



STATE OF MISSISSIPPI
PHIL BRYANT
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
GARY C. RIKARD, EXECUTIVE DIRECTOR

October 8, 2019

Certified Mail No. 7019 1120 0000 4787 9079

Mr. Kevin Bowen
Drying Facility Assets Holding, LLC
105 Street A
Picayune, MS 39466

Dear Mr. Bowen:

Re: Drying Facility Assets Holding, LLC
Pearl River County
COE No. MVK-2012-84
WQC No. WQC2018031

Pursuant to Section 401 of the Federal Water Pollution Control Act (33 U. S. C. 1251, 1341), the Office of Pollution Control (OPC) issues this Certification, after public notice and opportunity for public hearing, Drying Facility Assets Holding, LLC, an applicant for a Federal License or permit to conduct the following activity:

Drying Facility Assets Holding, LLC: Project to discharge dredged and/or fill material into jurisdictional waters for the expansion of an existing sand processing facility and rail yard. The proposed project will impact approximately 3.76 acres of emergent wetlands on a 34.98-acre parcel. Mitigation for the unavoidable loss of jurisdictional wetlands will be provided through the purchase of credits from an approved mitigation bank that services the project area.

The plant expansion will consist of silos, storage buildings, hoppers, cleaning stations, and loading and unloading stations to coincide with the existing trans-load plant operations. The rail yard expansion will consist of the addition of three (3) industrial spur tracks adjacent to the existing Norfolk Southern railroad right-of-way (ROW) within the eastern portion of the project site. The proposed rail line spurs are referenced as Track 6, 7, and 8. The total length of Track 6 will be approximately 3,565.23 linear feet with a capacity of 67 railcars; Track 7 will be approximately 2,420.84 linear feet in length with a capacity of 48 railcars; and Track 8 will be approximately 2,666.43 linear feet in length with a capacity of 48

railcars. Additionally, two (2) maintenance spur tracks and five (5) raw material spur tracks will be located within the central portion of the plant facility boundary. These additional tracks will be used during the daily operations of the facility and are generally interconnected with the Norfolk Southern Railroad ROW to the east. Further electrical, mechanical, and instrumentation will be included within the proposed activities. The project is located just south of the city limits of Picayune, north of Brad Ford Lane, west of U.S. Highway 11, and east of Alligator Branch within Pearl River County, Mississippi [MVK-2012-84, WQC2018031].

The Office of Pollution Control certifies that the above-described activity will be in compliance with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act and Section 49-17-29 of the Mississippi Code of 1972, if the applicant complies with the following conditions:

1. The development shall connect to an Office of Pollution Control approved wastewater collection and treatment system. All wastewater, including process wastewater, shall be properly treated and disposed in accordance with the Mississippi Wastewater Regulations.
2. All fill material and excavation areas shall have side slopes of at least 3:1 (horizontal: vertical) and shall be immediately seeded, stabilized and maintained with native species of grass.
3. Appropriate best management practices (BMPs) shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent drainage areas and/or waters. In the event of any BMP failure, corrective actions shall be taken immediately.
4. Materials processed at this facility (i.e. frac sand, etc.) shall be acquired only from facilities that have received and are in compliance with all environmental permits from the Department.
5. The Post Construction Storm Water Management Plan, submitted by Dungan Engineering, PA on November 6, 2018, shall be implemented concurrent with project construction and properly maintained.
6. A site-specific post-construction storm water management plan shall be developed for future phases of the project and shall be consistent with the conceptual plan submitted by Dungan Engineering, PA on November 6, 2018. Pertinent plans and specifications detailing the implementation and design of the controls and maintenance shall be submitted to this office for review at least 60 days prior the start of any construction activities on future phases. No construction shall begin in the subject individual phase until written approval of the plan is received from the Department.

7. The applicant shall maintain compliance with the Baseline Storm Water General Permit. For any changes or construction of additional phase to the facility, modifications to the Storm Water Pollution Prevention Plan shall be made as outlined in the general permit.
8. For projects with ground disturbances that total five acres or more including clearing, grading, excavating or other construction activities, the applicant shall obtain the necessary coverage under the State of Mississippi's Large Construction Storm Water General NPDES Permit. No construction activities shall begin until the necessary approvals and /or permits have been obtained.
9. Other approvals from the Department may be necessary for the construction and operation of the proposed facility. Prior to beginning construction in any phase of the development, the applicant shall obtain all necessary permits and authorizations as required by the Department. This certification does not alleviate the applicant from other permit requirements and/or responsibilities.
10. Mitigation for the loss of 3.76 acres of freshwater emergent and forested/shrub wetlands shall be provided by the purchase of mitigation credits from an approved mitigation bank. The purchasing credits must be in accordance with the banking prospectus and should be based upon that required for impacting 3.76 acres of freshwater emergent and forested/shrub wetlands. Written verification of credit purchase must be provided to the Office of Pollution Control prior to the commencement of any work in the wetland areas.
11. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.
12. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

The Office of Pollution Control also certifies that there are no limitations under Section 302 nor standards under Sections 306 and 307 of the Federal Water Pollution Control Act which are applicable to the applicant's above-described activity.

This certification is valid for the project as proposed. Any deviations without proper modifications and/or approvals may result in a violation of the 401 Water Quality Certification. If we can be of further assistance, please contact us.

Sincerely,



Krystal Rudolph, P.E., BCEE
Chief, Environmental Permits Division

KR: chb

cc: Ms. Tarmiko Graham, U.S. Army Corps of Engineers, Vicksburg District
Ms. Kristi Hall, U.S. Army Corps of Engineers, Vicksburg District
Mr. David Felder, U.S. Fish and Wildlife Service
Ms. Molly Martin, Environmental Protection Agency
Mr. Clay Cromwell, Headwaters, Inc.
Mr. Jason Ulmer, P.E., Dungan Engineering, PA