



Tennessee Department of Environment and Conservation
Division of Water Pollution Control
Mining Section
3711 Middlebrook Pike
Knoxville, Tennessee 37921-6538
PHONE (865) 594-6035 FAX (865) 594-5253

Public Participation Opportunities

March 25, 2009

Public Notice M2009-04

Last Day to Submit Comments: April 27, 2009

The purpose of this notice is to advise the public of the following draft environmental permits and to solicit comments and information necessary to evaluate the potential impact of the proposed activities on human health and the environment.

Individual NPDES Permits

Coal-Proposed Reissuance

Applicant **Appolo Fuels, Inc.**
Facility **Horseshoe Mountain Surface Mine**
NPDES Permit Number **TN0072044**
County **Claiborne**
Street Address **Valley Creek Road at Rich Gap**
City **Clairfield**
Zip **37715**
Description of Activity **Surface coal mine**
Receiving Streams **Unnamed tributaries to Valley Creek and Straight Creek
Spruce Lick Branch**
Effluent Description **Treated wastewater and stormwater**
Facility Latitude **36°32'12"**
Facility Longitude **83°51'26"**
Permit Writer **MRR**

Coal-Proposed Modification/Reissuances

Applicant **Consolidation Coal Company**
Facility **Matthews Mining Complex**
NPDES Permit Number **TN0048895**
County **Claiborne**
Street Address **County Route 132**
City **Clairfield**
Zip **37715**
Description of Activity **Reclaimed coal preparation plant and slurry impoundment**
Receiving Stream **Tackett Creek**
Effluent Description **Treated wastewater and stormwater**
Facility Latitude **36°29'39"**
Facility Longitude **83°53'07"**
Permit Writer **MRR**

Applicant **National Coal Corporation**
Facility **Jordan Ridge Refuse Area**
NPDES Permit Number **TN0062961**
County Scott
Street Address Smoky Junction Road
City Smoky Junction
Zip 37756
Description of Activity Coal refuse disposal area
Receiving Streams Cross Creek and an unnamed tributary to New River
Old House Branch
Effluent Description Treated wastewater and stormwater
Facility Latitude 36°17'06"
Facility Longitude 84°20'48"
Permit Writer DAT

Applicant **Rogers Group, Inc.**
Facility **Pottsville Quarry**
NPDES Permit Number **TN0066630**
County Marshall
Street Address 646 Highway 99
City Pottsville
Zip 37091
Description of Activity Limestone quarry and processing facility
Receiving Stream Unnamed tributary to Duck River
Effluent Description Treated wastewater and stormwater
Facility Latitude 35°37'30"
Facility Longitude 86°48'29"
Permit Writer MES

Non-Coal Proposed Modification

Applicant **H. C. Spinks Clay Company, Inc.**
Facility **Mine #21 – Richmond**
NPDES Permit Number **TN0054348**
County Weakley
Street Address 1000 Liberty Road
City Gleason
Zip 38229
Description of Activity Ball clay mining and processing
Receiving Stream Unnamed tributary to Spring Creek
Effluent Description Treated wastewater and stormwater
Facility Latitude 36°11'06"
Facility Longitude 88°42'24"
Permit Writer KBG

Non-Coal Proposed Reissuances

Applicant **American Sand Company, LLC**
Facility **Preparation Plant**
NPDES Permit Number **TN0062910**
County Putnam
Street Address 9130 Monterey Highway
City Monterey
Zip 38574
Description of Activity Sand mining and processing
Receiving Stream Unnamed tributary to Dry Valley
Effluent Description Treated wastewater and stormwater
Facility Latitude 36°07'39"
Facility Longitude 85°20'31"
Permit Writer SJT

Applicant **Memphis Stone and Gravel Company**
Facility **North Plant Area 1**
NPDES Permit Number **TN0063185**
County Shelby
Street Address 10236 Millington-Arlington Road
City Arlington
Zip 38002
Description of Activity Sand and gravel mining
Receiving Stream Unnamed tributary to Crooked Creek Drainage Canal
Effluent Description Treated wastewater and stormwater
Facility Latitude 35°20'15"
Facility Longitude 89°43'15"
Permit Writer KBG

Applicant **Rogers Group, Inc.**
Facility **Anchor Rock Quarry**
NPDES Permit Number **TN0066338**
County Maury
Street Address Hardison Mill Road
City Columbia
Zip 38402
Description of Activity Limestone mining and processing
Receiving Stream Duck River near mile 171.5
Effluent Description Treated wastewater and stormwater
Facility Latitude 35°36'25"
Facility Longitude 86°50'00"
Permit Writer SJT

Applicant **Rogers Group, Inc.**
Facility **Columbia Quarry**
NPDES Permit Number **TN0061395**
County Maury
Street Address 1071 Blue Springs Road
City Columbia
Zip 38401
Description of Activity Limestone mining and processing
Receiving Stream Goose Creek
Effluent Description Treated wastewater and stormwater
Facility Latitude 35°34'42"
Facility Longitude 86°59'00"
Permit Writer SJT

Applicant **Vulcan Construction Materials, LP**
Facility **Midway Quarry**
NPDES Permit Number **TN0068896**
County Greene
Street Address Midway Road
City Midway
Zip 37809
Description of Activity Limestone mining and processing
Receiving Stream Unnamed tributary to Pond Creek
Effluent Description Treated wastewater and stormwater
Facility Latitude 36°10'43"
Facility Longitude 83°00'37"
Permit Writer SJT

The Tennessee Department of Environment and Conservation (TDEC) is requesting public comment on these permit actions. Obtaining a broad range of facts and opinions on Agency actions is one of the best ways to ensure quality decisions. Persons wishing to comment on these proposed actions are invited to submit comments in writing to the Mining Section at the above letterhead address, Attn: Public Notice Coordinator, by fax (865) 594-5253 or by e-mail at Gary.Mullins@tn.gov. Comments must be received by the end of comment period date (see page 1).

How to Request a Public Hearing:

Interested persons may request in writing that the Director of the Division of Water Pollution Control hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons why such a hearing is warranted. When there is significant public interest for a hearing, a hearing will be conducted according to *Rule 1200-4-5-.06 (12)* of the Division of Water Pollution Control. Public hearings will be announced through another public notice.

How the Department Will Proceed:

The Director of the Division of Water Pollution Control will determine the final permit action after considering comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State acts and regulations.

To Obtain Permit Details:

Draft permits contain Antidegradation Determinations and Rationales that address information concerning the foundation for the Division's determinations. Copies of the application(s), draft permit(s), and supporting documentation are in the permit files maintained at the Mining Section's office located at the letterhead address. There is a nominal fee for copying. These files are available for public inspection during normal visiting hours. Please email Tina.E.Jones@tn.gov or call (865) 594-5616 to schedule an appointment for the review(s).

List of Permit Writers

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State of Tennessee Antidegradation Policy

Tennessee's Antidegradation Statement is in *Rule 1200-4-3-.06* of the Tennessee Department of Environment and Conservation. The primary purpose of the Antidegradation Policy is to establish a greater level of protection for high quality waters. Some high quality waters are in near-pristine condition. Others are determined to be high quality due to specialized uses and/or unique features.

Generally, there are two types of high quality waters. Outstanding National Resource Waters (ONRWs) receive the greatest level of protection. The Water Quality Control Board designates these waters. New discharges or expansion of existing discharges cannot degrade existing water quality.

The Department identifies other high quality waters known as Exceptional Tennessee Waters and protects against their degradation. The Department may allow some degradation if the Department deems it economically and socially necessary.

Non Exceptional Tennessee Waters refer to surface waters that do not have the identification and/or designation as high quality. These waters must achieve and maintain Tennessee's Water Quality Standards.

State of Tennessee Policy of Non-Discrimination

Pursuant to the State of Tennessee's policy of non-discrimination, the Tennessee Department of Environment and Conservation does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military service in its policies, or in the admission or access to, or treatment or employment in its programs, services or activities. Equal Employment Opportunity/Affirmative Action inquiries or complaints should be directed to the EEO/AA Coordinator, Office of General Counsel, 401 Church Street, 20th Floor, L & C Tower, Nashville, TN 37243, 1-888-867-7455. Americans with Disabilities Act (ADA) inquiries or complaints should be directed to the ADA Coordinator, Human Resources Division, 401 Church Street, 12th Floor, L & C Tower, Nashville, TN 37243, 1-866-253-5827. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).