



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
MINING SECTION
3711 MIDDLEBROOK PIKE
KNOXVILLE, TENNESSEE 37921-6538
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**NOTICE OF JOINT PUBLIC HEARING
ARAP AND NPDES PERMIT APPLICATIONS**

Public Notice M2009-05

March 6, 2009

Last Day to Submit Written Comments: April 27, 2009

NOTICE IS HEREBY GIVEN, that the Tennessee Department of Environment and Conservation, Division of Water Pollution Control, Mining Section, will hold the following joint public hearing pursuant to *Rules 1200-4-7-.04 and 1200-4-5-.06*. The date, time and location of the hearing follow:

**April 14, 2009
7:00 p.m. EDT
Auditorium
Anderson County High School
130 Maverick Circle
Clinton, Tennessee 37716-6701**

The Department will receive public comments concerning the issuance of an Aquatic Resource Alteration Permit (ARAP) and a National Pollutant Discharge Elimination System (NPDES) permit to the following applicant:

Company Information

Rogers Group, Inc.
Mr. Van Medlock
P O Box 25250
Nashville, TN 37202
(615) 780-5781

Site Information

Clinton Quarry
ARAP Permit Applications NR08MS.015 and NR08MS.016
NPDES Permit TN0069141 (Draft)
Highway 61 East
Anderson County
Clinton, TN 37716

This proposed new limestone quarry and processing facility will be located off Highway 61 East at the I-75N interchange in the Bethel Community at latitude 36°09'52", longitude 84°04'41".

ARAP Applications

The ARAP covers two separate applications for stream and wetland alterations. Two crossings of an unnamed tributary to Buffalo Creek and the replacement and upgrading of an existing crossing of Buffalo Creek are proposed. A portion of a wetland will be filled for the construction of an access road and internal haulroad. There will be off-site mitigation at a 2:1 ratio.

NPDES Permit Application

The draft NPDES permit covers discharges of treated wastewater and stormwater to Buffalo Creek. Buffalo Creek is not identified or designated as Exceptional Tennessee Waters (ETWs) or Outstanding National Resource Waters (ONRWs) according to *The Known Exceptional Tennessee Waters and Outstanding National Resource Waters, July 21, 2008*.

Hearing Procedures

The hearing officer may limit oral presentations to five minutes and require that all testimony be relevant to water quality-related issues for this facility. Undue repetition in oral presentations should be avoided so that all interested parties will have an opportunity to present their concerns relative to water quality issues. Written testimony will be accepted at the hearing and for at least ten days following the hearing.

Comments not related to water quality or to the information contained in the permit applications will not be accepted nor considered part of the hearing record. Issues not directly related to water quality or to the draft permits, such as safety, blasting, traffic or related issues will not be considered. We do not control these matters and consideration would not contribute relevant information to the decision making process for the ARAP and NPDES permit applications.

Interested persons may obtain additional information and copy the applications, draft NPDES permit, and supporting documentation from the permit files maintained at the Mining Section's office at the letterhead address. There is a nominal fee for copying. These files are available for public inspection during normal visiting hours by contacting Tina.E.Jones@state.tn.us or phone (865) 594-5616 to schedule an appointment for the review. A copy of the permit applications and draft NPDES permit will be available for review at the hearing.

Individuals with disabilities who wish to participate in these proceedings should contact the Department's ADA Coordinator, Human Resources Division, 401 Church Street, 12th Floor, L & C Tower, Nashville, TN 37243, **1-866-253-5827**. Such contact may be in person, by writing, telephone, or other means and should be made no later than **April 1, 2009**, to allow time to provide such aid or services. Hearing impaired callers may use the Tennessee Relay Service (**1-800-848-0298**).