



STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHRIS WELLS, EXECUTIVE DIRECTOR

July 8, 2021

Mr. Marc Brinkmeyer
Hardy Technologies, LLC
3512 Corinne Avenue
Chalmette, Louisiana 70043

Dear Mr. Brinkmeyer:

Re: Hardy Technologies LLC,
Lumberton Sawmill Complex
Lamar County
COE No. SAM202001009
WQC No. WQC2021016

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, Hardy Technologies, LLC, an applicant for a Federal License or permit to conduct the following activity:

Hardy Technologies LLC, Lumberton Sawmill Complex: Construction of a lumbermill complex. The purpose of the project is to meet the growing supply of raw timber and growing need for lumber by constructing the lumbermill complex in an area that can provide access to raw materials and existing infrastructure and create new opportunities for jobs and economic growth. The total project site is 380 acres. The proposed project will develop 94.19 acres that would involve filling 2.19 acres of wetlands to construct a sawmill, planer mill, kilns, log storage and crane, access roads, railroad spur, and supporting facilities/buildings. The proposed project would also include stormwater conveyances and retention basins to extensively control and protect water quality in the area. Mitigation has been proposed through the purchasing of credits from an approved mitigation bank. The site is located in Lumberton, Lamar County, Mississippi. [SAM202001009, WQC2021016].

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

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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. 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. (Statement B) (11 Miss. Admin Code Pt. 6, R. 1.1.1.B.)
2. Appropriate best management practices (BMPs) shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent drainage areas. In the event of any BMP failure, corrective actions shall be taken immediately. (Statement B) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B., 11 Miss. Admin. Code Pt. 6, R. 1.3.4.B(7))
3. Coverage under a Storm Water Construction General NPDES Permit shall be obtained prior to the start of construction activities. (Statement C) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
4. Compliance with Water Pretreatment Permit and Air Construction and Operating Permit shall be maintained. (Statement C) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
5. The post-construction Storm Water Management Plan, submitted by FC&E Engineering, Inc. received on May 14, 2021, shall be implemented concurrent with project construction and properly maintained. (Statement E) (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (9))
6. Mitigation for the impacts of 2.19 acres of wetlands shall be provided by the purchase of mitigation credits jurisdictional wetlands shall be provided from an approved mitigation bank. The number of credits purchased must be in accordance with the banking prospectus and should be based upon that required for permanently impacting approximately 2.19 acres of jurisdictional 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. (Statement E) (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (2))
7. The development shall connect to an Office of Pollution Control approved wastewater collection and treatment system. No construction shall begin until all wastewater approvals are obtained. (Statement D) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B., 11 Miss. Admin. Code Pt. 6, R. 1.3.4.B(7))

8. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 2.2.A(3))
9. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 2.2.A)

As part of the Scope of Review for Application Decisions, 11 Mississippi Administrative Code Part 6, Rule 1.3.4(B), the above conditions are necessary for the Department to ensure that appropriate measures will be taken to eliminate unreasonable degradation and irreparable harm to waters of the State, such that the activity will not meet the criteria for denial:

(A) The proposed activity permanently alters the aquatic ecosystem such that water quality criteria are violated and/or it no longer supports its existing or classified uses. An example is the channelization of streams.

(B) The proposed activity in conjunction with other activities may result in adverse cumulative impacts.

(C) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.

(D) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.

(E) The proposed activity results in significant environmental impacts which may adversely impact water quality.

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 you have any questions, please contact Montie Hardaway Glenn at (601) 961-5596.

Sincerely,



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

KR: mhg

Mr. Marc Brinkmeyer

Page 4 of 4

July 8, 2021

cc: Angela Rangel, U.S. Army Corps of Engineers, Mobile District
Tamara Campbell, U.S. Fish and Wildlife Service
Molly Martin, Environmental Protection Agency
Jeremy Smith, P.E., FC&E Engineering, LLC