



MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

MINING STORM WATER, DEWATERING AND NO DISCHARGE GENERAL PERMIT MSR32

MINING GENERAL PERMIT FORMS PACKAGE

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These standard forms are used to apply for permit coverage under the Mining General Permit (MSR32) and for submittals and record keeping after permit coverage has been granted. The forms are in Adobe format on our website at http://www.mdeq.ms.gov/wp-content/uploads/2016/02/Mining_Forms_Package.pdf Required information can be completed on screen, printed and signed.

General Permit MSR32 does not authorize the discharge of mine process generated wastewater or take the place of an Office of Geology Surface Mining Permit.



AI: 89453
MSR323095

Rec'd via email: 08/08/2025

MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

**MINING NOTICE OF INTENT (MNOI)
FOR COVERAGE UNDER
MINING STORM WATER, DEWATERING AND NO DISCHARGE
GENERAL PERMIT MSR32 3095
(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)

O.C

MSR32 3095

(NUMBER TO BE ASSIGNED BY STATE)

APPLICANT IS THE: ☐ OWNER ☒ OPERATOR

OWNER CONTACT INFORMATION

OWNER CONTACT PERSON: Zach Simmons
OWNER COMPANY LEGAL NAME: Zach Simmons & Terry Lee Simmons Jr.
OWNER STREET OR P. O. BOX: 1010 CR 148
OWNER CITY: New Albany STATE: MS ZIP: 38652
OWNER PHONE #: (662) 790-3216 OWNER EMAIL: N/A

OPERATOR CONTACT INFORMATION

OPERATOR CONTACT PERSON: Reed Hill
OPERATOR COMPANY LEGAL NAME: Xcavators Inc.
OPERATOR STREET OR P. O. BOX: 20831A Hwy 15N
OPERATOR CITY: Falkner STATE: MS ZIP: 38629
OPERATOR PHONE #: (662) 587-9116 OPERATOR EMAIL: Reed@Xcavators-inc.com

MINE INFORMATION

MINE NAME: Simmons Pit
MINE SITE ADDRESS (If the physical address is not available, please indicate nearest named road.)
Street: 1143 CR-143
City: New Albany State: MS County: Union Zip: 38652
NW 1/4 OF SE 1/4 OF SECTION 11, TOWNSHIP 6 South, RANGE 3 East
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: 34 degrees 34 minutes 22.20 seconds LONGITUDE: 88 degrees 57 minutes 2.99 seconds
LAT & LONG DATA SOURCE (GPS (Please GPS Entrance Gate) or Map Interpolation): Google Earth
TOTAL ACREAGE: 3.99 MATERIAL TO BE MINED: Fill Material
WILL HYDRAULIC DREDGING BE USED? ☐ YES ☒ NO
WASHING OF SAND/GRAVEL? ☐ YES ☒ NO

ESTIMATED START DATE: 2025-09-02
SIC CODE 1611 and 1629

ESTIMATED END DATE: 2028-09-02
NAICS CODE 237990

RECEIVING STREAM INFORMATION

NEAREST NAMED RECEIVING STREAM: Unnamed to Cane 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: N/A

COMPLETE IF WASTEWATER RECIRCULATION SYSTEM WITH NO DISCHARGE IS PROPOSED

DISTANCE BETWEEN RECIRCULATION POND(S) AND PROPERTY LINE: N/A (FT)
(MUST BE AT LEAST 150 FEET)

NUMBER OF RECIRCULATION POND(S): N/A

STORAGE CAPACITY OF EACH RECIRCULATION POND(S): N/A (FT³)

COMPLETE IF MINE DEWATERING IS PROPOSED

ESTIMATED DEWATERING VOLUME: N/A (GAL/DAY)

NAME AND ADDRESS OF THE RECIPIENT OF THE DISCHARGE MONITORING REPORTS (DMRs), IF DIFFERENT FROM SIGNATORY: N/A

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. N/A

LIST OTHER GEOLOGY PERMIT NUMBERS THAT APPLY TO COVERAGE AREA N/A

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.

 8-5-2025
Authorized Signature¹ Date

Read Hill PM
Printed Name 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

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: Xcavators Inc.
Mailing address: 20831A Hwy 15N
Falkner, MS 38629
Telephone number: 662-587-9116

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

LOCATION

NW 1/4 of SE 1/4 of Section 11, Township 6 South Range 3 East County Union

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

Name of land owner: Zach Simmons + Terry Lee Simmons
Mailing address: 1010 CR 148
New Albany, MS 38652
Telephone number: 662-790-3216

Date operation to begin 09-02-2025 Date operation to end (estimated) 09-02-2028
Material to be mined Fill Dirt Number of acres to be mined 3.5 (A)*
Total acres to be affected by operation (mine, roads, storage, etc.) 3.9 (B)*
Is operation **closer** than 1,320 feet (1/4 mile) to another mine? ☒ 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: Xcavators Inc. By [Signature]
Signature

Date: 8-5-2025 Position PM

For Office of Geology use only

Date: _____ By _____
Division Director
Mining and Reclamation Division

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

U.S.G.S.
FILE COPY
TOPOGRAPHIC DIVISION

RIPLY QUADRANGLE
MISSISSIPPI
15 MINUTE SERIES (TOPOGRAPHIC)



Map prepared by the Geological Survey
Control by USGS and USGS
Topography from aerial photographs by photogrammetric methods
Aerial photographs taken 1947. File check 1955
Polyconic projection, 1927 North American datum
10,000-foot grid based on Mississippi coordinate system,
and zone

STATE OF MISSISSIPPI
APPROXIMATE MAP
DECLINATION 1955

SCALE 1:62,500



Simmons Borrow Pit

SWPPP
3.99 Total Acres

Legend

- Construction Entrance
- Limit Of Disturbance
- Rock Checks
- Silt Fence
- Top Soil
- Zack Simmons Pit

