



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) 594-6105

Public Participation Opportunities

October 15, 2009

Public Notice M2009-18

Last Day to Submit Comments: November 16, 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 Issuance

Applicant **Davis Creek Energy, LLC**
Facility **Area 4**
NPDES Permit Number **TN0069191**
County **Campbell**
Street Address **Davis Creek Road**
City **Duff**
Zip **37729**
Description of Activity **Surface coal mine**
Receiving Streams **Hogcamp Branch, Granny Branch, and Davis Creek**
Effluent Description **Treated wastewater and stormwater**
Facility Latitude **36°29'38"**
Facility Longitude **84°01'37"**
Permit Writer **MRR**

Coal Proposed Reissuances

Applicant **Sequatchie Valley Coal Corporation**
Facility **Mine 1**
NPDES Permit Number **TN0054151**
County **Sequatchie**
Street Address **443 SVC Road**
City **Dunlap**
Zip **37327**
Description of Activity **Reclaimed surface coal mine**
Receiving Streams **Rocky River and Baltimore Branch**
Effluent Description **Treated wastewater and stormwater**
Facility Latitude **35°34'00"**
Facility Longitude **85°29'30"**
Permit Writer **DAT**

Applicant **Tennessee Consolidated Coal Company**
Facility **Kelley Creek Strip Mine 2**
NPDES Permit Number **TN0063690**
County Sequatchie
Street Address Kelley Creek
City Whitwell
Zip 37397
Description of Activity Reclaimed surface coal mine
Receiving Stream Kelley Creek
Effluent Description Treated wastewater and stormwater
Facility Latitude 35°19'17"
Facility Longitude 85°31'43"
Permit Writer MES

Non-Coal Proposed Issuance

Applicant **Kentucky-Tennessee Clay Company**
Facility **Edna Smith, Mine 24**
NPDES Permit Number **TN0069370**
County Weakley
Street Address White Road
City Gleason
Zip 38229
Description of Activity Ball clay mining
Receiving Stream Unnamed tributaries to Spring Creek
Effluent Description Treated wastewater and stormwater
Facility Latitude 36°10'30"
Facility Longitude 88°40'30"
Permit Writer SJT

Non-Coal Proposed Reissuance

Applicant **Aggregates USA, LLC**
Facility **Locust Mount Quarry**
NPDES Permit Number **TN0066010**
County Washington
Street Address 164 Asphalt Plant Road
City Jonesborough
Zip 37659
Description of Activity Limestone mining and processing
Receiving Stream Unnamed tributary to Clear Fork
Effluent Description Treated wastewater and stormwater
Facility Latitude 36°20'35"
Facility Longitude 82°34'06"
Permit Writer SJT

Non-Coal Proposed Modification and Reissuance

Applicant **Ford Construction Company, Inc.**
Facility **Orr Pit**
NPDES Permit Number **TN0071242**
County **Obion**
Street Address **Orr Road**
City **Troy**
Zip **38260**
Description of Activity **Sand and gravel mining and processing**
Receiving Stream **Unnamed tributary to Richland Creek**
Effluent Description **Treated wastewater and stormwater**
Facility Latitude **36°18'24"**
Facility Longitude **89°14'52"**
Permit Writer **KBG**

Coal Proposed Termination

Applicant **LCC Tennessee, LLC**
Facility **Grimsley Tipple**
NPDES Permit Number **TN0053007**
County **Fentress**
Street Address **Stoker Road**
City **Jamestown**
Zip **38556**
Description of Activity **Reclaimed coal processing and loading area**
Receiving Stream **Unnamed tributaries to Fern Camp Creek**
Effluent Description **Treated wastewater and stormwater**
Facility Latitude **36°20'15"**
Facility Longitude **84°58'15"**
Permit Writer **JPJ**

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 may submit comments in writing to the Mining Section at the above letterhead address, Attn: Public Notice Coordinator, by fax (865) 594-6105 or by e-mail at Gary.Mullins@tn.gov. The Division must receive your comments before the close of the 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 Division must receive your request before the close of the comment period. You must indicate the interest of the party filing it and the reasons for the hearing. 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. A separate public notice will announce the public hearing.

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

KBG	Kristen Gettelfinger	865-594-5545	Kristen.Gettelfinger@tn.gov
JPJ	Jesse Jones	865-594-5543	Jesse.P.Jones@tn.gov
GWM	Gary Mullins	865-594-5536	Gary.Mullins@tn.gov
MRR	Micheal Robbins	865-594-5542	Micheal.Robbins@tn.gov
MES	Michael Swanger	865-594-5585	Michael.Swanger@tn.gov
SJT	Steven Turaski	865-594-5584	Steven.Turaski@tn.gov
DAT	Dave Turner	865-594-5541	Dave.Turner@tn.gov

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. You may direct any Equal Employment Opportunity/Affirmative Action inquiries or complaints to the EEO/AA Coordinator, Office of General Counsel, 401 Church Street, 20th Floor, L & C Tower, Nashville, TN 37243, 1-888-867-7455. Direct any Americans with Disabilities Act (ADA) inquiries or complaints 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).