



STATE OF MISSISSIPPI

PHIL BRYANT  
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

GARY C. RIKARD, EXECUTIVE DIRECTOR

April 9, 2018

Mr. David Leverett  
Memphis Stone and Gravel Company, Byhalia Mine  
PO Box 1683  
Memphis, TN 38101-1683

Dear Mr. Leverett:

Re: Memphis Stone and Gravel Company, Byhalia Mine  
Letter of Instruction for Mining GP Re-Coverage  
Ref. No. MSR322535  
Marshall County

The Permit Board on Environmental Quality reissued the Mining Stormwater, Dewatering, and No Discharge General Permit (MSR32) on April 3, 2018 for an additional five-year period. The Mining General Permit authorizes the discharge of mining storm water and dewatering discharges to State waters, and operation of wastewater recirculation systems with no discharge. The permit is reissued for a five-year period until March 31, 2023.

The above referenced facility has coverage under the previous general permit which expired on August 31, 2017. This facility must satisfy applicable requirements by obtaining re-coverage under the reissued general permit, or choosing one of the other alternative options outlined below.

To view the new permit and forms package, please visit <https://www.mdeq.ms.gov/permits/environmental-permits-division/types-on-general-permits/>. **Please read the permit carefully as conditions have changed.** Be especially aware of the following changes:

- Annual inspections are no longer submitted annually. They must still be available upon request.
- DMR requirements have been updated to require electronic submittal through NetDMR.

Current coverage recipients under the Mining General Permit have two options: re-coverage or termination. Please read the following instructions carefully.

- In order for the above referenced facility to remain covered under a valid NPDES Permit, the coverage recipient must complete the enclosed "Re-coverage Form" and send it to the indicated address, postmarked within 30 days of the date of this letter.
- Coverage must immediately be terminated if the discharge has ceased. A "Request for Termination of Coverage Form" is found in the "Mining GP Forms Package." The submittal of the "Re-coverage Form" is not required if a "Request for Termination of Coverage Form" is submitted.

If the company seeking permit coverage is a corporation, a limited liability company, a partnership, or a business trust, then 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 the application(s). Coverage will be issued in the company name as it is registered with the Mississippi Secretary of State.

A new Certificate of Permit Coverage will not be mailed to the coverage recipient. **Coverage recipients should access and print their Certificate of Coverage from the MDEQ website by following the steps listed below.** Please allow at least 60 days from the submittal of the "Re-Coverage Form" before attempting to access the new Certificate of Coverage. This will give MDEQ time to complete the review and administrative process of re-coverage.

1. Access enSearch Online at [http://opc.deq.state.ms.us/search\\_ai\\_alt.aspx](http://opc.deq.state.ms.us/search_ai_alt.aspx) and input the appropriate nine-digit coverage number (MSR32\_ ) in the Permit Number query box. The project's unique coverage number can be found in the subject heading of this letter. Click on the "Search" button.
2. The regulated entity corresponding with the entered coverage number will be displayed in the table under "Results;" click on the AI ID Number in the far left column to access the facility information page, which contains online documents, re-coverage status, and specific MDEQ contacts.
3. Scroll to the bottom of the page and locate the table entitled, "Current Status of General Permit Applications." If this table has a status description of "Coverage Issued" then the "Permit Document" should be the new Certificate of Coverage.
4. Scroll up one table to locate, "Active Coverages Available Online".
5. Locate the project's coverage number and left-click on the file icon under the "Permit Document" column to open and print the Certificate of Permit Coverage. Please check the lower left corner of the certificate to confirm that the expiration date reads, March 31, 2023.

If a coverage recipient does not have access to the internet, MDEQ will mail a certificate of coverage upon request. Please keep a copy of the signed and completed "Re-Coverage Form" as proof of coverage until the certificate of coverage can be obtained. Also, in the case of a request for termination, written confirmation will be sent to the facility after a site inspection has been completed. Please remember that coverage is not terminated until notified in writing by MDEQ. If regulated activities are ongoing and the coverage recipient does not apply for re-coverage, the facility will be operating without a valid permit and is subject to potential enforcement action. If you have any questions concerning these instructions or the reissued general permit please contact our office at (601) 961-5171.

Sincerely,



Florance Bass, P.E., BCEE  
Environmental Permits Division

Enclosures



# RE-COVERAGE FORM

## MINING STORM WATER, DEWATERING AND NO DISCHARGE GENERAL PERMIT

**GENERAL PERMIT: MSR32 2535.** This coverage number must be completed for the referenced mining activity or this form will be considered incomplete and will be returned. The coverage number can be found at the bottom left corner of your previous Certificate of Coverage.

The submittal of this form is required to receive coverage under the reissued Mining Storm Water, Dewatering and No Discharge General Permit. This form must be completed and returned to MDEQ at the address printed at the bottom of this form within 30 days of the date of the Letter of Instruction for Re-Coverage.

Please indicate the activities to be covered by this Re-Coverage Form (check all that apply).

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

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

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.

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

### APPLICANT INFORMATION

APPLICANT IS THE  OWNER  OPERATOR (Must check one or both)

OPERATOR CONTACT PERSON: David E. Leverett

OPERATOR COMPANY NAME: Memphis Stone and Gravel

OPERATOR STREET OR P. O. BOX: P.O. Box 1683

OPERATOR CITY: Memphis STATE: TN ZIP: 38101

OPERATOR PHONE #: (901) 774-7874 OPERATOR EMAIL: dave.leverett@msgravel.com

OWNER CONTACT PERSON: \_\_\_\_\_

OWNER COMPANY: \_\_\_\_\_

OWNER STREET OR P. O. BOX: \_\_\_\_\_

OWNER CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

OWNER PHONE #: (\_\_\_\_) \_\_\_\_\_ OWNER EMAIL: \_\_\_\_\_

MINE INFORMATION

MINE SITE NAME: Byhalia Mine

CONTACT NAME & POSITION: (same as Operator contact info.)

CONTACT PHONE NUMBER: ( \_\_\_\_\_ )

MINE PHYSICAL SITE ADDRESS (IF NOT AVAILABLE INDICATE NEAREST NAMED ROAD):

STREET: 983 Bubba Taylor Road

CITY: Byhalia COUNTY: Marshall ZIP: 38611

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).

— /4 OF NE /4 OF SECTION 24, TOWNSHIP 25, RANGE 5W

LATITUDE: 34 DEGREES 54 MINUTES 05.5 SECONDS N LONGITUDE: 89 DEGREES 40 MINUTES 17.9 SECONDS W

LAT & LONG DATA SOURCE (GPS (PLEASE GPS ENTRANCE GATE) OR MAP INTERPOLATION): map interpolation

TOTAL ACREAGE: ~50 MATERIAL TO BE MINED: sand and gravel

ESTIMATED START DATE: 2024 ESTIMATED END DATE: 2030  
YYYY-MM-DD YYYY-MM-DD

SIC CODE 1442 NAICS CODE 212321

STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

THE GENERAL PERMIT REQUIRES THE SWPPP TO BE ONSITE OR LOCALLY AVAILABLE, UP-TO-DATE AND EFFECTIVE IN CONTROLLING STORM WATER POLLUTANTS. ACCORDINGLY, IN ADDITION TO THE PROJECT'S CURRENT BMPS, TWO (2) SPECIFIC BMPS (SEE BELOW) ARE REQUIRED TO BE IN THE SWPPP.

IS A COPY OF THE SWPPP AT THE PERMITTED SITE OR LOCALLY AVAILABLE?  YES  NO

DOES SWPPP CONTAIN AN UP-TO-DATE ASSESSMENT OF POTENTIAL STORM WATER POLLUTANT SOURCES AND IDENTIFY BMPS TO EFFECTIVELY CONTROL THEM?  YES  NO

IF A SEDIMENTATION BASIN IS A PROJECT BMP, DOES IT DISCHARGE ONLY FROM THE SURFACE OF THE BASIN? IF NO, THE BASIN MUST HAVE A SURFACE DISCHARGE IMMEDIATELY FROM THE DATE OF RECOVERY.  YES or N.A.  NO

IF TRUCK TRAFFIC LEAVES MINING SITE AND MOVES DIRECTLY ONTO PAVED PUBLIC ROAD, IS A CONSTRUCTION EXIT AN INSTALLED BMP? IF NO, A CONSTRUCTION EXIT MUST BE INSTALLED IMMEDIATELY OF THE DATE OF RECOVERY. IF A MINE IS CURRENTLY INACTIVE, BUT IS SUBMITTING A RECOVERY FORM, THE CONSTRUCTION EXIT MUST BE INSTALLED IMMEDIATELY OF THE MINE BECOMING ACTIVE.  YES or N.A.  NO

IS A WASTEWATER RECIRCULATION SYSTEM WITH NO DISCHARGE USED ON THE FACILITY?  YES  NO

IS MINE DEWATERING PRESENT ON SITE?  YES  NO

IF CHECKED YES TO WASTERWATER RECIRCULATION SYSTEM WITH NO DISCHARGE, FILL OUT BELOW

IS MINE COVERED UNDER VALID "NO DISCHARGE" STATE OPERATING PERMIT?  YES  NO

PERMIT NO. MS \_\_\_\_\_

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: \_\_\_\_\_ (FT<sup>3</sup>)

IF CHECKED YES TO MINE DEWATERING, FILL OUT BELOW

IS MINE COVERED UNDER VALID NPDES DISCHARGE PERMIT FOR MINE DEWATERING?  YES  NO

PERMIT NO. MS \_\_\_\_\_

ESTIMATED DEWATERING VOLUME: \_\_\_\_\_ (GAL/DAY)

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

\_\_\_\_\_

\_\_\_\_\_

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 violation.

*David E. Leverett*  
\_\_\_\_\_  
Authorized Signature<sup>1</sup>

*1/22/2019*  
\_\_\_\_\_  
Date

*David E. Leverett*  
\_\_\_\_\_  
Printed Name

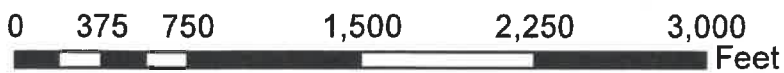
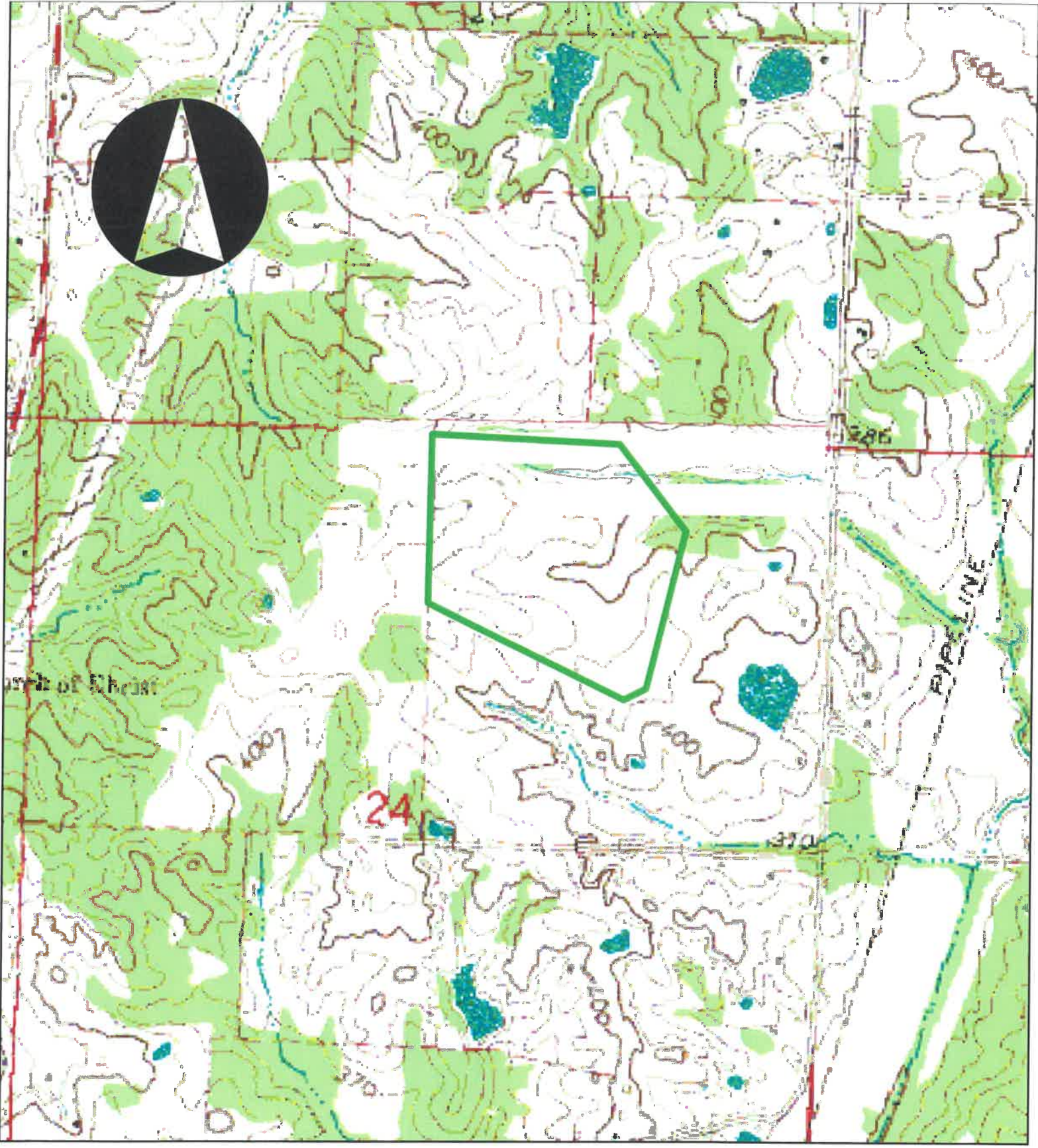
*Environmental and Exploration Mgr.*  
\_\_\_\_\_  
Title

<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





Site Map #1  
Memphis Stone and Gravel  
Byhalia Mine  
MSR322535  
Marshall County, MS







**DELBERT HOSEMANN**  
*Secretary of State*

This is not an official certificate of good standing.

Name History

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<b>Name</b>	<b>Name Type</b>
MEMPHIS STONE & GRAVEL COMPANY	Legal

Business Information

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<b>Business Type:</b>	Profit Corporation
<b>Business ID:</b>	591080
<b>Status:</b>	Good Standing
<b>Effective Date:</b>	09/16/1992
<b>State of Incorporation:</b>	TN
<b>Principal Office Address:</b>	1111 WILSON ST MEMPHIS, TN 38106

Registered Agent

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**Name**  
Ellis, Michael  
1775 Farrish Gravel Rd;P O Box 1390  
Batesville, MS 38606

Officers & Directors

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<b>Name</b>	<b>Title</b>
Hal Williford 1111 Wilson St. Memphis, TN 38106	President
Patrick L Nelson 1111 Wilson St. Memphis, TN 38106	Director, Vice President
Gilbert B Wilson 1111 Wilson St. Memphis, TN 38106	Treasurer
Allen Halliday 1111 Wilson St.	Secretary

Memphis, TN 38106