Lance R. LeFleur
Director

Kay Ivey
Governor

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

April 13, 2021

Jeffery Major
Managing Member
CreekWood Resources, LLC
2701 Mall Drive, Suite 7-102
Florence, AL 35630

RE: Draft Permit
Shady Grove Quarry
NPDES Permit No. AL0084191
Lee County (081)

Dear Mr. Major:

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 issue 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.

Please be aware that Part I.D of your permit requires that you apply for participation in the Department's web-based Electronic Environmental (E2) Reporting System Program for submittal of DMRs upon issuance of this permit unless valid justification as to why you cannot participate is submitted in writing. The E2 Program allows ADEM to electronically validate, acknowledge receipt, and upload data to the state's central wastewater database. This improves the accuracy of reported compliance data and reduces costs to both the regulated community and ADEM. The Permittee Participation Package may be downloaded online at https://e2.adem.alabama.gov/npdes or you may obtain a hard copy by submitting a written request or by emailing e2admin@adem.alabama.gov.

Should you have any questions concerning this matter, please contact Ange Boatwright by email at maboatwright@adem.alabama.gov or by phone at (334) 274-4208.

Sincerely,

Catherine A. McNeill, Chief
Mining and Natural Resource Section
Stormwater Management Branch
Water Division

CAM/mab File: DPER/54718

Enclosure

cc: Ange Boatwright, 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
Alabama Department of Labor

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

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

Mobile Branch
2204 Perimeter Road
Mobile, AL 36615-1131
(251) 450-3400
(251) 479-2593 (FAX)

Mobile-Coastal
3664 Dauphin Street, Suite B
Mobile, AL 36608
(251) 304-1176
(251) 304-1189 (FAX)

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM INDIVIDUAL PERMIT

PERMITTEE:	CreekWood Resources, LLC 2701 Mall Drive, Suite 7-102 Florence, AL 35630
FACILITY LOCATION:	Shady Grove Quarry West Point Parkway Opelika, AL 36804 Lee County T20N, R28E, S30, 19 T20N, R27E. S24
PERMIT NUMBER:	AL0084191
DSN & RECEIVING STREAM:	001-1 Unnamed Tributary to Halawakee Creek 002-1 Unnamed Tributary to Halawakee Creek 003-1 Halawakee Creek

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

ISSUANCE DATE:

EFFECTIVE DATE:

EXPIRATION DATE:

**** DRAFT ****

Alabama Department of Environmental Management

MINING AND NATURAL RESOURCE SECTION
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

TABLE OF CONTENTS

PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

Parameter	Discharge Limitations			Monitoring Requirements	
	Daily Minimum	Monthly Average	Daily Maximum	Sample Type	Measurement Frequency[1]
pH 00400	6.0 s.u.	------	8.5 s.u.	Grab	2/Month
Solids, Total Suspended 00530	------	15.0 mg/L	30.0 mg/L	Grab	2/Month
Flow, In Conduit or Thru Treatment Plant[2] 50050	------	Report MGD	Report MGD	Instantaneous	2/Month

B. REQUIREMENTS TO ACTIVATE A PROPOSED MINING OUTFALL

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

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

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

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

C. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS

1. Sampling Schedule and Frequency

a. The Permittee shall collect at least one grab sample of the discharge to surface waters from each constructed and certified point source identified on Page 1 of this Permit and

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

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

described more fully in the Permittee's application twice per month at a rate of at least every other week if a discharge occurs at any time during the two week period, but need not collect more than two samples per calendar month. Each sample collected shall be analyzed for each parameter specified in Part I.A. of this Permit.

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

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

2. Measurement Frequency

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

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

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

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

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

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

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

3. Monitoring Schedule

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

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

b. QUARTERLY MONITORING shall be conducted at least once during each calendar quarter. Calendar quarters are the periods of January through March, April through June,

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

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

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

4. Sampling Location

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

5. Representative Sampling

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

6. Test Procedures

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

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

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

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

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

c. For parameters without an EPA established ML, interim ML, or matrix-specific ML, a report of less than the detection limit shall constitute compliance if the detection limit of all analytical methods is higher than the permit limit using the most sensitive EPA approved method. For the purpose of calculating a monthly average, "0" sball 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 environmental (E2) 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 E2 reporting system.** The E2 reporting system Permittee Participation Package may be downloaded online at https://e2.adem.alabama.gov/npdes.

c. If the electronic environmental (E2) 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 E2 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 E2 system resuming operation, the Permittee shall enter the data into the E2 reporting system unless an alternate timeframe is approved by the Department. An attachment should be included with the E2 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.j.

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. The Permittee shall report "No Discharge During Quarterly Monitoring Period" on the appropriate DMR Form for each point source receiving pumped discharges pursuant to Part I.C.1.b. provided that no discharge has occurred at <u>any</u> time during the entire quarterly (three month) monitoring period.

h. 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.

i. 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."

j. All DMRs, reports, and forms required to be submitted by this Permit, the AWPCA and the Department's rules and regulations, 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

k. 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.

l. 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. Any written report required to be submitted to the Director in accordance with Parts I.D.2.a. and b. shall be submitted using a Noncompliance Notification Form (ADEM Form 421) available on the Department's website (http://adem.alabama.gov/DeptForms/Form421.pdf) and include 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.

1. 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

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, the information indicated in ADEM Admin. Code r. 335-6-9-.03 and ADEM Admin. Code ch. 335-6-9 Appendices A and 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).

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 tbe 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. Except as provided in Parts II.B.2.b. and c., a discharge which results from an upset need not meet the applicable discharge limitations specified in Part I.A. of this Permit if:

(1) No later than 24-hours after becoming aware of the occurrence of the upset, the Permittee orally reports the occurrence and circumstances of the upset to the Director; and

(2) No later than five (5) days after becoming aware of the occurrence of the upset, the Permittee furnishes 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.

b. Notwithstanding the provisions of Part II.B.2.a., 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 exempted from the discharge limitations specified in Part I.A. of this Permit 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.

c. The Permittee has the burden of establishing that each of the conditions of Parts II.B.2.a. and b. have been met to qualify for an exemption from the discharge limitations specified in Part I.A. of this Permit.

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.

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. Crushed stone mine - means an area on or beneath land which is mined, quarried, or otherwise disturbed in activity related to the extraction, removal, or recovery of stone from natural or artificial deposits, including active mining, reclamation, and mineral storage areas, for production of crushed stone.

10. 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.

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

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

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

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

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

16. 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).

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

18. DO - means dissolved oxygen.

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

20. 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.

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

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

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

24. 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).

25. 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.

26. 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.

27. 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.

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

29. MGD - means million gallons per day.

30. 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.)

31. 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.

32. 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.

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

34. 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.

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

36. 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).

37. 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.

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

39. 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

40. 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.

41. 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.

42. 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".

43. 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.

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

45. 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.

46. 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.

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

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

49. TRC - means Total Residual Chlorine.

50. TSS – means the pollutant parameter Total Suspended Solids

51. 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.

52. 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.

53. 24-hour precipitation event - means that amount of precipitation which occurs within any 24-hour period.

54. 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.

55. 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.

56. 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.

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

58. 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

ANTIDEGRADATION RATIONALE

Company Name:	CreekWood Resources, LLC
Facility Name:	Shady Grove Quarry
County:	Lee
Permit Number:	AL0084191
Prepared by:	Ange Boatwright
Date:	April 12, 2021
Receiving Waters:	Unnamed Tributary to Halawakee Creek
Stream Category:	Tier II as defined by ADEM Admin. Code 335-6-10-.12
Discharge Description:	Crushed and Broken Granite Mine, Wet and Dry Preparation, Transportation and Storage, and Associated Areas

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

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

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

1. The Permittee expects to create up to 20 new jobs if the Permit is issued.
2. The Permittee submits that they will pay 4% state sales tax, 1% in county taxes, as well as county property taxes.
3. The Permittee submits that the mined material is a cost effective resource for the public with reduced transportation costs, as well as supporting the local economy through the use of local suppliers.

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

Reviewed By: Catherine McNeill

Date: April 13, 2021

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION

NPDES INDIVIDUAL PERMIT RATIONALE

Company Name:	CreekWood Resources, LLC
Facility Name:	Shady Grove Quarry
County:	Lee
Permit Number:	AL0084191
Prepared by:	Ange Boatwright
Date:	April 13, 2021
Receiving Waters:	Halawakee Creek, Unnamed Tributary to Halawakee Creek
Permit Coverage:	Crushed and Broken Granite Mine, Wet and Dry Preparation, Transportation and Storage, and Associated Areas
SIC Code:	1423

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

This proposed permit covers a wet and dry preparation crushed and broken granite quarry, transportation and storage, and associated areas which discharge to surface waters of the state.

The proposed permit authorizes treated discharges into Halawakee Creek and an unnamed tributary of Halawakee Creek classified as Fish and Wildlife (F&W) per ADEM Admin. Code ch. 335-6-11. Discharges, however, are upstream of the section of Halawakee classified as Public Water Supply and Fish and Wildlife (PWS/F&W); therefore, the permit was prepared with consideration given to the higher use classification. If the requirements of the proposed permit are fully implemented, the facility will not discharge pollutants at levels that will cause or contribute to a violation of the PWS/F&W and F&W classifications.

Information included in the Permittee's application shows that the Permittee intends to impact waters of the United States (U.S.) within the area covered by the Permit. Any impacts to waters of the U.S. must be appropriately permitted through the U.S. Army Corps of Engineers (USACE) before any impacts may occur. Any surface waters not covered under a USACE Permit must maintain the required setbacks of 50 feet or other distance as determined necessary to protect water quality in accordance with ADEM Admin. Code r. 335-6-9-.07.

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

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

The TBELs for 40 CFR 436 Subpart B do not include limitations for Total Suspended Solids (TSS). TSS is classified as a conventional pollutant in 40 CFR 401.16 and is expected to be discharged from this type of facility. Monthly average and daily maximum effluent limitations for TSS were developed using Best Professional Judgment (BPJ) with consideration given to the current 2020 Alabama CWA §303(d) listing for Halawakee Creek and the EPA's *Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Mineral Mining and Processing Pont Source Category* (July 1979).

40 CFR 436.22 includes the TBEL of 6.0 – 9.0 s.u. for pH. However, the applicable State water quality criteria for pH in streams classified as PWS/F&W and F&W is 6.0 – 8.5 s.u. per ADEM Admin. Code r. 335-6-10-.09 and therefore used in this permit. Regardless, the discharges shall not cause the in-stream pH to deviate more than 1.0 s.u. from the normal or natural pH, nor be less than 6.0 s.u. nor greater than 8.5 s.u.

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

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

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

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

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

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

The applicant is proposing discharges into Halawakee Creek, a stream segment or other State water that is included on Alabama's current CWA §303(d) list for siltation. ADEM maintains an Ecoregional Reference Reach Monitoring Program that monitors the least-disturbed watersheds throughout the state that represent the "best attainable condition" for comparison with other streams. ADEM uses a 90th percentile as the basis of comparison for TSS data. The Department believes limiting the TSS to the 90th percentile of ecoregional reference value provides reasonable assurance that the pollutants will not be present in the discharge at levels of concern and/or the facility will not discharge pollutants at levels that will cause or contribute to a violation of applicable State water quality standards in the receiving water. The proposed quarry is located in Ecoregion 45b (Level 4). Due to the lack of available reference information for the Ecoregion 45b, the Department has determined that data from Ecoregion 45 (Level 3) provides the most accurate and representative reference guidelines based on the topography and scope of the operation. The 90th percentile ecoregional reference TSS value for Ecoregion 45 is 15.0 mg/L. This is the proposed monthly average TSS limitation used in this permit. If the requirements of the proposed permit and pollution abatement plan are fully implemented, there is reasonable assurance that the facility will not discharge pollutants at levels that will cause or contribute to any further impairment of Halawakee Creek.

The applicant is proposing discharges of pollutants to an ADEM identified Tier 1 water. If the requirements of the proposed permit and pollution abatement plan are fully implemented, there is reasonable assurance that discharges from the facility will not contain pollutants of concern contributing to the Tier 1 condition, pollutants causing or

contributing to the Tier 1 condition will not be present in the discharge at significant levels, and/or the facility will not discharge pollutants at levels that will cause or contribute to a violation of applicable State WQS in the Tier 1 water.

The proposed permit action authorizes new discharges of pollutants to receiving waters determined by the Department to be waters where the quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water (Tier II). Pursuant to ADEM Admin. Code r. 335-6-10 (Antidegradation Policy and Implementation of the Antidegradation Policy), the applicant has submitted and the Department has reviewed and considered information regarding (1) demonstration of necessity/importance, (2) alternatives analysis, and (3) calculations of total annualized costs for technically feasible treatment alternatives regarding the proposed new discharges to Tier II waters. The Department has determined, based on the applicant's demonstration, that the proposed new discharges to the Tier II waters are necessary for important economic or social development in the area in which the waters are located.

LARRY E. SPEAKS & ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
535 Herron Street
Montgomery, Alabama 36104
Telephone: 334.262.1091
Facsimile: 334.262.2211

December 4, 2020

Alabama Department of Environmental Management
NPDES Mining & Natural Resource Section
Attn: Ange Boatwright
P.O. Box 301463
Montgomery, AL 36130

RE: Initial Issuance of a NPDES Permit
CreekWood Resources, LLC
Shady Grove Quarry – Lee County, AL

Dear Ms. Boatwright:

Enclosed with this letter you will find:

1. ADEM Forms 311, 313 & 315
2. PAP Plan & Maps (NOI, PAP, Basin Details)
3. SPCC Plan & SPCC Map

The items (1-3) have been prepared for the Department's review and approval. CreekWood Resources will submit a payment in the amount of $6860.00 for the Wet Prep Permit Fee. Should you have questions please don't hesitate to call or email.

Sincerely,

Dillon Taylor

Dillon Taylor

cc: CreekWood Resources
Jeffrey Major
File: 3136

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Sincerely,

Dillon Taylor

Dillon Taylor

cc: CreekWood Resources
Jeffrey Major
File: 3136

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM)
NPDES INDIVIDUAL PERMIT APPLICATION (MINING OPERATIONS)

Instructions: This form should be used to submit an application for an NPDES individual permit to authorize discharges from surface & underground mineral, ore, or mineral product mining, quarrying, excavation, borrowing, hydraulic mining, storage, processing, preparation, recovery, handling, loading, storing, or disposing activities, and associated areas including pre-mining site development, construction, excavation, clearing, disturbance, and reclamation. Please complete all questions. Respond with "N/A" as appropriate. Incomplete or incorrect answers or missing signatures will delay processing. Attach additional comments or information as needed. If space is insufficient, continue on an attached sheet(s) as necessary. Commencement of activities applied for as detailed in this application are not authorized until permit coverage has been issued by the Department. Please type or print legibly in blue or black ink.

PURPOSE OF THIS APPLICATION

- [x] Initial Permit Application for New Facility
- [ ] Initial Permit Application for Existing Facility (e.g. facility previously permitted less than 5 acres)
- [ ] Modification of Existing Permit
- [ ] Reissuance of Existing Permit
- [ ] Reissuance & Modification Existing Permit
- [ ] Reissuance & Transfer of Existing Permit
- [ ] Revocation and Reissuance of Existing Permit
- [ ] Other

I. GENERAL INFORMATION

NPDES Permit Number (Not applicable if initial permit application):	County(s) in which Facility is Located:
*AL*_____	Lee

Company/Permittee Name:			Facility Name (*e.g.*, Mine Name, Pit Name, *etc.*):		
CreekWood Resources, LLC			Shady Grove Quarry		
Mailing Address of Company/Permittee:			Physical Address of Facility (as near as possible to entrance):		
2701 Mall Drive, Suite 7-102			West Point Pkwy		
City:	State:	Zip:	City:	State:	Zip:
Florence	AL	35630	Opelika	AL	36804
Permittee Phone Number:	Permittee Fax Number:		Latitude and Longitude of entrance:		
270-484-0830	270-424-8300		Site Entrance: 32° 41' 40"N -- 85° 17' 03"W		

Responsible Official (as described on page 12 of this application):			Responsible Official Title:		
Jeffrey Major			Managing Member		
Mailing Address of Responsible Official:			Physical Address of Responsible Official:		
2701 Mall Drive, Suite 7-102			2701 Mall Drive, Suite 7-102		
City:	State:	Zip:	City:	State:	Zip:
Florence	AL	35630	Florence	AL	35630
Phone Number of Responsible Official:	Fax Number of Responsible Official:		Email Address of Responsible Official:		
270-484-0830	270-424-8300		creekwoodresources@gmail.com		

Facility Contact:			Facility Contact Title:	
Jeffrey Major			Managing Member	
Physical Address of Facility Contact:			Phone Number of Facility Contact:	Fax Number of Facility Contact:
2701 Mall Drive, Suite 7-102			270-484-0830	270-424-8300
City:	State:	Zip:	Email Address of Facility Contact:	
Florence	AL	35630	creekwoodresources@gmail.com	

II. MEMBER INFORMATION

A. Identify the name, title/position, and unless waived in writing by the Department, the residence address of every officer, 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:

Name:	Title/Position:	Physical Address of Residence (P.O. Box is Not Acceptable)
Jeffrey Major	Managing Member	17000 North Madisonville Rd, Crofton, KY 42217

B. Other than the "Company/Permittee" listed in Part I., identify the name of each corporation, partnership, association, and single proprietorship for which any individual identified in Part II.A. 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:

Name of Corporation, Partnership, Association, or Single Proprietorship:	Name of Individual from Part II.A.:	Title/Position in Corporation, Partnership, Association, or Single Proprietorship:
N/A	N/A	N/A

III. LEGAL STRUCTURE OF APPLICANT

A. Indicate the legal structure of the "Company/Permittee" listed in Part I:

☐ Corporation ☐ Association ☐ Individual ☐ Single Proprietorship ☐ Partnership ☐ LLP ☒ LLC

☐ Government Agency: _____ ☐ Other: _____

B. If not an individual or single proprietorship, is the "Company/Permittee" listed in Part I. properly registered and in good standing with the Alabama Secretary of State's Office? (If the answer is "No," attach a letter of explanation.) ☒ Yes ☐ No

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

D. Land Owner(s): Weyerhaeuser Company, Charles & Wanda Teel, Thomas Wallace

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

IV. COMPLIANCE HISTORY

A. Has the applicant ever had any of the following:

	Yes	No
(1) An Alabama NPDES, SID, or UIC permit suspended or terminated?	☐	☒
(2) An Alabama license to mine suspended or revoked?	☐	☒
(3) An Alabama or federal mining permit suspended or terminated?	☐	☒
(4) A reclamation bond, or similar security deposited in lieu of a bond, or portion thereof, forfeited?	☐	☒
(5) A bond or similar security deposited in lieu of a bond, or portion thereof, the purpose of which was to secure compliance with any requirement of the Alabama Water Improvement Commission or Alabama Department of Environmental Management, forfeited?	☐	☒

(If the response to any item of Part IV.A. is "Yes," attach a letter of explanation.)

B. Identify every Warning Letter, Notice of Violation (NOV), Administrative Action, or litigation issued to the applicant, parent corporation, subsidiary, general partner, LLP partner, or LLC member and filed by ADEM or EPA during the three year (36 months) period preceding the date on which this form is signed. Indicate the date of issuance, briefly describe alleged violations, list actions (if any) to abate alleged violations, and indicate date of final resolution:

N/A

V. OTHER PERMITS/AUTHORIZATIONS

A. 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 Surface Mining Commission (ASMC), Alabama Department of Labor (ADOL), US Army Corp of Engineers (USACE), or other agency, to the applicant, parent corporation, subsidiary, or LLC member for this facility whether presently effective, expired, suspended, revoked, or terminated:

ADEM - Air Quality Permit
Alabama Dept of Labor (ADOL) Permit

B. 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 for other facilities whether presently effective, expired, suspended, revoked, or terminated:

N/A

VI. PROPOSED SCHEDULE

Anticipated Activity Commencement Date: May, 2021 Anticipated Activity Completion Date: ~2080

VII. ACTIVITY DESCRIPTION & INFORMATION

A. Proposed Total Area of the Permitted Site: 255 acres Proposed Total Disturbed Area of the Permitted Site: 114 acres

B. Township(s), Range(s), Section(s): T20N R28E Sec 30 and 19, T20N R27E Sec 24

C. Detailed Directions to Site: Starting northbound on I-85, take exit 66 for Andrews Road and turn right, in 0.4 miles turn left on West Point Pkwy, site is 0.8 miles ahead on left.

D. Is/ will this facility:

		Yes	No
(1)	an existing facility which currently results in discharges to State waters?	☐	☒
(2)	a proposed facility which will result in a discharge to State waters?	☒	☐
(3)	be located within any 100-year flood plain?	☒	☐
(4)	discharge to Municipal Separate Storm Sewer?	☐	☒
(5)	discharge to waters of or be located in the Coastal Zone?	☐	☒
(6)	need/have ADEM UIC permit coverage?	☐	☒
(7)	be located on Indian/ historically significant lands?	☐	☒
(8)	need/have ADEM SID permit coverage?	☐	☒
(9)	need/have ASMC permit coverage?	☐	☒
(10)	need/have ADOL permit coverage?	☒	☐
(11)	generate, treat, store, or dispose of hazardous or toxic waste ? (If "Yes," attach a detailed explanation.)	☐	☒
(12)	be located in or discharge to a Public Water Supply (PWS) watershed or be located within ½ mile of any PWS well?	☒	☐

VIII. MATERIAL TO BE REMOVED, PROCESSED, OR TRANSLOADED

List relative percentages of the mineral(s) or mineral product(s) that are proposed to be and/or are currently mined, quarried, recovered, prepared, processed, handled, transloaded, or disposed at the facility. **If more than one mineral is to be mined, list the relative percentages of each mineral by tonnage for the life of the mine**.

____ Dirt &/or Chert	____ Sand &/or Gravel	____ Chalk	____ Talc	____ Crushed rock (other)
____ Bentonite	____ Industrial Sand	____ Marble	____ Shale &/or Common Clay	____ Sandstone
____ Coal	____ Kaolin	____ Coal fines/refuse recovery	____ Coal product, coke	____ Slag, Red Rock
____ Fire clay	____ Iron ore	____ Dimension stone	____ Phosphate rock	100 Granite
____ Bauxitic Clay	____ Bauxite Ore	____ Limestone, crushed limestone and dolomite		

____ Gold, other trace minerals:____ ____ Other:____

____ Other:____ ____ Other:____

____ Other:____ ____ Other:____

IX. PROPOSED ACTIVITY TO BE CONDUCTED

A. Type(s) of activity presently conducted at applicant's existing facility or proposed to be conducted at facility (check all that apply):

- [●] Surface mining
- [ ] Underground mining
- [●] Quarrying
- [ ] Auger mining
- [ ] Hydraulic mining
- [ ] Within-bank mining
- [ ] Solution mining
- [●] Mineral storing
- [ ] Lime production
- [ ] Cement production
- [ ] Synthetic fuel production
- [ ] Alternative fuels operation
- [●] Mineral dry processing (crushing & screening)
- [●] Mineral wet preparation
- [ ] Other beneficiation & manufacturing operations
- [●] Mineral loading
- [ ] Chemical processing or leaching
- [ ] Construction related temporary borrow pits/areas
- [●] Mineral transportation [ ] rail [ ] barge [●] truck
- [ ] Preparation plant waste recovery
- [ ] Hydraulic mining, dredging, instream or between stream-bank mining
- [●] Grading, clearing, grubbing, *etc*.
- [ ] Pre-construction ponded water removal
- [●] Excavation
- [●] Pre-mining logging or land clearing
- [ ] Waterbody relocation or other alteration
- [●] Creek/stream crossings
- [ ] Onsite construction debris or equipment storage/disposal
- [●] Onsite mining debris or equipment storage/disposal
- [●] Reclamation of disturbed areas
- [ ] Chemicals used in process or wastewater treatment (coagulant, biocide, etc.)
- [●] Adjacent/associated asphalt/concrete plant(s)
- [ ] Low volume sewage treatment package plant
- [ ] Other: _____

B. Primary SIC Code: 1423 NAICS Code: 212313 Description: Crushed and Broken Granite

Secondary SIC Code(s): _____ NAICS Code: _____ Description: _____

C. Narrative Description of the Activity: The operation consists of crushing and screening granite aggregate for all phases of the construction industry. The granite is drilled, blasted and then transported by truck to the plant for processing. The raw material is crushed, screened and stockpiled for loading onto customer trucks.

X. FUEL – CHEMICAL HANDLING, STORAGE & SPILL PREVENTION CONTROL & COUNTERMEASURES (SPCC) PLAN

A. Will fuels, chemicals, compounds, or liquid waste be used or stored onsite? [X] Yes [ ] No

B. If "Yes," identify the fuel, chemicals, compounds, or liquid waste and indicate the volume of each:

Volume	*Contents*	*Volume*	*Contents*	*Volume*	*Contents*
5000 gallons	Diesel Fuel	1000 gallons	Engine Oil	550 gallons	10 drums grease and
1000 gallons	Hydraulic Oil	_____ gallons		_____ gallons	specialty oils

C. If "Yes," a detailed SPCC Plan with acceptable format and content, including diagrams, must be attached to application in accordance with ADEM Admin. Code R. 335-6-6-.12(r). Unless waived in writing by the Department on a programmatic, categorical, or individual compound/chemical basis, Material Safety Data Sheets (MSDS) for chemicals/compounds used or proposed to be used at the facility must be included in the SPCC Plan submittal.

XI. POLLUTION ABATEMENT & PREVENTION (PAP) PLAN

A. For non-coal mining facilities, a PAP Plan in accordance with ADEM Admin. Code r. 335-6-9-.03 has been completed and is attached as part of this application. [X] Yes [ ] No

B. For coal mining facilities, a detailed PAP Plan has been submitted to ASMC according to submittal procedures for ASMC regulated facilities. [ ] Yes [ ] No

(1) If "Yes" to Part XI.B., provide the date that the PAP Plan was submitted to ASMC: N/A

(2) If "No" to Part XI.B., provide the anticipated date that the PAP Plan will be submitted to ASMC: N/A

XII. ASMC REGULATED ENTITIES

A. Is this coal mining operation regulated by ASMC? [ ] Yes [ ] No

B. If "Yes", provide copies as part of this application of any pre-mining hydrologic sampling reports and Hydrologic Monitoring Reports which have been submitted to ASMC within the 36 months prior to submittal of this application.

XIII. TOPOGRAPHIC MAP SUBMITTAL

Attach to this application a 7.5 minute series U.S.G.S. topographic map(s) or equivalent map(s) no larger than, or folded to a size of 8.5 by 11 inches (several pages may be necessary), of the area extending to at least one mile beyond property boundaries. The topographic or equivalent map(s) must include a caption indicating the name of the topographic map, name of the applicant, facility name, county, and township, range, & section(s) where the facility is located. Unless approved in advance by the Department, the topographic or equivalent map(s), at a minimum, must show:

(a) An accurate outline of the area to be covered by the permit
(b) An outline of the facility
(c) All existing and proposed disturbed areas
(d) Location of discharge areas
(e) Proposed and existing discharge points
(f) Perennial, intermittent, and ephemeral streams
(g) Lakes, springs, water wells, wetlands
(h) All known facility dirt/improved access/haul roads
(i) All surrounding unimproved/improved roads
(j) High-tension power lines and railroad tracks
(k) Buildings and structures, including fuel/water tanks
(l) Contour lines, township-range-section lines
(m) Drainage patterns, swales, washes
(n) All drainage conveyance/treatment structures (ditches, berms, etc.)
(o) Any other pertinent or significant feature

XIV. DETAILED FACILITY MAP SUBMITTAL

Attach to this application a 1:500 scale or better, detailed auto-CAD map(s) or equivalent map(s) no larger than, or folded to a size of 8.5 by 11 inches (several pages may be necessary), of the facility. The facility map(s) must include a caption indicating the name of the facility, name of the applicant, facility name, county, and township, range, & section(s) where the facility is located. Unless approved in advance by the Department, the facility or equivalent map(s), at a minimum, must show:

(a) Information listed in Item XIII (a) – (o) above
(b) If noncoal, detailed, planned mining progression
(c) If noncoal, location of topsoil storage areas
(d) Location of ASMC bonded increments (if applicable)
(e) Location of mining or pond cleanout waste storage/disposal areas
(f) Other information relevant to facility or operation
(g) Location of facility sign showing Permittee name, facility name, and NPDES Number

XV. RECEIVING WATERS

List the requested permit action for each outfall (issue, reissue, add, delete, move, etc.), outfall designation including denoting "E" for existing and "P" for proposed outfalls, name of receiving water(s), whether or not the stream is included in a TMDL, latitude and longitude (to seconds) of location(s) of each discharge point, distance of receiving water from outfall in feet, number of disturbed acres, the number of drainage acres which will drain through each treatment system, outfall, or BMP, and if the outfall discharges to an ADEM listed CWA Section 303(d) waterbody segment at the time of application submittal.

Action	Outfall E/P	Receiving Water	Latitude	Longitude	Distance to Rec. Water	Disturbed Acres	Drainage Acres	ADEM WUC	303(d) Segment (Y/N)	TMDL Segment* (Y/N)
Issue	001P	UT to Halawakee Creek	32° 41' 56"N	85° 16' 53"W	120 ft	25	50	F&W	N	N
Issue	002P	UT to Halawakee Creek	32° 42' 00"N	85° 16' 48"W	80 ft	67	74	F&W	N	N
Issue	003P	Halawakee Creek	32° 42' 26"N	85° 16' 38"W	190 ft	22	22	F&W	N	N

*If a TMDL Compliance Schedule is requested, the following should be attached as supporting documentation: (1) Justification for the requested Compliance Schedule (e.g. time for design and installation of control equipment, etc.); (2) Monitoring results for the pollutant(s) of concern which have not previously been submitted to the Department (sample collection dates, analytical results (mass and concentration), methods utilized, MDL/ML, etc. should be reported as available); (3) Requested interim limitations, if applicable; (4) Date of final compliance with the TMDL limitations; and (5) Any other additional information available to support the requested compliance schedule.

XVI. DISCHARGE CHARACTERIZATION

A. EPA Form 2C, EPA Form 2D, and/or Modified EPA Form 2C Submittal

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

☐ No, the applicant does not request a waiver and a complete EPA Form 2C, EPA Form 2D, and/or modified EPA Form 2C is attached.

B. The applicant is required to supply the following information separately for every P or E outfall. If necessary, attach extra sheets. List expected average daily discharge flow rate in cfs and gpd, frequency of discharge in hours per day and days per month, average summer and winter temperature of discharge(s) in degrees centigrade (C), average pH in standard units, average daily discharge in pounds per day of BOD_5, Total Suspended Solids, Total Iron, Total Manganese, and Total Aluminum (if bauxite or bauxitic clay):

Outfall E/P	Information Source - # of Samples	Flow cfs	Flow gpd	Frequency hours/day	Frequency days/month	Sum/Win Temp, °C	pH s.u.	BOD_5 lbs/day	TSS lbs/day	Tot Fe lbs/day	Tot Mn lbs/day	Tot Al lbs/day
001P	BPE	0.080	51,576	Precip Driv. 24/7	Precip Driv. 30/12	Amb. Temp 30°/16°	8.2	2.150	1.917	0.043	0.006	N/A
002P	BPE	0.118	76,333	Precip Driv. 24/7	Precip Driv. 30/12	Amb. Temp 30°/16°	8.2	3.182	2.837	0.064	0.010	N/A
003P	BPE	0.035	22,693	Precip Driv. 24/7	Precip Driv. 30/12	Amb. Temp 30°/16°	8.2	0.844	0.844	0.019	0.003	N/A
BPE = Best	Professional	Estimate										

C. The applicant is required to supply the following information separately for every P or E outfall. If necessary, attach extra sheets. Identify and list expected average daily discharge in pounds per day of any other pollutant(s) listed in EPA Form 2C, Item V – Intake And Effluent Characteristics, Parts A, B, & C that are not referenced in Part XV.B., that you know is present or have reason to believe could be present in the discharge(s) at levels of concern:

Outfall E/P	Reason Believed Present	Information Source - # of Samples										
			lbs/day	lbs/day	lbs/day	lbs/day	lbs/day	lbs/day	lbs/day	lbs/day	lbs/day
None	Expected											

XVII. DISCHARGE STRUCTURE DESCRIPTION & POLLUTANT SOURCE

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

Outfall	Discharge structure Description	Description of Origin of pollutants	Surface Discharge	Groundwater Discharge	Wet Prep -Other Production Plant	Pumped or Controlled Discharge	Low Volume STP	Other
001P	Pipe/Spillway	8, 9, 10	X	N/A	X	X	N/A	N/A
002P	Pipe/Spillway	8, 9	X	N/A	N/A	X	N/A	N/A
003P	Pipe/Spillway	8, 9	X	N/A	N/A	X	N/A	N/A

Origin of Pollutants – typical examples:

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

Granite Wet Prep Plant

XVIII. PROPOSED NEW OR INCREASED DISCHARGES

A. Pursuant to ADEM Admin. Code Chapter 335-6-10-.12(9), responses to the following questions must be provided by the applicant requesting NPDES permit coverage for new or expanded discharges of pollutant(s) to Tier 2 waters (except discharges eligible for coverage under general permits). As part of the permit application review process, the Department is required to consider, based on the applicant's demonstration, whether the proposed new or increased discharge to Tier 2 waters is necessary for important economic or social development in the area in which the waters are located.

☒ Yes. New/increased discharges of pollutant(s) or discharge locations to Tier 2 waters are proposed.

☐ No. New/increased discharges of pollutants(s) or discharge locations to Tier 2 waters are not proposed.

B. If "Yes," complete Items 1 through 6 of this Part (XVII.B.), ADEM Form 311-Alternative Analysis, and either ADEM Form 312 or ADEM Form 313-Calculation of Total Annualized Project Costs (Public-Section or Private-Sector, whichever is applicable). ADEM Form 312 or ADEM Form 313, whichever, is applicable, should be completed for each technically feasible alternative evaluated on ADEM Form 311. ADEM Forms can be found on the Department's website at www.adem.alabama.gov/DeptForms. **Attach additional sheets/documentation and supporting information as needed.**

(1) What environmental or public health problem will the discharge be correcting?

None.

(2) How much will the discharger be increasing employment (at its existing facility or as a result of locating a new facility)?

Up to 20 full time positions on-site.

(3) How much reduction in employment will the discharger be avoiding?

None. This project will create up to 20 new jobs.

(4) How much additional state or local taxes will the discharger be paying?

4% State Sales Tax and 1% Lee County Sales Tax will be collected on non-governmental sales and other taxable sales. Lee county property tax on business assets.

(5) What public service to the community will the discharger be providing?

Cost effective resource for construction aggregate for the public, city, county and state. Create up to 20 new jobs.

(6) What economic or social benefit will the discharger be providing to the community?

Cost effective resource for construction aggregate for the public, city, county and state. Providing a reduction in transportation cost of aggregate to construction sites in the Opelika area resulting the significant cost/ton savings. Creation of up to 20 new jobs onsite. Support of local economy through use of local contractors and suppliers (i.e. fuel, tires, excavating and utility contractors, etc.).

XIX. POLLUTION ABATEMENT & PREVENTION (PAP) PLAN SUMMARY (must be completed for all outfalls)

Y	N	N/A	**Outfall(s):** A-001P, B-002P, C-003P
X			Runoff from all areas of disturbance is controlled
X			Drainage from pit area, stockpiles, and spoil areas directed to a sedimentation pond
X			Sedimentation basin at least 0.25 acre/feet for every acre of disturbed drainage
X			Sedimentation basin cleaned out when sediment accumulation is 60% of design capacity
X			Trees, boulders, and other obstructions removed from pond during initial construction
X			Width of top of dam greater than 12'
X			Side slopes of dam no steeper than 3:1
X			Cutoff trench at least 8' wide
X			Side slopes of cutoff trench no less than 1:1
X			Cutoff trench located along the centerline of the dam
X			Cutoff trench extends at least 2' into bedrock or impervious soil
X			Cutoff trench filled with impervious material
X			Embankments and cutoff trench 95% compaction standard proctor ASTM
X			Embankment free of roots, tree debris, stones >6" diameter, etc.
X			Embankment constructed in lifts no greater than 12"
X			Spillpipe sized to carry peak flow from a one year storm event
X			Spillpipe will not chemically react with effluent
X			Subsurface withdrawal
X			Anti-seep collars extend radially at least 2' from each joint in spillpipe
X			Splashpad at the end of the spillpipe
	X		Emergency Spillway sized for peak flow from 25-yr 24-hr event if discharge not into PWS classified stream
X			Emergency spillway sized for peak flow from 50-yr 24-hr event if discharge is into PWS classified stream
X			Emergency overflow at least 20' long
X			Side slopes of emergency spillway no steeper than 2:1
X			Emergency spillway lined with riprap or concrete
X			Minimum of 1.5' of freeboard between normal overflow and emergency overflow
X			Minimum of 1.5' of freeboard between max. design flow of emergency spillway and top of dam
X			All emergency overflows are sized to handle entire drainage area for ponds in series
X			Dam stabilized with permanent vegetation
X			Sustained grade of haul road <10%
X			Maximum grade of haul road <15% for no more than 300'
X			Outer slopes of haul road no steeper than 2:1
X			Outer slopes of haul road vegetated or otherwise stabilized
	X		Detail drawings supplied for all stream crossings
X			Short-Term Stabilization/Grading And Temporary Vegetative Cover Plans
X			Long-Term Stabilization/Grading And Permanent Reclamation or Water Quality Remediation Plans

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

1st No Answer: Receiving water is classified as a PWS stream
2nd No Answer: Stream crossing to be designed and permitted following wetland delineation

XX. POLLUTION ABATEMENT & PREVENTION (PAP) PLAN REVIEW CHECKLIST

Y	N	N/A	
X			PE Seal with License #
X			Name and Address of Operator
X			Legal Description of Facility
			General Information:
X			Name of Company
X			Number of Employees
X			Products to be Mined
X			Hours of Operation
X			Water Supply and Disposition
			Topographic Map:
X			Mine Location
X			Location of Prep Plant
X			Location of Treatment Basins
X			Location of Discharge Points
X			Location of Adjacent Streams
			1"- 500' or Equivalent Facility Map:
X			Drainage Patterns
X			Mining Details
X			All Roads, Structures Detailed
X			All Treatment Structures Detailed
			Detailed Design Diagrams:
X			Plan Views
X			Cross-section Views
X			Method of Diverting Runoff to Treatment Basins
			Narrative of Operations:
X			Raw Materials Defined
X			Processes Defined
X			Products Defined
			Schematic Diagram:
X			Points of Waste Origin
X			Collection System
X			Disposal System
			Post Treatment Quantity and Quality of Effluent:
X			Flow
X			Suspended Solids
X			Iron Concentration
X			pH
			Description of Waste Treatment Facility:
X			Pre-Treatment Measures
X			Recovery System
X			Expected Life of Treatment Basin
X			Schedule of Cleaning and/or abandonment
			Other:
X			Precipitation/Volume Calculations/Diagram Attached
	X		BMP Plan for Haul Roads
X			Measures for Minimizing Impacts to Adjacent Stream i.e., Buffer Strips, Berms, etc.
X			Methods for Minimizing Nonpoint Source Discharges
X			Facility Closure Plans
	X		PE Rationale(s) For Alternate Standards, Designs or Plans

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

1st No Answer: Haul Roads will drain to the pit or ponds or are otherwise gravel/crushed granite.
2nd No Answer: No Alternative Standards proposed.

XXI. INFORMATION

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 NPDES Permit prior to commencement of any land disturbance. Such 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; and
(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. The completed form, supporting documentation, and the appropriate fees must be submitted to:

Water Division
Alabama Department of Environmental Management
Post Office Box 301463
Montgomery, Alabama 36130-1463
Phone: (334) 271-7823
Fax: (334) 279-3051
h2omail@adem.alabama.gov
www.adem.alabama.gov

XXII. PROFESSIONAL ENGINEER (PE) CERTIFICATION

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 on behalf of the applicant, that I have completed an evaluation of discharge alternatives (Item XVIII) for any proposed new or increased discharges of pollutant(s) to Tier 2 waters and reached the conclusions indicated. I certify under penalty of law that technical information and data contained in this application, and a comprehensive 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 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."

Address: 535 Herron Street, Montgomery, AL 36104

PE Registration #: 20897

Name and Title (type or print): Steven E. Speaks, PE/PLS

Phone Number: 334-262-1091

Signature: Steven E. Speaks

Date Signed: 12-4-2020

XXIII. RESPONSIBLE OFFICIAL SIGNATURE*

This application must be signed 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."

Name (type or print) Jeffrey Major Official Title Managing Member

Signature _____ Date Signed 12-4-2020

*335-6-6-.09 Signatories to Permit Applications and Reports.

(1) The application for an NPDES permit shall be signed by a responsible official, as indicated below:

(a) In the case of a corporation, by a principal executive officer of at least the level of vice president, or a manager assigned or delegated in accordance with corporate procedures, with such delegation submitted in writing if required by the Department, who is responsible for manufacturing, production, or operating facilities and is authorized to make management decisions which govern the operation of the regulated facility;

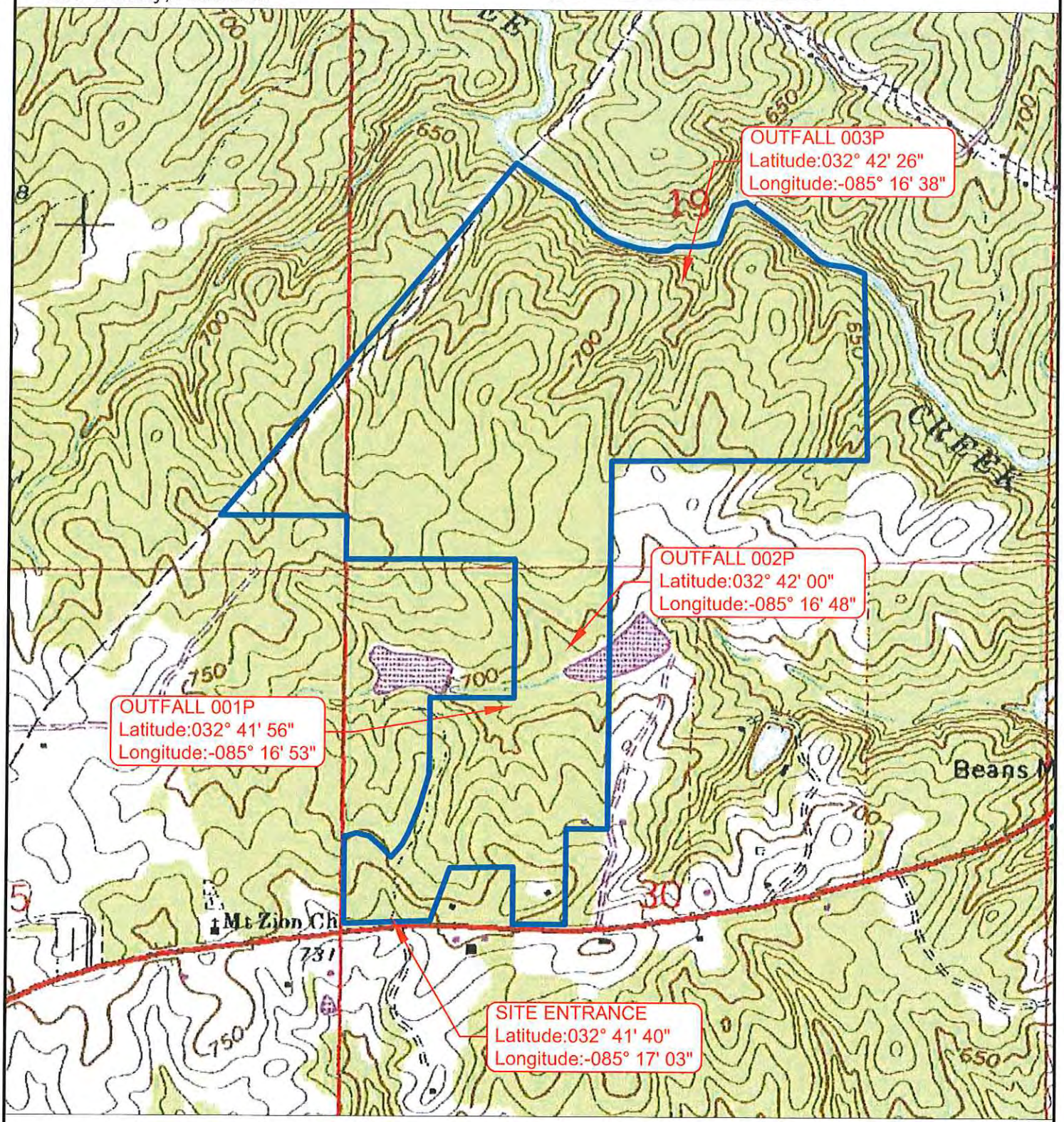
(b) In the case of a partnership, by a general partner;

(c) In the case of a sole proprietorship, by the proprietor; or

(d) In the case of a municipal, state, federal, or other public entity by either a principal executive officer, or ranking elected official.

Location Map - USGS Quadrangle
Shady Grove Quarry
Located in Sections 19 & 30, T-20-N, R-28-E
and Section 24, T-20-N, R-27-E
Opelika East Quadrangle
Lee County, Alabama

0 1000 2000 Feet



PROJECT BOUNDARY

DATE: 12/04/2020

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

Attachment 1 to Supplementary Form
ADEM Form 311

Alternatives Analysis

Applicant/Project: Creekwood Resources - Shady Grove Quarry

All new or expanded discharges (except discharges eligible for coverage under general permits) covered by the NPDES permitting program are subject to the provisions of ADEM's antidegradation policy. Applicants for such discharges to Tier 2 waters are required to demonstrate " . . . that the proposed discharge is necessary for important economic or social development." As a part of this demonstration, the applicant must complete an evaluation of the discharge alternatives listed below, including a calculation of the total annualized project costs for each technically feasible alternative (using ADEM Form 312 for public-sector projects and ADEM Form 313 for private-sector projects). Alternatives with total annualized project costs that are less than 110% of the total annualized project costs for the Tier 2 discharge proposal are considered viable alternatives.

Alternative	Viable	Non-Viable	Comment
1 Land Application	X		Some water will be recycled and land applied for dust control
2 Pretreatment/Discharge to POTW		X	No POTW Available
3 Relocation of Discharge		X	Discharge locations placed as required based on topography
4 Reuse/Recycle	X		Some water will be recycled and land applied for dust control
5 Process/Treatment Alternatives		X	
6 On-site/Sub-surface Disposal		X	Not a viable option for this type facility
(other project-specific alternatives considered by the applicant; attach additional sheets if necessary)			
7 Use On-Site for Dust Control	X		The basins will be the primary source of water for dust control
8			
9			

Pursuant to ADEM Administrative Code Rule 335-6-3-.04, I certify on behalf of the applicant that I have completed an evaluation of the discharge alternatives identified above, and reached the conclusions indicated.

Signature: Steven E. Lacy
(Professional Engineer)

Date: 12-4-2020

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

Calculation of Total Annualized Project Costs for Private-Sector Projects

Capital Costs to be Financed (Supplied by applicant)	$ 75,000 (1)
Interest rate for Financing (Expressed as a decimal)	8% (i)
Time Period of Financing (Assume 10 years*)	10 years (n)
Annualization Factor $= \frac{i}{(1+i)^{10} - 1} + i$	14.9% (2)
Annualized Capital Cost [Calculate: (1) x (2)]	$ 11,177 (3)
Annual Cost of Operation and Maintenance (including but not limited to monitoring, inspection, permitting fees, waste disposal charges, repair, administration and replacement)**	$ 12,500 (4)
Total Annual Cost of Pollution Control Project [(3) + (4)]	$ 23,677 (5)

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

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

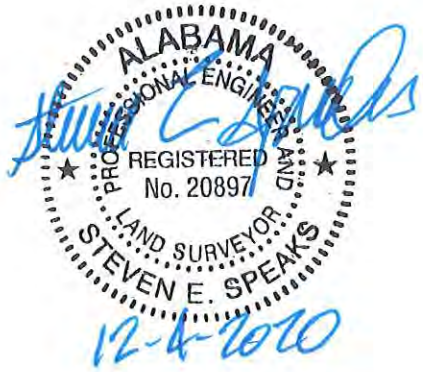
POLLUTION ABATEMENT PLAN (PAP)

For:
Shady Grove Quarry
West Point Pkwy
Opelika, AL 36801
Lee County, AL

Prepared for:
CREEKWOOD RESOURCES, LLC
2701 Mall Drive, Suite 7-102
Florence, AL 35630

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

Certified by:
Steven E. Speaks
Professional Engineer and Professional Land Surveyor
No. 20897



INITIAL ISSUANCE: December 2020

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I. INTRODUCTION:

This document has been prepared as an initial issuance Pollution Abatement Plan for CreekWood Resources, LLC, Shady Grove Quarry located in Sections 19 & 30, T-20-N, R-28-E, and Section 24, T-20-N, R-27-E, in Lee County, Alabama. This application has been prepared in accordance with the rules and regulations of the Alabama Department of Environmental Management. A thorough field review has been accomplished preceding the approval and submittal of this application.

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

II. OPERATOR:

The operator of this quarry is CreekWood Resources, LLC that has its local business address as follows:

2701 Mall Drive, Suite 7-102
Florence, AL 35630

Facility: Shady Grove Quarry

Description of the Mining Limits:

The proposed boundary is located in Sections 19 and 30, T-20-N, R-28-E, and Section 24, T-20-N, R-27-E, in Lee County, Alabama and is bounded by the following series of GPS coordinates:

N032° 42' 09" W085° 17' 07"
N032° 42' 09" W085° 17' 18"
N032° 42' 35" W085° 16' 52"
N032° 42' 32" W085° 16' 48"
N032° 42' 31" W085° 16' 47"
N032° 42' 30" W085° 16' 46"
N032° 42' 30" W085° 16' 45"
N032° 42' 29" W085° 16' 43"
N032° 42' 29" W085° 16' 42"
N032° 42' 29" W085° 16' 40"
N032° 42' 29" W085° 16' 39"
N032° 42' 29" W085° 16' 39"
N032° 42' 29" W085° 16' 37"
N032° 42' 29" W085° 16' 35"

N032° 42' 30" W085° 16' 35"
N032° 42' 32" W085° 16' 34"
N032° 42' 32" W085° 16' 33"
N032° 42' 30" W085° 16' 29"
N032° 42' 28" W085° 16' 26"
N032° 42' 28" W085° 16' 25"
N032° 42' 27" W085° 16' 24"
N032° 42' 27" W085° 16' 22"
N032° 42' 13" W085° 16' 22"
N032° 42' 13" W085° 16' 44"
N032° 41' 47" W085° 16' 44"
N032° 41' 47" W085° 16' 48"
N032° 41' 40" W085° 16' 48"
N032° 41' 40" W085° 16' 53"
N032° 41' 44" W085° 16' 53"
N032° 41' 44" W085° 16' 58"
N032° 41' 40" W085° 17' 00"
N032° 41' 40" W085° 17' 07"
N032° 41' 46" W085° 17' 07"
N032° 41' 46" W085° 17' 07"
N032° 41' 46" W085° 17' 06"
N032° 41' 46" W085° 17' 05"
N032° 41' 46" W085° 17' 04"
N032° 41' 45" W085° 17' 03"
N032° 41' 46" W085° 17' 02"
N032° 41' 47" W085° 17' 02"
N032° 41' 48" W085° 17' 01"
N032° 41' 49" W085° 17' 01"
N032° 41' 51" W085° 17' 00"
N032° 41' 52" W085° 17' 00"
N032° 41' 56" W085° 17' 00"
N032° 41' 56" W085° 17' 00"
N032° 41' 56" W085° 16' 52"
N032° 42' 06" W085° 16' 52"
N032° 42' 06" W085° 17' 07"

This area contains 255 acres, more or less.

III. GENERAL INFORMATION:

The quarry will employ approximately 20 individuals from Lee County and the surrounding area. CreekWood Resources is a Limited Liability Corporation (LLC).

CreekWood Resources will quarry granite. These materials will be blasted, loaded into trucks and hauled to the plant where the material will be crushed, screened, and stockpiled for later hauling from the site via trucks. Hours of operation are generally 7:00 a.m. to 5:00 p.m., Monday through

Friday and Saturday 8:00 a.m. to 12:00 p.m. Other hours may include operation 24 hours a day, 7 days a week. The necessity of other hours will be determined as needed by the facility.

IV. TOPOGRAHICAL MAP:

Design plans submitted with this document provide a topographical map for the site. The "Pollution Abatement Plan" layouts show the planned general layout of the, mined quarry areas, pond areas, plant/shop layout areas, haul roads, berms, stockpile areas and runoff locations. -See appendix B-

V. METHOD OF DIVERTING SURFACE WATER RUNOFF:

All disturbed areas drain back to constructed sedimentation ponds. Spoil piles are situated so any silt carried by drainage will be treated in the sediment ponds or in the sumps within the mined areas.

VI. NARRATIVE OF OPERATIONS:

This operation consists of blasting granite material at depths between 0 to 500 feet by a certified contractor. The material is then excavated and placed in trucks and carried to the plant hopper to feed the jaw crusher or excavated near blasted material and placed directly into the hopper. At the plant, the material is crushed, screened to remove the clay and silt, and stockpiled. The raw material stockpiled is to be hauled from the site at a later time.

The plant will be entirely portable and may be moved from time to time throughout the property. The circuit design will remain as designed for the air permit, which is being applied for by CreekWood Resources, LLC. Each time the portable plant is relocated all wet suppression locations will remain the same as designed.

If a finishing wet screen is used in the operation, it will be located at the end of the operating plant circuit. The wet screen will receive water via pump from Basin 001.

All drainage from the plant will be routed through approved and certified outfalls.

A Spill Prevention Control and Countermeasure Plan has been developed for this facility and is enclosed with this Pollution Abatement Plan in the permit application package.

Wetlands Delineation

A wetland delineation of the proposed area has been completed and has identified a number of jurisdictional streams and wetlands across the site. The proposed basins associated with Outfalls 001 and 002 would impact waters of the US and/or State. All impacts to these waters will be permitted through the US Army Corps of Engineers and mitigated accordingly. Modifications to existing stream crossings are planned and will be permitted through the US Army Corps of Engineers as well. All jurisdictional waters not permitted for impact will be avoided with a 50 foot buffer maintained per the conditions of the permit. All disturbed areas will drain toward settling ponds before discharging into waters of the US and/or State.

Threatened and Endangered (T&E) Species

According to a response from the U.S. Fish and Wildlife Service there are no federally listed species or critical habitat known to occur within the project area.

Cultural Resources

A cultural resources study has been performed by MRS Consultants, LLC. According to the report, "no archaeological sites were recorded within the project area despite intensive surface investigations and subsurface probes".

Air Permit

All air quality issues will be addressed in accordance with an application for an air permit. The permit is being applied for by Creekwood Resources, LLC. Modifications will be applied as needed with the ADEM - Air Division.

Products that could be produced from crushing activities:

Material	Particle Size	Material	Particle Size
#8's	3/8" to 1/2"	#78's	½" to No. 8
Rip Rap	By Specification	#6's	¾" to 3/8"
Crusher Run	1 ¼" and less	#5's	1" to ½"
#2's	2 ½" to 1 ½"	#57's	1" to No. 4
#4's	½" to 3/4"	Sand	3/16" to 0

VII. QUALITY AND QUANTITY CHARACTERISTICS OF THE WASTE:

The only waste products which are a by-product of the processes are fines and clays which will settle into the quarry sump or settling pond. Regarding pH, the waste effluent is neutral in nature and should be in the range of 6 to 8.5. PH measurements must be taken within 15 minutes of sample collection using a pH meter that was calibrated earlier in the same day. Total suspended solids should not exceed 30 mg/L (daily) or a monthly average of 15 mg/L. The flow of basins depends upon weather conditions, amount of rain, pumps used to provide water to prep plant, etc. The temperatures should be around 85 F (30 C) summer, 60 F (16 C) winter. Discharge flow rate must be measured using an EPA approve measurement device such as a calibrated weir.

VIII. WASTE TREATMENT FACILITIES:

As previously discussed, the treatment process for water quality control is to the constructed ponds. Details are presented in the "Pollution Abatement Plans".

> Pollution abatement facilities will be designed and constructed so as to control both spoil runoff and pit drainage. –See Appendix D-

The sediment basins will have a minimum capacity to store 0.25 acre feet/ acre of disturbed area in the drainage area. Removal of solids should be accomplished where the sediment accumulation reaches 60% of the design capacity. Ponds have been designed to hold at least 15% greater capacity than minimum requirements needed for the size of the drainage & disturbed areas.–See Appendix C and E-

In facility pre-planning for the prep plant, it is planned that water from pond 001P will be used at the prep plant by recirculating pond water via pumps. This structure is made up of a series of three basins designed so that water will flow through all three basins before either being pumped back to the plant or being discharged. Water from the quarry will primarily be pumped to pond 002P and can be pumped to pond 001P if additional water is needed for plant operations.

The expected life of the treatment basin(s) is for the life of the permit.

Pipe & Spillway Calculations

Note: flow to outfall 002P will be pump driven. Outfall will not receive full flow rate shown here when quarry is built.

				PIPE	SPILLWAY
POINT	Area (ac)	C	I_2 (in/hr)	Q_2 (CFS)	Q_{50} (CFS)
001P	50	0.35	2.7	46.7	89.4
002P	74	0.35	3.1	81.6	160.0
003P	22	0.35	2.6	19.8	37.6

POINT	Pond Size (min) (ac-ft) 15% Greater	Outlet Pipe	Secondary Spillway
001P	7.19	36"	1.5' x 15'
002P	19.26	36"	1.5' x 20'
003P	6.33	18"	1.5' x 10'

IX. SEDIMENT CONTROL FOR HAUL ROADS:

a) the grade shall not to exceed 10 percent;
b) the maximum grade shall not to exceed 15 percent for 300 feet;
c) the roads shall not to be more than 300 feet of 15 percent maximum grade for each 1,000 feet of road constructed;
d) the haul road, are required to be located so that runoff from the road enters a sediment basin constructed for the mining operation.
e) outer slopes for haul roads out of the permitted area are designed not to be steeper than 2:1 and should be seeded with annual and perennial grasses with at least 80 percent cover to avoid erosion. Where this is not possible, basins, hay filters or diversion ditches should be cut, built or placed to intercept runoff. Details outlining control measures must be

included with the abatement plan. Contact Larry E. Speaks & Associates for plan amendments.

f) Pit haul roads will be ditched and stabilized so that runoff will be collected as illustrated on the site plan map

X. DAM FOR THE SEDIMENT BASIN:

The dams for the sediment basins are designed and should be built using the following as minimum criteria:

a) The dams for the sediment basins is required for the top width to be no less than 12 feet wide.

b) The slopes on either side of the dams are required to be no steeper than 3:1.

c) The future dams are required to be constructed with a cutoff trench at least 8 feet wide. The side slopes of the cutoff trench are designed to be no less than 1:1. The cutoff trench shall be located on the dam centerline and be of sufficient depth (not less than 2 feet) to extend into a relatively impervious material from which the core of the dam shall be constructed.

d) Trees, boulders and other obstructions are to be removed from the ponded area during ***initial*** construction.

e) The entire embankment and cutoff trench shall be compacted to 95% density.

f) The embankment should be free of roots, tree debris, stones >6 inches in diameter and other objectionable materials.

g) The fill material should be placed and spread over the entire fill area, starting at the lowest point of the foundation, in layers not to exceed 8 inches in thickness.

h) The spillpipe is designed to adequately carry the expected peak flow from a two-year frequency storm.

i) The spillpipes are designed to be made of a material capable of withstanding chemical reactions caused by the quality of water being discharged.

j) The spillpipe is required to be equipped with a device, or constructed, such to ensure that subsurface withdrawal is accomplished in order to help prevent floating solids from discharging.

k) The spillpipes are required to be equipped with anti-seep collars at each joint which radiate at least 2 feet from the pipe in all directions. The collars and their connections to the pipe should be watertight.

l) A splash pad or rip-rap is required to be placed under the discharge of the spillpipe, or the location of the discharge set, so as to ensure that the discharge does not erode the dam; or pipe can be constructed to be level with the natural ground.

m) The emergency spillway is designed to safely carry the expected peak flow from a 50 year, 24-hour storm or shorter duration due to the face that the site ponds discharge into an eventual PWS classified stream/lake. The slope of the entrance and to the exit to the emergency overflow is designed to be constructed with a control section at least 20 feet long. The side slopes of the emergency overflow should not be steeper than 2:1. The emergency overflow should be heavy natural vegetation or rip-rapped or concreted in order to prevent erosion.

n) The spillway is designed to have a minimum of 1 ½ feet of freeboard between the normal overflow and the emergency overflow. There should be at least 1 ½ feet of freeboard

between the maximum design flow elevation in the emergency overflow and the top of the dam.

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

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

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

Included with the NPDES application preceding this pollution abatement plan is a drawing which has been reproduced from the USGS quad sheet at a 1" = 1000' scale showing the adjacent streams. Also, included with the application is a 1”-300’ PAP Overall Layout Map and three Basin Detail Maps presenting the same information as required with the application.

Surface mining must be conducted in a manner to leave a minimum 50-foot setback of undisturbed, vegetated buffer strip adjacent to watercourses, lakes, easements, adjoining property, perimeter property lines, road right-of-ways, residences, or other features which could be adversely affected by mining. Setbacks need to be identified and made clearly visible by marking zones with bright flagging, bright paint, or fencing as areas to avoid. All equipment operators are to be educated to avoid these identified and marked setbacks. No clearing or excavation is to be conducted in setback areas. Any damage to the setback areas caused by mining operations is to be repaired immediately. -See Appendix A and B-

XII. NON-POINT SOURCE POLLUTION:

By virtue of the fact that all disturbed areas are graded such that the drainage will carry yard dust to the excavated ponds, non-point sources of pollution do not result from this project. Water truck(s) will be used to help suppress the haul road dust for the project site. Water for the haul trucks will be supplied by the ponds on-site.

XIII. WATER SUPPLY AND DISPOSITION:

The eventual receiving waters will be Halawakee Creek and an Unnamed Tributary (UT) to Halawakee Creek

XIV. RECLAMATION PROCEDURE:

As mining is completed in an area, the area shall be dressed to eliminate any piles of dirt, or low areas that will hold water, with terraces to keep erosion to a minimum, and grassed. A sump shall be maintained at the low end of all reclamation work until a satisfactory stand of grass is obtained. Disturbed areas such as waste stockpile slopes, haul roads, sloped areas with drainage not going back to the quarry should be directed to the sediment ponds and have permanent vegetation (fertilizing may be required to obtain grass cover). Reclamation procedures will meet ADOL regulations.

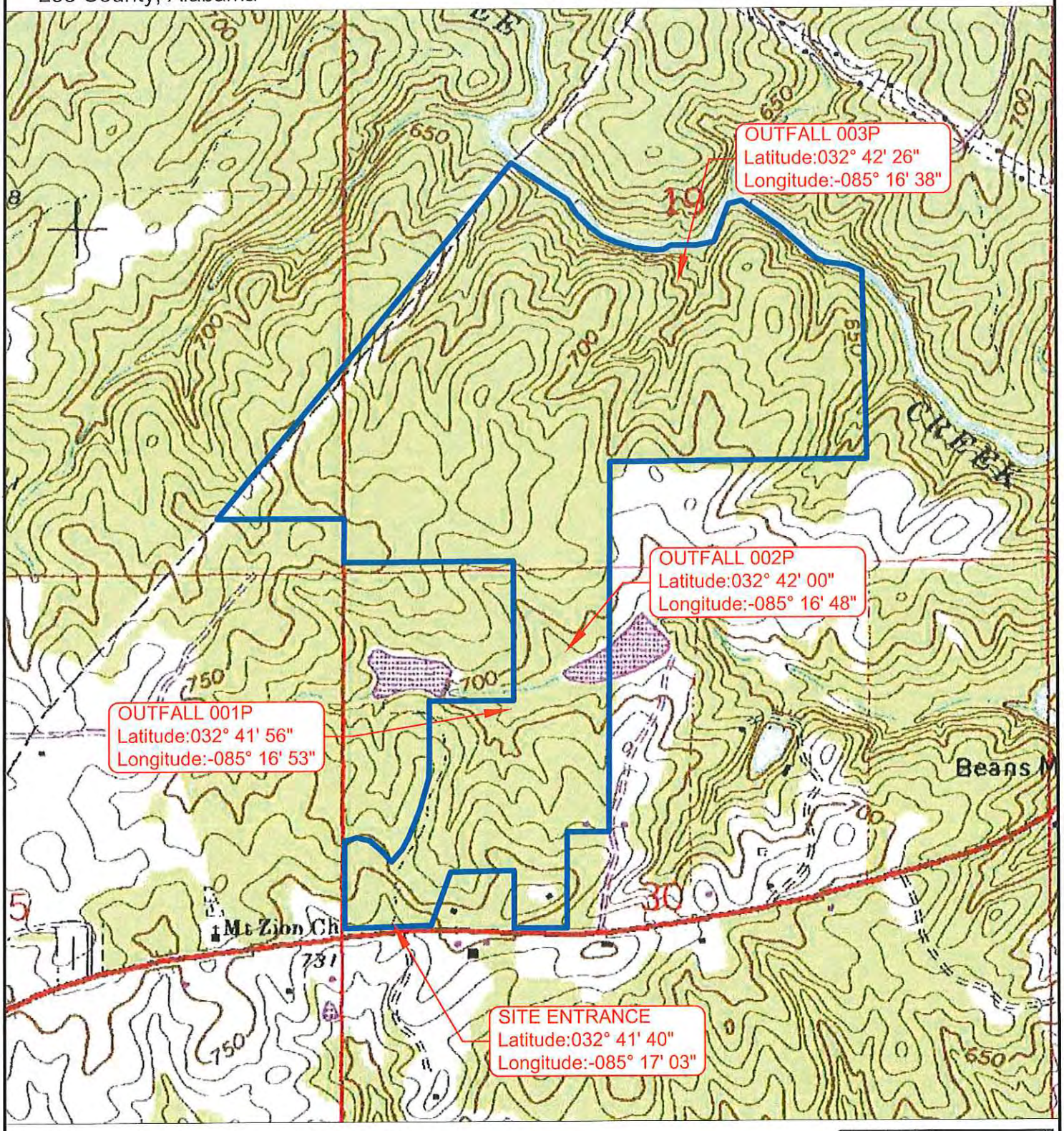
XV. DESIGN DATA:

Point	Drainage Acres	Disturbed Acres	Pond Size (min)	Pond Size (min)	Pond Dimensions (minimums) (feet)		
			(ac-ft)	(cu. Feet)	Length	Width	Depth
A-001P	50.0	25	7.19	313,088	330	63	15
B-002P	74.0	67	19.26	839,075	150	373	15
C-003P	22.0	22	6.33	275,517	215	128	10

Appendix A

Location Map - USGS Quadrangle
Shady Grove Quarry
Located in Sections 19 & 30, T-20-N, R-28-E
and Section 24, T-20-N, R-27-E
Opelika East Quadrangle
Lee County, Alabama

0 1000 2000 Feet

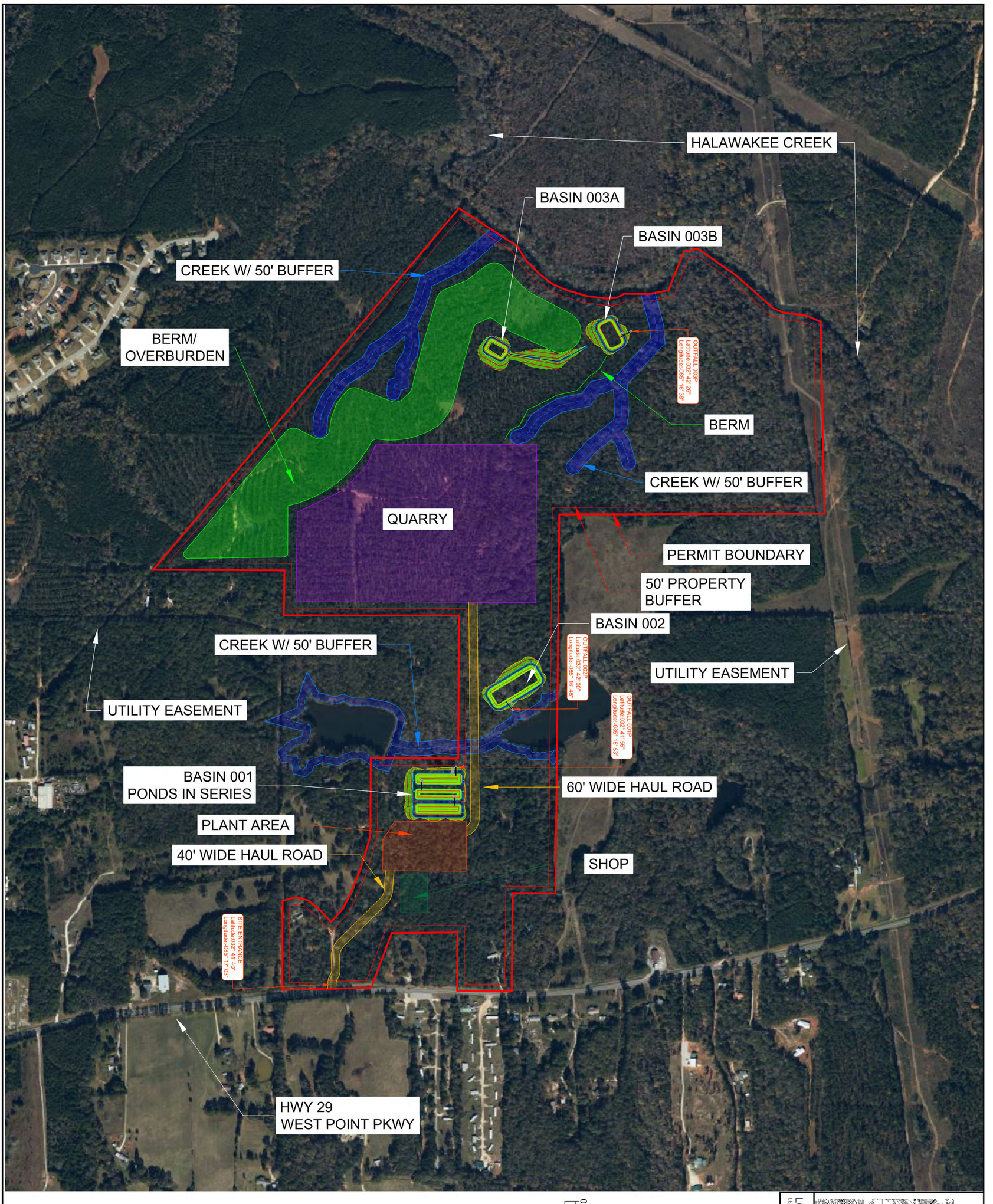


PROJECT BOUNDARY

DATE: 12/04/2020

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

Appendix B



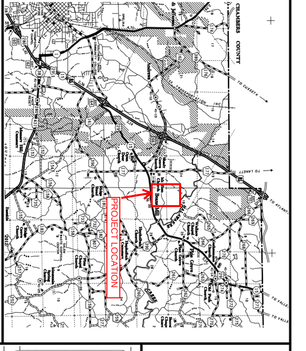
1" = 300'

0 600 1200 Feet

N W E S

LOCATION MAP
LEE COUNTY, AL

NORTH



SHADY GROVE QUARRY PAP:

OVERALL AERIAL VIEW

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Drawn By:	DRT
Reviewed By:	SES
Date Issued:	12/04/2020

REVISIONS		
No.	DATE	DESCRIPTION

SHADY GROVE QUARRY
CREEKWOOD RESOURCES LLC
LOCATED IN:
SECTIONS 19 AND 30, T-20-N, R-28-E,
AND SECTION 24, T-20-N, R-27-N
LEE COUNTY, ALABAMA

LARRY E. SPEAKS
&
ASSOCIATES, INC.
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&
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535 HERRON STREET
MONTGOMERY, AL. 36104
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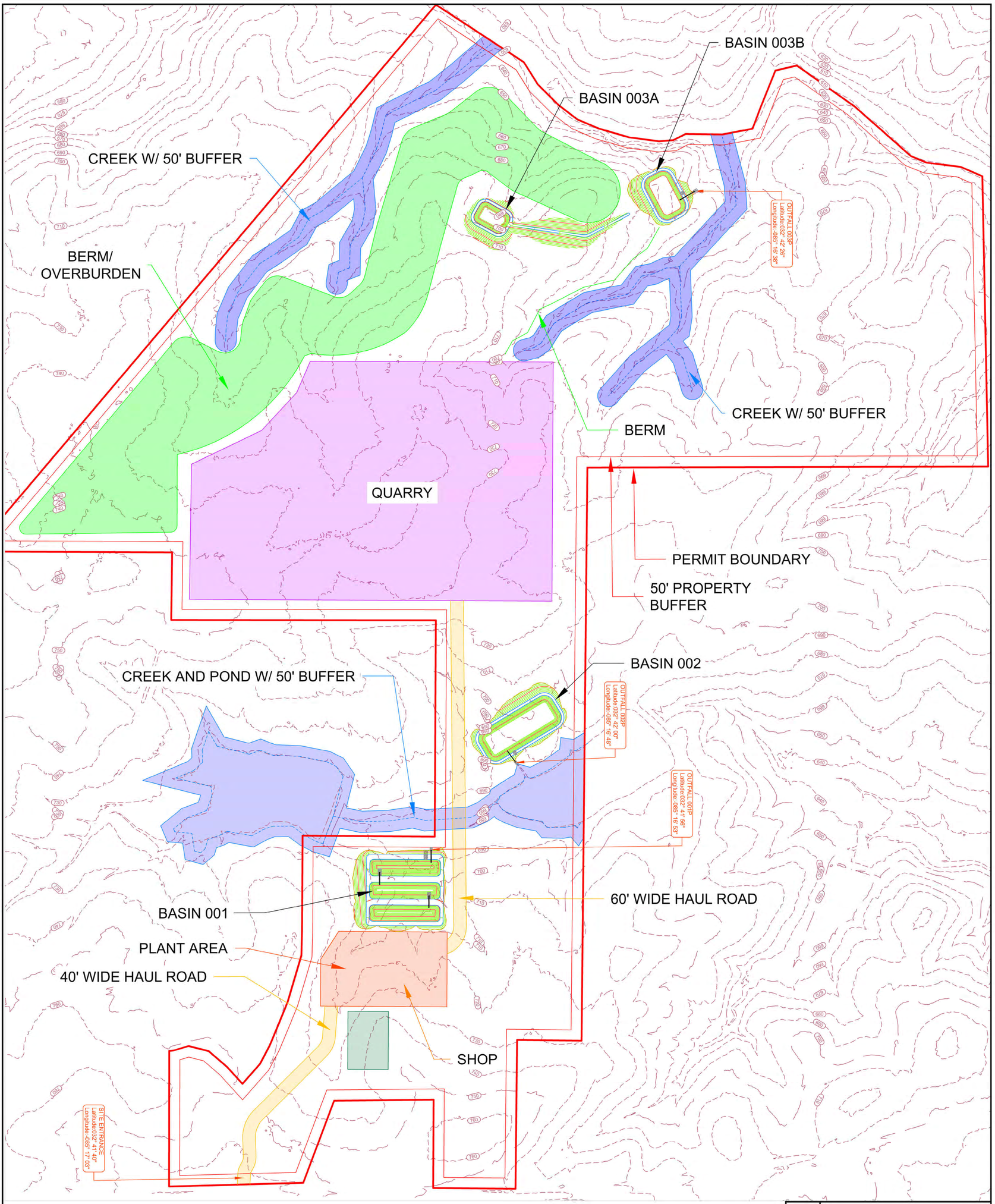
SHEET 1 OF TOTAL 5



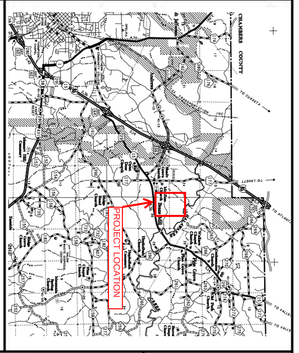
NOTE: ELEVATION DATA OBTAINED FROM EXTERNAL LIDAR SOURCES. AREA NOT SURVEYED BY LARRY E. SPEAKS AND ASSOCIATES.

1"=200'

0 400 800 Feet

N W E S

LOCATION MAP
LEE COUNTY, AL



SHEET 2 OF TOTAL 5	SHADY GROVE QUARRY PAP: OVERALL SITE VIEW	Project No.: 18307 Dwg Name: PAP MAP - CREEKWOOD SITE 4.dwg Scale: 1"=300' Drawn By: DRT Reviewed By: SES Date Issued: 12/04/2020	REVISIONS No. DATE DESCRIPTION

SHADY GROVE QUARRY
CREEKWOOD RESOURCES LLC
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AND SECTION 24, T-20-N, R-27-N
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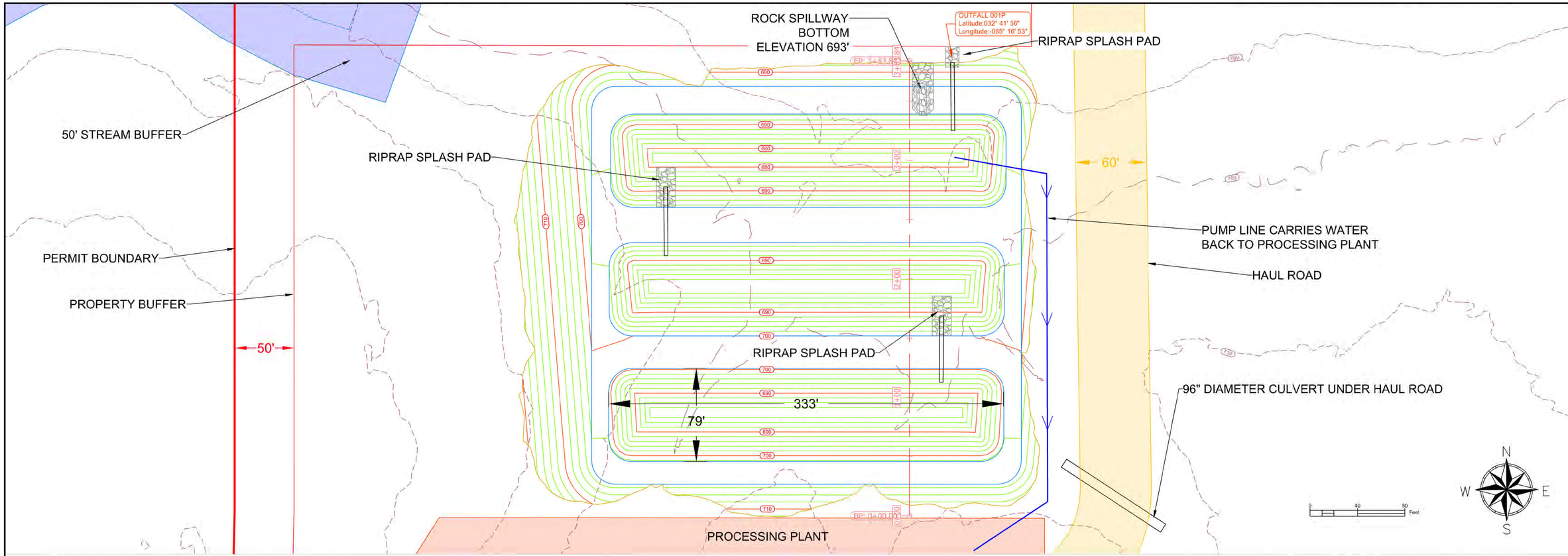
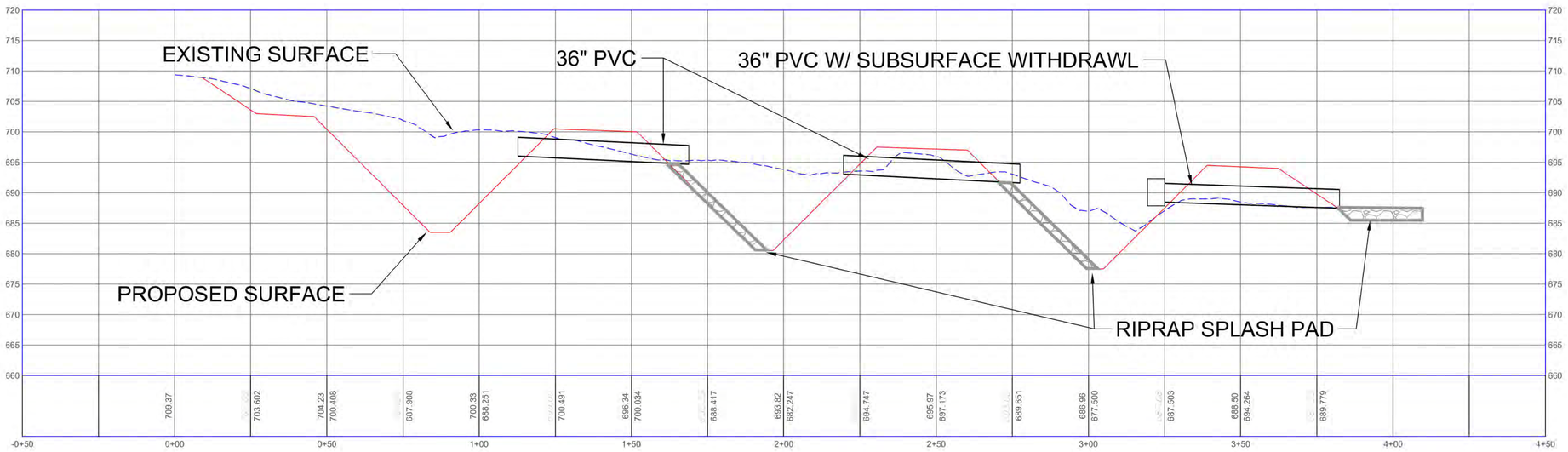
Appendix C



BASIN 001 PROFILE VIEW



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HORIZONTAL SCALE 1"=20"

NOTE: ELEVATION DATA OBTAINED FROM EXTERNAL LIDAR SOURCES. AREA NOT SURVEYED BY LARRY E. SPEAKS AND ASSOCIATES.

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SHADY GROVE QUARRY
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LEE COUNTY, ALABAMA

REVISIONS

No.	DATE	DESCRIPTION

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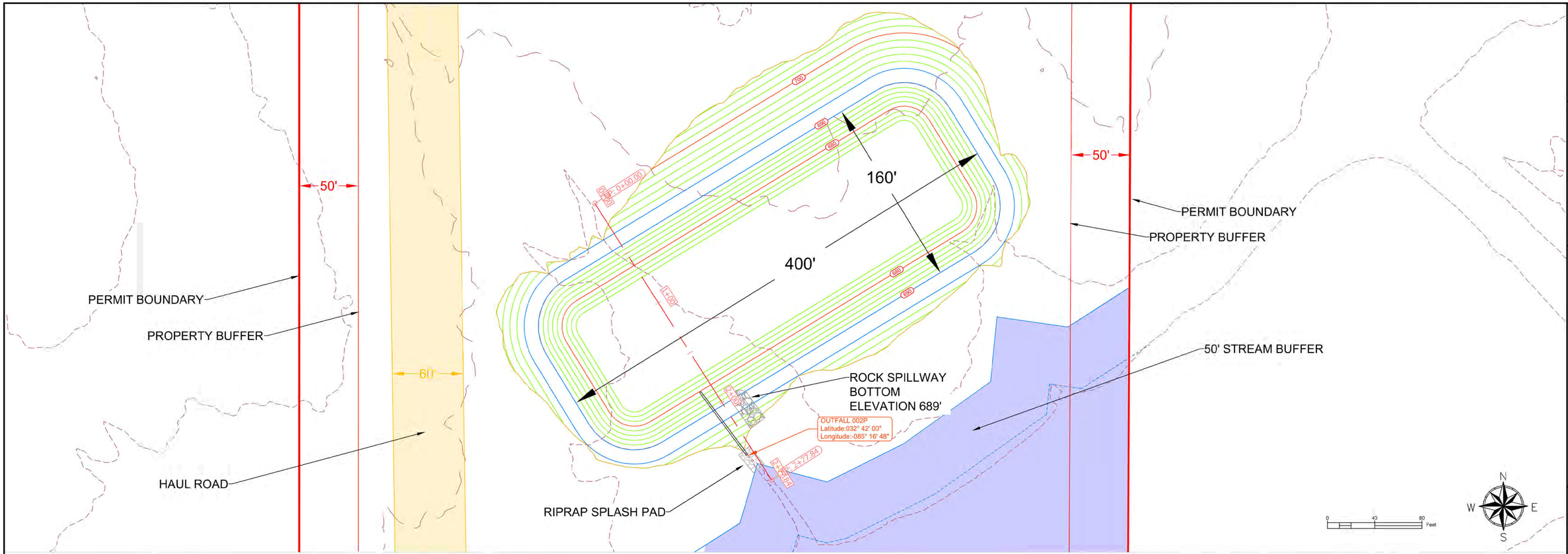
Drawn By: DKM
Reviewed By: SES
Date Issued: 12/04/2020

SHADY GROVE QUARRY PAP:
BASIN 001 DETAILS

SHEET
3
OF TOTAL 5



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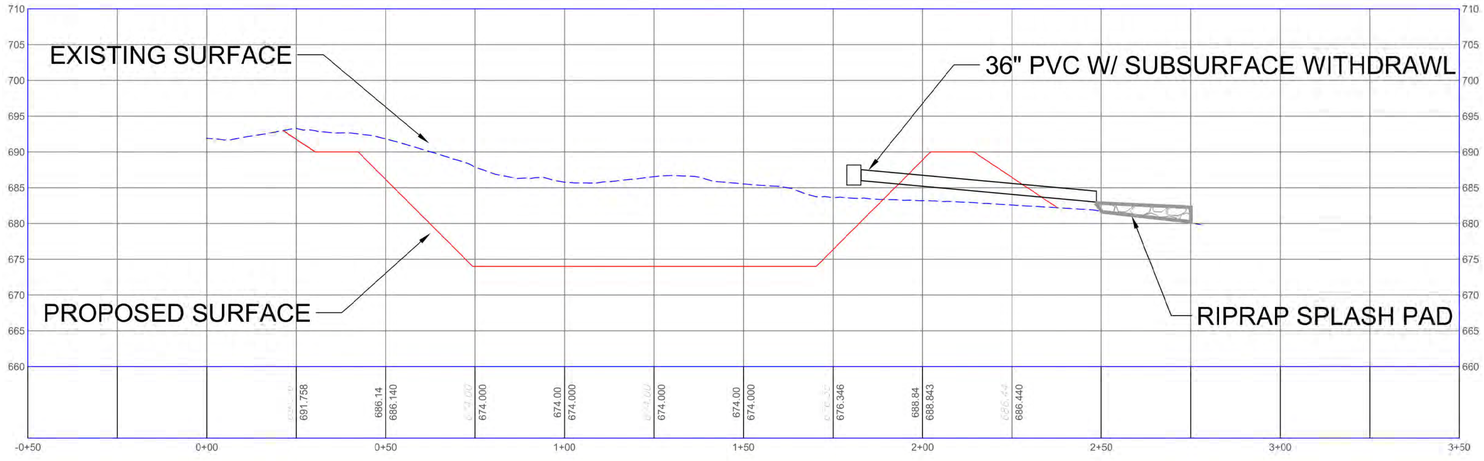

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REVISIONS

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Drawn By: DKR
Reviewed By: SES
Date Issued: 11/12/2020

SHADY GROVE QUARRY PAP:

BASIN 002 DETAILS

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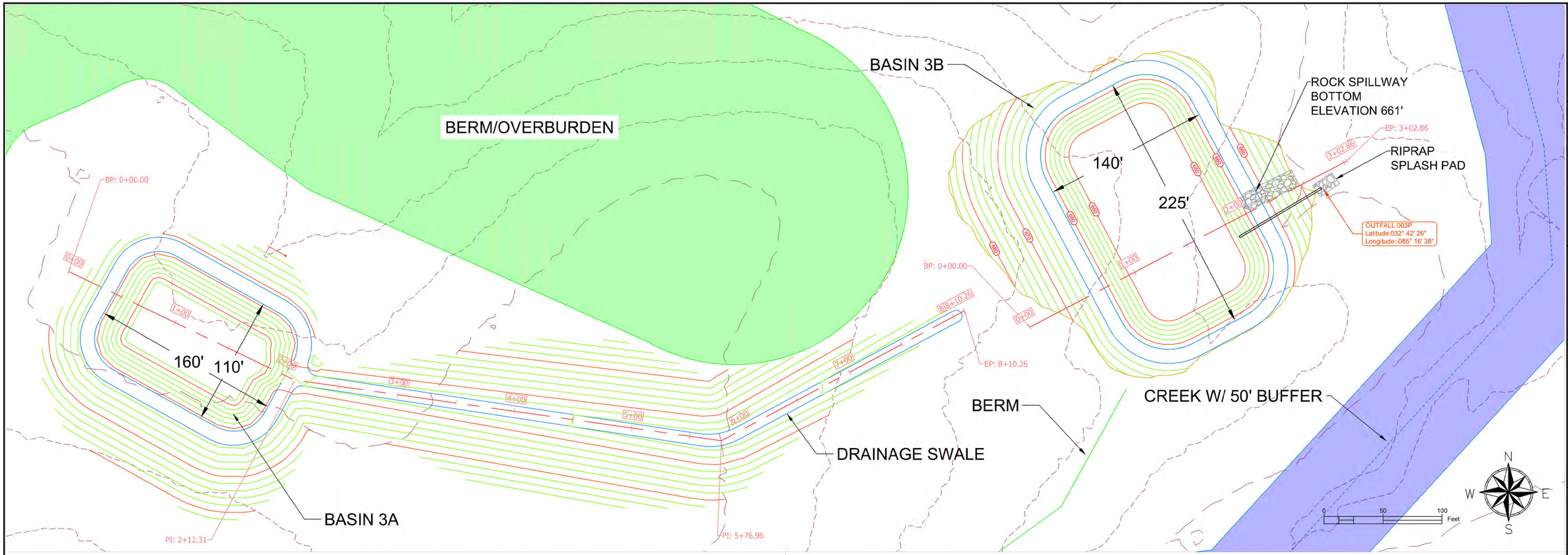
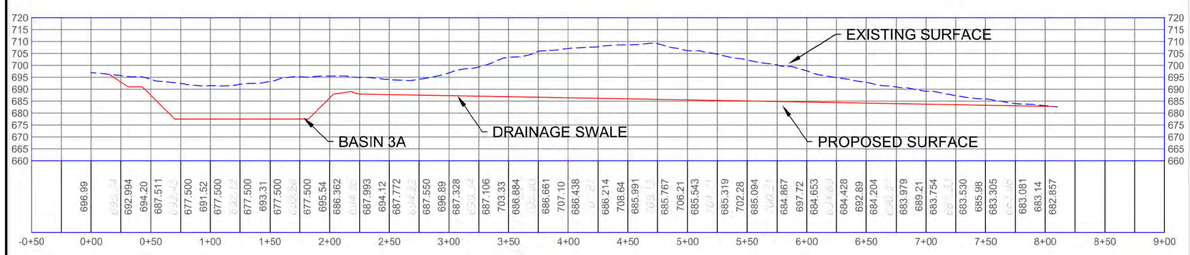
OF TOTAL 5



BASIN 003A AND DITCH PROFILE



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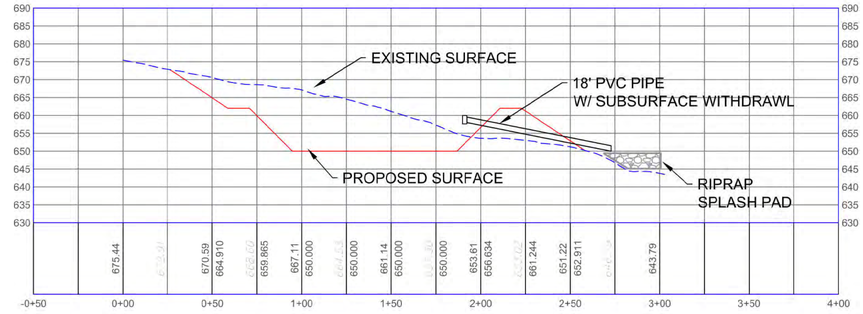

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HORIZONTAL SCALE 1"=40'

NOTE: ELEVATION DATA OBTAINED FROM EXTERNAL LIDAR SOURCES. AREA NOT SURVEYED BY LARRY E. SPEAKS AND ASSOCIATES.

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AND SECTION 24, T-20-N, R-27-N
LEE COUNTY, ALABAMA

REVISIONS

No.	DATE	DESCRIPTION

Project No: 18307
Dwg Name: PAP MAP - CREEKWOOD SITE 4.0wg
Scale: VARIOUS
Drawn By: DRT
Reviewed By: SES
Date Issued: 12/04/2020

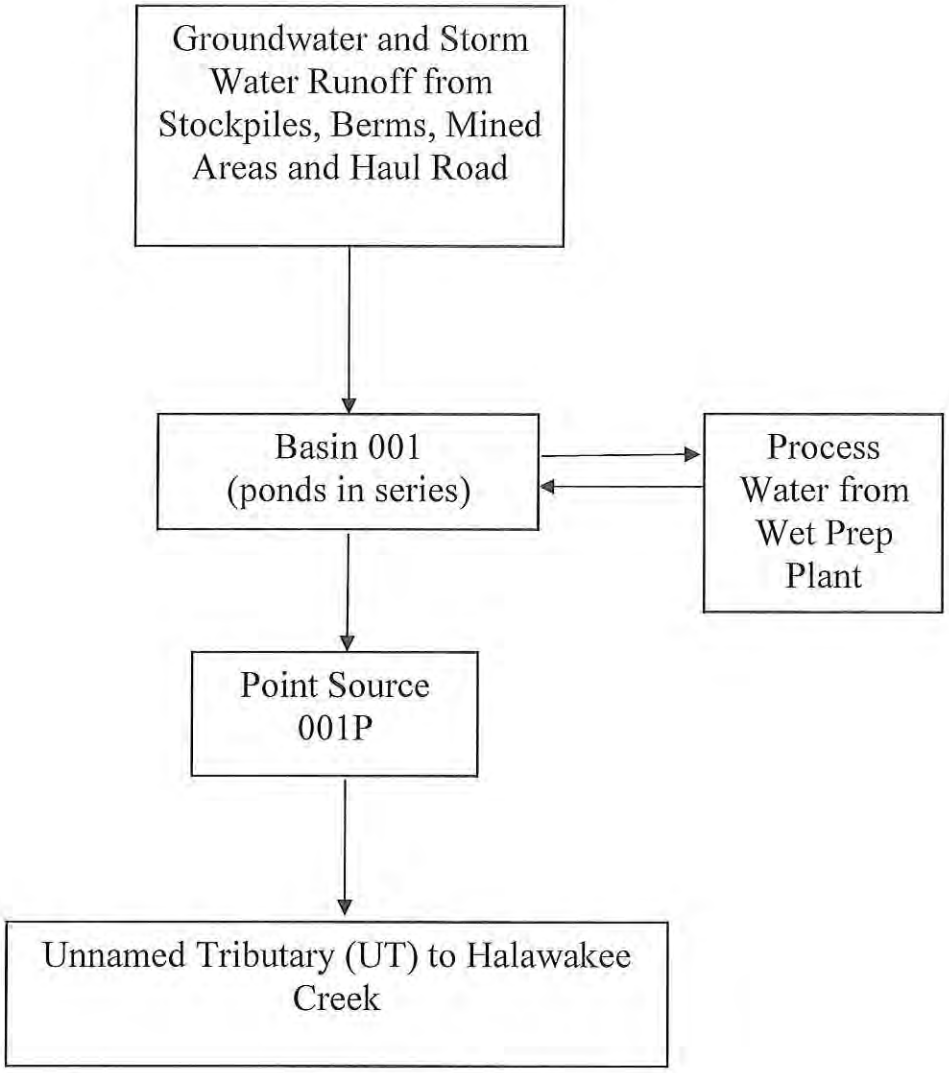
SHADY GROVE QUARRY PAP:

BASIN 003A AND 003B DETAILS

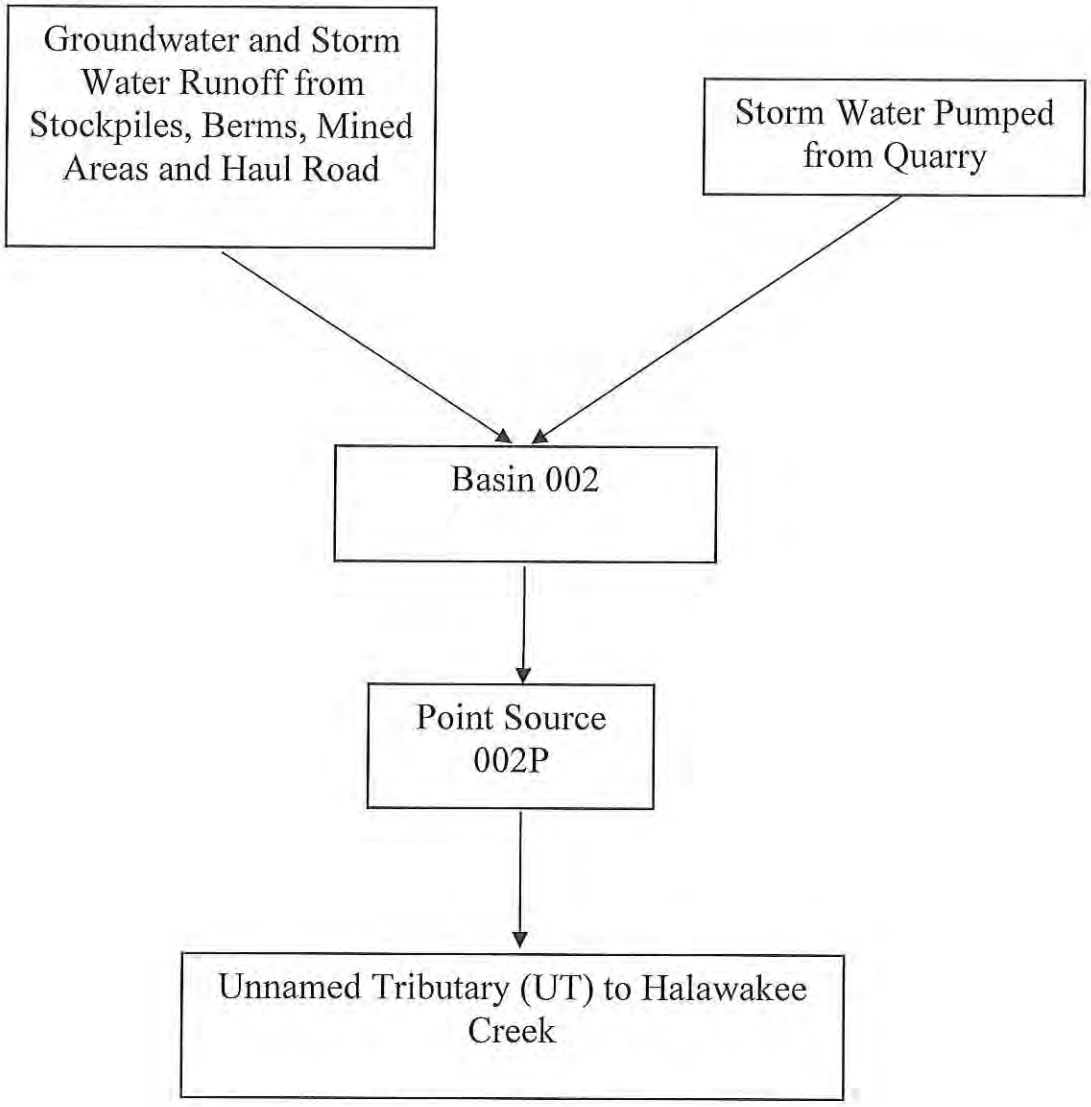
SHEET
5
OF TOTAL 5

Appendix D

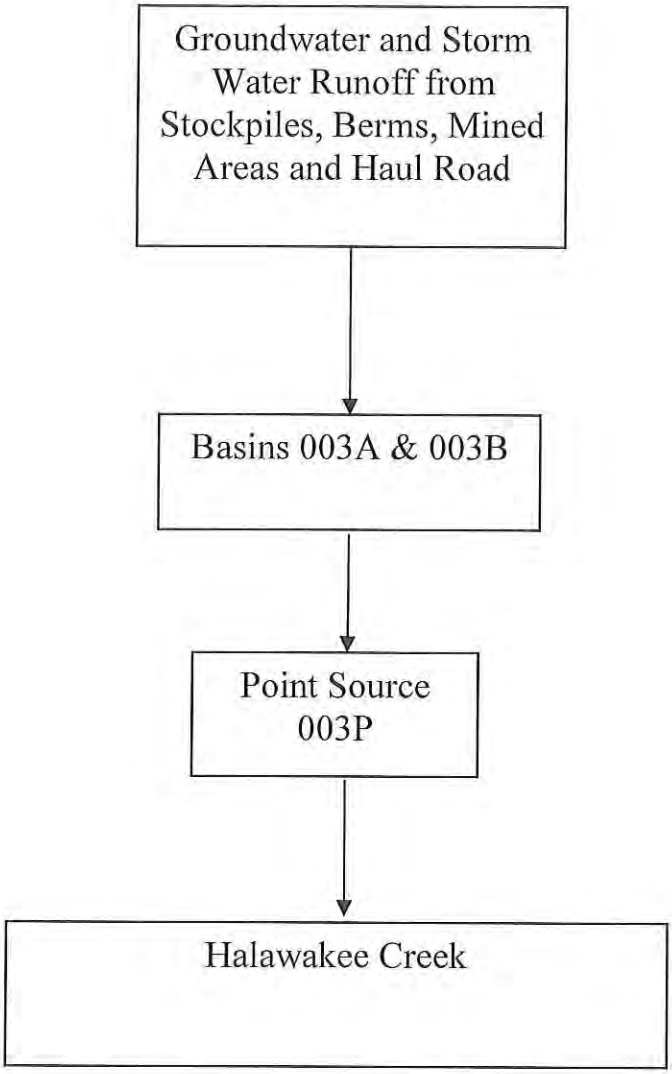
SCHEMATIC DIAGRAM
FOR THE
SHADY GROVE QUARRY
A GRANITE MINING OPERATION
POINT SOURCE 001P



SCHEMATIC DIAGRAM
FOR THE
SHADY GROVE QUARRY
A GRANITE MINING OPERATION
POINT SOURCE 002P



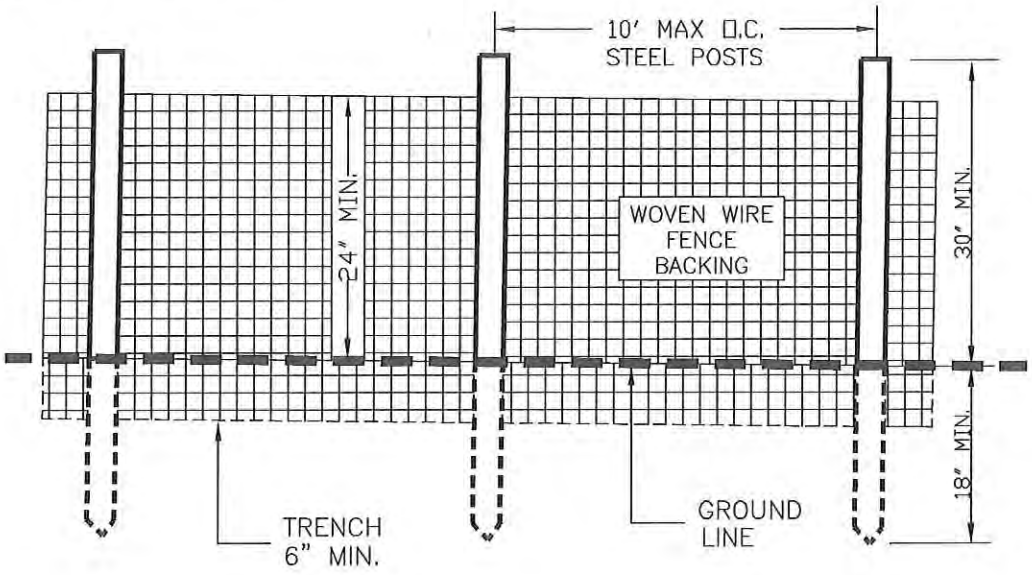
SCHEMATIC DIAGRAM
FOR THE
SHADY GROVE QUARRY
A GRANITE MINING OPERATION
POINT SOURCE 003P



Appendix E

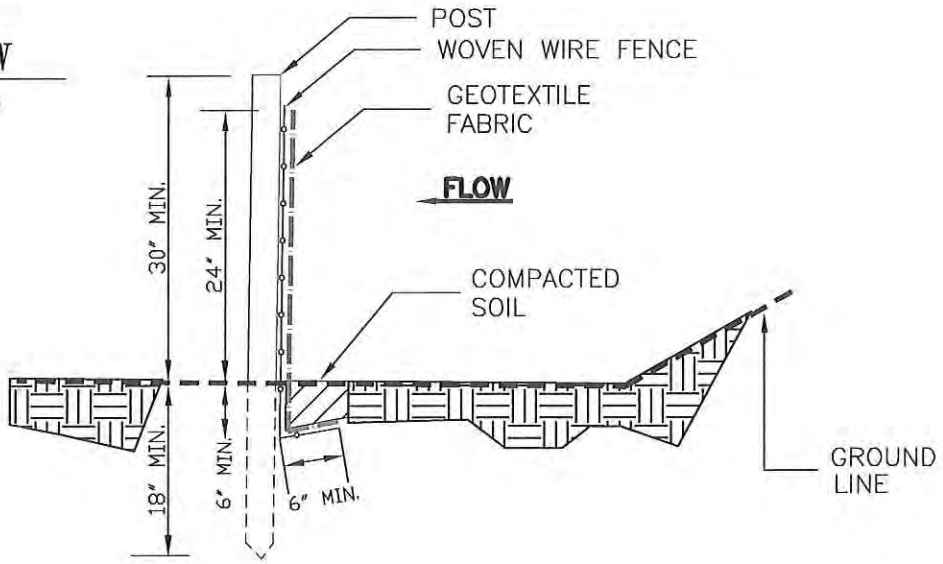
FRONT VIEW

(NOT TO SCALE)



SIDE VIEW

(NOT TO SCALE)



NOTES:

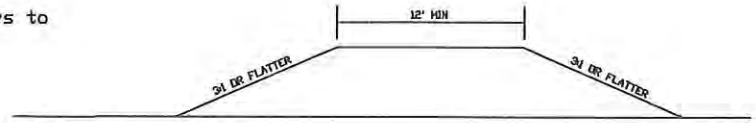
1. THE WOVEN WIRE FENCING SHALL BE FASTENED TO THE UPSTREAM SIDE OF POSTS BY STAPLES OR WIRE TIES.
2. GEOTEXTILE FABRIC SHALL BE SECURELY FASTENED TO THE WOVEN WIRE FENCING.
3. POSTS SHALL BE MADE OF STEEL AND BE A MINIMUM OF 4 FEET IN LENGTH.
4. THE GEOTEXTILE FABRIC SHALL BE 36 INCHES MINUMUM IN WIDTH.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

SILT FENCE TYPE A

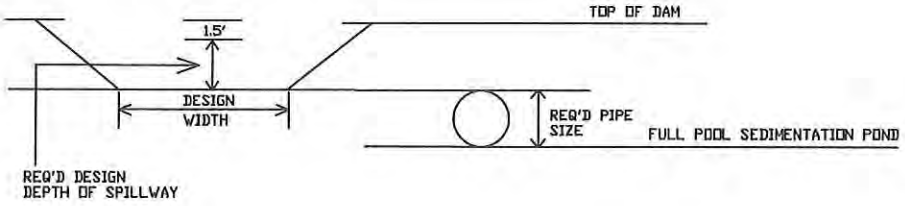
TYPICAL SECTION FOR DAM CONSTRUCTION

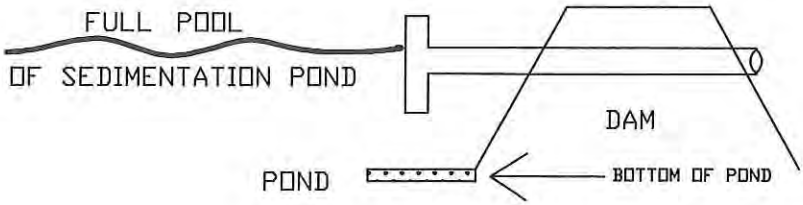
CONSTRUCTION REQUIREMENTS FOR DAM

1. All trees, boulders and other obstructions to be removed from proposed pond area.
2. All materials excavated from pond shall be placed up stream from the pond so any silt from the excavated material will go back into the pond.
3. All embankment shall be compacted to 95 percent density.
4. Spillpipe shall be equipped with anti-seep collars at each joint to radiate at least 2 feet from the pipe in all directions. All connections shall be watertight.
5. The spillpipe shall be laid as shown in detail to prevent any floating solids from being discharged.
6. Final elevation of all dams, pipes and emergency spillways to be determined in field, depending upon size of pond.



TYPICAL SECTION FOR SPILLWAY & SUBSURFACEWITHDRAWAL CONSTRUCTION



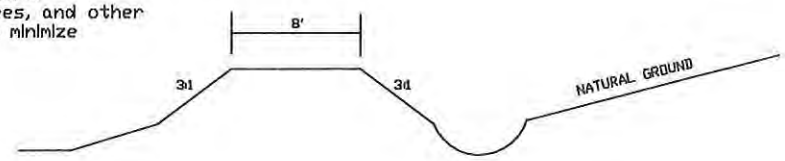


LARRY E. SPEAKS & ASSOCIATES
CONSULTING ENGINEERS & LAND SURVEYORS
535 HERRON STREET
MONTGOMERY, AL. 36104
TEL.-334/262-1091

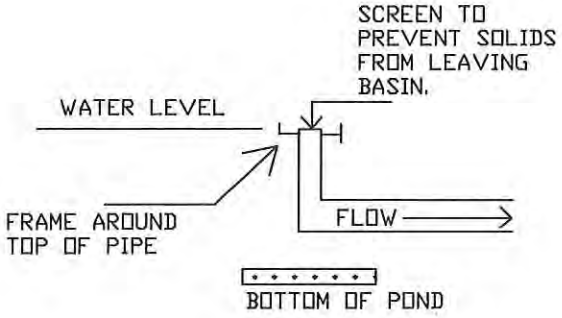
TYPICAL SECTION FOR DITCH AND OR BERM TO DIVERT WATER

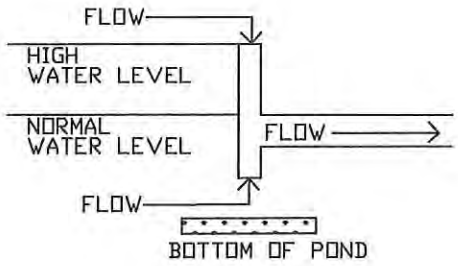
EROSION CONTROL AND RECLAMATION PROCEDURE

1. The areas not being used for daily mining or haul roads shall be grassed with both perennial and annual grasses to ensure erosion is kept to a minimum. The grassed areas shall be limed and fertilized as necessary to establish and maintain an adequate stand of grass.
2. As mining is completed in an area, the area shall be dressed to eliminate any piles of dirt, or low areas which will hold water, with terraces to keep erosion to a minimum, and grassed as detailed in Paregraph 1 above. A sump shall be maintained at the low end of all reclamation work until a satisfactory stand of grass is obtained.
3. During construction and reclamation, erosion control measures such as hay bales, riprap, cleared trees, and other acceptable methods will be utilized as needed to minimize erosion.



TYPICAL SECTION FOR PIPE/OUTFALL CONSTRUCTION





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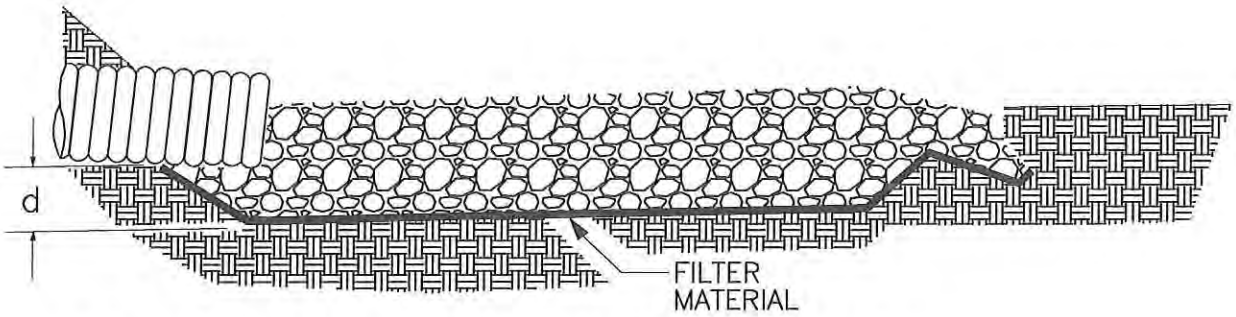
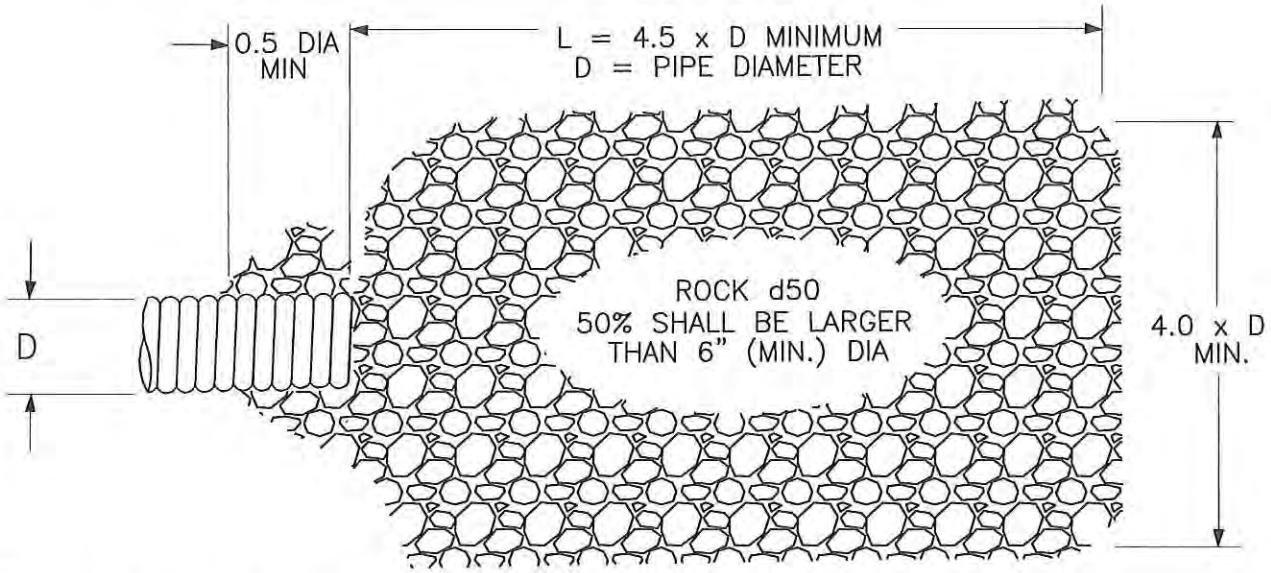
OUTLET PROTECTION

SIDE VIEW



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

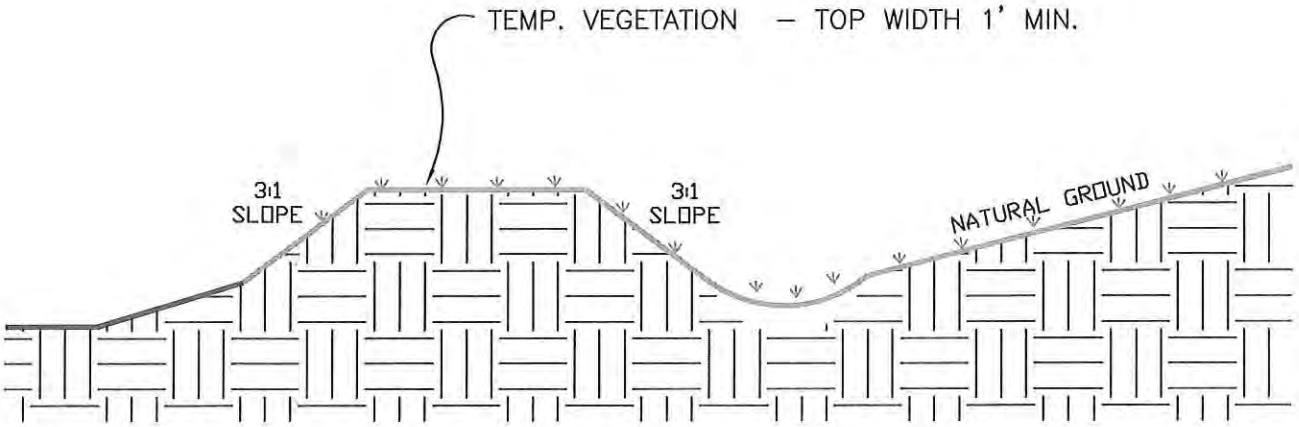
OVERHEAD VIEW



NOTES:

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

EARTHEN BERM



NOTES:

1. TO BE USED TO DIVERT STORMWATER RUNOFF TO PERMITTED DISCHARGE POINTS
2. CONSTRUCT IN 6 INCH TO 9 INCH UNCOMPACTED LIFTS TO FORM THE EMBANKMENT WITH SIDE SLOPES 3:1 OR FLATTER
3. OVERBUILD AT LEAST 10% FOR SETTLEMENT
4. USE MOIST CLAY MATERIAL IN THE CORE OF THE BERM WITH MORE PERMEABLE MATERIALS IN THE SHELL OF THE BERM
5. ONCE CONSTRUCTED, SPREAD TOPSOIL OVER BERM AND ESTABLISH VEGETATION
6. INSPECT AFTER EVERY STORM EVENT
7. MONITOR FOR EROSION, SETTLEMENT, SEEPAGE, OR SLUMPING AND REPAIR AS NEEDED
8. REMOVE ACCUMULATED SEDIMENT WHEN IT REACHES 1/2 THE HEIGHT OF THE BERM

Spill Prevention Control and Countermeasures Plan (SPCC)

For:

CreekWood Resources (CWR)
West Point Pkwy
Opelika, AL 36804
Lee County, AL

Created by:

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

Created for:

CreekWood Resources, LLC
2701 Mall Drive, Suite 7-102
Florence, AL 35630

Certified by:

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

Date of Plan: December 2020

Spill Prevention Control and Countermeasures Plan (SPCC)
Creekwood Resources, LLC - Shady Grove Quarry

Designated person responsible for spill prevention:

- Jeffrey Major, Managing Member (Responsible Official (RO)):
  - Office: (270) 424-2000 | Cell: (270) 484-0830

EMERGENCY TELEPHONE NUMBERS:

Notification Contacts:

1. Facility: Shady Grove Quarry
   Company: CreekWood Resources, LLC
   a. Jeffrey Major, Managing Member (RO):
      - Office: (270) 424-2000 | Cell: (270) 484-0830

2. Alabama Department of Environmental Management (ADEM): (334) 271-7700

Fire, Police or Emergency Medical: 911

Local Hospitals: East Alabama Medical Center
2000 Pepperell Pkwy
Opelika, AL 36801
(334) 749-3411
Emergency—911

Table of Contents

TABLES

ATTACHMENTS

FIGURES

ACRONYMNS

ADEM	Alabama Department of Environmental Management
AEMA	Alabama Emergency Management Agency
AST	Aboveground Storage Tank
BMP	Best Management Practice
CFR	Code of Federal Regulations
CWA	Clean Water Act
CWR	CreekWood Resources (Site Name)
FRP	Facility Response Plan
MEP	Maximum Extent Practicable
NPDES	National Pollutant Discharge Elimination System
NRC	National Response Center
OSHA	Occupational Safety and Health Administration
PE	Professional Engineer
PLS	Professional Land Surveyor
RA	Regional Administrator
RO	Responsible Official
SPCC	Spill Prevention Control and Countermeasure
SWPPP	Storm Water Pollution Prevention Plan
USEPA	United States Environmental Protection Agency
UST	Underground Storage Tank

SPILL RESPONSE PROCEDURE

In the event of a spill, the normal course of action is to be as follows:

1) Report the spill to the immediate supervisor and if needed Fire and Emergency Services, extension 911 and the National Response Center (NRC) 1-800-424-8802. Spills only need to be reported to Alabama Department of Environmental Management (ADEM) and Alabama Emergency Management Agency (AEMA) if the spill reaches waters of the state, leaves site boundaries, or exceeds 25 gallons. Refer to **Attachment C, part C** for a summary of notifications.

2) Safety and protection of life and limb take precedence over environmental protection. If there is a threat to personnel safety, evacuate the area.

3) Eliminate potential spark sources to avoid fire and/or explosion.

4) Stop the spill source, if possible, by turning off any valves, pumps, etc. If the spill occurs within a diked or bermed area, ensure the drain valves are closed. Contain spills outside of dikes with absorbent materials, berms, trenches, sand bags, and other materials. All clean-up activities will use dry sweep or other approaches that do not result in the creation of polluted wastewater or stormwater runoff.

5) Small Spills. The above sequence of initial response action may be altered depending upon spill situations (i.e., type of spill, quantity of spill and/or safety hazards involved). If the spill is small (less than 10 gallons), employees may contain and clean up the spill with absorbent materials prior to reporting it to the Responsible Official. All spills, no matter how small, should be reported to the Responsible Official for documentation and follow up.

Precaution should always be maintained as polluting discharges may pose serious hazards to personnel health and safety. Spilled fuel always constitutes a hazard of fire and explosion with the threat to human life and destruction to property. Even below explosive levels, petroleum vapors can still be hazardous to personnel due to anesthetic and toxic effects resulting in vertigo, loss of consciousness and death. Volatile fuel may cause skin irritation if allowed to remain on the skin, such as through soaked clothing or gloves. The following health/safety considerations should be taken into account:

a. NO SMOKING or OPEN FLAME is permitted within the area of a spill.
b. Equipment with magneto-sparked engines or equipment which produces sparks or static electricity should not be used in potential spill risk areas.
c. Personal protective equipment should be used when handling spills.

Spilled oil will be salvaged if practical. Used sorbent materials must be disposed of in accordance with local, state, and federal requirements.

MAJOR AND MINOR SPILLS

For the purposes of establishing appropriate response procedures, this SPCC Plan classifies discharges as either "*minor*" or "*major*," depending on the volume and characteristics of the material released.

Minor Spill = a spill that poses no significant harm (or threat) to human health and safety or to the environment. Minor spills are generally those where:

- Quantity of material spilled is small (**usually 10 gallons or less**).
- Material spilled is easily stopped and controlled at the time of the spill.
- Spill is localized near the source.
- Spill is not likely to reach water.
- There is little risk to human health or safety.
- There is little risk of fire and/or explosion.

Minor discharges can usually be cleaned up by facility personnel. The following guidelines apply:

- Immediately notify the Responsible Official (RO).
- Under the direction of the RO, contain the spill with spill response materials and equipment. Place clean-up debris in properly labeled waste containers.
- The RO will complete the notification of reportable spill events and discharge notification forms (**Attachment C & D**) and attach a copy to this SPCC Plan.
- If the spill involves **more than 25 gallons**, the Responsible Official will call all required parties (**Attachment C**) to report the spill.

Major Spill = a spill that **cannot** be safely controlled or cleaned up by facility personnel such as when:

- Spill is large enough to spread beyond the immediate area.
- Spilled material enters water.
- Spill requires special equipment or training to clean-up.
- Material spilled poses a hazard to human health or safety.
- There is a danger of fire and/or explosion.

In the event of a major discharge, the following guidelines apply:

- Notify the RO immediately. If the RO is not present, the senior on-site person notifies the Responsible Official and initiates notification and spill response procedures.
- All workers must immediately evacuate the spill site and move to a safe distance from the spill.
- Call for medical assistance if workers are injured.
- Notify the Fire Department and Police Department.
- Call the spill response clean-up contractor.
- Notify the appropriate State and Federal Agencies and complete the Discharge Notification Form. (**see Attachment C**)
- The RO or senior on site person coordinates cleanup and obtains assistance from the clean-up contractor or other response organizations as necessary.

See Attachment C, Part C (Summary) for "Who to Call, When to Call" to assist with agency notifications.

SPILL RESPONSE CLEANUP CONTRACTOR

Notify the spill cleanup contractor of the types of fuels and lubricants stored at the site. Notify the contractor of the sizes of AST tanks you have on-site.

A spill clean-up contractor should be consulted and contracted in the event of an emergency. If a spill or large leak is noticed, the appropriate conditions should be in place so that the contractor can deploy a team immediately to minimize the effects on the environment and surrounding properties.

SPILL CLEANUP WASTE DISPOSAL

The RO will be responsible for insuring that all contaminated debris and recovered waste material is disposed of properly and in a method acceptable to regulatory agencies. This includes all existing oil drips, oil stained soils/gravels on-site. All drained oil will either be reused/salvaged or disposed of in an acceptable and legal manner. Wastes resulting from spill clean-up will be placed in impervious bags, drums, and or buckets. The RO will characterize the waste from a minor spill for proper disposal and ensure that it is removed from the facility by a licensed waste hauler within two (2) weeks of spill. Wastes resulting from a major spill will be removed and disposed of by the clean-up contractor.

SPILL CLEANUP SUPPLIES

Spill kits & cleanup supplies need to be located in the Admin & Shop area on-site near entrance to facility. The inventory of on-site response supplies and equipment is provided below (suggested on-site inventory). The inventory will be verified on a monthly basis and replenished as needed. Special care will be taken to insure that equipment and supplies used during an emergency response are restocked or returned following use. Any equipment that comes into contact with oil will be cleaned before being placed back into storage. Spill kit items can be found at the following links.

https://www.newpig.com/pig-oil-only-spill-kit-in-20-gallon-high-visibility-economy-container/p/KIT4300

https://www.newpig.com/pig-oil-only-spill-kit-in-55-gallon-high-visibility-economy-container/p/KIT4500

☐	Empty 55-gallons drums to hold contaminated material	4 Drums
☐	Loose absorbent material (Napa Floor Dry)	200 pounds
☐	Absorbent pads	3 Boxes
☐	Absorbent boom socks	3 Cases
☐	Polyethylene Disposal Bags	5 Bags
☐	Tamperproof Seal Labels	5 Labels
☐	Non-sparking shovels	2
☐	Brooms	2

NOTIFICATION AND REPORTING PROCEDURE

Information about any oil or hazardous substance spill on the property should be channeled through the proper personnel to allow rapid response and effective control of the spill. The purpose of this subsection is to provide a specific alerting system for oil and hazardous substance spills and to ensure written follow-up reports are prepared. Contacts to be made in the event of a spill are presented in Table 1.

TABLE 1 EMERGENCY CONTACTS AND PHONE NUMBERS

CreekWood Resources, LLC – Shady Grove Quarry – Lee County, AL
Jeffrey Major | Managing Member & RO
Office: (270) 424-2000 | Cell: (270) 484-0830

Alabama Department of Environmental Management (ADEM): (334) 271-7700

Alabama Emergency Management Agency (AEMA): (800) 843-0699

Emergency & Medical Response

Fire Department	911
For Emergencies	911
Police Department	911

Lee County Emergency Management Agency: (334) 749-8161

East Alabama Medical Center: (334) 293-8000

Alabama Department of Public Health: (334) 206-5300

National Response Center: (800) 424-8802

Poison Control Center: (800) 462-0800

US EPA, Region 4 Office: (404) 562-8700

See Next Page for what information to report in a spill event.

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

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

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

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

Important:

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

PURPOSE OF THE SPCC PLAN

This Plan has been prepared based on the United States Environmental Protection Agency's (USEPA), regulations found in Title 40, Code of Federal Regulations, 40 CFR Part 112 - Oil Pollution Prevention. This Plan will provide guidance to aid in the prevention of the discharge of oil and oil products from this facility into the environment in quantities that may be harmful. This Plan shall use the term "oil", as defined in 40 CFR 112 to mean oil of any type or in any form including but not limited to diesel fuel, gasoline, kerosene, motor oils, mineral spirits, hydraulic oils, industrial oils, greases and gear oil, etc. Any discharge that affects the quality of water, causes an oil film, oil sheen, discoloration of the water surface, discoloration of adjoining shorelines, or causes a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines is strictly prohibited by law. This plan also sets forth a coordinated plan to properly respond to any oil discharge should it occur in order to minimize impacts to human health, the environment, and employee safety.

Key elements of this plan that you will need to comply with are as follows:

- The SPCC plan must be amended within six months whenever there is a change in facility design, construction, operation, or maintenance that materially affects the facility's spill potential. The revised plan must be re-certified by a Professional Engineer (PE). The plan should also be reviewed on an annual basis for any "administrative changes" that are applicable, such as personnel changes or revisions to contact information, such as phone numbers. Administrative changes should be documented on the plan review sheet, but they do not have to be certified by a PE.
- The SPCC plan must also be reviewed at least once every five years and amended to include more effective prevention and control technology, if such technology will significantly reduce the likelihood of a spill event and has been proven in the field. Plan amendments must be re-certified by a PE on the certification page of this plan.
- If either of the following occurs, the SPCC plan must be submitted to the USEPA Region IV Regional Administrator (RA), and the Alabama Department of Environmental Management (ADEM) along with other information as detailed on (Facility Information, page 15) of this plan:
    1. The facility discharges more than 1,000 gallons of oil into or upon the navigable waters of the U.S. or adjoining shorelines in a single spill event; or,
    2. The facility discharges oil in quantities greater than 42 gallons in each of two spill events within any 12 month period.
- Complete site inspections as outlined in the Inspections, Tests and Records section of this Plan using the inspection forms contained in **Attachment B**.
- Conduct annual employee training as outlined in the Personnel, Training and Spill Prevention Procedures section of this Plan and maintain training records as required in **Attachment F**. Original copies of training documentation will be maintained on-site in the facility files.

40 CFR 112.3(d) – PROFESSIONAL ENGINEER CERTIFICATION

By means of this certification, I attest that I am familiar with the requirements of provisions of 40 CFR Part 112, that I or my designated agent have visited and examined the facility, that this SPCC plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards, and with the requirements of this Part, that procedures for required inspections and testing have been established and that the Plan is adequate for the facility.

Engineer: Steven E. Speaks, PE/PLS

Signature: Steven E. Speaks

Registration Number: 20897

State: Alabama

Date: 12-4-2020

40 CFR 112.7

SPCC MANAGEMENT APPROVAL

This SPCC plan has been prepared for the CWR facility located at Lee Co Rd 168, Opelika, Alabama 36801 and I hereby certify that the necessary resources to implement this Plan have been committed.

Jeffrey Major, Managing Member

12-4-2020
Date

A complete copy of the SPCC plan is maintained at the corporate/environmental office (2701 Mall Drive, Suite 7-102, Florence, AL 35630) and the facility admin office/shop, per 40 CFR 112.3 (e) (1).

40 CFR 112.5(b) –

FIVE YEAR SPCC PLAN REVIEW SUMMARY

In accordance with 40 CFR 112.5(b), the owner or operator must complete a review and evaluation of the SPCC plan at least **once every five (5) years.** Reviews may be conducted by the Manager or an employee designated by the manager. The five year review, along with periodic reviews that are completed as a result of physical changes to the facility, oil handling procedures, and/or spill response procedures, must be certified by a PE. Examples of facility changes that may require a review of this SPCC plan and re-certification by a PE, include: (1) the addition or removal of ASTs or USTs; (2) the use of additional oil storage containers (55 gallons or larger); (3) the addition or removal of other equipment with the capacity to store 55 gallons or more of oil products; or (4) revisions or changes to spill response or oil handling procedures. Periodic reviews that include only administrative changes do not need to be certified by a PE. Evidence of all reviews shall be recorded below. Any amendments to the SPCC plan must be fully implemented **no later than six 6 months** after the review period or a change occurs. If no amendment is made to the plan as a result of the review, then the statement "no revision deemed necessary" must be recorded below and signed by the Managing Member (RO).

Periodic reviews that include only administrative changes do not need to be certified by a PE. Evidence of all reviews shall be recorded below.

Signature of Reviewer	Date Comments/Alterations	PE Recert. Required
_____	_____	Y or N
_____	_____	Y or N
_____	_____	Y or N
_____	_____	Y or N

40 CFR 112.7(a) –
SPILL EXPERIENCE/HISTORY

All spills of oil and/or oil products are to be recorded within the Plan, regardless of whether or not they are reportable to a regulatory agency(s). Additional forms for spill recording are included as **Attachment C** and should be used to document future releases, if any.

INTRODUCTION

Spill Prevention, Control, and Countermeasure (SPCC) plans for facilities are prepared and implemented as required by the USEPA regulation contained in Title 40, Code of Federal Regulations, Part 112, (40 CFR 112). A non-transportation related facility is subject to SPCC regulations if:

(1) the aggregate aboveground storage capacity of the facility exceeds 1,320 gallons (excluding those tanks and oil-filled equipment with less than 55 gallons storage capacity) or if the aggregate underground storage capacity of the facility exceeds 42,000 gallons (excluding those that are currently subject to all of the technical requirements of 40 CFR Part 280 or all of the technical requirements of state programs approved under 40 CFR Part 281); and

(2) if, due to its location, the facility could reasonably be expected to discharge oil into or upon the navigable waters or adjoining shorelines of the United States.

It is not necessary to file a SPCC plan with the USEPA, but a copy must be available for onsite review by the RA during normal working hours. Additional information regarding SPCC plan requirements and oil spill response measures are provided on the USEPA website at www.epa.gov/oilspill/measures.htm. If either of the following occurs, the SPCC plan must then be submitted to the USEPA Region IV RA and ADEM along with the other information specified in Section 112.4(a):

1. The facility discharges more than 1,000 gallons of oil into or upon the navigable waters of the United States or adjoining shorelines in a single spill event; or
2. The facility discharges oil in quantities greater than 42 gallons in each of two (2) spill events within any 12 month period.

The following spill information must be submitted to the RA within 60 days if either of the above thresholds is reached per paragraph 40 CFR 112.4(a):

1. Name of the facility.
2. Name of the individual submitting the information.
3. Location of the facility.
4. Maximum storage or handling capacity of the facility.
5. The corrective actions and/or countermeasures taken, including adequate description of equipment repairs and/or replacements.
6. Description of the facility including maps, flow diagrams, and a topographical map.
7. The cause(s) of such spill(s), including a failure analysis of system or subsystem in which failure occurred.

8. Additional preventive measures taken or contemplated to minimize the possibility of recurrence.
9. Such other information as the RA may reasonably require that is pertinent to the plan or spill event(s).

The SPCC plan must be amended within six (6) months whenever there is a change in facility design, construction, operation, or maintenance that materially affects the facility's spill potential. Examples of facility changes that may require a review of this SPCC plan and recertification by a PE include: (1) the addition or removal of ASTs or USTs; (2) the use of additional oil storage containers (55 gallons or larger); (3) the addition or removal of other equipment with the capacity to store 55 gallons or more of oil products; or (4) revisions or changes to spill response or oil handling procedures. The SPCC plan must be reviewed at least **once every five (5) years** and amended to include more effective prevention and control technology, if such technology will significantly reduce the likelihood of a spill event and has been proven in the field. All such amendments must be re-certified by a registered PE.

If the owners and operators of a facility are required to prepare an SPCC plan and are not required to submit a Facility Response Plan (FRP), the SPCC plan should include a signed certification form, provided in **Attachment A** (per Appendix C to 40 CFR 112).

FACILITY INFORMATION

Facility Name: Shady Grove Quarry

Facility Owner: CreekWood Resources, LLC

Location: West Point Pkwy, Opelika, AL 36804

Operator: CreekWood Resources, LLC

Operator POC: Jeffrey Major (RO) (270) 484-0830

Total Oil Storage Capacity: 7,550 gallons

SPCC Plan Filing Locations: Plant/Facility - Admin Office / Shop and Corporate Office

FACILITY DESCRIPTION

CWR is a granite mining and processing facility. The facility uses heavy equipment to remove in-situ granite from the landscape and transports the mined materials to an on-site granite processing

and sorting plant. The classified materials are stockpiles and sold from the site. Materials are transported via trucks off the property. See Figure 1 for the Site Location/Layout Map.

PETROLEUM PRODUCT STORAGE

The capacities of oil containers present at the facility are listed below and are also indicated in Figure 1 as being in the Admin & Shop Area. All containers with capacity of 55 gallons or more are included and will be located in this area. List below contains storage on-site during planning process for future facility/plant.

ASTs On-Site:

- 1-5,000 gallon AST — Diesel Fuel
- 1-1,000 gallon AST — Hydraulic Oil
- 1-1,000 gallon AST — Engine Oil

Other Storage Containers On-Site:

- 10-55 gallon drums — Grease & Specialty Oils (Crusher Oils)

ALL above are considered above ground storage tanks and require secondary containment.

40 CFR 112.7 – GENERAL REQUIREMENTS

As of the date of this SPCC plan, facility is in compliance with all General Requirements of 40 CFR 112.7 as outlined below. Should a change occur in facility operations or equipment, this SPCC plan will be reviewed and the necessary revisions completed per 40 CFR 112.5(b).

40 CFR 112.7 (a) (1) – SPCC Plan Conformance

This facility is in complete conformance with the SPCC Regulations.

40 CFR 112.7 (a) (2) – Compliance with Applicable Requirements

In complying with all applicable requirements of the SPCC Regulation, no deviations were employed or claimed in this Plan.

40 CFR 112.7 (a) (3) – Facility Layout Diagram

See the Figure 2 for the Facility Layout Map.

40 CFR 112.7 (a) (4) – Spill Reporting

The spill reporting form included in **Attachment C** must be completed prior to reporting a spill to the proper notification contacts. Spill response procedures are located in **Attachment D**.

40 CFR 112.7(b) –

POTENTIAL EQUIPMENT FAILURES RESULTING IN SPILLS

Potential equipment failures that could possibly result in spills are detailed in the following:

- **Potential Event:** AST primary and secondary containment wall rupture or leak.
- **Spill Description:** Potential to discharge Diesel Fuel to surrounding areas.
- **Volume Released:** Up to 5,000 gallons of Diesel Fuel.
- **Spill Rate:** Gradual to instantaneous

40 CFR 112.7(c) –

CONTAINMENT AND DIVERSIONARY STRUCTURES

40 CFR 112.7(c) (1) (i) – Dikes, Berms or Retaining Walls

All tanks and drums will have dikes, berms or retaining walls. The pit will serve as containment if the any mobile equipment is located in the pit.

40 CFR 112.7(c) (1) (ii) – Curbing
Curbed areas are not provided or necessary at this facility due to other means of secondary containment being provided.

40 CFR 112.7(c) (1) (iii) – Culverting, Gutters or other Drainage Systems
A drainage system is in place to control surface runoff from the facility to discharge points. The fuel storage areas are located to allow for a buffer zone for containment, if a spill should occur and secondary containment fail.

40 CFR 112.7(c) (1) (iv) – Weirs, Booms or Other Barriers
No weirs, booms or other barriers are necessary at the facility.

40 CFR 112.7(c) (1) (v) – Spill Diversion Ponds
No spill diversion ponds are necessary at the facility.

40 CFR 112.7(c) (1)(vi) – Retention Ponds
No spill retention ponds are necessary at the facility.

40 CFR 112.7(c) (1) (vii) – Sorbent Materials
Spill kit (oil dry and other absorbent materials) can be found in the shop building.

40 CFR 112.7(d) – DEMONSTRATION OF PRACTICABILITY

The use of the in-place secondary containment and readily available spill response equipment is practical and effective at this facility to prevent discharged petroleum products from reaching navigable waters.

40 CFR 112.7(e) – INSPECTIONS, TESTS AND RECORDS

Routine monthly inspections and non-routine inspections shall be performed using the form contained in **Attachment B** of this Plan. Completed forms shall be maintained for a period of three (3) years from the date of inspection. Monthly inspections at a minimum must consist of the following:

- Inspect exterior surfaces of tanks, pipes, valves and other equipment for leaks and maintenance deficiencies;
- Identify cracks, areas of wear, corrosion and thinning, poor maintenance and operating practices, malfunctioning equipment; and

Additionally, fuel levels will be manually measured on all ASTs on a weekly basis or have high level alarms present on tanks. Should routine inspections or irreconcilable product shortages in the ASTs indicate that a problem might exist, the RO should arrange for tank testing to be performed.

40CFR 112.7(f) –
PERSONNEL, TRAINING AND SPILL PREVENTION PROCEDURES

40CFR 112.7(f) (1) – Employee Training
Each applicable employee that handles oil and oil products (i.e., diesel fuel, gasoline, oil) shall be made aware of the existence and location of the SPCC plan and its contents. These personnel will be trained in the applicable pollution control laws, rules, and regulations, and the operation and maintenance of the equipment used to prevent oil discharges. The training program topics, and names of employees trained, will be documented and maintained on-site in the facility's files. A log of trained employees can be found in **Attachment F**.

40CFR 112.7(f)(2) – Discharge Prevention Designee
Jeffrey Major (RO) is responsible for spill prevention and control at this facility.

40CFR 112.7(f) (3) – Annual Training
Yearly spill prevention and discharge briefings shall be provided by management to all oil handling personnel to ensure adequate understanding of the SPCC plan. Employees are instructed as to the proper reporting procedures and emergency contacts. Original copies of training records and spill response documents will be kept on file at the facility. Spill reporting forms are contained in **Attachment C**, spill response procedures in **Attachment D**.

40 CFR 112.7(g) – SECURITY

40 CFR 112.7(g) (1) – Fencing
The facility entrance will be gated and locked daily. Buildings containing tanks are locked daily also.

40 CFR 112.7(g) (2) – Valves
All drain valves used for removal of precipitation and/or released oil from secondary containments will be **locked** in the **closed** position when not in use.

40 CFR 112.7(g) (3) – Starter Controls
The electrical controls on all pumps shall be locked in the off position or located within a lockable area that is only accessible to authorized personnel except when in use or in standby mode.

40 CFR 112.7(g) (4) – Loading/Unloading Connections
Loading/unloading connections of oil pipelines/hoses are securely capped when not in service or when in standby service for an extended period of time.

40 CFR 112.7(g) (5) – Lighting
Lighting has been provided on site and has been strategically placed in order to discover spills at night and prevent spills from occurring through vandalism.

40 CFR 112.7(h) – TANK CAR AND TRUCK LOADING / UNLOADING RACK

The facility periodically receives shipments of oils including fuels (diesel), engine oils, hydraulic oils, greases and specialty oils (crusher oils). Fuels (diesel), hydraulic and engine oils are received in bulk, while specialty oils and grease are generally received in drums and in 5-gallon or smaller containers. The bulk shipments are received in tanker trucks, and products are directly pumped from the tanker truck to ASTs. Facility management ensures that vendors understand the site layout and know the protocol for entering the facility and loading/unloading product. The truck loading and unloading procedures meet the minimum requirements of the U.S. Department of Transportation. See **Attachment G** for Fuel Transfer Procedures.

40 CFR112.7 (i) – BRITTLE FRACTURE EVALUATION

Not applicable - there are no field constructed tanks at this facility and no brittle fracture tests are required.

40 CFR112.7 (j) – STATE RULES

The State of Alabama defers to 40 CFR 112 for all regulations related to SPCC Plan conformance.

40 CFR 112.8(a) – GENERAL REQUIREMENTS

The general requirements for this SPCC plan under the regulations have been met.

40 CFR 112.8(b) – FACILITY DRAINAGE

40 CFR 112.8(b) (1) – Diked Storage Areas
All AST(s) will be located within a secondary containment structure or be double-walled.

40 CFR 112.8(b) (2) – Dike Drainage Valves
The dike/secondary containment drainage valves will remain **closed** and **locked** when not in use.

40 CFR 112.8(b) (3) – Undiked Areas
There shall be no ASTs in undiked areas excluding the pit.

40 CFR 112.8(b) (4) – Diversion Systems
A diversion system is not warranted for this site.

40 CFR 112.8(b) (5) – Drainage Water Treatment
A drainage water treatment system related to this SPCC is not warranted for this site.

40 CFR 112.8(c) – BULK STORAGE TANKS

40 CFR 112.8(c) (1) – Compatibility
The ASTs at the facility are constructed of steel and are compatible with the products contained in the tanks.

40 CFR 112.8(c) (2) – Secondary Containment
All tanks will be double walled or secondary containment will be provided. Secondary containment structures shall have the storage capacity to hold 110% of the volume of the largest tank. Secondary containments located outside will need to hold 110% of the volume of largest tank plus enough freeboard for a 25 year average, 24-hour storm (precipitation) event. See **Attachment E** for secondary containment structure requirements.

40 CFR 112.8(c) (3) – Rainwater Drainage
Rainwater may only be drained from diked/secondary containment areas when there is no visible sheen present or fuel odor in water to be discharged. Dikes are to be drained under direct supervision of facility personnel. Drainage valves will be kept in a **closed** position and **locked** except when draining the dike. Dike drainage events are recorded on the form included in **Attachment H** of this Plan; records are maintained at the facility for at least three **(3)** years.

40 CFR 112.8(c) (4) – Buried Tanks
Not applicable – there are no USTs located at this facility.

40 CFR 112.8(c) (5) – Partially Buried Tanks
Not applicable – there are no USTs located at this facility.

40 CFR 112.8(c) (6) – Tank Integrity Testing
The AST will be visually inspected on a monthly basis, and written inspections are completed using the inspection forms included as **Attachment B**. Tank integrity testing is performed as often as deemed necessary.

40 CFR 112.8(c) (7) – Heated Tanks
Not applicable – there are no heated tanks at this facility.

40 CFR 112.8(c) (8) – Discharge Engineering Controls
Not applicable – there are no discharge engineering controls at this facility.

40 CFR 112.8(c)(9) – Effluent Treatment Facilities
Not applicable – there are no effluent treatment facilities at this facility.

40 CFR 112.8(c) (10) – Visible Discharges
Visible leaks from the ASTs will be promptly investigated and corrected upon discovery.

40 CFR 112.8(c) (11) – Portable Storage Tanks
Small portable oil storage containers (drums & totes) are to be stored on spill containment pallets indoors. Any spill or leak should be contained as quickly as possible and cleaned up using oil-dry and appropriate cleaning products. See the following links for the appropriate spill containment pallets that need to be used.

https://www.newpig.com/pig-4-drum-poly-spill-containment-pallet/p/PAK210
https://www.newpig.com/pig-poly-drip-deck/p/PAK565
https://www.newpig.com/pig-poly-ibc-spill-containment-pallet/p/PAK735

40 CFR 112.8(d)–TRANSFER OPERATIONS, PUMPING, AND FACILITY PROCESSES

40 CFR 112.8(d) (1) – Buried Piping
Not applicable – there are no underground buried transfer lines at the facility.

40 CFR 112.8(d) (2) – Terminal Connections
Lines that are not in service or are on standby for an extended period of time are capped or blank-flanged.

40 CFR 112.8(d) (3) – Pipe Supports
All pipe supports are designed to minimize abrasion and corrosion and to allow for expansion and contraction. All aboveground piping, valves, and pipe supports are examined monthly to assess their condition. Inspection includes aboveground valves, piping, appurtenances, expansion joints, valve glands and bodies, catch pans, pipeline

supports, locking of valves, and metal surfaces. Observations are noted on the monthly inspection checklist provided in this Plan.

40 CFR 112.8(d) (4) – Aboveground Piping, Valves and Appurtenances
Any aboveground piping and valves are examined monthly to assess their condition. Inspection includes aboveground valves, piping, appurtenances, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces.

40 CFR 112.8(d) (5) – Vehicle Warnings
No tanks are exposed to potential vehicular damage. The tanks located at the site will be out of the travel way and marked by a visual indicator for vehicles or equipment.

40 CFR 112.9, 112.10, 112.11, 112.12, 112.13, 112.14, 112.15, 112.20 - NOT APPLICABLE

ATTACHMENT A

40 CFR Chapter 1, Part 112 - Certification of the Applicability of the Substantial Harm Criteria

Facility Name: Shady Grove Quarry
Facility Address: West Point Pkwy, Opelika, AL 36804

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

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

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

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

(1) If a comparable formula is used documentation of the reliability and analytical soundness of the comparable formula must be attached to this form.
(2) For the purposes of 40 CFR part 112, public drinking water intakes are analogous to public water systems as described at 40 CFR 143.2(c).

Yes _____ No __X__

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

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

Jeffrey Major
Managing Member

12-4-2020
Date

ATTACHMENT B

SPCC Monthly Inspection Checklist

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

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

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

Date: _____ Signature: _____

Print Name: _____

ATTACHMENT C

NOTIFICATION – REPORTABLE SPILL EVENTS

Facility Name: Shady Grove Quarry
Facility Address: West Point Parkway, Opelika, AL 36804

Discharge Notification Form – Part A: Discharge Information			
Date Of Spill	**Time Spill Began:**	**Time Spill Detected:**	**Time Spill Stopped**
Name(s) and title(s) of person(s) who first discovered spill:			
Indicate which (if any) of the following on-site personnel have been notified of the spill, name at least one individual, and approximate time of notification.			
Check boxes that apply: □ **Area Supervisor**		□ **Security**	□ **Spill Team**
Name(s) & Time Notified:			
Source of Spill (tank, drum, pipe, etc.):			
Location of Spill:		**Material Identity:**	
		Spill Kit Number:	
Total Volume of Source:	**Volume Spilled:**	**Volume Recovered:**	
Specify the extent of the spill; if unknown, put "U" in space provided.			
□ **Spill Containment Only**	□ **Below Ground Surface**	□ **Entered Process Sewer**	
□ **Entered Surface Waters (Specify)**	□ **On Pavement**	□ **Entered Sanitary Sewer**	
	□ **On Soil**	□ **Entered Storm Sewer**	
Did spill leave the property?			
Did spill (loss) exceed Reportable quantity (RQ)?			
Cause of Spill & Plans to Prevent Recurrence (Explain Completely):			
Describe Short Term Corrective Action:			
Describe Spill Clean-up and Disposal Methods:			
Name of individual responsible for Corrective Action Plan:			
Describe any injuries to personnel associated with spill or clean-up:			
Has this spill been reported to Corporate Environmental Systems or to any local, state, or federal authorities? Specify agencies.			
Name, title, and telephone number of person completing form:		**Signature and Date:**	

Part B: Notification Checklist

	Date and time	Name of person receiving call
Discharge in any amount		
Jeffrey Major, Managing Manager & RO (256) 397-1301		
Discharge in amount exceeding 10 gallons and ***not affecting a waterbody or groundwater***		
Local Fire Department: Opelika Fire Department (334) 705-5340 or 911		
Alabama Department of Environmental Management (334) 271-7700		
Discharge in any amount and affecting (or threatening to affect) a waterbody		
Local Fire Department: Opelika Fire Department (334) 705-5340 or 911		
Alabama Department of Environmental Management (ADEM) (334) 271-7700		
Alabama Emergency Management Agency (AEMA) (334) 241-2339		
U.S. EPA Region 4 Sam Nunn Atlanta Federal Center 61 Forsyth Street, SW Atlanta, GA 30303-8960 (800) 241-1754		
National Response Center (NRC) (800) 424-8802		
*Local Water Works		
**Spill Clean Up Contractor - (List & Phone #) *(Insert Hired Spill Clean-up Contractor)*		

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

**Recommended to hire spill clean-up contractor.

Part C: Summary

Chemical or Petroleum Release Exceeding Reportable Quantity (Major Spill)	
Who to Call	**When to Call**
Ala. Department of Environmental Management (ADEM) Field Operations Division 1400 Coliseum Boulevard Montgomery, AL 36110-2059 Telephone: (334) 271-7700	Petroleum Release > 25 gallons Chemical Release > Reportable Quantity Monday - Friday 8:00 am - 5:00 pm within 24 hours of release
Alabama Department of Public Safety Telephone: (334) 242-4378	Petroleum Release > 25 gallons Chemical Release > Reportable Quantity Weekends, holidays, and weekdays before 8:00 am or after 5:00 pm within 24 hours of release
National Response Center (NRC) Telephone: (800) 424-8802	Petroleum Release > 25 gallons Chemical Release > Reportable Quantity
Alabama Emergency Management Agency (AEMA) Montgomery, AL Telephone: (334) 241-2339 800-843-0699	Petroleum Release > 25 gallons Chemical Release > Reportable Quantity Monday - Friday 8:00 am - 5:00 pm within 24 hours of release
Local Water Works	The Water Works should be notified of a discharge only if oil has reached or threatens sewer drains that connect to the POTW collection system.
Chemtrec Telephone: (800) 424-9300	When a transportation related petroleum or chemical release occurs or for information on chemicals or products that have been released.
US Environmental Protection Agency (USEPA) Emergency Response Hotline Telephone: (404) 562-8700	In the event of a petroleum or chemical release in excess of the reportable quantity when the above agencies cannot be contacted.

ATTACHMENT D

SPILL RESPONSE PROCEDURES

Indication of a Leak or Spill

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

Tank/Pipe System Leaks

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

Spills and Overfills

- Spills during fuel deliveries
- Storage tank overfills

Initial Response Outline

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

Reportable Incident

- All released of petroleum products to the stormwater ponds, the sanitary sewer system, navigable water or adjoining shorelines
- Releases that could cause a sheen, film or discoloration on the water surfaces
- A release that could result in a violation of water quality standards
- A release that could cause sludge or emulsion

SPILL RESPONSE PROCEDURES - continued

Emergency Response Procedures

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

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

ATTACHMENT E

SECONDARY CONTAINMENT DESIGN

TANK CONTAINMENT / DESIGN CALCULATIONS / STORAGE REQUIREMENT
(Proposed / recommended sec. containment dimensions below are minimums that must be met in order for sec. containments and site to be in compliance with SPCC regulations.)

- **5,000 GALLON DIESEL AST TANK**

(SECONDARY CONTAINMENT STRUCTURE NOT REQUIRED IF TANK IS DOUBLE-WALLED)
5,000 gallons x 110%= 5,550 gallons containment required
5,550 gallons/7.48=735.3 cubic feet
Storage Requirement for Tank: 735.3 cubic feet
Storage Requirement for Freeboard from 25 year, 24 hour Storm Event:
15'L x 10'W x 0.61'H = 91.5 cubic feet x 7.48 = 684.4 gallons
(Not required IF tank is located indoors)
TOTAL STORAGE NEEDED INDOORS: *735.3 cubic feet or 5,500 gallons*
TOTAL STORAGE NEEDED OUTDOORS: *826.8 cubic feet or 6,185 gallons*

PROPOSED / RECOMMENDED SEC. CONTAINMENT DIMENSIONS INDOORS:
15'L x 10'W x 5'H = 750 cubic feet x 7.48 = **5,610 gallons**
PROPOSED / RECOMMENDED SEC. CONTAINMENT DIMENSIONS OUTDOORS:
15'L x 10'W x 5.7'H = 855 cubic feet x 7.48 = **6,396 gallons**

- **1,000 GALLON HYDRAULIC OIL AST TANK**

(SECONDARY CONTAINMENT STRUCTURE NOT REQUIRED IF TANK IS DOUBLE-WALLED)
1,000 gallons x 110%= 1,100 gallons containment required
1,100 gallons/7.48=147.1 cubic feet
Storage Requirement for Tank: 147.1 cubic feet
Storage Requirement for Freeboard from 25 year, 24 hour Storm Event:
10'L x 5'W x 0.61'H = 30.5 cubic feet x 7.48 = 228.2 gallons
(Not required IF tank is located indoors)
TOTAL STORAGE NEEDED INDOORS: *147.1 cubic feet or 1,100 gallons*
TOTAL STORAGE NEEDED OUTDOORS: *177.6 cubic feet or 1,329 gallons*

PROPOSED / RECOMMENDED SEC. CONTAINMENT DIMENSIONS INDOORS:
10'L x 5'W x 3'H = 150 cubic feet x 7.48 = **1,122 gallons**
PROPOSED / RECOMMENDED SEC. CONTAINMENT DIMENSIONS OUTDOORS:
10'L x 5'W x 3.7'H = 185 cubic feet x 7.48 = **1,384 gallons**

Secondary Containment continued on next page.

SECONDARY CONTAINMENT DESIGN – Continued

- **1,000 GALLON ENGINE OIL AST TANK**

(SECONDARY CONTAINMENT STRUCTURE NOT REQUIRED IF TANK IS DOUBLE-WALLED)

1,000 gallons x 110%= 1,100 gallons containment required
1,100 gallons/7.48=147.1 cubic feet
Storage Requirement for Tank: 147.1 cubic feet
Storage Requirement for Freeboard from 25 year, 24 hour Storm Event:
10'L x 5'W x 0.61'H = 30.5 cubic feet x 7.48 = 228.2 gallons
(Not required IF tank is located indoors)
TOTAL STORAGE NEEDED INDOORS: *147.1 cubic feet or 1,100 gallons*
TOTAL STORAGE NEEDED OUTDOORS: *177.6 cubic feet or 1,329 gallons*

PROPOSED / RECOMMENDED SEC. CONTAINMENT DIMENSIONS INDOORS:
10'L x 5'W x 3'H = 150 cubic feet x 7.48 = **1,122 gallons**
PROPOSED / RECOMMENDED SEC. CONTAINMENT DIMENSIONS OUTDOORS:
10'L x 5'W x 3.7'H = 185 cubic feet x 7.48 = **1,384 gallons**

- **Secondary Containment needed for ALL Petroleum containing 55 – Gallon Drums on-site/in shop and are required to be stored indoors out of the weather. (Spill Pallet Containments)**

***NOTE:* (25 Year, 24 Hour) Storm Event for Lee County, Alabama is 7.3",**
7.3"/12 = 0.61',
0.61' = Freeboard required in height (H) of containment to accommodate this size of storm event.

ATTACHMENT F: LOG OF TRAINED EMPLOYEES RELATING TO THE SPCC

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

Last Name	First Name	Signature	Employment Date	Training Date	Annual Training Review 2020	Annual Training Review 2021	Annual Training Review 2022	Annual Training Review 2023	Annual Training Review 2024	Separation Date (If applicable)

ATTACHMENT G

(Follow these procedures when receiving product)

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

ATTACHMENT H

RECORD OF CONTAINMENT DIKE DRAINAGE

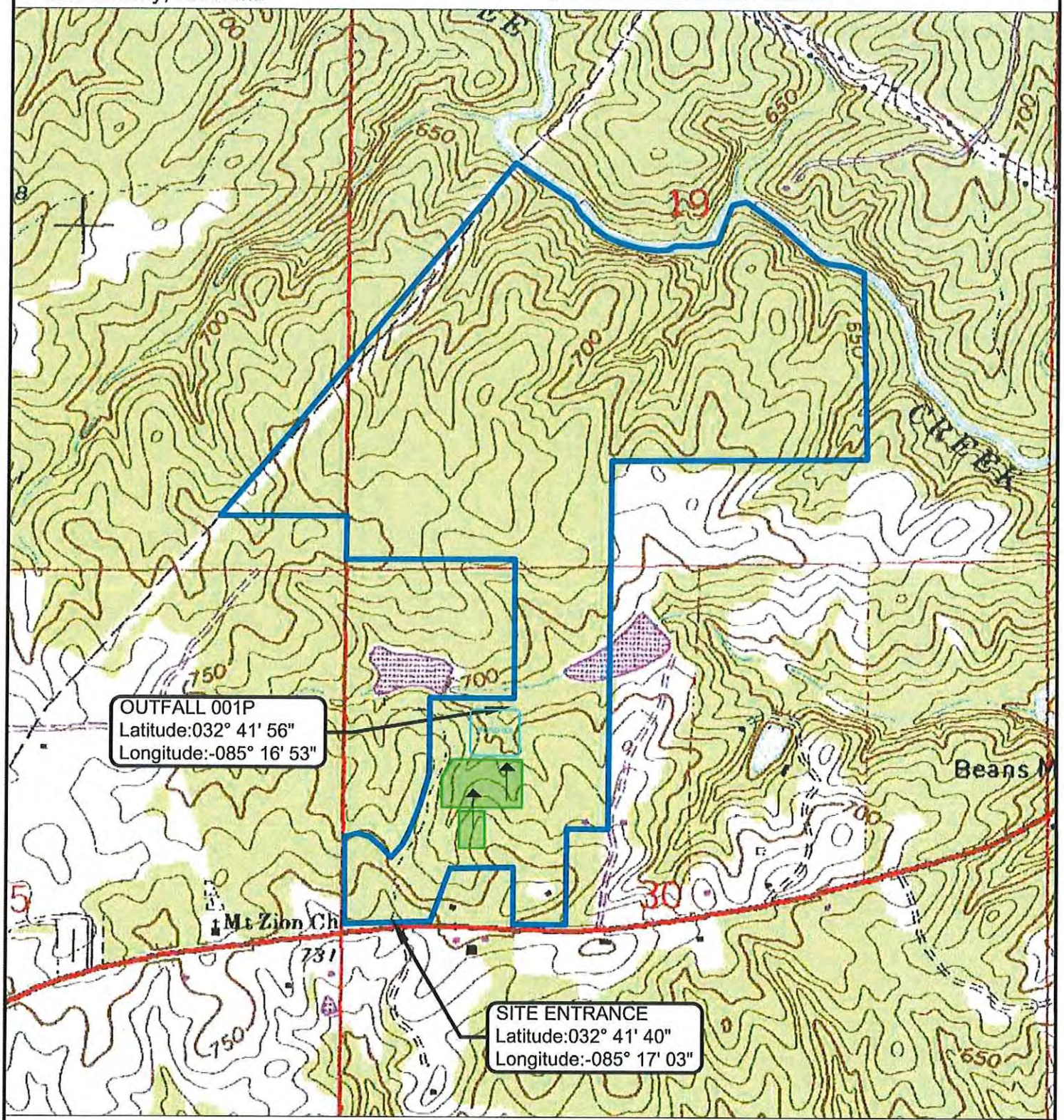
This record must be completed when rainwater from diked areas is drained into a storm drain or into an open watercourse, lake, or pond, and bypasses the water treatment system. The bypass valve must normally be sealed in closed position. It must be opened and resealed following drainage under responsible supervision. **Water discharged should have no sheen, visible oil, floating solids, or visible foam in other than trace amounts.**

Date	Containment being Drained	Presence of Oil (Sheen)	Start Time	End Time	Signature
Example	Tank Farm	Y or (N)	8:30am	8:35am	John Doe

FIGURE 1: SITE LOCATION/LAYOUT MAP

SPCC - FIGURE 1: SITE LOCATION / LAYOUT MAP
Creekwood Resources LLC - Shady Grove Quarry
Located in Sections 19 & 30, T-20-N, R-28-E
and Section 24, T-20-N, R-27-E
Opelika East Quadrangle
Lee County, Alabama

0 1000 2000 Feet



PROJECT BOUNDARY (255 ACRES)
PLANT & SHOP AREA (PETROLEUM STORAGE)
DRAINAGE PATH

DATE: 12/04/2020

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