



**STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY**

April 2, 2025

Mr. Garret Beech
Hard Rock Sand and Gravel, LLC
757 Buck Creek Road
Richton, MS 39476
gbeech@hardrocksg.com

Dear Mr. Beech:

Re: Hard Rock Sand and Gravel
LLC, Richton
Perry County
COE No. SAM-20247-07090-
KPJ
WQC2024070

Pursuant to Section 401 of the Federal Water Pollution Control Act (33 U. S. C. 1251, 1341), the Office of Pollution Control (OPC) issues this Certification, after public notice and opportunity for public hearing, Hard Rock Sand and Gravel, LLC, an applicant for a Federal License or permit to conduct the following activity:

Hard Rock Sand and Gravel LLC, Richton: The applicant proposes to excavate an approximately 100 foot wide by 300 foot long channel across Grapevine Branch. The purpose of the project is to relocate two hydraulic dredges to the north side of the currently permitted mine area. Once the barges have been moved, the channel will be backfilled with native material and graded to original contours and stabilized [SAM-2024-07090-KPJ, WQC2024070].

The Office of Pollution Control certifies that the above-described activity will be in compliance with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act and Section 49-17-29 of the Mississippi Code of 1972, if the applicant complies with the following conditions:

1. The development shall connect to a Department approved wastewater collection and treatment system. All wastewater, including process

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wastewater, shall be properly treated and disposed of in accordance with 11 Mississippi Administrative code Part 6, Chapter 1. (Statement D) (Miss. Admin. Code Pt 6, R. 1.1.1.B)

2. All fill material and excavation areas shall have side slopes of at least 3:2 (horizontal: vertical) and shall be immediately seeded, stabilized, and maintained. (Statement B) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
3. Appropriate Best Management Practices (BMPs) shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent drainage areas. Special care shall be taken prior to and during construction to prevent the movement of sediment into adjacent avoided wetland areas. In the event of any BMP failure, corrective action shall be taken immediately. (Statement B) (11 Miss. Admin. Code Pt 6, R. 1.1.1.B)
4. Mitigation for impacts of 0.08 acres of wetlands shall be accomplished as deemed appropriate by the United States Army Corps of Engineers, Mobile District. (Statement C) (11 Miss. Admin. Code Pt. 6, R. 2.2.A.)
5. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 2.2.A.)
6. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse. (Statement A) (11. Miss. Admin. Code Pt. 6, R.2.2.A.(3))

As part of the Scope of Review for Application Decisions, 11 Mississippi Administrative Code Part 6, Rule 1.3.4(B), the above conditions are necessary for the Department to ensure that appropriate measures will be taken to eliminate unreasonable degradation and irreparable harm to waters of the State, such that the activity will not meet the criteria for denial:

- (A) The proposed activity permanently alters the aquatic ecosystem such that water quality criteria are violated and/or no longer supports its existing or classified uses. An example is the channelization of streams.
- (B) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.
- (C) The proposed activity in conjunction with other activities may result in adverse cumulative impacts.
- (D) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.

The Office of Pollution Control also certifies that there are no limitations under Section 302 nor standards under Sections 306 and 307 of the Federal Water Pollution Control Act which are applicable to the applicant's above-described activity.

This certification is valid for the project as proposed. Any deviations without proper modifications and/or approvals may result in a violation of the 401 Water Quality Certification. If you have any questions, please contact Carrie Barefoot.

Sincerely,



Becky Simonson
Chief, Environmental Permits Division

BS: PK

cc: Shawn Clark, FC&E Engineering, LLC
Karen Jordan, U.S. Army Corps of Engineers, Mobile District
Jamie Becker, Environmental Protection Agency