



MISSISSIPPI DEPARTMENT OF  
ENVIRONMENTAL QUALITY

RECEIVED  
MAY 7 2020

MDEQ

**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

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

MSR32 \_ \_ \_ \_

(NUMBER TO BE ASSIGNED BY STATE)

APPLICANT IS THE: ☐ OWNER ☒ OPERATOR

OWNER CONTACT INFORMATION

OWNER CONTACT PERSON: Ernest Greenwood  
OWNER COMPANY LEGAL NAME: N/A  
OWNER STREET OR P. O. BOX: 389 Chenoa Avenue  
OWNER CITY: Carthage STATE: MS ZIP: 39051  
OWNER PHONE #: (601) 267-6805 OWNER EMAIL:

OPERATOR CONTACT INFORMATION

OPERATOR CONTACT PERSON: Tony Spears  
OPERATOR COMPANY LEGAL NAME: N/A  
OPERATOR STREET OR P. O. BOX: 848 Piggstown Road  
OPERATOR CITY: Lena STATE: MS ZIP: 39094  
OPERATOR PHONE #: (601) 882-4577 OPERATOR EMAIL: anthonygspears@icloud.com

MINE INFORMATION

MINE NAME: Morgan Road Mine

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

Street: Morgan Road  
City: Lena State: MS County: Leake Zip: 39094

SW 1 /4 OF NW 1 /4 OF SECTION 24, TOWNSHIP 9 N, RANGE 7E

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: 32 degrees 36 minutes 57 seconds LONGITUDE: 89 degrees 32 minutes 19 seconds

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

TOTAL ACREAGE: 4 MATERIAL TO BE MINED: Sand/Clay

WILL HYDRAULIC DREDGING BE USED? ☐ YES ☒ NO

WASHING OF SAND/GRAVEL? ☐ YES ☒ NO

ESTIMATED START DATE: 2020-05-15  
YYYY-MM-DD  
SIC CODE 1442

ESTIMATED END DATE: 2022-05-15  
YYYY-MM-DD  
NAICS CODE 212321

### RECEIVING STREAM INFORMATION

NEAREST NAMED RECEIVING STREAM: South Canal

IS RECEIVING STREAM ON MISSISSIPPI'S 303(D) LIST OF IMPAIRED WATER ☐ YES ☒ NO  
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](http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section))

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: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

### 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. Exempt Operation

LIST OTHER GEOLOGY PERMIT NUMBERS THAT APPLY TO COVERAGE AREA \_\_\_\_\_

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.

  
Authorized Signature<sup>1</sup>

5/4/2020

Date

Tony Spears

Owner

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

# **Storm Water Pollution Prevention Plan**

**for**

## **Non-Coal Surface Mining Operations**

**by**

**Tony Spears**

**848 Piggtown Road  
Lena, MS 39094**

**for**

## **Morgan Road Mine**

**Morgan Road  
Lena, MS**

**May 2020**

**Prepared by  
Trademark Consulting of MS, LLC  
8979 Pine Springs Road  
Meridian, MS 39305**

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## INTRODUCTION

This document is the Storm Water Pollution Prevention Plan (SWPPP) for Non-Coal Surface Mining Operations by Tony Spears. This plan is the criteria for compliance with the regulations set forth by the Environmental Protection Agency, National Pollutant Discharge Elimination System (NPDES) permit application regulations for storm water discharges regarding construction storm water.

The purpose of this SWPPP is the control and mitigation of pollution in storm water discharges associated with the non-coal surface mining operations.

## SITE DESCRIPTION

This project consists of excavation necessary to create a non-coal surface mine. Proposed activities will include topsoil stripping and storage, excavation, and finally, reclamation. Access to the mining area will be from Morgan Road. Upon completion of excavation activities, the disturbed areas will be permanently vegetated.

Excavation will disturb approximately 4.0 acres located in the Southwest ¼ of the Northwest ¼ of Section 24, Township 9 North, Range 7 East, Leake County, Mississippi. The topography of the site is sloping throughout. Currently, surface runoff generally drains east toward an unnamed tributary of South Canal. From the Soil Survey of Leake County, by the Soil Conservation Service, the majority of the existing soils appear to be SmF2, Smithdale Fine Sandy Loam or OrC, Ora Fine Sandy Loam typically classified as a SC-SM or SM material according to the Unified Soil Classification System.

The majority of the project site described above is currently cutover timberland with underbrush. Storm water from this proposed site ultimately drains into South Canal. **South Canal is not listed on the 303(d) list for impairment as prescribed by MDEQ. Therefore, additional erosion and sediment controls that are warranted for sites discharging into listed receiving streams are not be required.**

Planned reclamation of this site is to slope all walls to a maximum 3:1 slope. All disturbed areas will be re-vegetated.

## **GENERAL REQUIREMENTS**

This Storm Water Pollution Prevention Plan consists of various controls appropriate for this particular site. The purposes of these various controls shall:

- Divert upslope water around disturbed areas of the site.
- Limit the exposure of disturbed areas to the shortest time as practical.
- Minimize the amount of surface area that must be disturbed.
- Implement Best Management Practices to mitigate adverse impacts from storm water runoff.
- Remove sediment from storm water before it leaves the site using appropriate methods.

Erosion and sediment controls consisting of vegetative and structural practices shall be designed to preserve vegetation or timely revegetated, disturbed areas; divert flow from exposed soils; store flows or otherwise limit runoff from exposed areas.

Post mining measures shall include on-site infiltration, flow attenuation in vegetated swales and natural depressions. After mining is complete the area void of ground cover shall be re-vegetated. After re-vegetation is complete, temporary erosion control measures shall be removed. Velocity dissipation may be required at the outfall of swales and drainage structures to provide non-erosive flows.



## **BEST MANAGEMENT PRACTICES**

The implementation of these practices shall begin immediately upon coverage and will be maintained through the life of this project. The controls of importance include but are not limited to:

- Installation of construction entrance/exit.
- Installation of silt fencing.
- Construction of a settlement area within mine footprint to capture storm water and allow for settlement of solids in the event of excessive rainfall release.
- Permanent re-vegetation shall occur after construction to prevent erosion.

Mine operator shall implement controls to prevent erosion and adverse impacts on nearby streams and/or ponds. When a disturbed area not actively being mined will be left undisturbed for 30 days or more, the appropriate temporary or permanent vegetative practices shall be implemented within seven (7) calendar days.

## **IMPLEMENTATION SEQUENCE**

The implementation sequence is as follows:

- Construct the construction entrance/exit.
- Install silt fencing.
- Construct settlement areas within mine footprint.
- Perform excavation and re-vegetate.

## **POST CONSTRUCTION/STORM WATER MANAGEMENT MEASURES**

- Plate slopes with stockpiled topsoil and re-vegetate.
- Remove silt fencing after satisfactory vegetation cover is in place.

## **HOUSEKEEPING PRACTICES**

The operator shall designate an area adjacent to the mine entrance for all equipment maintenance and repair. Runoff from this area will be directed away from natural drains and preparation will be made to remove any contaminants prior to release from subject property. Waste receptacles will be positioned as needed throughout site and be serviced on regular intervals. Adequately maintained sanitary facilities will be provided. All chemicals, solvents, fertilizers and other potentially toxic materials will be stored in enclosed storage units or off site.

## **IMPLEMENTATION/INSPECTION**

The owner/operator of this site shall implement controls as noted above to prevent erosion and adverse impacts on the nearby creek. When a disturbed area not actively being mined will be left undisturbed for 30 days or more, the appropriate temporary or permanent vegetative practices shall be implemented within seven (7) calendar days.

Inspections of all receiving streams (if feasible), outfalls, erosion and sediment controls, and other SWPPP requirements upon receipt of coverage and throughout permit coverage at least monthly, within 24 hours after commencement of a rainfall event equal to or greater than a 2-year, 24-hour storm event (approximately 6-inches on the Gulf Coast to 4 inches at the Mississippi-Tennessee State Line), and as necessary to ensure that erosion controls have been constructed, maintained, and function adequately to satisfy the requirements of this permit and to ensure that pollutants are not leaving the site.

These inspections should be reported in compliance with this permit. All records resulting from activities required shall be retained for a period of at least three years from the date of the inspection or report.

Within 30 days of final stabilization, a complete Request for Termination (RFT) of Coverage form shall be submitted to the Permit Board.

## CERTIFICATION

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 the 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.

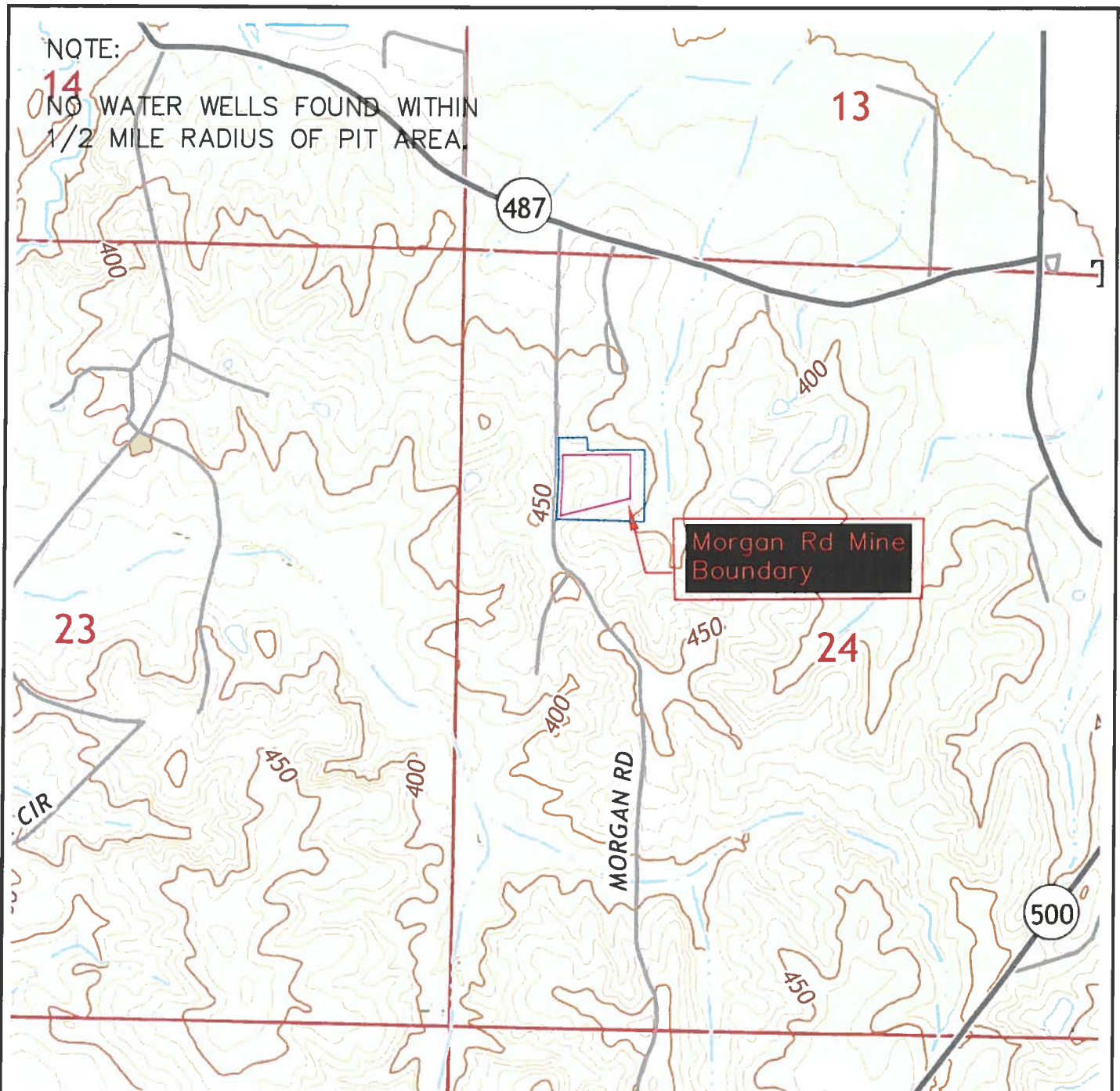
  
Authorized Signature

  
Date

NOTE:

14

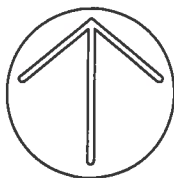
NO WATER WELLS FOUND WITHIN  
1/2 MILE RADIUS OF PIT AREA.



Morgan Road Mine is located in part  
of the SW 1/4 of the NW 1/4 of  
Section 24 , Township 9 North, Range  
7 East, Leake County, MS. and  
contains 4.0 acres more or less.

Entrance is located at:  
32° 36' 57" North, 89° 32' 19" West

Morgan Road Mine is located within the  
Lena Quadrangle.



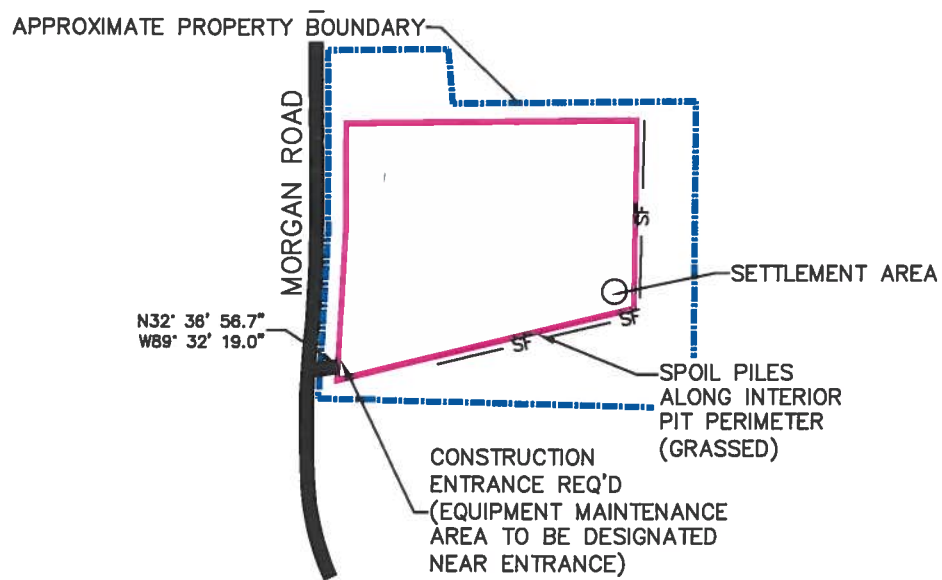
SCALE: 1" =1000'

Morgan Road Mine  
Topographic Mapping

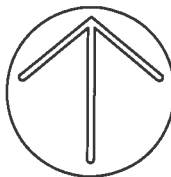
for  
Tony Spears

UPON COMPLETION OF  
EXCAVATION, AREA TO BE  
REVEGETATED.

ALL DISTURBED AREAS TO BE  
GRADED TO A MAXIMUM 3:1  
SLOPE AND REVEGETATED.



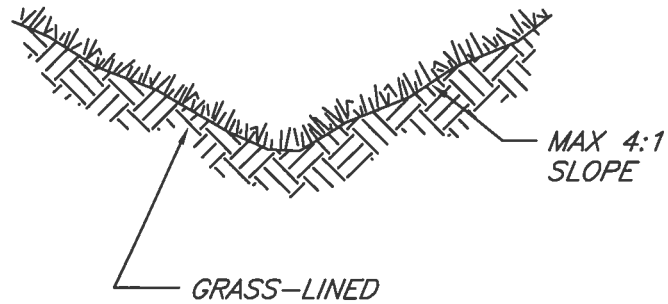
Subsequent to clearing and grubbing,  
topsoil to be stripped and stockpiled  
around perimeter of pit area. Storm  
water runoff within pit area to be  
collected in settlement area prior to  
exiting mine footprint.



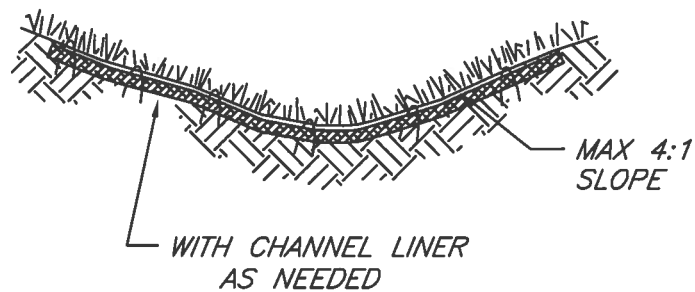
SCALE: 1" = 300'

Morgan Road Mine  
Pit Layout

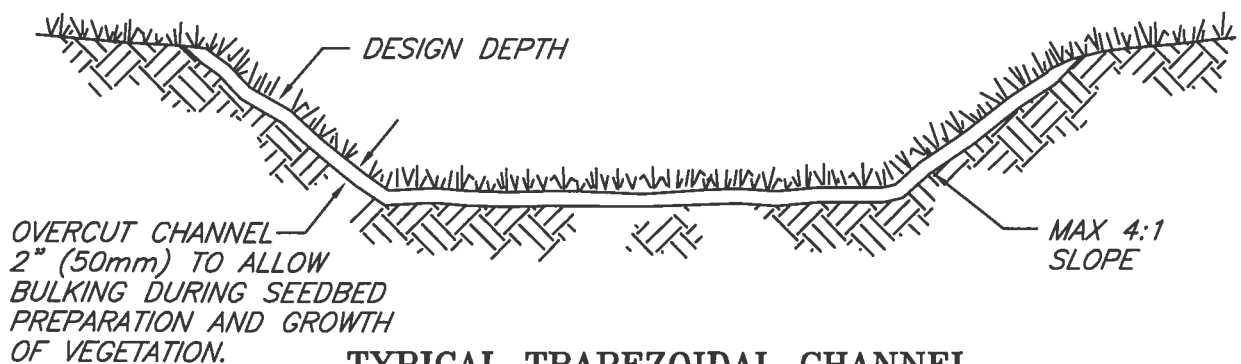
for  
Tony Spears



**TYPICAL V-SHAPED CHANNEL  
CROSS-SECTION**

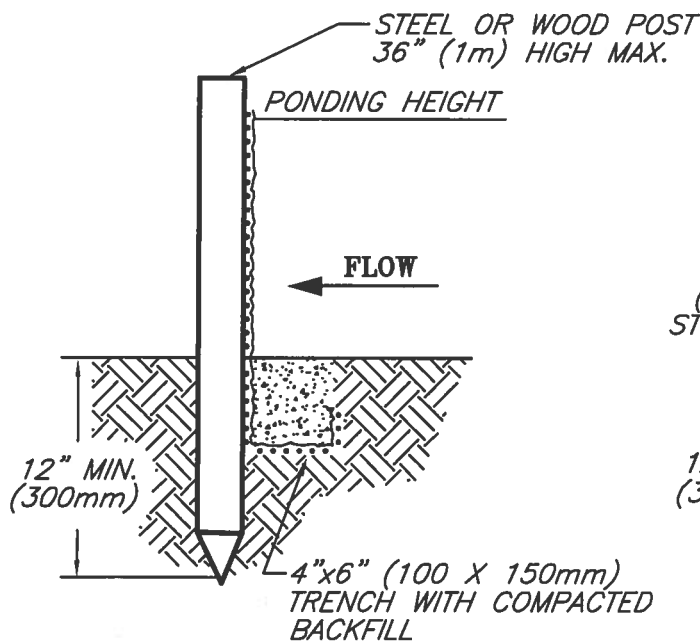
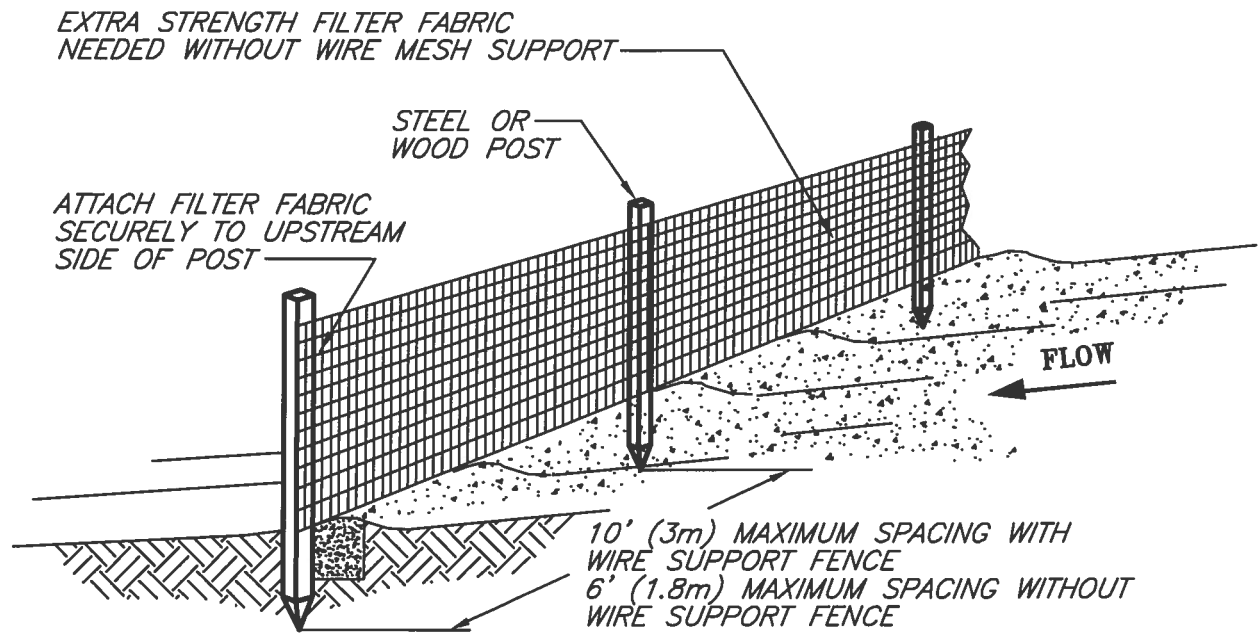


**TYPICAL PARABOLIC CHANNEL  
CROSS-SECTION**

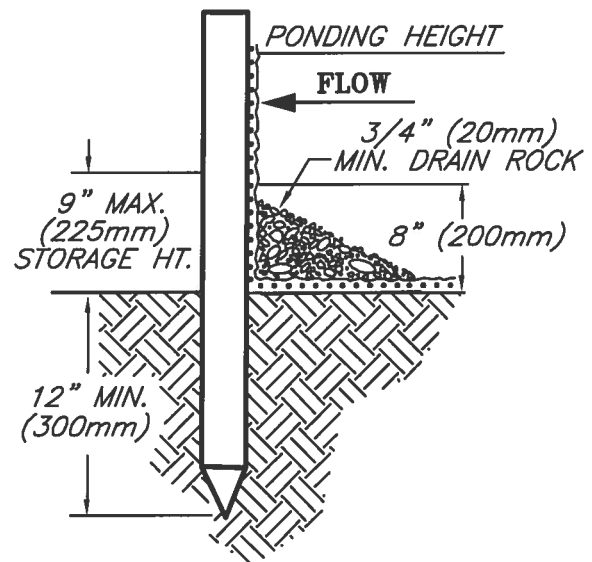


**TYPICAL TRAPEZOIDAL CHANNEL  
CROSS-SECTION**

**GRASS-LINED CHANNEL  
TYPICAL CROSS SECTIONS**



**TRENCH DETAIL**



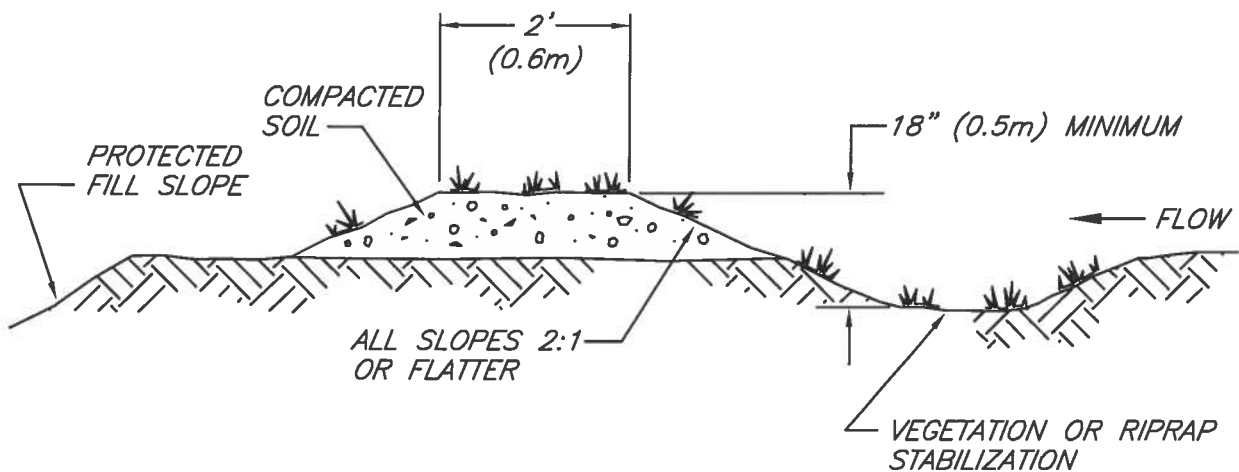
**INSTALLATION WITHOUT TRENCHING**

**NOTES:**

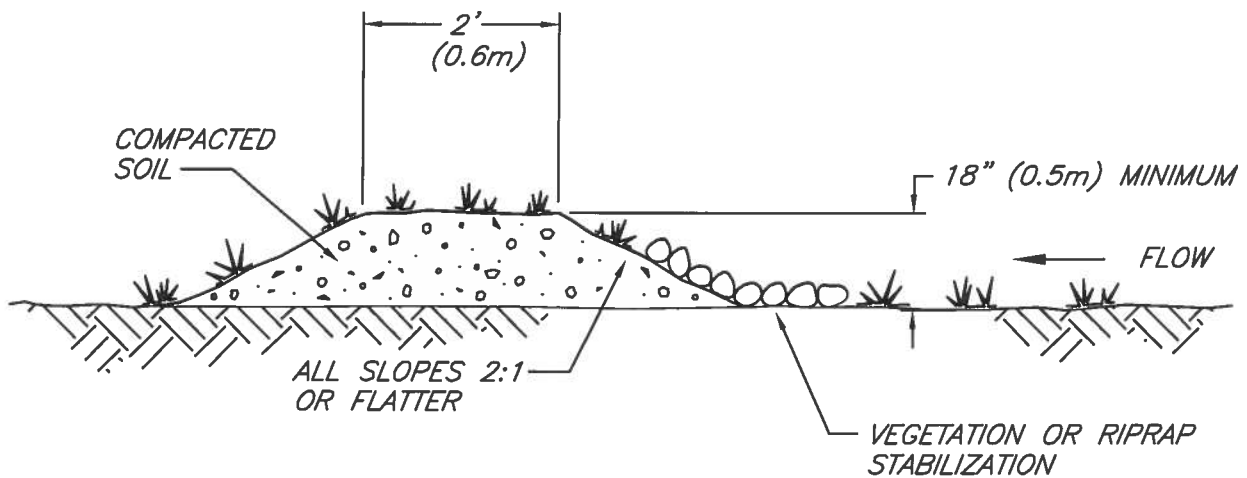
1. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.
2. INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY. 9" (225mm) MAXIMUM RECOMMENDED STORAGE HEIGHT.
3. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.

NOT TO SCALE

**SILT FENCE**



### TYPICAL FILL DIVERSION



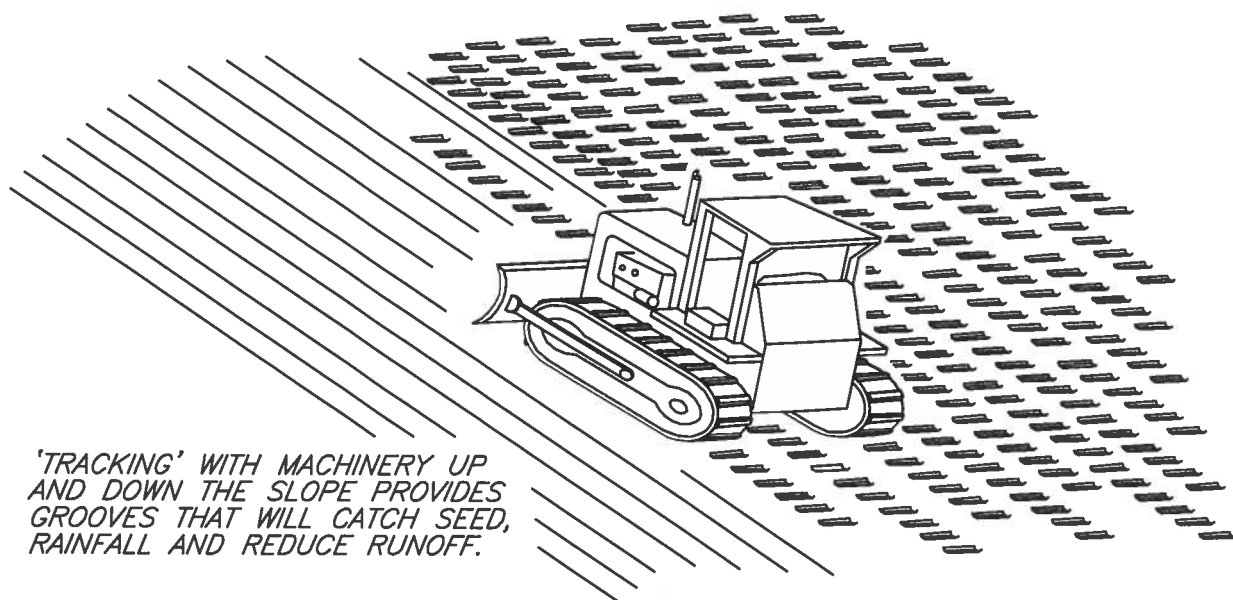
### TYPICAL TEMPORARY DIVERSION DIKE

#### NOTES:

1. THE CHANNEL BEHIND THE DIKE SHALL HAVE POSITIVE GRADE TO A STABILIZED OUTLET.
2. THE DIKE SHALL BE ADEQUATELY COMPACTED TO PREVENT FAILURE.
3. THE DIKE SHALL BE STABILIZED WITH TEMPORARY OR PERMANENT SEEDING OR RIPRAP.

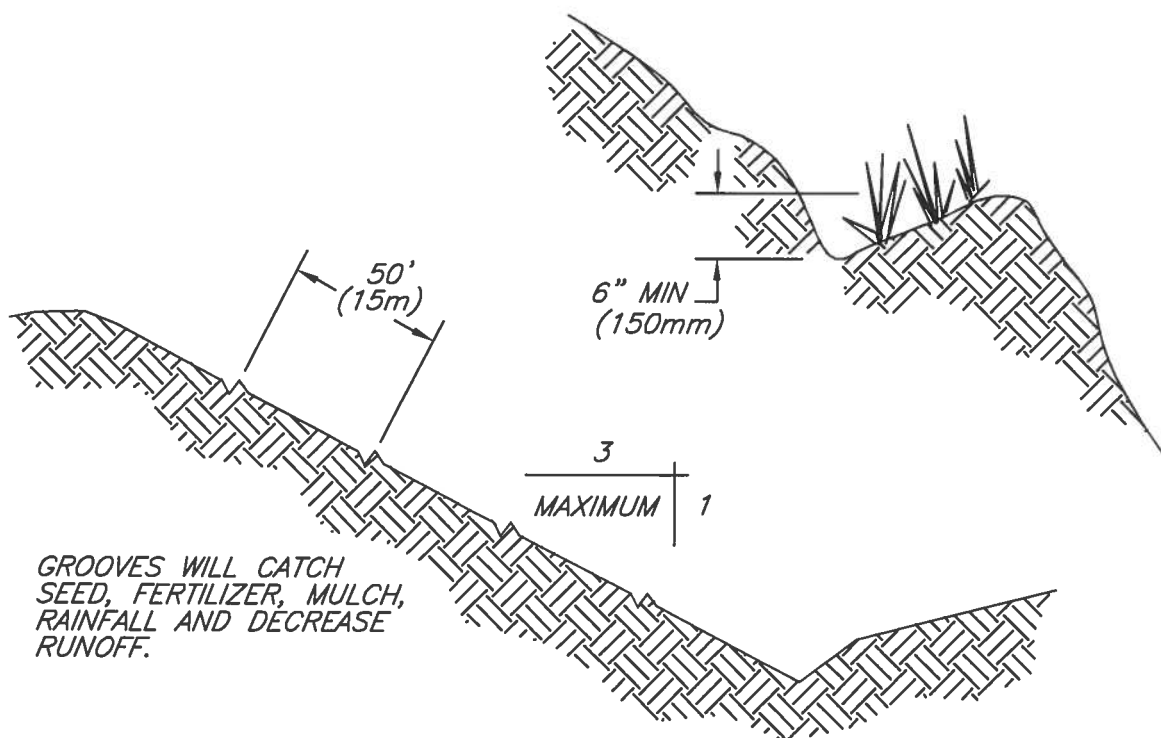
**TEMPORARY  
DIVERSION DIKE**





*'TRACKING' WITH MACHINERY UP AND DOWN THE SLOPE PROVIDES GROOVES THAT WILL CATCH SEED, RAINFALL AND REDUCE RUNOFF.*

## TRACKING



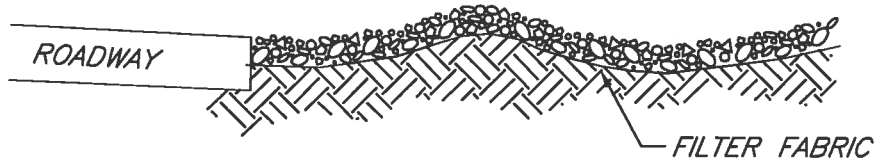
*GROOVES WILL CATCH SEED, FERTILIZER, MULCH, RAINFALL AND DECREASE RUNOFF.*

## CONTOUR FURROWS

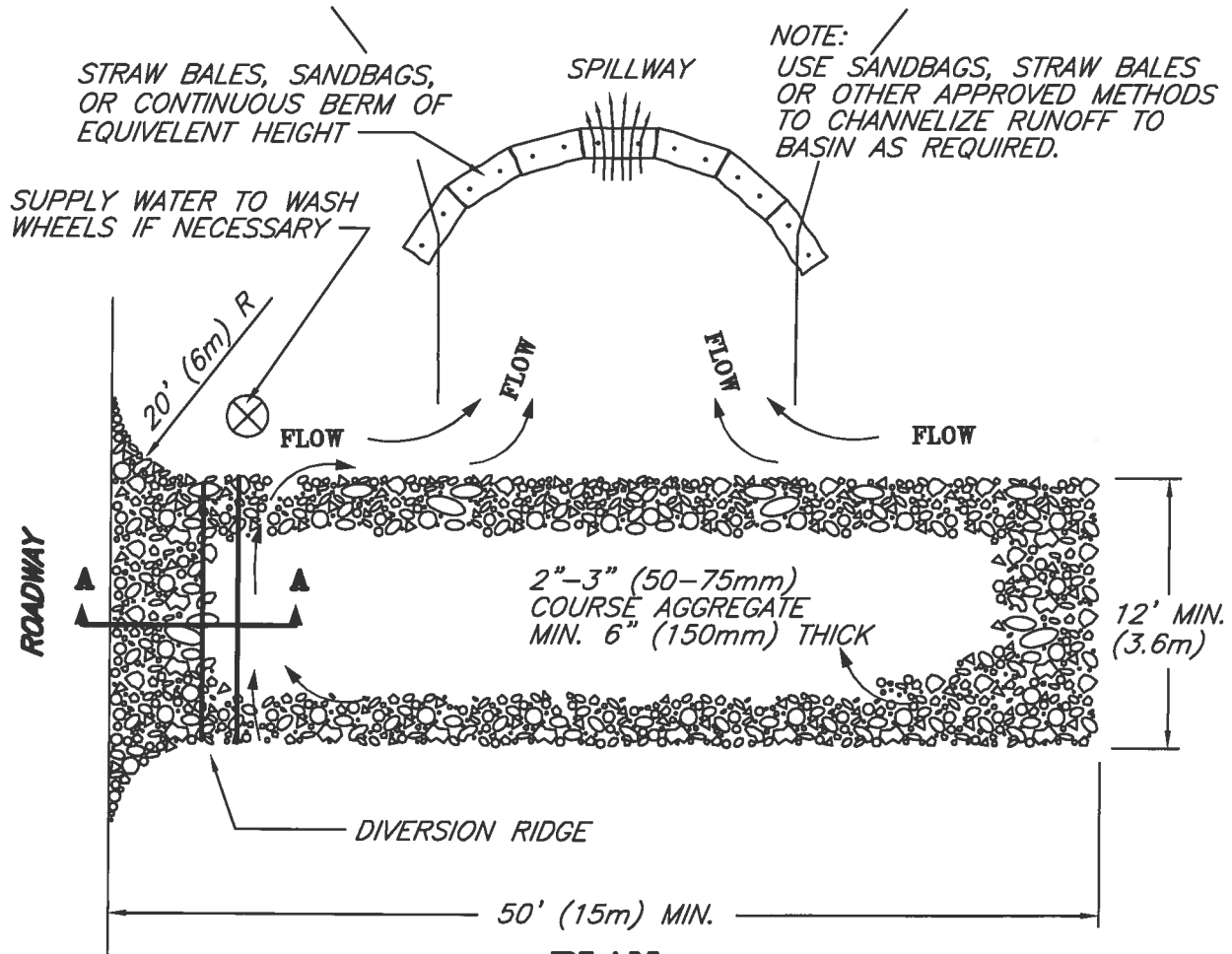
## SURFACE ROUGHENING

DIVERSION RIDGE REQUIRED  
WHERE GRADE EXCEEDS 2%

2 % OR GREATER



## SECTION A - A



## PLAN

### NOTES:

1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

**TEMPORARY  
GRAVEL  
CONSTRUCTION  
ENTRANCE/EXIT**

FILE: ENTRANCE