



August 12, 2024

Mr. James Matheny
Office of Geology
PO Box 2279
Jackson, Mississippi 39225

Dear Mr. Matheny:

Re: Adkins Pit, Tippah County
NOE Permit Application
MNOI Mining Stormwater Permit Application

Enclosed is a completed Notice of Exemption (NOE) application for the referenced borrow pit located in Tippah County.

Also, enclosed is a completed MNOI form, SWPPP and topo maps illustrating proposed mining areas. All stormwater is collected and allowed to settle on site before discharging from the site.

If you have any questions or need additional information, please feel free to call me at (601) 927-6147. Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in blue ink that reads "Stewart Inman".

Stewart Inman, P.E.
Environmental Coordinator

Enclosures

CC: Ms. Carrie Barefoot EPD, MDEQ



MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

AI: 87088

MSR323061

Rec'd via email:
08/12/2024

**MINING NOTICE OF INTENT (MNOI)
FOR COVERAGE UNDER
MINING STORM WATER, DEWATERING AND NO DISCHARGE
GENERAL PERMIT MSR323061
(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

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

O.C

MSR32 MSR323061

(NUMBER TO BE ASSIGNED BY STATE)

APPLICANT IS THE: OWNER OPERATOR

OWNER CONTACT INFORMATION

OWNER CONTACT PERSON: Bobby Joe Adkins II
OWNER COMPANY LEGAL NAME: JHC Land and Timber
OWNER STREET OR P. O. BOX: 105 Rockgate Dr
OWNER CITY: Madison STATE: AL ZIP: 35757
OWNER PHONE #: (817) 781-5820 OWNER EMAIL: N/A

OPERATOR CONTACT INFORMATION

OPERATOR CONTACT PERSON: Stewart Inman
OPERATOR COMPANY LEGAL NAME: W. G. Yates & Sons Construction
OPERATOR STREET OR P. O. BOX: 6000 I-55 South
OPERATOR CITY: Byram STATE: MS ZIP: 39272
OPERATOR PHONE #: (601) 927-6147 OPERATOR EMAIL: sinman@wgyates.com

MINE INFORMATION

MINE NAME: Adkins Pit

MINE SITE ADDRESS (If the physical address is not available, please indicate nearest named road.)

Street: Highway 15, County Road 700

City: Blue Mountain State: MS County: Tippah Zip: 38610

NE /4 OF SW /4 OF SECTION 22 , TOWNSHIP 05S , RANGE 03E

MINE SITE TRIBAL LAND ID (N/A If not applicable): N/A

ATTACH A USGS QUAD MAP, EXTENDING ½ MILE BEYOND FACILITY, OUTLINING THE MINE BOUNDARIES
(Maps can be obtained from the Mississippi Office of Geology. For information call 601-961-5523).

LATITUDE: 34 degrees 37 minutes 48 seconds LONGITUDE: 88 degrees 57 minutes 51 seconds

LAT & LONG DATA SOURCE (GPS (Please GPS Entrance Gate) or Map Interpolation): GPS

TOTAL ACREAGE: 3.9 MATERIAL TO BE MINED: Soil

WILL HYDRAULIC DREDGING BE USED? YES NO

WASHING OF SAND/GRAVEL? YES NO

ESTIMATED START DATE: 2024-08-26
YYYY-MM-DD
SIC CODE 1611

ESTIMATED END DATE: 2027-12-31
YYYY-MM-DD
NAICS CODE 237310

RECEIVING STREAM INFORMATION

NEAREST NAMED RECEIVING STREAM: Smith Creek

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: http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section) YES NO

HAS A TMDL BEEN ESTABLISHED FOR THE RECEIVING STREAM SEGMENT? YES NO

COMPLETE IF STORM WATER DISCHARGE IS PROPOSED

ATTACH A STORM WATER POLLUTION PREVENTION PLAN (SEE PERMIT FOR REQUIREMENTS)

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: _____ (FT)
(MUST BE AT LEAST 150 FEET)

NUMBER OF RECIRCULATION POND(S): _____

STORAGE CAPACITY OF EACH RECIRCULATION POND(S): _____ (FT³)

COMPLETE IF MINE DEWATERING IS PROPOSED

ESTIMATED DEWATERING VOLUME: _____ (GAL/DAY)

NAME AND ADDRESS OF THE RECIPIENT OF THE DISCHARGE MONITORING REPORTS (DMRs), IF DIFFERENT FROM SIGNATORY: _____

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 N/A

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.

- 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.

Hamp Stebbins 8/19/24
Authorized Signature¹ Date
Hamp Stebbins VP
Printed Name Title

¹This 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

**Stormwater Pollution Prevention Plan
for:**

W. G. Yates & Sons Construction
Adkins Pit
Highway 15 Tippah County, MS

Under Mississippi's Mining Stormwater Permit
Coverage No. MSR32_____

SWPPP Contact(s):

W. G. Yates & Sons Construction
781 Larson Street
Jackson, MS 39202
Stewart Inman, PE
(601) 260-2425

SWPPP Preparation Date:

8/9/2024

**W. G. Yates & Sons Construction
Stormwater Pollution Prevention Plan
Adkins Pit
Tippah County/Blue Mountain, MS**

Site Information

The W. G. Yates & Sons Construction (Yates) Adkins Pit consists of 3.5 acres of borrow material mining bordered by forested land. The site is only accessible by a private dirt road maintained by Yates, off County Road 700. The site is forested land that will be cleared of trees by logging and the site will be grubbed to remove all the tree stumps. There are apparent wetlands on the property, but not near the proposed exempt mining area. However, a wetland delineation will be done to ensure that any regulated areas are protected.

Assessment for Potential Pollutant Sources ACT 5, T-2 (1)

The only material that is present that could potentially pollute stormwater onsite is diesel fuel. Any significant quantity of diesel is only present during fueling of heavy equipment. This material is not considered a potential major source of pollution to stormwater. Heavy equipment has the potential to contribute to stormwater pollution through improper fueling procedures or ruptures to fuel fittings, hoses, and associated piping. Onsite equipment and support equipment have the potential to pollute stormwater by leaking fuel, oil or grease. No large quantities of fuel are stored at the Adkins Pit.

List of Significant Spills and Leaks ACT 5, T-3 (4)

The project area is currently a forested area. There are no records of any spills, leaks, or hazardous pollutants that have occurred at the project site. Should any leaks or spills occur during the duration of active operation, they will be recorded and addressed in the proper manner. See Attachment 3.

Stormwater Sampling Data ACT 5, T-3 (5)

No stormwater sampling has been performed at the site being that it is not required by the permit.

Site Map ACT 5, T-4 (6)

The site map (Figure 1, Attachment 1) shows the proposed site is surrounded by woodland with flow lines and the adjacent receiving water. Much of the site is sloped towards the West of the site to unidentified tributaries of Smith Creek. During operations, the site will continue to allow drainage towards the West. At a minimum, a fifty (50) foot undisturbed buffer will be maintained around the entire pit. Additionally, the topsoil that is stripped from the site will be used to create an earthen berm around the site to direct stormwater to a single discharge point that will be protected with additional BMPs.

The other figure (Figures 2, Attachment 1) in Attachment 1 shows the planned mining area with erosion and sediment controls and housekeeping area.

Topographic Map ACT 5, T-5 (7)

See Attachment 2.

Stormwater Management Controls ACT 5, T-6

The stormwater management committee consists of Jonathan Ludwig, CEM, Corporate Environmental Manager and Stewart Inman, PE, Environmental Coordinator. The committee is responsible for development, implementation, maintenance, and revision of the appropriate controls to prevent pollution to the stormwater. This includes the responsibility for revising the SWPPP should inspections reveal deficiencies in the existing BMP plan.

A fifty (50) foot undisturbed buffer will be maintained around the perimeter of the site. Brush berms and/or rock checks will be utilized at the proposed outfall during active operations to prevent sediment from leaving the site. These controls will be checked regularly and maintained if sediment has accumulated past one-third of the controls' capacity.

If a disturbed area that is not actively being mined will be left undisturbed for thirty (30) days or more, the appropriate temporary or permanent vegetative practices shall be implemented within seven (7) calendar days. Any non-functioning controls shall be repaired, replaced, or supplemented with functional controls within twenty-four (24) hours of discovery or as soon as field conditions allow.

Housekeeping Practices ACT 5, T-7 (5)

All equipment maintenance and repairs are to be performed off site in a designated maintenance area. Any fuel spills as the result of fueling activities are to be contained and cleaned up immediately. No toxic materials are to be stored onsite. Sanitary facilities are provided on an adjacent site. Trash cans and rubbish containers are provided onsite and will be disposed of at least weekly.

Spill Prevention and Response ACT 5, T-7 (6)

The potential for fuel spill or leaks exists during fueling activities or due to a damaged hose, fuel valve or associated fuel related equipment. Any spills will be cleaned up immediately. Any spill must be reported to the Yates Environmental Manager and will be handled accordingly. Heavy equipment is available onsite to be used to contain any accidental spills before it reaches the waters of the state.

Employee Training ACT 5, T-7 (7)

Site employees' training will cover Spill Prevention and Response, Good Housekeeping, and proper material handling during toolbox meetings as needed and on an annual basis. Records of training and those attending will be recorded on Yates designated forms (Attachment 4).

Non-Stormwater Discharges ACT 5, T-7 (8)

No dewatering activities are to occur at the site.

Routine Visual Site Inspections ACT 5, T-8 (9)

Site inspections are to be conducted monthly and within 24 hours of a qualifying rain even to verify that no stormwater containing pollutants is being discharged from the site. Inspections are to be conducted when possible after a qualifying rain event following the guidelines of the Monthly Inspection Report Form (Attachment 5). Any non-functioning controls should be noted in the inspection report form and repaired, replaced or supplemented with functional controls within 24 hours of discovery or as soon as field conditions allow. The corrective action should be logged in this SWPPP.

Attachment 1

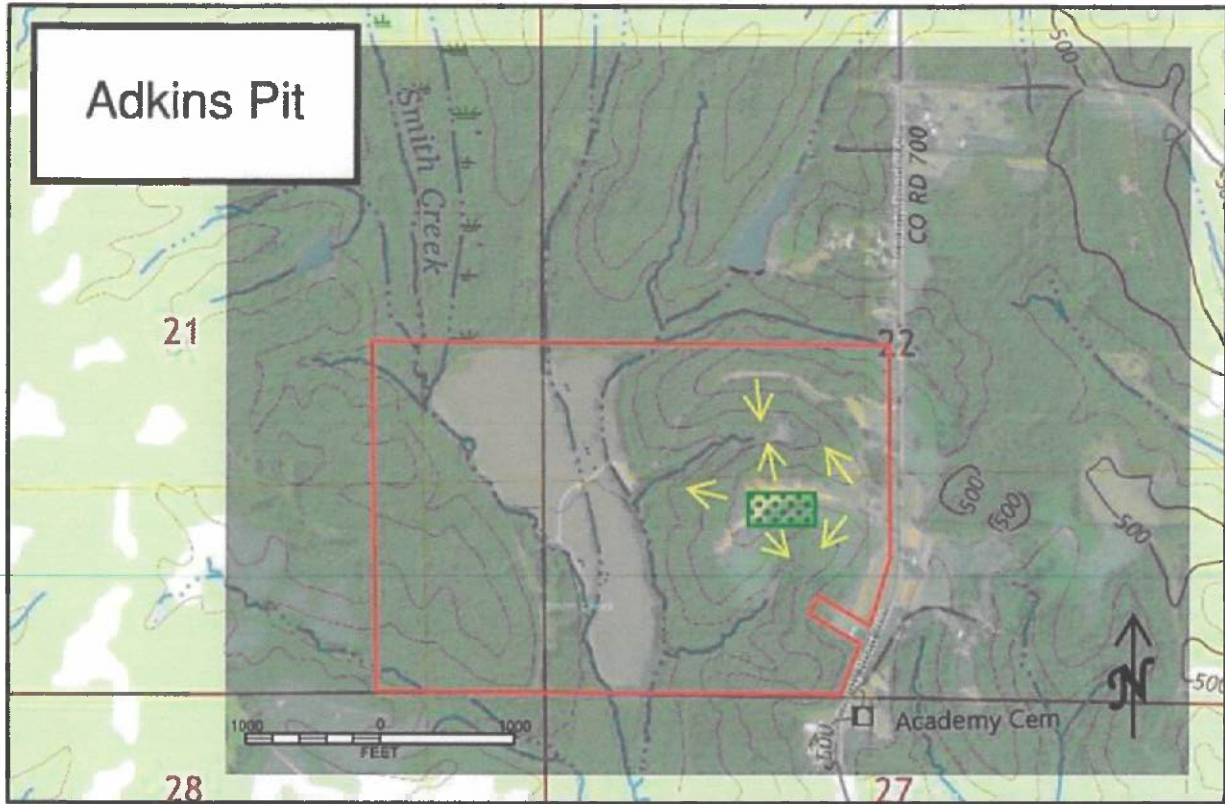


Figure 1. The property boundaries are denoted by the red lines above. The green area is the 3.5-acre exempt mining area. The yellow arrows denote the drainage patterns of the adjacent area. The unnamed tributaries of Smith Creek area are located to the North and Southwest of the proposed mining location.

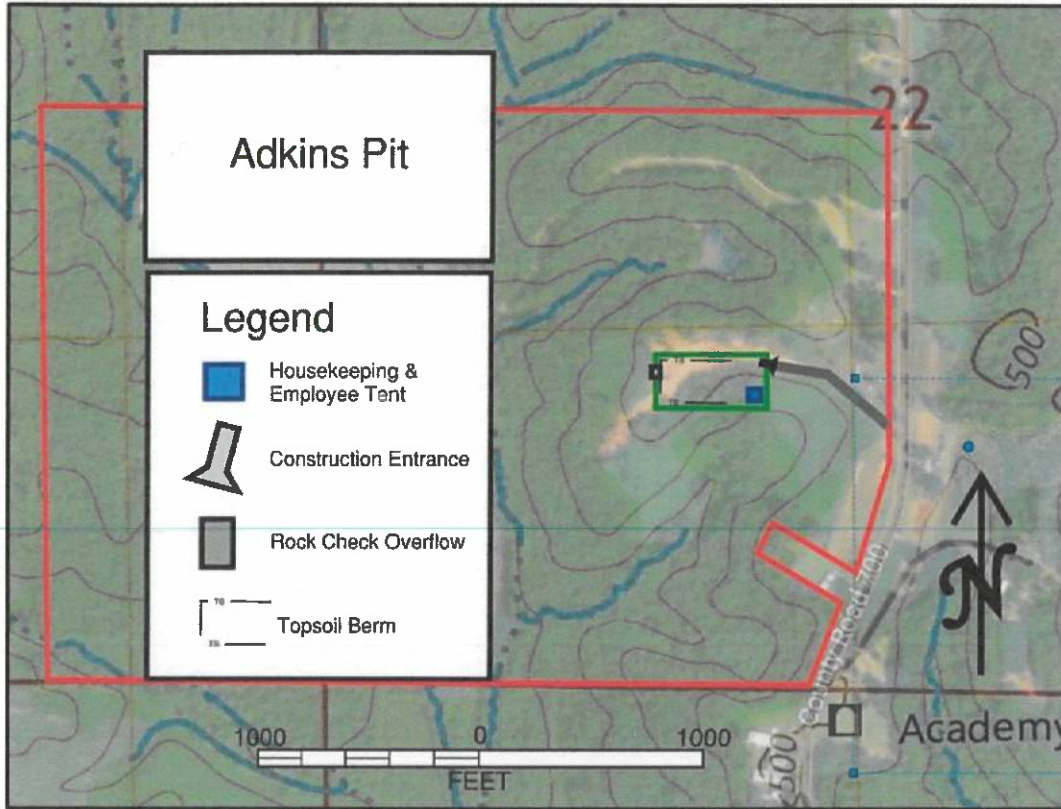
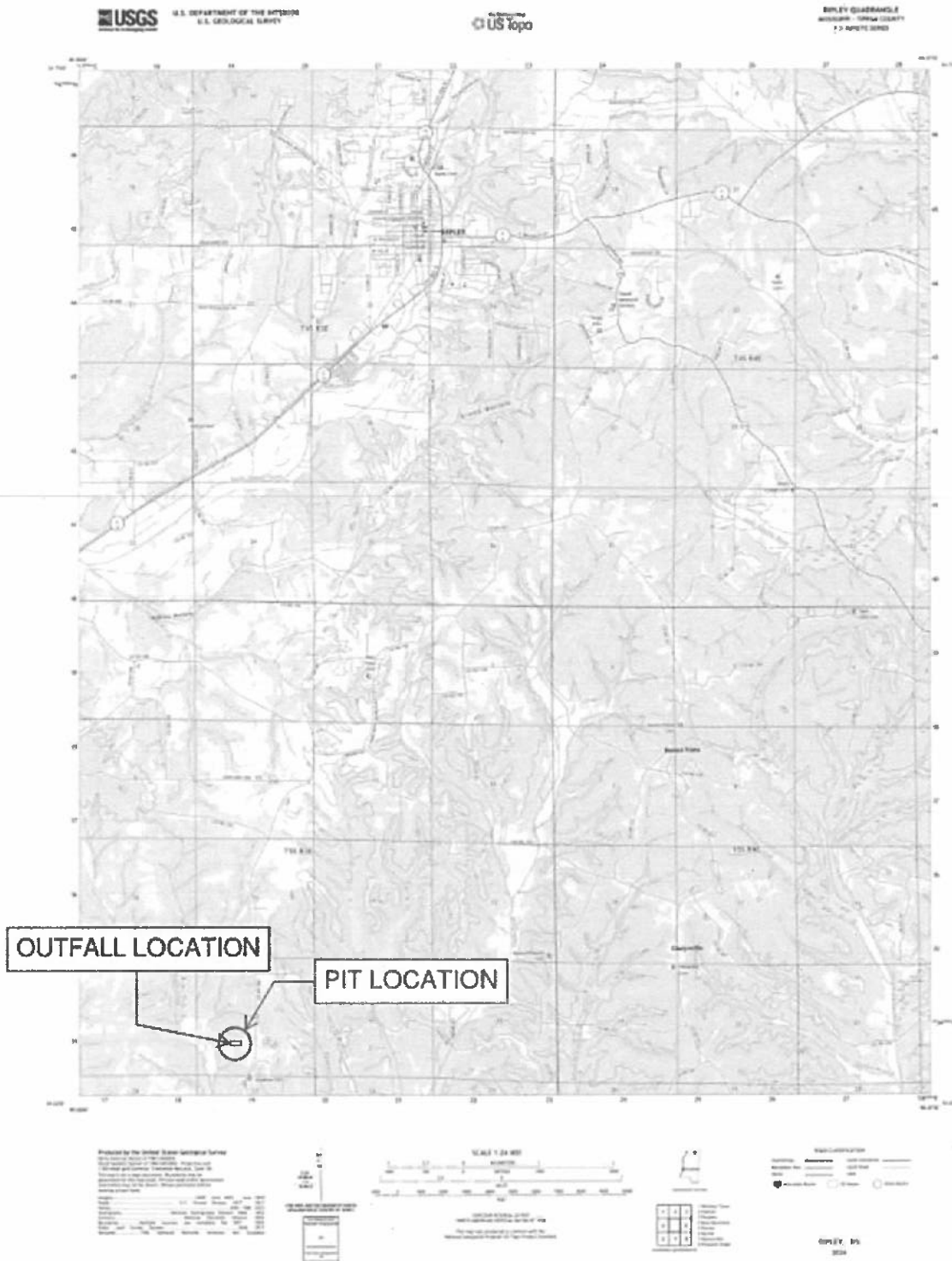


Figure 2. The proposed disturbance boundary is denoted by the green line. The above shows the proposed construction entrance location, employee tent with housekeeping practices, topsoil berm which directs stormwater to a single rock check overflow. A fifty (50) foot vegetative buffer will be maintained between the proposed disturbance area and the property boundaries.

Attachment 2



Attachment 3

Attachment 4

Attachment 5

**COVERAGE NUMBER (MSR32 _____) INSPECTION YEAR _____
 SITE INSPECTION REPORT AND CERTIFICATION FORM
 MINING GENERAL PERMIT**



Results of the inspection by ACT7 of this permit shall be recorded on this report form and in addition, copies of all completed forms shall be retained onsite or locally available. Inspections must be performed monthly and after a 2-year, 24-hour storm event (approx. 6-inches on Gulf Coast to 4-inches at MS/TN State Line). The coverage number must be listed at the top of all Site Inspection Report and Certification Forms.

COVERAGE RECIPIENT INFORMATION

COMPANY NAME: _____ MINE NAME: _____
 MINE LOCATION: _____ GEOLOGY APPLICATION/PERMIT NO. _____
 NEAREST PROJECT CITY: _____ COUNTY: _____
 MAILING ADDRESS: _____
 MAILING CITY: _____ STATE: _____ ZIP: _____
 CONTACT PERSON: _____ CONTACT PHONE NUMBER: _____

INSPECTION DOCUMENTATION

DATE (mm/dd/yy)	TIME (hh:mm AM/PM)	AFTER 2-YEAR, 24-HOUR STORM EVENT? (CHECK IF YES)	ANY DEFICIENCIES? (CHECK IF YES)	INSPECTOR(S)
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
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		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
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		<input type="checkbox"/>	<input type="checkbox"/>	

Deficiencies Noted During any Inspection (give date(s); attach additional sheets if necessary): _____

Corrective Action Taken or Planned (give date(s); attach additional sheets if necessary): _____

Based upon this inspection which I or personnel under my direct supervision conducted, I certify that all erosion and sediment controls have been implemented and maintained, except for those deficiencies noted above, in accordance with the Storm Water Pollution Prevention Plan filed with the Office of Pollution Control and sound engineering practices as required by the above referenced permit. I further certify that the MNOI and SWPPP information on file with MDEQ is up to date.

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 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 fines and imprisonment for knowing violations.

 Authorized Signature

 Date

 Printed Name

 Title

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY
Mining and Reclamation Division
P. O. Box 2279
Jackson, Mississippi 39225-2279
(601) 961-5515

NOTICE OF EXEMPT OPERATION

This form shall be filed with the Office of Geology, Mining and Reclamation Division **only** for operations affecting 4 acres or less **and greater** than 1320 feet from another mine. **NOTE:** Local, county, federal or other state agencies may also require permits before mining can be done on your site. This is *your* responsibility.

Name of applicant/operator: W.G Yates & Sons Construction
Mailing address: 6000 I-55 South
Byram, MS 39272
Telephone number: 604-210-0899

Do you have any **other** exempt mining operations on file? yes no
Do you plan to file for a **permit** and expand this site later? yes no

LOCATION

NE 1/4 of SW 1/4 of Section 22 , Township 05S Range 3E County Tippah

Include a map or aerial photo marked with site location with this form.

Name of land owner: Bobby Joe Adkins II
Mailing address: 105 Rockgate Dr
Madison, AL 35757
Telephone number 817-781-5820

Date operation to begin 8/26/2024 Date operation to end (estimated) 12/31/2027
Material to be mined Soil Number of acres to be mined 3.5 (A)*
Total acres to be affected by operation (mine, roads, storage, etc.) 4 (B)*
Is operation **closer** than 1,320 feet (1/4 mile) to another mine? no yes*

***If items A or B exceed 4 acres or you answered YES above, you need to apply for a MINING PERMIT.**

Applicant/operator: _____ By _____
Signature

Date: _____ Position _____

For Office of Geology use only

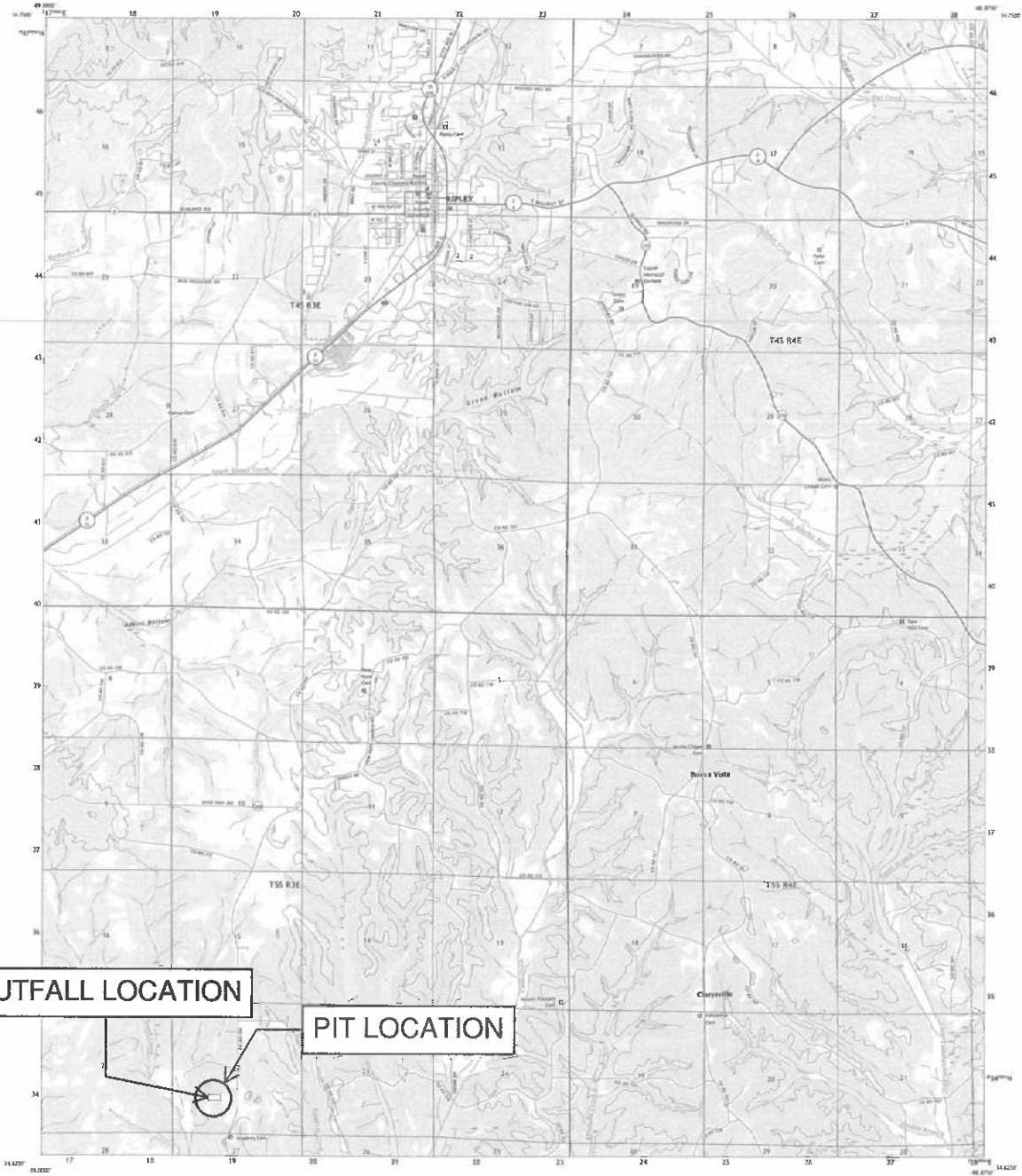
Date: _____ By _____
Division Director
Mining and Reclamation Division



U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



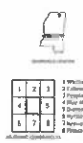
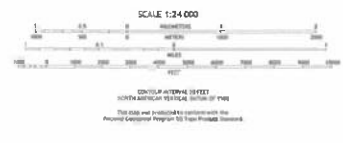
RIPLEY QUADRANGLE
MISSISSIPPI - TOPHAM COUNTY
7.5-MINUTE SERIES



OUTFALL LOCATION

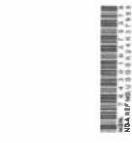
PIT LOCATION

Produced by the United States Geological Survey
 Date of Revision: 10/01/2010
 Edition: 10/01/2010
 This map is a derivative of the original data and is not a reproduction of the original data. It is intended for informational purposes only and should not be used for legal or regulatory purposes.
 Original data provided by the following organizations:
 - U.S. Geological Survey
 - U.S. Army Corps of Engineers
 - U.S. Forest Service
 - U.S. Environmental Protection Agency
 - U.S. Fish and Wildlife Service
 - U.S. Navy
 - U.S. State Department
 - U.S. Transportation Department
 - U.S. Department of the Interior
 - U.S. Department of Justice
 - U.S. Department of Health and Human Services
 - U.S. Department of Education
 - U.S. Department of Agriculture
 - U.S. Department of Energy
 - U.S. Department of Commerce
 - U.S. Department of Labor
 - U.S. Department of Housing and Urban Development
 - U.S. Department of Veterans Affairs
 - U.S. Department of the Treasury
 - U.S. Department of Defense
 - U.S. Department of State
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 - U.S. Department of Veterans Affairs
 - U.S. Department of the Treasury
 - U.S. Department of Defense
 - U.S. Department of State



ROAD CLASSIFICATION

Expressway	Interchange
Arterial	Loop Road
Secondary	Local Road
Tertiary	Trail
Quaternary	Unimproved Road
Quinary	Unimproved Road
Sixth	Unimproved Road
Seventh	Unimproved Road
Eighth	Unimproved Road
Ninth	Unimproved Road
Tenth	Unimproved Road
Eleventh	Unimproved Road
Twelfth	Unimproved Road
Thirteenth	Unimproved Road
Fourteenth	Unimproved Road
Fifteenth	Unimproved Road
Sixteenth	Unimproved Road
Seventeenth	Unimproved Road
Eighteenth	Unimproved Road
Nineteenth	Unimproved Road
Twentieth	Unimproved Road





August 12, 2024

Mr. James Matheny
Office of Geology
PO Box 2279
Jackson, Mississippi 39225

Dear Mr. Matheny:

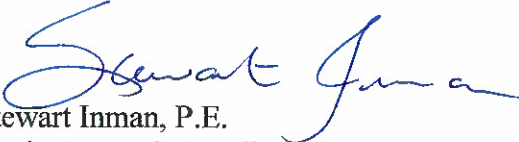
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Environmental Coordinator

Enclosures

CC: Ms. Carrie Barefoot EPD, MDEQ

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY
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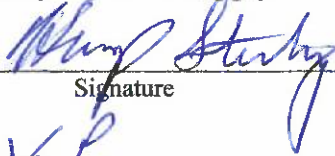
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***If items A or B exceed 4 acres or you answered YES above, you need to apply for a MINING PERMIT.**

Applicant/operator: Yates Const. Co. By 
Signature
Date: 8/19/24 Position V.P.

For Office of Geology use only

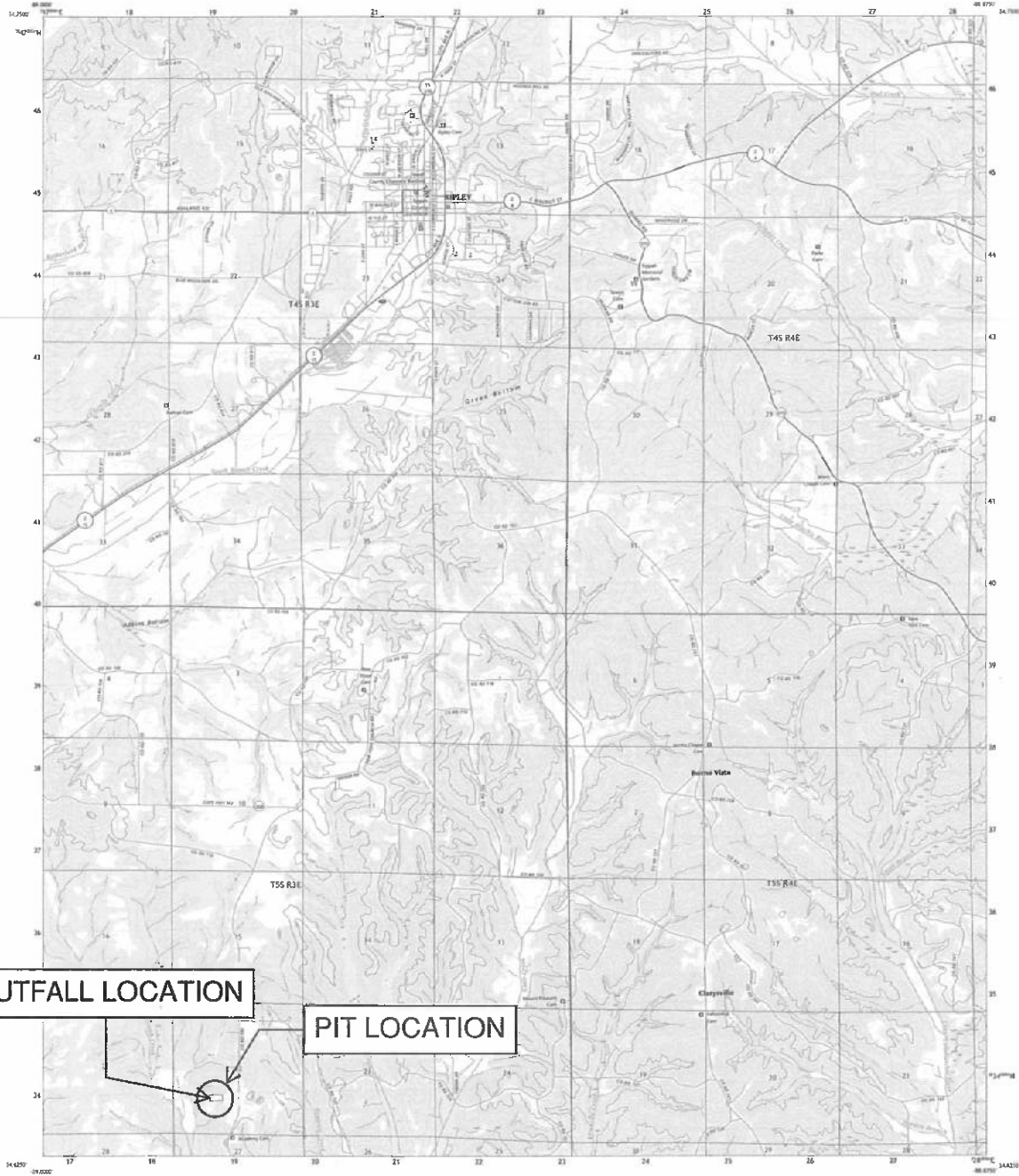
Date: _____ By _____
Division Director
Mining and Reclamation Division



U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



RIPLEY QUADRANGLE
MISSISSIPPI - TUPAH COUNTY
7.5-MINUTE SERIES



OUTFALL LOCATION

PIT LOCATION

Produced by the United States Geological Survey
using software developed by the USGS
World Geospatial Database (WGSDB). Projection and
datum used are North American Datum 83 (NAD83)
and the datum used for the source data (which are
assumed to be the same). The USGS does not
warrant the accuracy of the data or the quality of
the resulting product.
Date: July 2011
Scale: 1:24,000
Projection: NAD83
Datum: NAD83
Units: Feet
Status: Final
Version: 1.0
Author: [unreadable]

SCALE 1:24,000



ROAD CLASSIFICATION

Asphalt	Local Road
Secondary Hwy	Local Road
Trunk	Local Road
Interstate	Local Road
US Route	Local Road
State Route	Local Road

RIPLEY, MS
2014

