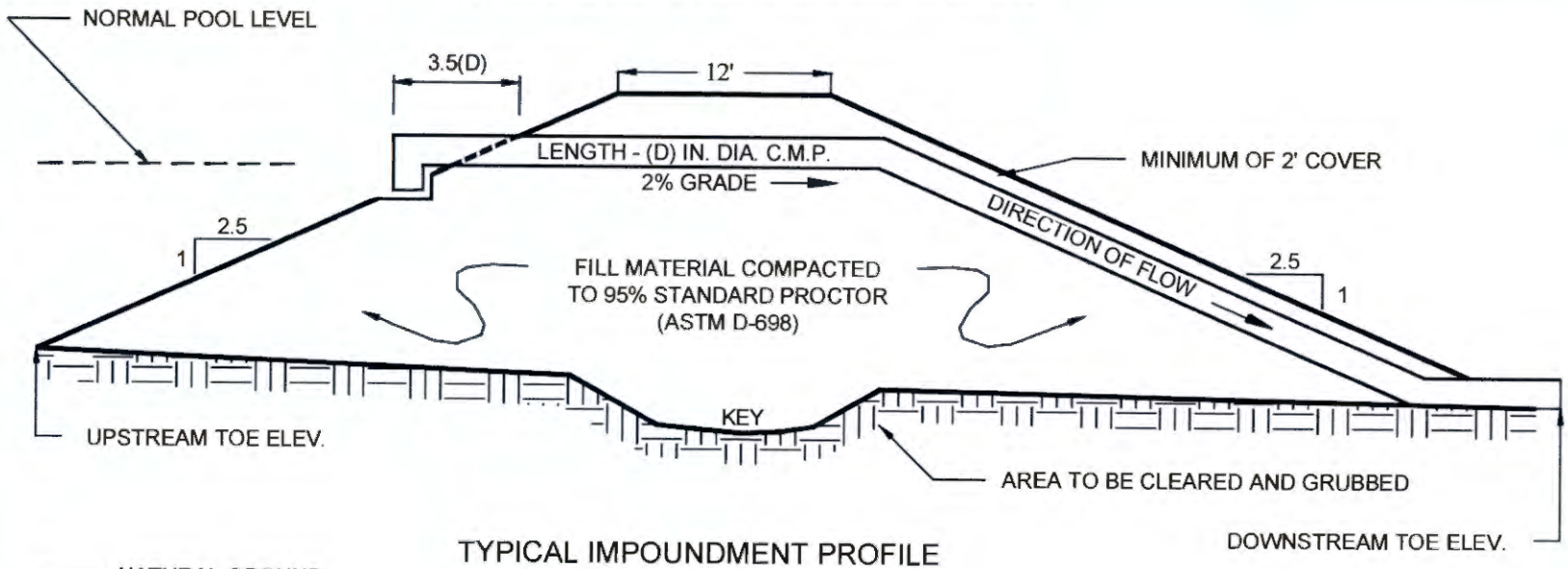
26. Point source discharge embankments shall be constructed and abutments keyed into desirable material if at all possible. In the event that undesirable material is encountered, addition design and construction criteria shall be submitted prior to certification.



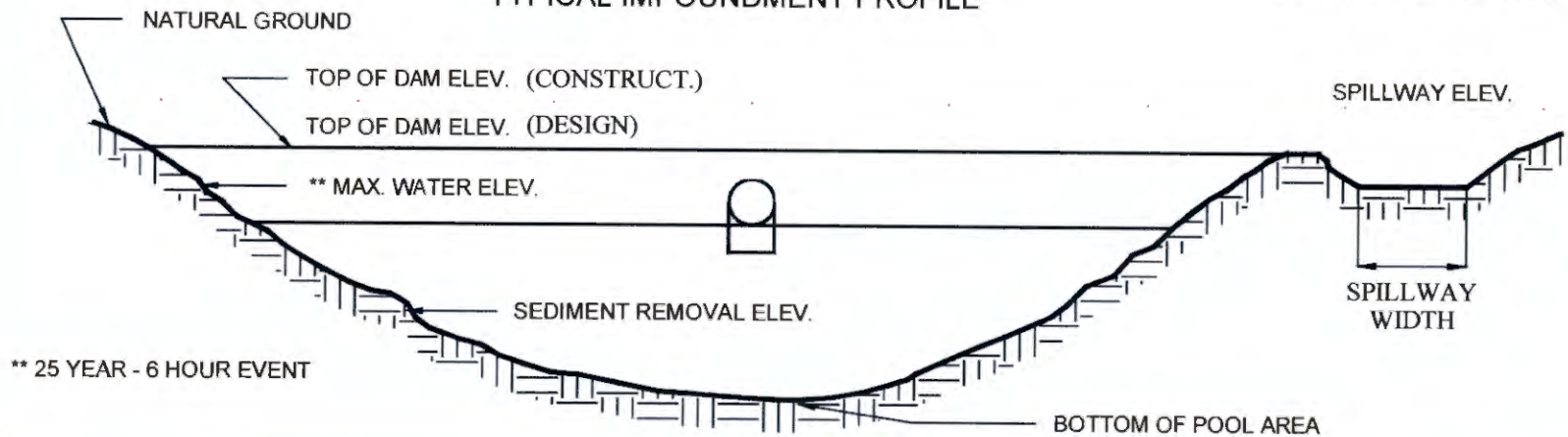

ATTACHMENT III-B-2(a)
SEDIMENT BASIN TYPICAL

WILBANKS ENGINEERING
& ENVIRONMENTAL SOLUTIONS, LLC
210 REDMAYNE RD., GARDENDALE, AL 35071 (205) 285-9696

## TYPICAL EMBANKMENT CROSS-SECTION



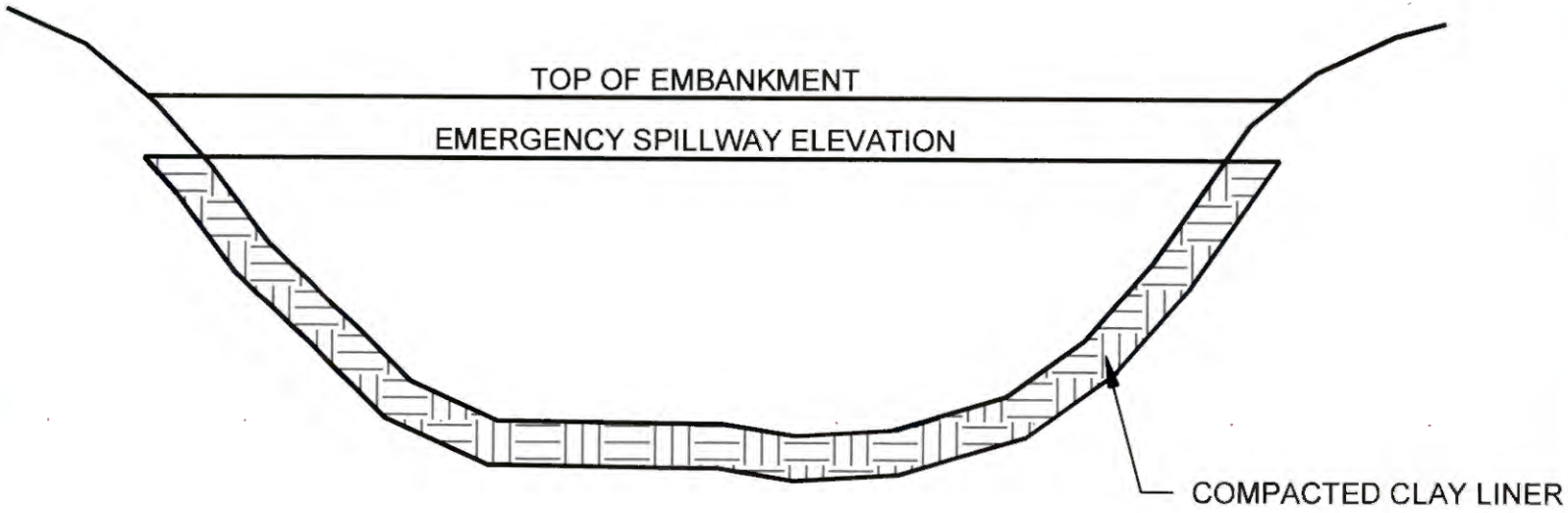

## TYPICAL IMPOUNDMENT PROFILE




ATTACHMENT III-B-2(a)
SEDIMENT BASIN TYPICAL

WILBANKS ENGINEERING
& ENVIRONMENTAL SOLUTIONS, LLC
210 REDMAYNE RD., GARDENDALE, AL 35071 (205) 285-9696

TYPICAL IMPOUNDMENT PROFILE
CLAY LINER CROSS-SECTION




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

ATTACHMENT III-B-2(a)
SEDIMENT BASIN TYPICAL

WILBANKS ENGINEERING
& ENVIRONMENTAL SOLUTIONS, LLC
210 REDMAYNE RD., GARDENDALE, AL 35071 (205) 285-9696

## ATTACHMENT FOR APPENDIX A & B (CONTINUED)

## SPECIFICATIONS FOR THE CONSTRUCTION, MAINTENANCE AND RECLAMATION OF PRIMARY ROADS

1. Primary roads shall be designed by or under the direction of a registered professional engineer in accordance with the appropriate authorities rules and regulations and prudent engineering practice.

2. Each roadway embankment will be designed and constructed so as to have a minimum static safety factor of 1.3.

3. To the extent possible, roads will be located on ridges or on the most stable available slopes to prevent or minimize erosion, downstream sedimentation and flooding in an effort to prevent adverse effects to fish, wildlife and related environmental values.

4. To the extent possible, roads will be located above the sediment basins to be constructed for the mining operation in an effort to control or prevent additional contributions of suspended solids to stream flow or runoff outside the permit area and to comply with State and Federal water quality standards applicable to receiving waters and avoid the alteration of the normal flow of water in streambeds or drainage channels while preventing or controlling damage to public or private property. Where it is not possible or is impractical to locate roads in this manner, sediment control devices such as silt fencing, hay bale check dams and rock filter check dams will be used as necessary to maintain water quality. No fording of intermittent or perennial streams will be conducted unless specifically approved by the appropriate authorities as temporary routes to be used during road construction.

5. Prior to construction, the roadway will be cleared, grubbed and will have the topsoil removed. The clearing limits will be kept to the minimum necessary to accommodate the roadbed and associated ditch construction.

6. Roads will be constructed of suitable compacted subgrade material. The material will be free of sod, roots, stones over 12 inches in diameter, and other objectionable materials. The material will be placed and spread over the entire fill area, starting at the lowest point in layers not to exceed 12 inches in thickness. The material will be compacted to 95 percent of the density, based on standard proctor as outlined in ASTM.

7. Primary roads will have a minimum width of eighteen feet and a maximum width necessary to accommodate the largest equipment traveling the road.

8. Roadbeds will be cut to consolidated non-erodible material or will be surfaced with durable non-toxic, non-acid forming substances. The wearing surface will consist of durable sandstone, chert, crushed limestone, crushed concrete, crushed asphalt, red rock, iron ore refuse, gravel, or other durable non-toxic, non-acid forming material approved by the Regulatory Authority. The wearing surface will be placed on the roadbed to a depth of four inches.

## ATTACHMENT FOR APPENDIX A & B (CONTINUED)

9. No sustained grades will exceed ten percent unless deemed necessary, in which case appropriate sediment control facilities will be constructed. If grades in excess of fifteen percent are required, cross drains, ditch relief drains and road drainways will be located at a minimum distance of three-hundred feet.

10. Roads will be constructed so as to have adequate drainage utilizing ditches, culverts, cross drains and ditch relief drains designed to safely pass the peak runoff from a ten year, six hour precipitation event. Drainage pipes and culverts shall be installed as designed and will be maintained in a free and operating condition to prevent and control erosion at inlets and outlets. Culverts have been designed to support the load of the heaviest equipment to travel the road and are based on the Handbook of Steel Drainage and Highway Construction Products by the American Iron and Steel Institute and the equipment specifications. Drainage ditches will be constructed and maintained in accordance with the approved design to prevent uncontrolled drainage over the road surface and embankment. Roads will not be located in the channel of an intermittent or perennial stream unless specifically approved by the appropriate authorities. Additionally, no relocation and/or alteration of an intermittent or perennial stream will be done unless specifically approved by the appropriate authorities. In the event that it becomes evident that any drainage structures including culverts, bridges and/or low water crossings will be required in order to cross an intermittent or perennial stream, the structure will be designed and constructed in accordance with the appropriate regulations and prudent engineering practice and the approval of the design(s) will be acquired prior to the commencement of construction. Hay bale check dams and silt fences will be used at strategic locations when necessary to control sediment runoff. Immediately upon completion of construction, the side slopes of the road embankments and/or cuts will be fertilized, seeded with annual and perennial grasses and mulch will be added to aid in the prevention of erosion and to enhance seed germination. The seed mix will consist of, but is not limited to, some combination of the following species: Bermuda grass, fescue, lespedeza, rye grass, brown top millet, clover and vetch. The particular species to be planted will vary with the planting season at the time of seed application. Upon completion of construction of each phase of the roadway the construction will be certified to the appropriate authorities as having been done in accordance with the approved plans for the roadway and associated facilities.

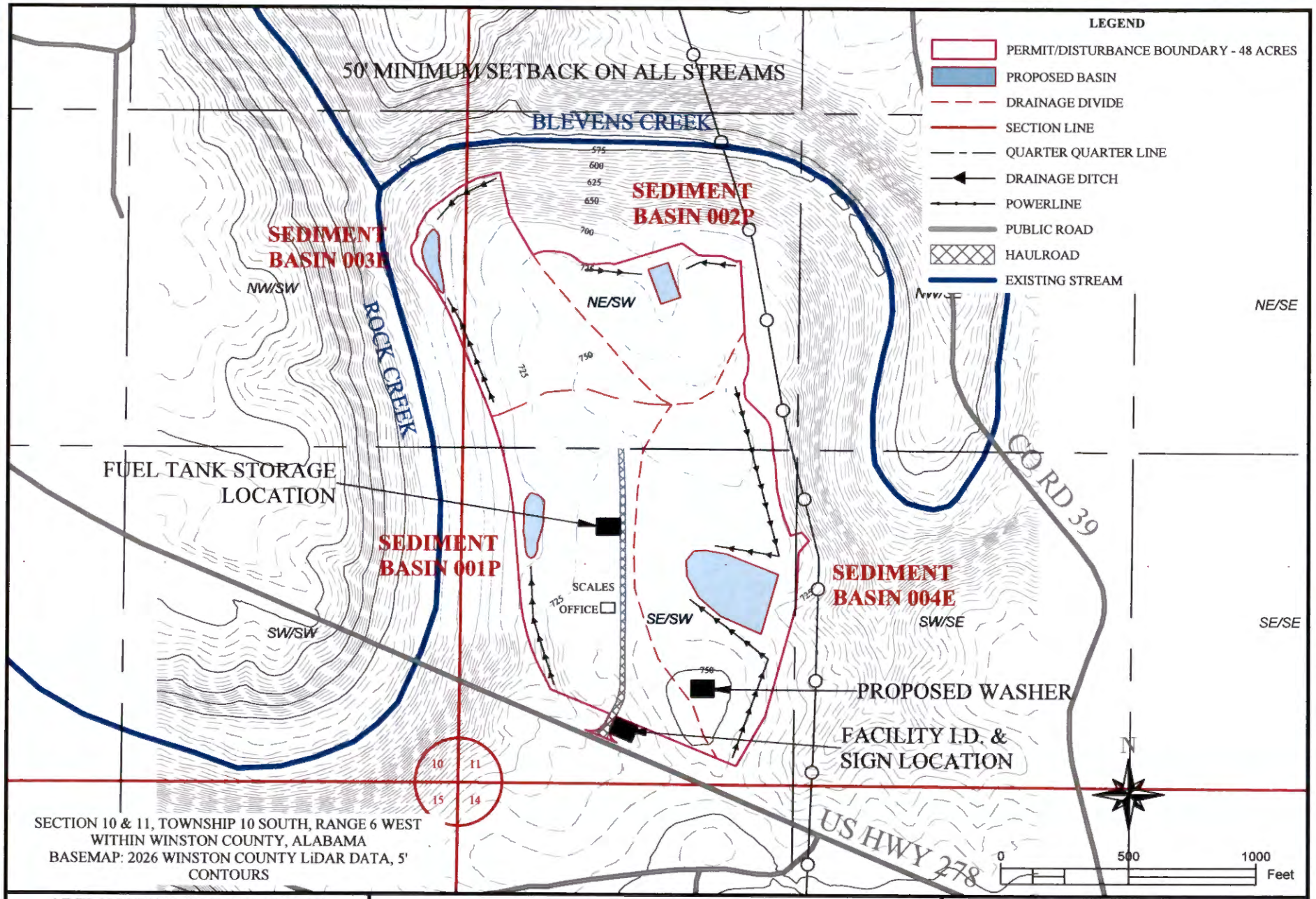
11. Routine maintenance will be required to assure that the road continually meets performance standards and will consist of periodic grading, resurfacing, dust suppression and maintenance of sediment control facilities. Dust suppression will consist of the application of water, chemical binders and/or other dust suppressants. No oil will be utilized in this process. Spot seeding, fertilizing and mulching will be performed as necessary to improve vegetative cover on roadway slopes. A road damaged by a catastrophic event shall be repaired as soon as practicable after the damage has occurred.

## ATTACHMENT FOR APPENDIX A & B (CONTINUED)

12. Roads not to be retained as part of the post mine land use shall be reclaimed in accordance with the approved reclamation plan for this permit as soon as practicable after they are no longer needed as part of the mining and reclamation operation, using the following procedures:

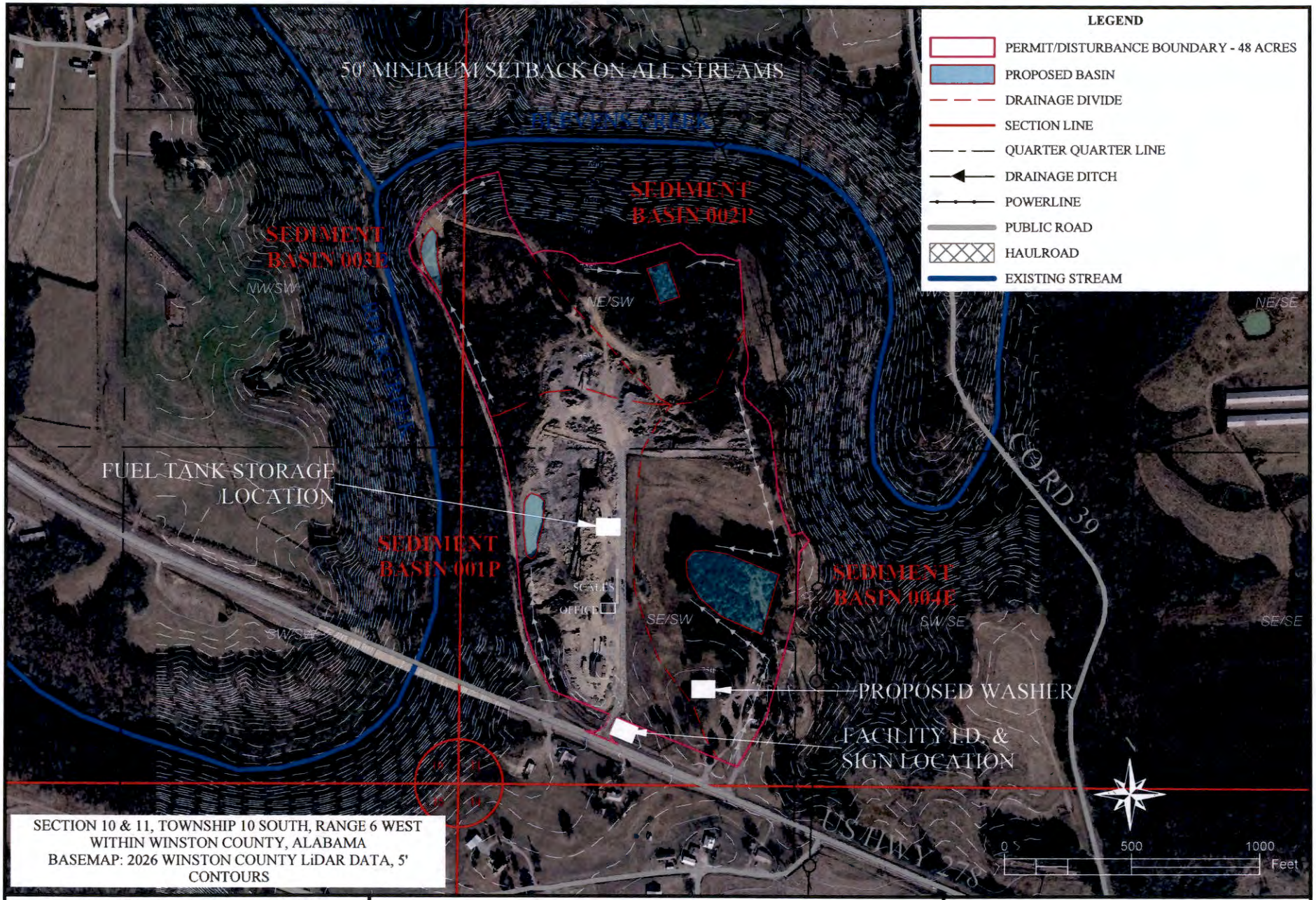
    a. The road will be closed to traffic.
    b. All bridges, culverts and other drainage structures not approved as part of the post mine land use will be removed.
    c. All road surfacing materials that are not compatible with the post mine land use or revegetation requirements will be properly disposed of on-site or removed from the site for re-use.
    d. Roadway cut and fill slopes shall be regraded and reshaped to be compatible with the post mine land use and to compliment the natural drainage pattern of the surrounding terrain.
    e. The natural drainage patterns shall be protected from surface runoff and erosion utilizing the installation of dikes and/or cross drains as necessary.
    f. The roadbed shall be ripped or scarified as necessary, the topsoil or substitute or approved growing medium shall be replaced and revegetated in accordance with the approved reclamation plan for this permit.

13. The drawings and data contained in the specific design plans illustrate typical roadbed configurations for primary roads as well as site specific design of drainage structures, stability analysis and ditch sections.




SECTION 10 & 11, TOWNSHIP 10 SOUTH, RANGE 6 WEST
WITHIN WINSTON COUNTY, ALABAMA
BASEMAP: 2026 WINSTON COUNTY LiDAR DATA, 5' CONTOURS

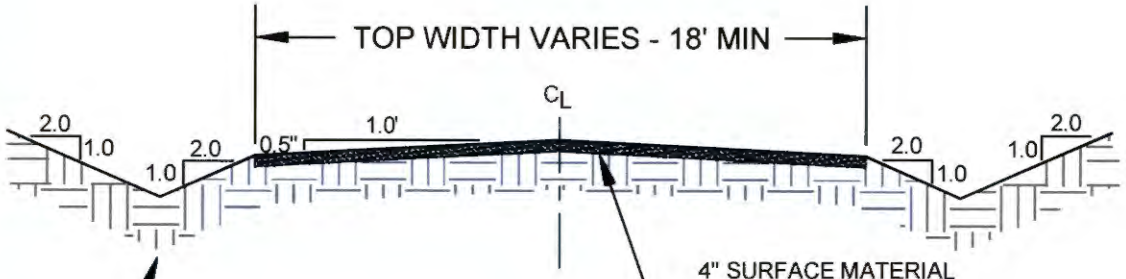
| | | |
|---|---|---|
| ADEM NOTICE OF INTENT (NOI) | **DETAILED FACILITY MAP** | FIGURE 1 |
| WILBANKS ENGINEERING & ENVIRONMENTAL SOLUTIONS, LLC | **YEARWOOD QUARRIES, LLC**<br>ROCK CREEK QUARRY<br>*WINSTON COUNTY, ALABAMA* | DATE: 7/24/2026<br>DRAWN BY: C.C.C. |




SECTION 10 & 11, TOWNSHIP 10 SOUTH, RANGE 6 WEST
WITHIN WINSTON COUNTY, ALABAMA
BASEMAP: 2026 WINSTON COUNTY LiDAR DATA, 5' CONTOURS

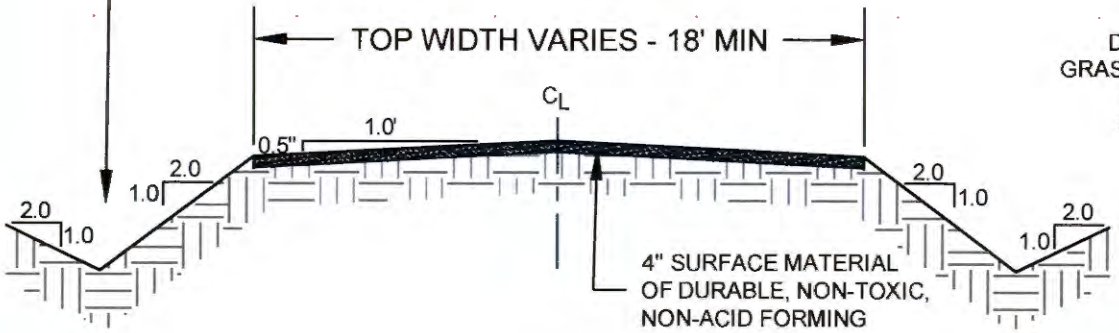
| | | |
|---|---|---|
| ADEM NOTICE OF INTENT (NOI) | **DETAILED FACILITY MAP** | FIGURE 2 |
| WILBANKS ENGINEERING & ENVIRONMENTAL SOLUTIONS, LLC | **YEARWOOD QUARRIES, LLC**<br>ROCK CREEK QUARRY<br>*WINSTON COUNTY, ALABAMA* | DATE: 7/24/2026<br>DRAWN BY: C.C.C. |

## PRIMARY ROAD
## TYPICAL CUT SECTION



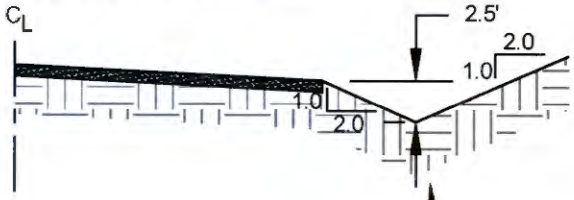

DRAINAGE DITCH TO BE LINED WITH
GRASS MIXTURE. SEE SPECIFICATIONS.
SEE DETAILED DESIGN PLANS FOR
SPECIFIC DESIGN REQUIREMENTS.

## PRIMARY ROAD
## TYPICAL FILL SECTION




## PRIMARY ROAD
## TYPICAL DRAINAGE DITCH
## CROSS-SECTION

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




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

MINIMUM GRADIENT: 0.5%
MAXIMUM GRADIENT: 10.0%

ATTACHMENT III-B-5

PRIMARY ROAD TYPICALS


WILBANKS ENGINEERING
& ENVIRONMENTAL SOLUTIONS, LLC

210 REDMAYNE RD., GARDENDALE, AL 35071 (205) 285-9696

## ATTACHMENT FOR APPENDIX A & B (CONTINUED)

## SPECIFICATIONS FOR THE CONSTRUCTION, MAINTENANCE AND RECLAMATION OF ANCILLARY ROADS

1. To the extent possible, roads will be located on ridges or on the most stable available slopes to prevent or minimize erosion, downstream sedimentation and flooding in an effort to prevent adverse effects to fish, wildlife and related environmental values.

2. To the extent possible, roads will be located above the sediment basins to be constructed for the mining operation in an effort to control or prevent additional contributions of suspended solids to stream flow or runoff outside the permit area and to comply with State and Federal water quality standards applicable to receiving waters and avoid the alteration of the normal flow of water in streambeds or drainage channels while preventing or controlling damage to public or private property. Where it is not possible or is impractical to locate roads in this manner, sediment control devices such as silt fencing, hay bale check dams and rock filter check dams will be used as necessary to maintain water quality.

3. Prior to construction, the roadway will be cleared, grubbed and will have the topsoil removed. The clearing limits will be kept to the minimum necessary to accommodate the roadbed and associated ditch construction.

4. Roads will be constructed of suitable compacted subgrade material. The material will be free of sod, roots, stones over 12 inches in diameter, and other objectionable materials. The material will be placed and spread over the entire fill area, starting at the lowest point in layers not to exceed 12 inches in thickness. The material will be compacted to 95 percent of the density, based on standard proctor as outlined in ASTM.

5. Ancillary roads will have a minimum width often feet and a maximum width necessary to accommodate the largest equipment traveling the road.

6. Roadbeds will be cut to consolidated non-erodible material or will be surfaced with durable non-toxic, non-acid forming substances. It is anticipated that durable sandstone overburden on site will be utilized as surfacing material. If there should not be adequate sandstone on site, then a durable sandstone material, chert, crushed limestone, crushed concrete, crushed asphalt, red rock, iron ore refuse, gravel, or other durable non-toxic, non-acid forming material approved by the Regulatory Authority will be hauled in from off site and placed on the roadbed to a depth of two inches.

7. No sustained grades will exceed ten percent unless deemed necessary, in which case appropriate sediment control facilities will be constructed. If grades in excess of fifteen percent are required, cross drains, ditch relief drains and road drain ways will be located at a minimum distance of three-hundred feet.

## ATTACHMENT FOR APPENDIX A & B (CONTINUED)

8. Roads will be constructed so as to have adequate drainage utilizing ditches, cross drains and ditch relief drains. Roads will not be located in the channel of an intermittent or perennial stream unless specifically approved by the appropriate authorities. Additionally, no relocation and/or alteration of an intermittent or perennial stream will be done unless specifically approved by the appropriate authorities. In the event that it becomes evident that any drainage structures including culverts, bridges and/or low water crossings will be required in order to cross an intermittent or perennial stream, the structure will be designed in accordance with the appropriate regulations and prudent engineering practice and the approval of the design(s) will be acquired prior to the commencement of construction. Hay bale check dams and silt fences will be used at strategic locations when necessary to control sediment runoff. Immediately upon completion of construction, the side slopes of the road embankments and/or cuts will be fertilized, seeded with annual and perennial grasses and mulch will be added to aid in the prevention of erosion and to enhance seed germination. The seed mix will consist of, but is not limited to, some combination of the following species: Bermuda grass, fescue, lespedeza, rye grass, brown top millet, clover and vetch. The particular species to be planted will vary with the planting season at the time of seed application.

9. Routine maintenance will be required to assure that the road continually meets performance standards and will consist of periodic grading, resurfacing, dust suppression and maintenance of sediment control facilities. Dust suppression will consist of the application of water, chemical binders and/or other dust suppressants. No oil will be utilized in this process. Spot seeding, fertilizing and mulching will be performed as necessary to improve vegetative cover on roadway slopes. A road damaged by a catastrophic event shall be repaired as soon as practicable after the damage has occurred.

10. Roads not to be retained as part of the post mine land use shall be reclaimed in accordance with the approved reclamation plan for this permit as soon as practicable after they are no longer needed as part of the mining and reclamation operation, using the following procedures:

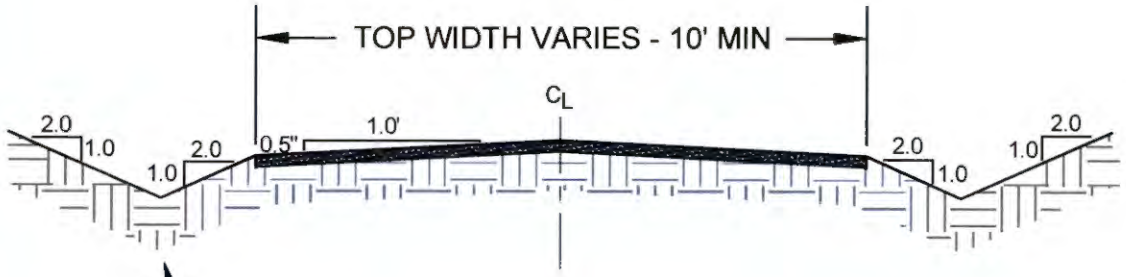
    a. The road will be closed to traffic.
    b. All bridges, culverts and other drainage structures not approved as part of the post mine land use will be removed.
    c. All road surfacing materials that are not compatible with the post mine land use or revegetation requirements will be properly disposed of on-site or removed from the site for re-use.
    d. Roadway cut and fill slopes shall be regraded and reshaped to be compatible with the post mine land use and to compliment the natural drainage pattern of the surrounding terrain.
    e. The natural drainage patterns shall be protected from surface runoff and erosion utilizing the installation of dikes and/or cross drains as necessary.

## ATTACHMENT FOR APPENDIX A & B (CONTINUED)

f. The roadbed shall be ripped or scarified as necessary, the topsoil or substitute or approved growing medium shall be replaced and revegetated in accordance with the approved reclamation plan for this permit.

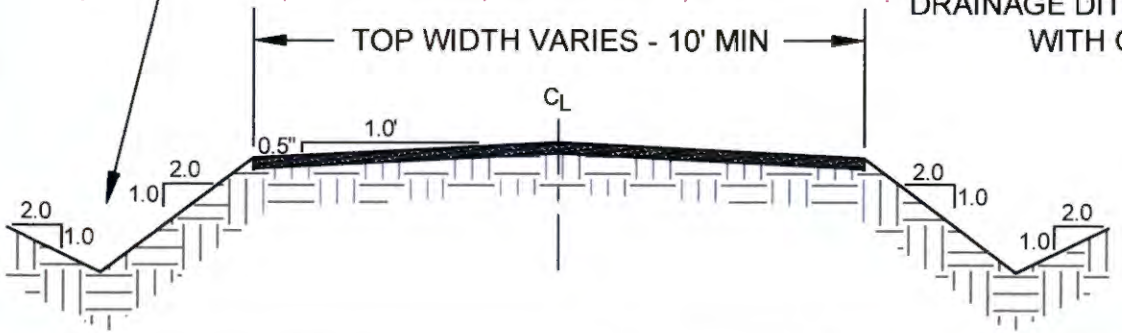
11. The following drawings illustrate typical roadbed configurations for ancillary roads.

## ANCILLARY ROAD
## TYPICAL CUT SECTION



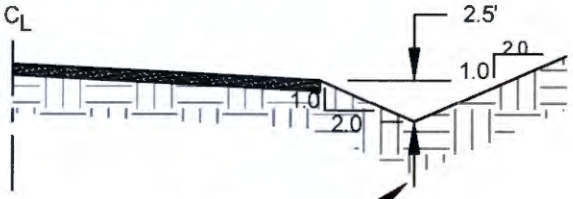

DRAINAGE DITCH TO BE LINED
WITH GRASS MIXTURE.

## ANCILLARY ROAD
## TYPICAL FILL SECTION




## ANCILLARY ROAD
## TYPICAL DRAINAGE DITCH
## CROSS-SECTION

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




DRAINAGE DITCH TO BE LINED
WITH GRASS MIXTURE

MINIMUM GRADIENT: 0.5%
MAXIMUM GRADIENT: 10.0%

ATTACHMENT III-B-5
ANCILLARY ROAD TYPICALS


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210 REDMAYNE RD., GARDENDALE, AL 35071 (205) 285-9696

# FIGURES

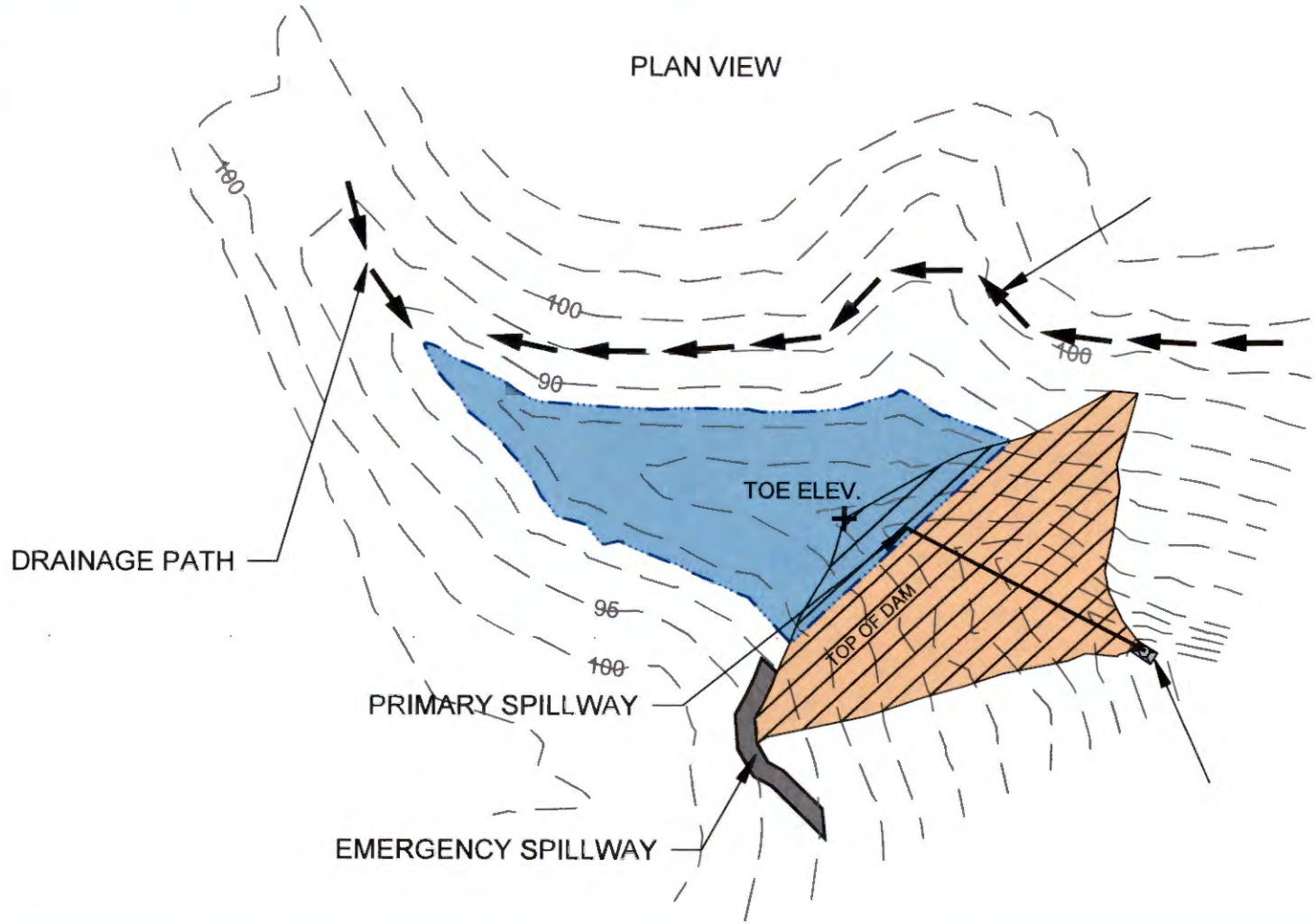



FIGURE 3a
PROPOSED SEDIMENTATION POND
TYPICAL

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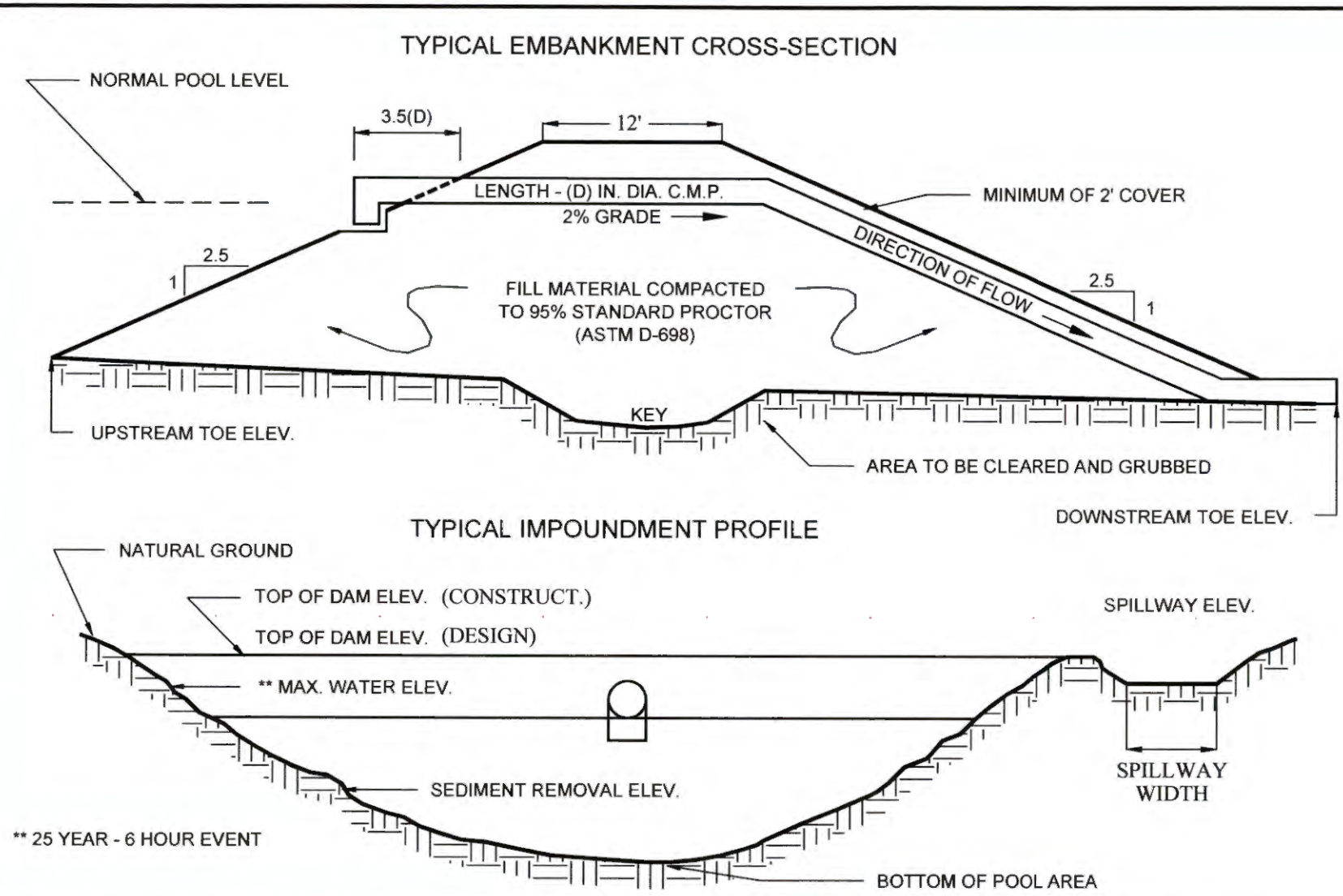
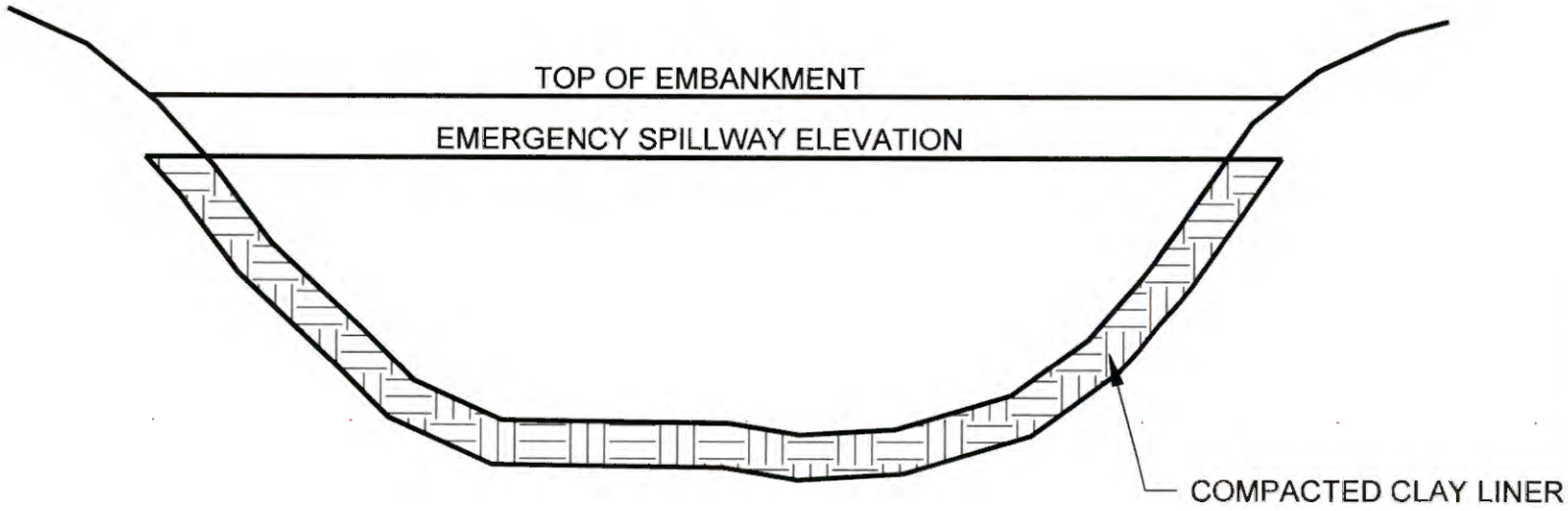



FIGURE 3b
SEDIMENT BASIN TYPICAL

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TYPICAL IMPOUNDMENT PROFILE
CLAY LINER CROSS-SECTION

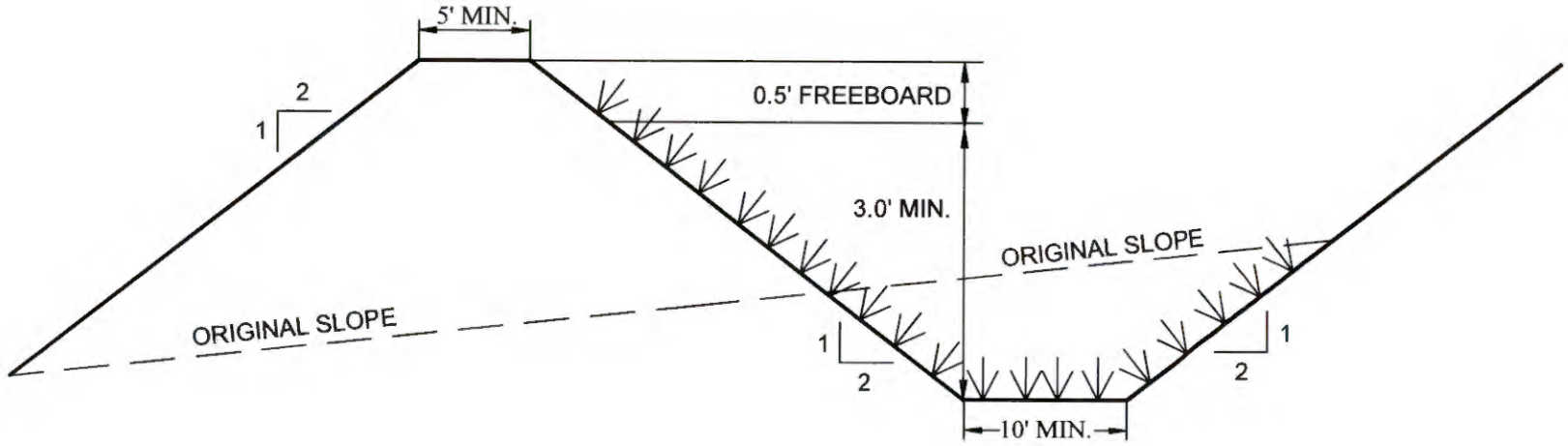



In the event that a sediment basin must be constructed in spoil material, the interior or wet area of the basin will be lined with a minimum of one (1') foot of clay material with a permeability no greater than 0.000001 cm./sec. up to the emergency spillway elevation. The clay liner material will be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

FIGURE 3c
SEDIMENT BASIN TYPICAL

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DIVERSION DITCH/BERM
TYPICAL CROSS-SECTION




DITCH PROTECTIVE LINER: GRASS MIXTURE, PREDOMINATELY BERMUDA AND FESCUE GRASSES.

Berm material to consist of clay, placed in 6 inch lifts and compacted to 95% of standard proctor density. Standard proctor density to be determined prior to placement of the material.

FIGURE 4
TYPICAL DRAINAGE DIVERSION DITCH/BERM

WILBANKS ENGINEERING
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210 REDMAYNE RD., GARDENDALE, AL 35071 (205) 985-9696

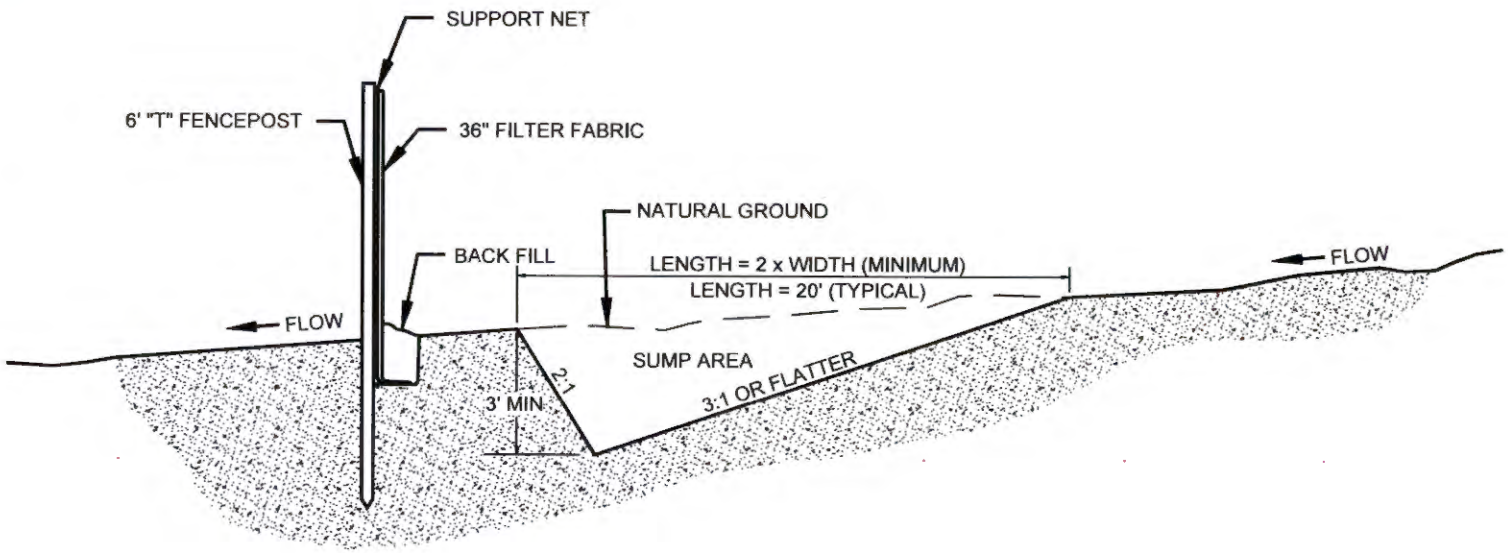
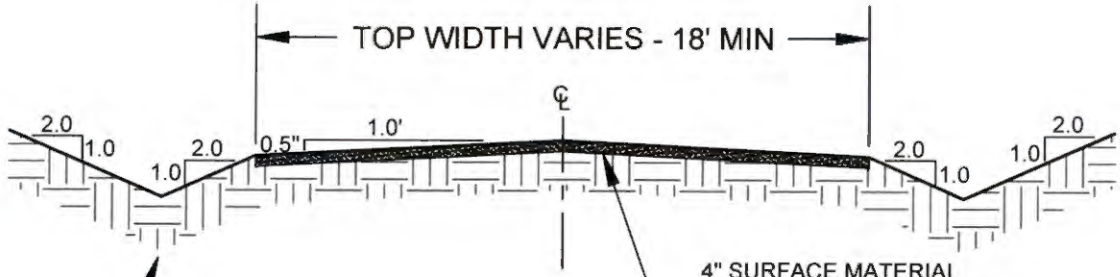



FIGURE 5
TYPICAL SUMP/SILT FENCE
LAYOUT

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& ENVIRONMENTAL SOLUTIONS, LLC
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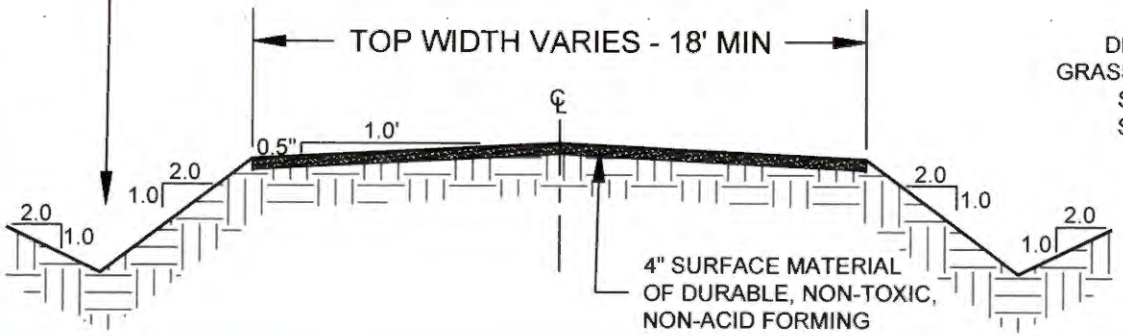
## PRIMARY ROAD
## TYPICAL CUT SECTION




4" SURFACE MATERIAL
OF DURABLE, NON-TOXIC,
NON-ACID FORMING

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

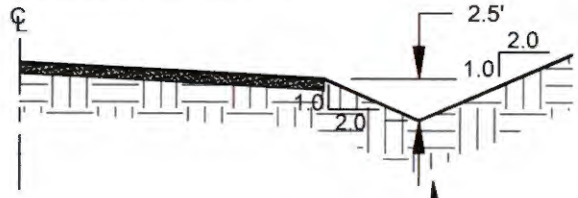
## PRIMARY ROAD
## TYPICAL FILL SECTION




4" SURFACE MATERIAL
OF DURABLE, NON-TOXIC,
NON-ACID FORMING

## PRIMARY ROAD
## TYPICAL DRAINAGE DITCH
## CROSS-SECTION

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




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

MINIMUM GRADIENT: 0.5%
MAXIMUM GRADIENT: 10.0%

FIGURE 6
PRIMARY ROAD TYPICALS


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210 REDMAYNE RD., GARDENDALE, AL 35071 (205) 985-9696

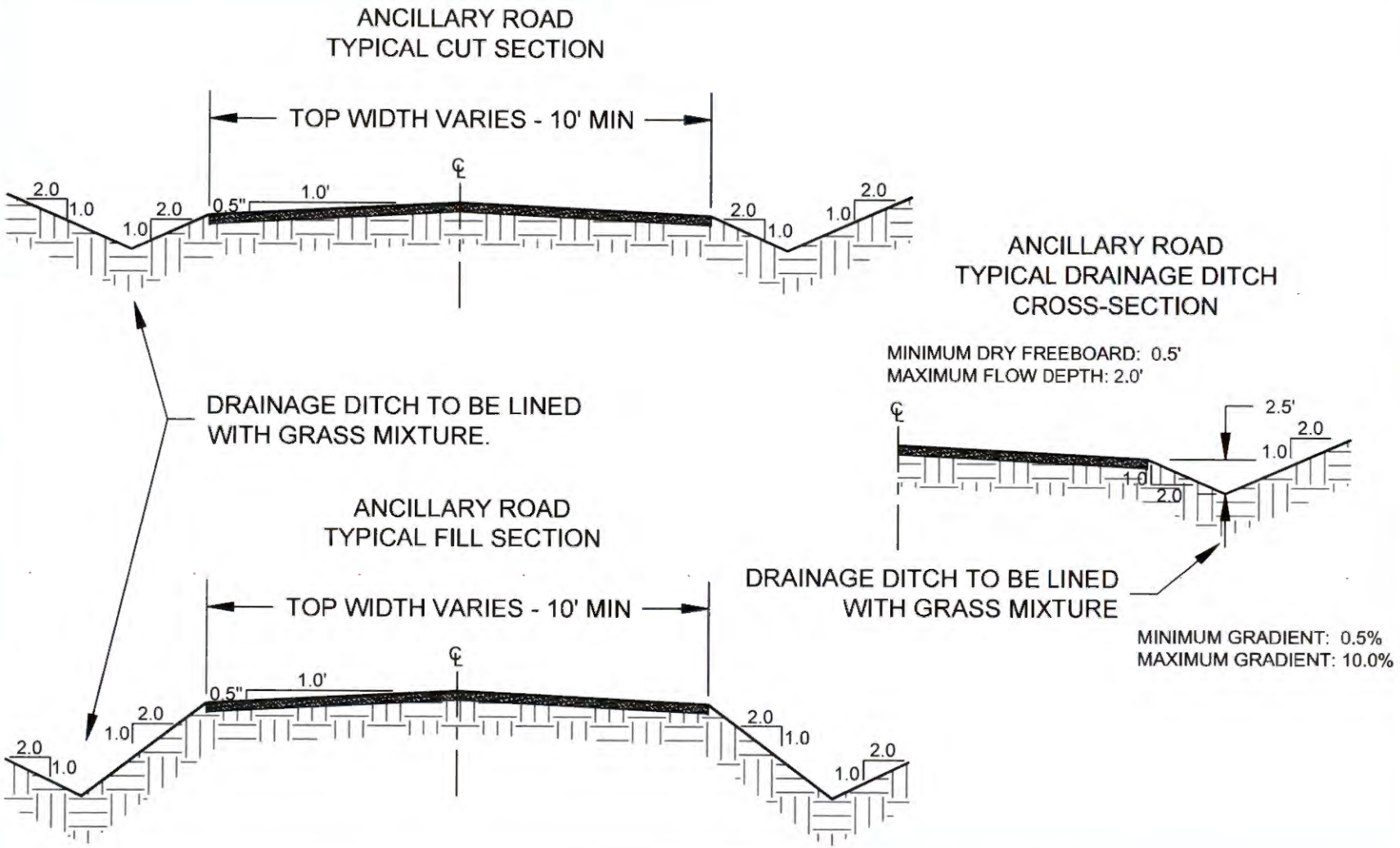



FIGURE 7
ANCILLARY ROAD TYPICALS

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& ENVIRONMENTAL SOLUTIONS, LLC
210 REDMAYNE RD., GARDENDALE, AL 35071 (205) 985-9696

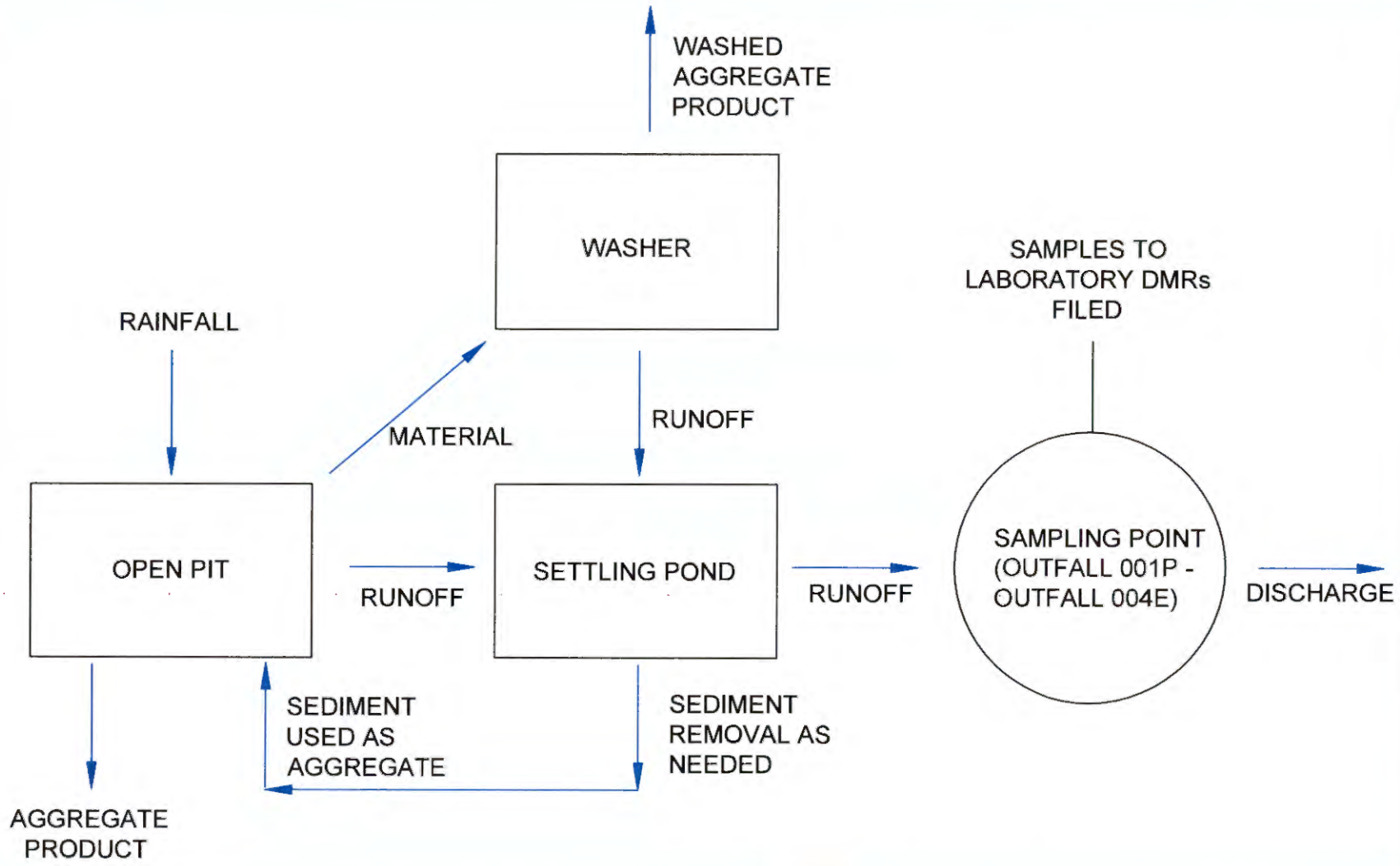



FIGURE 8
PROCESS FLOW DIAGRAM

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& ENVIRONMENTAL SOLUTIONS, LLC
210 REDMAYNE RD., GARDENDALE, AL 35180 (205) 285-9696