



STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHRIS WELLS, EXECUTIVE DIRECTOR

May 22, 2023

Mr. Glen Pushis
Aluminum Dynamics, LLC
7575 West Jefferson Boulevard
Fort Wayne, Indiana 46804

Dear Mr. Pushis:

Re: Aluminum Dynamics, LLC
Lowndes County
COE No. SAM202300100AMR
WQC No. WQC2023007

Pursuant to Section 401 of the Federal Water Pollution Control Act (33 U. S. C. 1251, 1341), the Mississippi Department of Environmental Quality (Department) issues this Certification, after public notice and opportunity for public hearing, to Aluminum Dynamics, LLC, an applicant for a Federal License or permit to conduct the following activity:

Aluminum Dynamics, LLC: Proposed regulated activities in waters of the state for the construction of a new aluminum flat rolled mill facility to be located on a 2,111-acre site situated west of Golden Triangle Regional Airport, north of Artesia Road in Columbus, Lowndes County, Mississippi. The stated purpose of the aluminum mill is to meet the growing demand in the recycled aluminum market to supply the automotive and beverage packaging industries with recycled aluminum material. The mill will include a finish/shipping building, cold mill, process building, warehouse, hot mill, cast house, open air storage area, retention basin, laydown and storage areas, pre-heat area, truck scale, and parking areas.

The proposed project would result in the permanent fill of approximately 21.07 acres of wetlands, 2,895 feet of perennial streams, 2,025 feet of intermittent streams, 418 feet of ephemeral streams, and 273 feet of ditch to construct an aluminum flat rolled mill and attendant features. After regulatory review, the applicant further reduced impacts resulting in avoidance of an additional 353.28 feet of stream impacts. The resulting impacts from the proposed project include filling of 21.07 acres of wetlands, 2,895 feet of perennial streams, 1,694 feet of intermittent streams, 396 feet of ephemeral streams, and 273 feet of ditch to construct an aluminum flat rolled mill and attendant features.

Fill material for the wetlands and streams will be obtained onsite from cut and fill and from excavation of a pit, if necessary. Approximately 34,000 cubic yards of clean earthen fill material will be placed within wetlands and streams for this project. The applicant proposes to mitigate the unavoidable loss of jurisdictional impacts through the purchase of compensatory mitigation credits from approved mitigation banks.

The project is located in wetlands and unnamed tributaries to Gilmer Creek west of Golden Triangle Regional Airport, north of Artesia Road in Columbus, Lowndes County, Mississippi [SAM202300100AMR, WQC2023007].

The Department 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 a Department approved wastewater collection and treatment system. All wastewater, including process wastewater, shall be properly treated and disposed of in accordance with 11 Mississippi Administrative code Part 6, Chapter 1. (Statement G) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)
2. For construction activities, appropriate best management practices (BMPs) shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent drainage areas. Special care shall be taken prior to and during construction to prevent the movement of sediment offsite and into adjacent avoided wetland areas and adjacent waters. In the event of any BMP failure, corrective actions shall be taken immediately. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
3. For construction projects five (5) acres or greater of total ground disturbances including clearing, grading, excavating, or other construction activities shall follow the conditions and limitations of the Large Construction General Permit. No construction activities shall begin until the necessary approvals and/or permits have been obtained. Construction activities include a disturbance to the land that results in the change in topography, existing soil cover (both vegetative and non-vegetative), or the existing topography that may result in accelerated stormwater runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. (Statement E) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)
4. Personnel or an assigned subcontractor, having the authority to stop work on the project, shall visit the site daily on each day that work is occurring to observe work activity and permit compliance. Should a violation of certification conditions occur, the Department shall immediately be notified, and corrective actions should be outlined as required. (Statement A) (11 Miss. Admin. Code Pt. 6, R.1.1.1.A(55))

5. Other approvals from the Department may be necessary for the construction and operation of the proposed facilities. All necessary permits and authorizations as required by the Department prior to the start of the specific regulated activity must be obtained. This certification does not alleviate the need for other permit requirements and/or responsibilities. (Statement G) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
6. Additional permits may be required from the Department for the construction and operation of individual facilities/projects. Each individual facility/project shall provide all necessary information to the Department to determine if additional permits are needed prior to the start of construction activities. If additional permits are needed, each individual facility/project shall comply with the terms and conditions set forth in these permits. Each individual facility/project shall contact the Department for further information. **No construction shall begin at any proposed facility location until all necessary approvals are obtained from the Department.** (Statement E) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)
7. Mitigation for the impacts of 21.07 acres of wetlands, 2,895 feet of perennial streams, 1,694 feet of intermittent streams, 396 feet of ephemeral streams, and 273 feet of ditch shall be provided by the purchase of mitigation credits from an approved mitigation bank. The number of credits must be in accordance with banking prospectus and should be based upon that required for impacting 21.07 acres of wetlands, 2,895 feet of perennial streams, 1,694 feet of intermittent streams, 396 feet of ephemeral streams, and 273 feet of ditch. Written verification of credit purchase must be provided to the Department prior to the commencement of any work in the wetland or stream areas. (Statement E) (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (2))
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.)
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.(3))

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) There is a feasible alternative to the activity which reduces adverse consequences on water quality and classified or existing uses of waters of the State.
- (C) The proposed activity adversely impacts waters containing State or federally recognized threatened or endangered species.
- (D) The proposed activity adversely impacts a special or unique aquatic habitat, such as National or State Wild and Scenic Rivers and/or State Outstanding Resource Waters.
- (E) The proposed activity in conjunction with other activities may result in adverse cumulative impacts.
- (F) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.
- (G) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.
- (H) The proposed activity results in significant environmental impacts which may adversely impact water quality.

The Department 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 Carrie Barefoot.

Sincerely,



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

KR: chb

cc: Angela Rangel, U.S. Army Corps of Engineers, Mobile District
David Felder, U.S. Fish and Wildlife Service
Jamie Becker, Environmental Protection Agency
Cullen Dendy, Headwaters, Inc.
Anna Chappell, Aluminum Dynamics, LLC