



MISSISSIPPI DEPARTMENT OF  
ENVIRONMENTAL QUALITY



**MINING NOTICE OF INTENT (MNOI)  
FOR COVERAGE UNDER  
MINING STORM WATER, DEWATERING AND NO DISCHARGE  
GENERAL PERMIT MSR32 \_\_\_\_\_  
(Number to be assigned by State)**

File at least 30 days prior to the commencement of mining; 15 days if a Storm Water Pollution Prevention Plan (SWPPP) is already on file and mine dewatering is not proposed. Lateral expansion of an existing mine that has general permit coverage requires the submittal of the Major Modification Form, not a new MNOI. However, modification of the existing SWPPP to include the expansion is required. Discharge of storm water or impounded water associated with mining or the operation of a wastewater recirculation system with no discharge without written notification of coverage from MDEQ is a violation of State Law.

If the company seeking coverage is a corporation, a limited liability company, a partnership, or a business trust, attach proof of its registration with the Mississippi Secretary of State and/or its Certificate of Good Standing. This registration or Certificate of Good Standing must be dated within twelve (12) months of the date of the submittal of this coverage form. Coverage will be issued in the company name as it is registered with the Mississippi Secretary of State.

Please indicate the activities to be covered by this MNOI (check all that apply).

- ☒ Storm Water Discharges Associated with Mining      ☐ Mine Dewatering  
☐ Wastewater Recirculation System with No Discharge

The appropriate section of the MNOI must be completed if the applicant proposes to discharge storm water, discharge impounded mine water (dewatering) and/or operate a wastewater recirculation system with no discharge.

A site-specific Storm Water Pollution Prevention Plan (SWPPP) developed in accordance with ACT5 of the General Permit and a United States Geological Survey (USGS) quadrangle map or photocopy, indicating the site location and outfalls must be included with the MNOI submittal. The name of the quadrangle map must be shown on all copies. Quadrangle maps can be obtained from the MDEQ, Office of Geology at 601-961-5523. Additional submittals may include the following (check all that apply).

- ☐ Section 404 Documentation      ☒ Notice of Exempt Operations Form  
☐ Dam/Reservoir Safety Permit or Written Authorization      *See attached MDEQ-Geology NOE concurrence*

**ALL INFORMATION MUST BE COMPLETED (indicate "N/A" where not applicable)**

A1:79489

MSR32 2948

(NUMBER TO BE ASSIGNED BY STATE)

APPLICANT IS THE: ☒ OWNER ☐ OPERATOR

## OWNER CONTACT INFORMATION

OWNER CONTACT PERSON: Deryk Whittington  
OWNER COMPANY LEGAL NAME: HDW Land Co.  
OWNER STREET OR P. O. BOX: 10388 Hwy 413  
OWNER CITY: Weir STATE: MS ZIP: 39772  
OWNER PHONE #: (662) 285-8474 OWNER EMAIL: derykwhittington@bellsouth.net

## OPERATOR CONTACT INFORMATION

OPERATOR CONTACT PERSON: Deryk Whittington  
OPERATOR COMPANY LEGAL NAME: HDW Land Co.  
OPERATOR STREET OR P. O. BOX: 10388 Hwy 413  
OPERATOR CITY: Weir STATE: MS ZIP: 39772  
OPERATOR PHONE #: (662) 285-8474 OPERATOR EMAIL: derykwhittington@bellsouth.net

## MINE INFORMATION

MINE NAME: Whittington Mine  
MINE SITE ADDRESS (If the physical address is not available, please indicate nearest named road.)  
Street: Pollard Road  
City: Mathiston State: MS County: Choctaw Zip: 39752  
WEST 1/2 /4 OF SE 1/4 OF SECTION 19, TOWNSHIP 19N, RANGE 11E  
MINE SITE TRIBAL LAND ID (N/A If not applicable): N/A  
ATTACH A USGS QUAD MAP, EXTENDING 1/2 MILE BEYOND FACILITY, OUTLINING THE MINE BOUNDARIES  
(Maps can be obtained from the Mississippi Office of Geology. For information call 601-961-5523).  
LATITUDE: 33 degrees 29 minutes 37 seconds LONGITUDE: -89 degrees 10 minutes 53 seconds  
LAT & LONG DATA SOURCE (GPS (Please GPS Entrance Gate) or Map Interpolation): GPS  
TOTAL ACREAGE: 76 MATERIAL TO BE MINED: Sand & Clay  
WILL HYDRAULIC DREDGING BE USED? ☐ YES ☒ NO  
WASHING OF SAND/GRAVEL? ☐ YES ☒ NO

m



ESTIMATED START DATE: 2021-10-15  
YYYY-MM-DD  
SIC CODE 0810

ESTIMATED END DATE: 2021-10-15  
YYYY-MM-DD  
NAICS CODE 21232

### RECEIVING STREAM INFORMATION

NEAREST NAMED RECEIVING STREAM: Cummings Branch	
IS RECEIVING STREAM ON MISSISSIPPI'S 303(D) LIST OF IMPAIRED WATER BODIES? (The 303(d) list of impaired waters and TMDL stream segments may be found of MDEQ's website: <a href="http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section">http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section</a> )	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
HAS A TMDL BEEN ESTABLISHED FOR THE RECEIVING STREAM SEGMENT?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

### COMPLETE IF STORM WATER DISCHARGE IS PROPOSED

ATTACH A STORM WATER POLLUTION PREVENTION PLAN (SEE PERMIT FOR REQUIREMENTS)	(Attached)
IDENTIFY THE ASSOCIATION OR GENERIC SWPPP ON FILE AT MDEQ: N/A	

### COMPLETE IF WASTEWATER RECIRCULATION SYSTEM WITH NO DISCHARGE IS PROPOSED

DISTANCE BETWEEN RECIRCULATION POND(S) AND PROPERTY LINE: N/A (FT) (MUST BE AT LEAST 150 FEET)
NUMBER OF RECIRCULATION POND(S): N/A
STORAGE CAPACITY OF EACH RECIRCULATION POND(S): N/A (FT <sup>3</sup> )

### COMPLETE IF MINE DEWATERING IS PROPOSED

ESTIMATED DEWATERING VOLUME: N/A (GAL/DAY)
NAME AND ADDRESS OF THE RECIPIENT OF THE DISCHARGE MONITORING REPORTS (DMRs), IF DIFFERENT FROM SIGNATORY: N/A

# DOCUMENTATION OF COMPLIANCE WITH OTHER REGULATIONS/REQUIREMENTS

Coverage under this general permit will not be granted until all other required MDEQ permits and approvals are addressed.

WILL THE CONSTRUCTION OR OPERATION OF THIS MINE INVOLVE THE RE-ROUTING, FILLING OR CROSSING OF A WATER CONVEYANCE OF ANY KIND? ☐ YES ☒ NO

If yes, contact the U.S. Army Corps of Engineers' Regulatory Branch for permitting requirements. If the mine requires a Corps of Engineers Section 404 permit, provide appropriate documentation with this MNOI that:

- The mine has been approved by individual permit, or
- The work will be covered by a nationwide permit and NO NOTIFICATION to the Corps is required, or
- The work will be covered by a nationwide or general permit and NOTIFICATION to the Corps is required.

LIST ANY NPDES PERMIT NO(s). N/A

GEOLOGY APPLICATION/PERMIT NO. N/A

LIST OTHER GEOLOGY PERMIT NUMBERS THAT APPLY TO COVERAGE AREA NOE 10-023 AI 79489

(Notice of Exemption issued by MDEQ-Office of Geology on 5-11-21)

IS THE MINE LESS THAN 4 ACRES AND GREATER THAN 1320 FEET FROM ANOTHER MINE?



YES

A "Notice of Exempt Operations" Form must be included with the MNOI or proof of prior submission, if previously submitted to the Office of Geology.



NO

A "Notice of Intent to Mine Class I or Class II Materials" Form must be filed before coverage will be granted under the Mining General Permit. For information on Office of Geology requirements, call 601-961-5515.

LIST ANY LOCAL STORM WATER ORDINANCES WITH WHICH THE OPERATIONS MUST COMPLY AND SUBMIT ANY

ASSOCIATED APPROVAL DOCUMENTATION. N/A

IF IMPOUNDMENTS WILL BE CONSTRUCTED ABOVE NATURAL SURFACE ELEVATIONS, INDICATE WHICH, IF ANY, OF THE FOLLOWING APPLY. N/A



The impoundment will be constructed with a peripheral dam or levee 8 feet or greater in height, measured from the lowest elevation of its toe.



The impoundment will have a maximum storage volume greater than 25 acre-feet.



The impoundment will impound a watercourse with a continuous flow.



The impoundment has the potential to threaten downstream lives or man-made structures.

If any of the impoundments meet any of the above criteria, the applicant will be required to obtain written authorization from MDEQ, Dam Safety Division before coverage will be granted under the Mining General Permit.

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 gathered and evaluated 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.



Authorized Signature<sup>1</sup>

Date

10-12-21

Deryk Whittington

Mine Owner / Operator

Printed Name

Title

<sup>1</sup>This application shall be signed according to the General Permit, Act 15, T-4 as follows:

- For a corporation, by a responsible corporate officer.
- For a partnership, by a general partner.
- For a sole proprietorship, by the proprietor.
- For a municipal, state or other public facility, by either a principal executive officer, the mayor, or ranking elected official.
- Duly Authorized Representative

Please submit this form to: Chief, Environmental Permits Division  
MDEQ, Office of Pollution Control  
P.O. Box 2261  
Jackson, Mississippi 39225



**Crowder Engineering &  
Surveying, Inc.**

P.O. Box 1209  
1150 West Main Street  
Ackerman, MS 39735

Phone: 662-285-2062  
Fax: 662-285-2618  
Email: mcrowder@dtcweb.net

October 12, 2021

Chief, Environmental Permits Division  
MS Department of Environmental Quality  
P.O. Box 2261  
Jackson, MS 39225

RECEIVED  
OCT 13 2021

Dept. of Environmental Quality

RE: MINING NOTICE OF INTENT  
HDW LAND CO: WHITTINGTON MINE  
**AI ID: 79489**  
CHOCTAW COUNTY, MISSISSIPPI

Dear Sir/Madam:

Enclosed is a re-submittal of the following documents related to the Whittington Mine AI ID #79489:

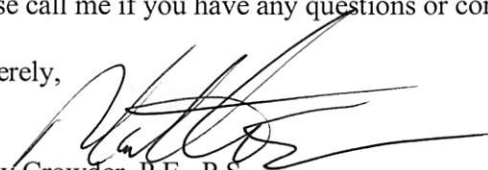
- Mining Notice of Intent
- MDEQ-Office of Geology Notice of Exemption Letter dated 5-11-21
- USGS Quadrangle Map with Mine Location
- Aerial Photo of Mine Area
- Erosion Control Plan – Whittington Mine
- Storm Water Pollution Prevention Plan

This is submitted for the purpose of obtaining a permit under Mine Storm Water General Permit 32. This mine will operate partially in the footprint of a previous mine where a depression was excavated that does not result in discharge of stormwater. The prior mine exposed a sand strata in the bottom of the excavation that allows stormwater to seep into the underlying near-surface aquifer. The mining plan will treat this depression as a sediment basin and will provide structural controls at the logical overland discharge of the sediment basin. Although there is no current discharge from the bottom of the existing sediment basin, the SWPPP plan will plan to control sediment from overland discharge and will also maintain (periodically clean) the sediment basin to prevent clay sediment from blocking seepage into the sandy soil beneath the sediment basin.

I have prepared and am submitting this on behalf of the Owner, HDW Land Co.

Please call me if you have any questions or comments.

Sincerely,

  
Marty Crowder, P.E., P.S.  
Crowder Engineering & Surveying, Inc.

Enclosures