

AI: 80806



MSR 323057

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

**MINING NOTICE OF INTENT (MNOI)
FOR COVERAGE UNDER
MINING STORM WATER, DEWATERING AND NO DISCHARGE
GENERAL PERMIT MSR323057
(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)

J. C.

RECEIVED

JUN 24 2024

Dept. of Environmental Quality

MSR32 3057

(NUMBER TO BE ASSIGNED BY STATE)

APPLICANT IS THE: OWNER OPERATOR

OWNER CONTACT INFORMATION

OWNER CONTACT PERSON: Tony Smith

OWNER COMPANY LEGAL NAME: _____

OWNER STREET OR P. O. BOX: 1059 Opelousas LN NM

OWNER CITY: Brookhaven STATE: MS ZIP: 39601

OWNER PHONE #: (601) 669-0370 OWNER EMAIL: tonywsmith56@yahoo.com

OPERATOR CONTACT INFORMATION

OPERATOR CONTACT PERSON: Same As Above

OPERATOR COMPANY LEGAL NAME: _____

OPERATOR STREET OR P. O. BOX: _____

OPERATOR CITY: _____ STATE: _____ ZIP: _____

OPERATOR PHONE #: (____) _____ OPERATOR EMAIL: _____

MINE INFORMATION

MINE NAME: Smith Mine

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

Street: 1059 Opelousas LN NM

City: Brookhaven State: MS County: Lincoln Zip: 39601

NW 1 /4 OF NW 1 /4 OF SECTION 21, TOWNSHIP 7N, RANGE 7E

MINE SITE TRIBAL LAND ID (N/A If not applicable): N/A

ATTACH A USGS QUAD MAP, EXTENDING 1/2 MILE BEYOND FACILITY, OUTLINING THE MINE BOUNDARIES
(Maps can be obtained from the Mississippi Office of Geology. For information call 601-961-5523).

LATITUDE: 31 degrees 33 minutes ^{54.14} seconds LONGITUDE: 90 degrees 30 minutes ^{31.32} seconds

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

TOTAL ACREAGE: 4 MATERIAL TO BE MINED: CLAY GRAVEL

WILL HYDRAULIC DREDGING BE USED? YES NO

WASHING OF SAND/GRAVEL? YES NO

ESTIMATED START DATE: 6-01-2024

ESTIMATED END DATE: 11-23-2026

YYYY-MM-DD

YYYY-MM-DD

SIC CODE 1499

NAICS CODE 212399

RECEIVING STREAM INFORMATION

NEAREST NAMED RECEIVING STREAM: Tributary of West Bogue Chitto Creek

IS RECEIVING STREAM ON MISSISSIPPI'S 303(D) LIST OF IMPAIRED WATER 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) YES NO

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: SWPPP Attached

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): _____ (FT³)

COMPLETE IF MINE DEWATERING IS PROPOSED

ESTIMATED DEWATERING VOLUME: 7000. (GAL/DAY)

NAME AND ADDRESS OF THE RECIPIENT OF THE DISCHARGE MONITORING REPORTS (DMRs), IF DIFFERENT FROM SIGNATORY: Same As 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. 4 Acre Exempt

LIST OTHER GEOLOGY PERMIT NUMBERS THAT APPLY TO COVERAGE AREA None

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. None

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.

Tony Smith
Authorized Signature¹

5-21-24
Date

Tony Smith
Printed Name

Owner
Title

¹This 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



June 24, 2024

Morgan White
Environmental Permits Division
Office of Pollution Control
P.O. Box 2261
Jackson, MS 39225

Hand Delivered:

**RE: Tony Smith/ Smith Mine
Permit Application
Mining Permit
Lincoln County – Brookhaven, Mississippi**

Ms. White

On behalf of Tony Smith, FC&E Engineering (FC&E) is hereby submitting a Notice of Intent (NOI), Notice of Exemption (NOE), and associated Storm Water Pollution Prevention Plan (SWPPP) for coverage under the Mining Storm Water General Permit. The proposed mining location is located at 1059 Opelousas LN NW Brookhaven MS 39601

The proposed operation will produce clay gravel and fill material for construction activities for the surrounding area.

Your prompt consideration of this request for coverage under the Mining General Permit is appreciated. If you have any questions or require additional information, please do not hesitate to contact me at (601) 517-6748.

Sincerely,

David Sanford, Sr. Construction Manager
FC&E Engineering, LLC

RECEIVED
JUN 24 2024
Dept. of Environmental Quality

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY
Mining and Reclamation Division
P. O. Box 2279
Jackson, Mississippi 39225-2279
(601) 961-5515

NOTICE OF EXEMPT OPERATION

This form shall be filed with the Office of Geology, Mining and Reclamation Division **only** for operations affecting 4 acres or less **and greater** than 1320 feet from another mine. **NOTE:** Local, county, federal or other state agencies may also require permits before mining can be done on your site. This is *your* responsibility.

Name of applicant/operator: TONY SMITH
Mailing address: 1059 OPELOUSAS LN NW BROOKHAVEN MS 39601
Telephone number: 601-669-0370

Do you have any **other** exempt mining operations on file? [] yes [X] no
Do you plan to file for a **permit** and expand this site later? [] yes [X] no

LOCATION

NW 1/4 of NW 1/4 of Section 21, Township 7N Range 7E County LINCOLN

Include a map or aerial photo marked with site location with this form.

Name of land owner: TONY SMITH
Mailing address: 1059 OPELOUSAS LN NW
BROOKHAVEN MS 39601
Telephone number 601-669-0370

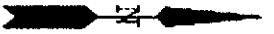
Date operation to begin 6-01-2024 Date operation to end (estimated) 12-01-2026
Material to be mined CLAY GRAVEL Number of acres to be mined 3.33 (A)*
Total acres to be affected by operation (mine, roads, storage, etc.) 3.98 (B)*
Is operation **closer** than 1,320 feet (1/4 mile) to another mine? [X] no [] yes*

***If items A or B exceed 4 acres or you answered YES above, you need to apply for a MINING PERMIT.**

Applicant/operator: Tony Smith By Tj Smith Signature
Date: 5-21-24 Position owner

For Office of Geology use only





Date: _____ By _____
Division Director
Mining and Reclamation Division

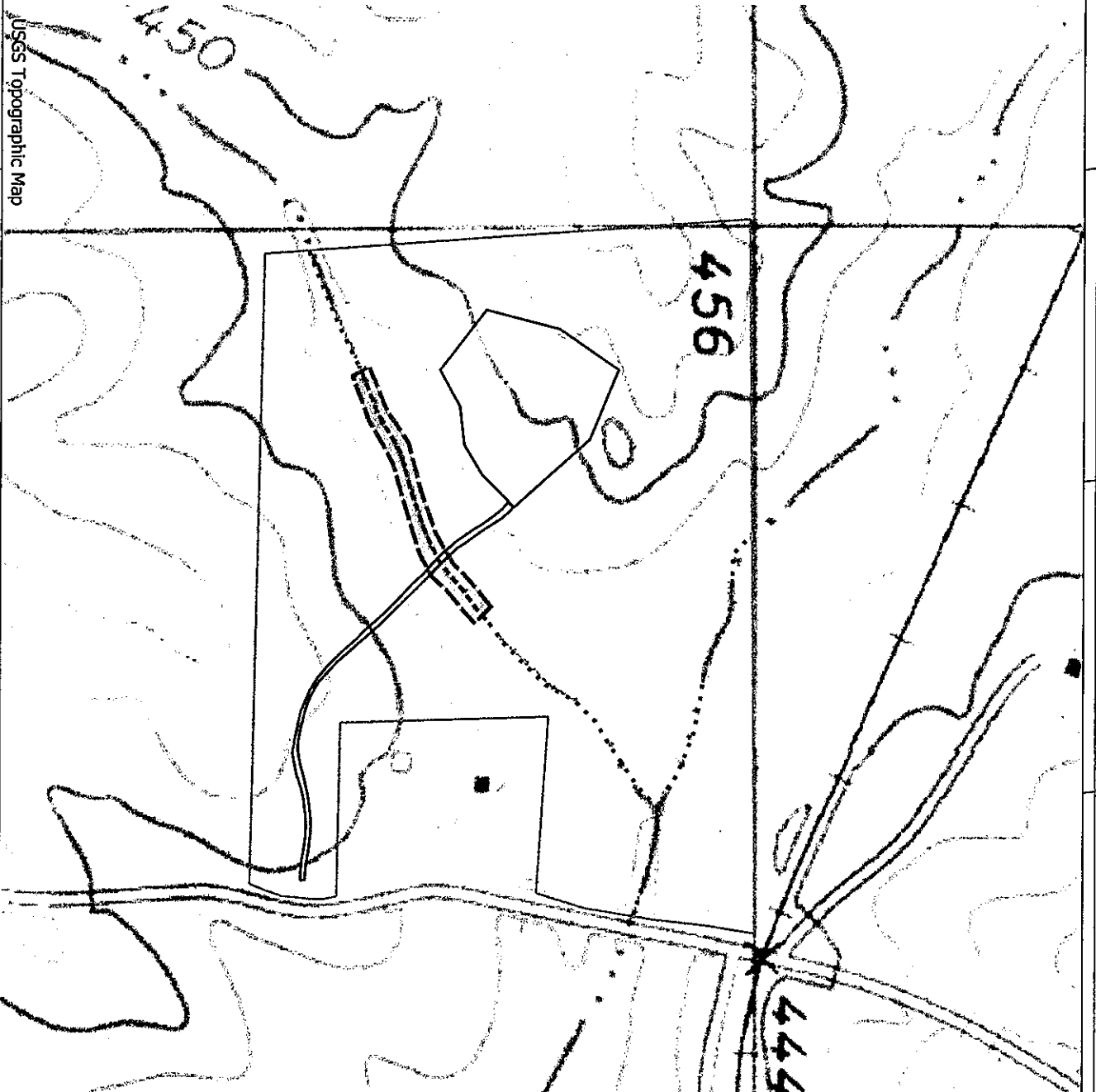


0 200 400 600 ft

Scale: 1" = 450'

Legend

-  Property Line
-  Permit Boundary
-  Buffer Zone
-  Creek



USGS Topographic Map

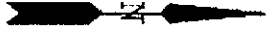
FORE
 Environmental, Inc.
 917 MARSHALL RD
 MOBILE, AL 36682
 (205) 681-2200
 Project #1:
 Date: 5/18/2014
 Drawn BY: JH
 Checked BY: DS
 Scale: 1" = 450'

Revisions		
No.	Date	Description

Smith Mine
Mining Permit
Brookhaven, Mississippi








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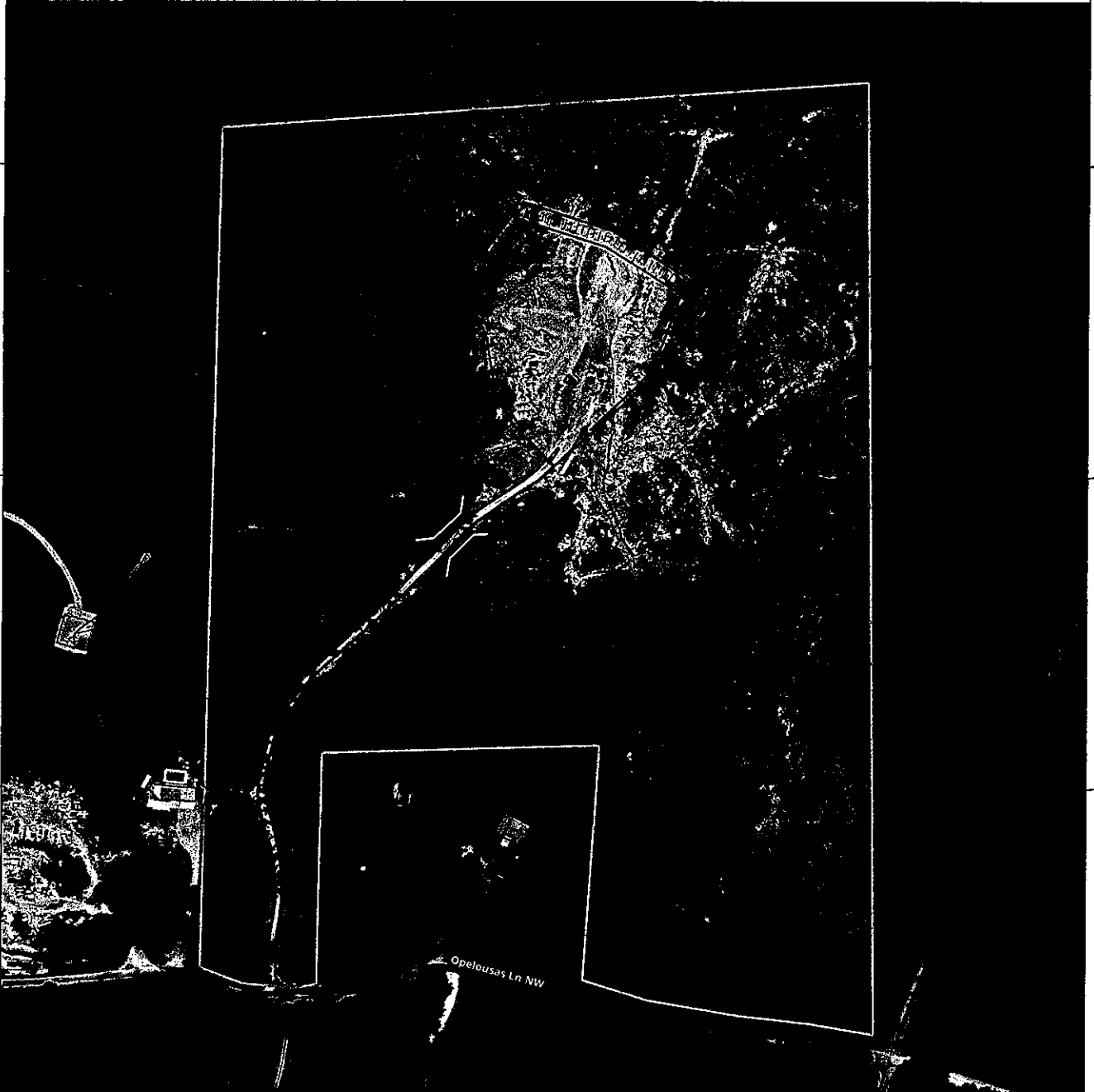
Property
Overview



Scale: 1" = 450'

Legend

-  Property Line
-  Existing Bridge
-  Brush Berm
-  Silt Fence
-  Permit Boundary
-  Buffer Zone
-  Creek



FORE
Engineering, Inc.
117 AMBERGATE RD
BROOKHAVEN, MS 38942
(601) 781-1100
Project #:

Date: 5/18/2024
Drawn by: TH
Checked by: DS
Scale: 1" = 450'

Revisions		
No.	Date	Description

**Smith Mine
Mining Permit
Brookhaven, Mississippi**






1.0

**Property
Overview**



Scale: 1" = 450'

Legend

-  Property Line
-  Permit Boundary
-  Buffer Zone
-  Creek
-  Topography Contour



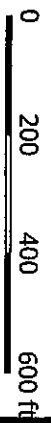
PCRE
Engineering, Inc.
147 MARLETTE RD
BRADLEY, MS 39842
(601) 828-1800
Project #:
Date: 5/18/2024
Drawn by: TK
Checked by: DS
Scale: 1" = 450'

Revisions		
No.	Date	Description

**Smith Mine
Mining Permit
Brookhaven, Mississippi**

1.1

Site Topography



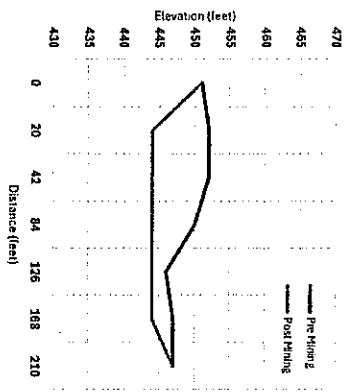
Scale: 1" = 450'

Legend

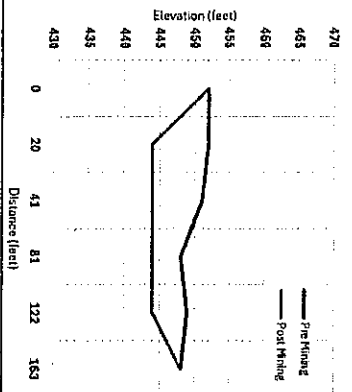
- Property Line
- Permit Boundary
- Buffer Zone
- Creek
- Topography Contour
- Profile Lines



Profile A Cross Section



Profile B Cross Section



Revisions		
No.	Date	Description

POKEL
 Engineering, Inc.
 1117 W. Main Street
 Brookhaven, MS 38899
 Project #: _____
 Date: 5/18/2024
 Drawn by: TN
 Checked by: DS
 Scale: 1" = 450'

**Smith Mine
Mining Permit
Brookhaven, Mississippi**

1.2

Elevation Profiles