



STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

August 8, 2024

Mr. Michael Benedetto
Belvedere Terminals Company, LLC
200 Central Avenue, 4th Floor
St. Petersburg, FL 33701

Dear Mr. Benedetto:

Re: Belvedere Terminals Company, LLC
Covington County
COE No. SAM202300469CSP
WQC No. WQC2024023

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, to Belvedere Terminals Company, LLC, an applicant for a Federal License or permit to conduct the following activity:

Belvedere Terminals Company, LLC: proposed project to construct Collins Terminal Project, which will include the development of a greenfield petroleum handling facility in Collins, Covington County, Mississippi. The purpose of the proposed petroleum handling facility and storage track is to establish the necessary storage transit infrastructure for fuel delivery and meet the demands of distribution centers by providing additional supply chain capacity for fuel delivery systems across the southeastern United States and the gulf coast.

Project components include a railway and spur terminal; a transit terminal spur area to include pipeline receipt, railway tank car storage area, bridge crossings, culvert installation, railway tank car loading area, and transport truck loading; rail car offloading areas; multiple truck loading bays; an operations building; a motor control center (MCC); a vapor combustor unit (VCU); a tank farm area including containment with aboveground storage tanks; and a fire protection system. In addition, the project will make road improvements by including a turn-around/cul-de-sac and install a connector road linking Evergreen Church Road with Watts Road. There will be three access points to the site with small maintenance and safety roads around all tracks. The proposed project will design and construct a wastewater collection system and drill a new water well to supply potable water to

the operations buildings. The construction of the proposed facility is estimated to result in the storage and unloading of approximately 500,000 barrels of product. This project is proposed for development on multiple purchased properties in Covington County, outside any city limits, and in a rural setting.

A preliminary grading analysis indicates that approximately 12,044 cubic yards of native material (topsoil) must be excavated, approximately 169,701 cubic yards of fill will be hauled in and placed on the site, 913.6 cubic yards of rock riprap, 35 cubic yards of asphalt and 30 cubic yards of crushed stone will be hauled in and placed on site as fill. The total acreage of the proposed work area is 209.60-acres, of which 5.11 acres of wetlands, 0.24-acres of non-wetland (pond), 1,982.74 linear feet of Dunk Branch, and 4,373 linear feet of unnamed streams will be impacted by the proposed activity [SAM-2023-00469-CSP; WQC2024023].

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 wastewater, shall be properly treated and disposed in accordance with 11 Mississippi Administrative code Part 6, Chapter 1. (Statement G) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)
2. For construction activities, 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 offsite and into adjacent waters. In the event of any BMP failure, corrective actions shall be taken immediately. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
3. For construction projects five (5) acres or greater of total ground disturbances including clearing, grading, excavating, or other construction activities shall follow the conditions and limitations of the Large Construction General Permit. No construction activities shall begin until the necessary approvals and/or permits have been obtained. Construction activities include a disturbance to the land that results in the change in topography, existing soil cover (both vegetative and non-vegetative), or the existing topography that may result in accelerated stormwater runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)
4. All fill material and excavation areas shall have side slopes of 3:1 (horizontal: vertical) or flatter and shall be immediately seeded, stabilized and maintained. (Statement B) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)

5. Mitigation for the impacts to 5.11 acres of wetlands, 0.24 acres of non-wetland pond/other waters, and 6,355.74 linear feet of streams shall be provided by the purchase of mitigation credits from an approved mitigation bank. The number of credits must be in accordance with banking prospectus and should be based upon that required for impacting 5.11 acres of wetlands, 0.24 acres of non-wetland pond/other waters, and 6,355.74 linear feet of streams. Written verification of credit purchase must be provided to the Department prior to the commencement of any work in the wetland or stream areas. (Statement E) (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (2))
6. 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.(3))
7. Other approvals from the Department may be necessary for the construction and operation of the proposed facility. Prior to beginning construction in any phase of the development, the applicant shall obtain all necessary permits and authorizations as required by the Department. This certification does not alleviate the applicant from other permit requirements and/or responsibilities. (Statement G) (11 Miss. Admin. Code Pt. 6, R 1.3.4 B (7))
8. 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 it no longer supports its existing or classified uses. An example is the channelization of streams.
- (B) There is a feasible alternative to the activity which reduces adverse consequences on water quality and classified or existing uses of waters of the State.
- (C) The proposed activity adversely impacts waters containing State or federally recognized threatened or endangered species.
- (D) The proposed activity adversely impacts a special or unique aquatic habitat, such as National or State Wild and Scenic Rivers and/or State Outstanding Resource Waters.

- (E) The proposed activity in conjunction with other activities may result in adverse cumulative impacts.
- (F) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.
- (G) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.
- (H) The proposed activity results in significant environmental impacts which may adversely impact water quality.

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 at (601) 961-5249.

Sincerely,



Becky Simonson
Chief, Environmental Permits Division

BS:po

cc: Gregory Christodoulou, U.S. Army Corps of Engineers, Mobile District
Jamie Becker, Environmental Protection Agency
Bryan Olinger, DDG
Evan Geerts, DDG