

APPLICATION FOR SPECIAL EXCEPTION
Request to Surface Mine 10 acres

Name and Address of Applicant: P and G Mine 1331 Livingston Vernon Road Flora, MS 39071	Street Address of Property (if different address): Same
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APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
February 1, 2017	A-1	See (Exhibit)	051A-01 - 001/01.00	X	See (Exhibit)

Other Comments: As per Article 2605 of the Madison County Zoning Ordinance.

Comments

Respectfully Submitted

 Brad Pepper

.....

Petition submitted to Madison County Planning and Development Commission on _____

Recommendation of Madison County Planning and Development Commission on Petition _____

Public Hearing date as established by the Madison County Board of Supervisors _____

Final disposition of Petition _____

APPLICANT'S CHECKLIST
FOR A SURFACE MINING PERMIT

Required Documents:

- 1) Surface Mining Permit Application
- 2) Major Modification Form for DEQ
 - a) a modified SWPPP (Declaration)
 - b) updated USGS topographic map
- 3) Certificate of Insurance (at least \$100,000/\$300,000 bodily injury+ \$100,000 property damage or \$300,000 aggregate)
- 4) Legal Right To Mine (deed, lease or agreement); must be notarized. Include county zoning approval if applicable.
- 5) Application Fee: \$100 + \$10 an acre (not to exceed \$500).
- 6) Original of Performance Bond
- 7) Organization Report form MRD-1.
- 8) Dam Permit Application or approved permit

Required Maps, Photographs, or Drawings

- Map #1: USGS Topographic Map with Name of Map
- Map #2: General site plan showing locations of excavations and drainage patterns.
- Map #3: Yearly mining plan.
- Map #4: Yearly reclamation plan.
- Map #5: Show cross sections of North-South and East-West profiles.
- Map #6: Post Mining reclamation map showing lakes, drainage and any roads remaining after reclamation.
- Map #7: Post Mining map showing coordinates.

Other permits required: Y/N Date
NPDES _____
State Operating Permit _____
Corps of Engineers _____

For Office use only
Permit No. _____
STATE OF MISSISSIPPI
Application No. _____

City/County approval
Required Yes ___ No ___
Received Date: _____
County _____

SURFACE MINING PERMIT APPLICATION

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY / MINING & RECLAMATION DIVISION
P. O. Box 2279
Jackson, Mississippi 39225-2279
(601) 961-5515
Fax (601) 961-5521

A. GENERAL INFORMATION

1. Name of Applicant:

Gainey and Gainey Construction, LLC

Mailing Address:

1333 Way Road Canton, Miss 39046

E-mail Address:

turfscapelandm@gmail.com

Phone No.

601-317-0449

Fax No.

Authorized Representative

Norman Gainey

2. Engineering Firm, Consultant, etc.:

Mailing Address:

E-mail Address:

Phone No.

Fax No.

3. Name of Mine:

Pand G Mine

Mine

Supervisor:

William B. Pepper (Brad)

Phone No.

601-573-7858

Fax No.

4. Location of Operation (to nearest quarter-quarter section):

NE 1/4 of NW 1/4 of 1 8N 1W

Section Township Range

County

5. Physical address of mine or nearest named road

1331 Livingston Vernon Rd MADISON
FLORA, MS.

6. Method of Operation

Open Pit

Strip

Dredge

Wash Operation, if so Water Source _____

If YES to a, b, or c, a letter must be filed with the Office giving permission from the owner or maintaining authority to mine within these distances to the subject

Wash System Type Closed system Open system

7. Number of Acres to be Permitted:

Excavation 5

Haul roads, plant site, ponds, storage piles, etc. 5

TOTAL PERMITTED AREA 10

8. Is the Permit Area located: Yes No

a. within 100 feet of a public road? Yes No

b. within 100 feet of a cemetery? Yes No

c. within 300 feet of an occupied building? Yes No

9. Materials to be Mined: borrow material

10. Has the applicant applied for, or have, any other permits or licenses that pertain to this or any other mining operation? Yes No

If "YES," list them in the space provided on page 5, or attach separate pages, and give the current status of each, including any violations or penalties.

B. MINING PROCEDURE AND ENVIRONMENTAL ANALYSIS

1. Description of materials:

Thickness of overburden 1/2 ft.
(Topsoil **MUST** be stockpiled for use during reclamation)

Thickness of useable material 10 ft.

Total depth of excavation 11 ft.

Estimated annual production _____ tons

2. Anticipated Schedule (month/year)

Begin clearing 09/16

Begin mining 10/16

Complete mining /

Begin reclamation /

Complete reclamation /

3. Depth to ground water: 12 ft.

4. How will dust be controlled?

Water on haul roads

5. Types of erosion control structures that will be utilized.

Settling ponds Drainage ditches

Diversion berms Terraced slopes

Silt fence + hay bales

6. Describe the land to be affected by mining as it presently exists:

a. Land use pasture

b. Predominant vegetation grass

7. Will explosives be used? Yes No

8. Is test-boring data available? Yes No

9. Are toxic materials likely to be encountered at any time? Yes No

10. Will there be any discharge to local streams or other bodies of water? Yes No

If any of questions 7-10 are answered "YES," provide additional information on page 5, or attach separate pages.

C. RECLAMATION PLAN

NOTE: It is suggested that the county NRCS office be consulted for specific recommendations on the following items.

1. Describe the soil handling technique for the reclamation phase of the operation:

Topsoil segregated Mixed strata _____

2. Describe the protection method for the stockpiled topsoil.

berm around the storage pile
 grass cover on the pile (recommended)
 stored under a cover

3. How will highwalls, standing faces, and banks be reduced to minimize erosion? (All highwalls must be sloped, minimum 3 horizontal to 1 vertical.)

slopes will be terraced
 sloped to a gradient of 3 to 1
 blended with surrounding contours

4. What is the general plan for reclamation?

reforestation
 establish grass cover
 pond or lake

5. What planting method will be used?

broadcast seed mechanical seeding
 seeding by manual labor

6. How will fertilizer and lime be applied and incorporated?

harrowing broadcasting disking

7. Quantity of lime and fertilizer to be applied?

a. For initial planting

lime: 2 tons per acre
fertilizer: 13 - 13 - 13 (type) 100 pounds per acre

b. For successive years prior to 100% release

fertilizer: 13 - 13 - 13 (type) 100 pounds per acre
when: June (month)

8. Describe the planting schedule:

Tree or Seed Species	or lbs./acre	Planting Season
<u>Bermuda</u>	<u>50/acre</u>	<u>Spring</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. Will the area be mulched? Yes No If yes, rate per acre _____

Method of holding in place: crimped _____

10. How will the vegetation be maintained until the final bond release?

watering

mowing

times per year 3

approximate month(s) May, July, September

repairing gullies

replanting eroded areas

11. How will debris be disposed of when the mine is finally closed?

burying

burning

hauling away

12. Will a soil analysis be submitted for this site? Yes No

NOTE: available from the Cooperative Extension Service through the applicant's County Agent

13. Estimated cost per acre for reclamation of this site: \$1000/acre (minimum of \$1,000 per acre)

D. NAMES AND ADDRESSES OF PERSONS AFFECTED BY THIS OPERATION

1. Landowner(s) of area to be mined/leased

Name: William B. Pepper Name: _____
Address: 1331 Livingston Vernon rd Address: _____
Flora, MS. Address: _____
Phone: 601-573-7858 Phone: _____

2. Landowner(s) within 500 feet of the area

Name: MARK Lee Name: _____
Address: 1129 Livingstone Vernon Address: _____
FLORA, MS 39071 Address: _____
Phone: 601-941-9159 Phone: _____

Name: J.R. Anderson, Jr Name: _____
Address: 4047 Highway 22 Address: _____
FLORA, MS 39071 Address: _____
Phone: 601-954-3651 Phone: _____

3. Person(s) living on permit area

Name: William B. PEPPER Name: _____
Address: 1331 Livingston Vernon Address: _____

FLORA, MS 39071

Phone:

601-573-2588

Phone:

I declare that I have knowledge of the facts presented in the preceding pages and in all of the items attached to this application; furthermore, I certify that they are true to the best of my knowledge.

January 24, 2017
date

Norman Gainey
signature

NORMAN GAINEY
printed name

Applicant / OPERATOR
title

E. ADDITIONAL COMMENTS

Item

Space for detailed answers to any of the previous items. Indicate item number to which the answers apply.

A-9 4 acre Mining Notice of Intent - Permit coverage MSR322557

Additional Acreage

MAJOR MODIFICATION FORM FOR MINING GENERAL PERMIT

Coverage No. MSR32 2557 County Madison



INSTRUCTIONS

Coverage recipients shall notify the Mississippi Department of Environmental Quality of plans to expand the acreage or "footprint" of an existing mining activity or modify the existing mining operation. This form must be submitted when (check all that apply):

- SWPPP details have been developed and are ready for MDEQ review for subsequent phases of an existing, covered mining activity.
- "Footprint" identified in the original MNOI is proposed to be enlarged (a modified SWPPP and an updated USGS topographic map must be submitted)
- Mine dewatering is proposed
- Mine dewatering has been discontinued
- Closed loop wash operations are proposed
- Closed loop wash operations have been discontinued

This form must be signed by the original coverage recipient under Mississippi's Mining General Permit. A different operator must have general permit coverage transferred prior to coverage being modified. Coverage recipients are authorized to discharge storm water associated with proposed expansions of dewater pits or operate a recirculation system with no discharge, under the conditions of the General Permit, only upon receipt of written notification of approval by the MDEQ. If mining activities change which will incorporate a hydraulic dredging operation or a discharge of process wastewaters to State waters additional permitting actions shall be required.

COVERAGE RECIPIENT INFORMATION

COVERAGE RECIPIENT CONTACT PERSON: MR. NORMAN GAINNEY
 COMPANY NAME: GAINNEY AND GAINNEY CONSTRUCTION, LLC
 STREET OR P.O. BOX: 1333 WAY ROAD
 CITY: CANTON STATE: MS ZIP: 39046
 PHONE NUMBER: 601-317-0449 EMAIL ADDRESS: Turfscapelandme@gmail.com

PROJECT INFORMATION

ADDITIONAL ACREAGE TO BE DISTURBED: 6 TOTAL ACREAGE: 10
 MINE NAME: P and G MINE GEOLOGY APPLICATION/PERMIT NO. 45-169
 CITY: FLORA COUNTY: MADISON

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.

Norman Gainney
Signature (must be signed by coverage recipient)

Jan 24, 2017
Date

Norman Gainney
Printed Name

operator
Title

Please submit this form to:

Chief, Environmental Permits Division
MS Department of Environmental Quality, Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225

Site Information

The site at 1331 Livingston Vernon Road in Flora, Ms, contains 13.4 acres. There is approximately 3 acres that has been developed with a building, gravel drive and gravel parking on both sides. The entire 13.4 acres drains on the northwest corner of the property. There are no sensitive water bodies down stream that are on the impaired water bodies 303(d) list that extra erosion controls will be required. The 4 acre footprint in the original MNOI, is situated directly south of the developed area and is situated in the southeast corner of the property. The additional six acres that we plan to enlarge is located on the west and northwest side of the property. Since the entire property drains on the northeast corner, the proposed dam will be constructed there for the four acre lake.

Controls

Vegetative Controls:

Water runoff does not cross any property line except in the northwest corner, where the dam is located. The remaining property lines will have a 10' to 15' buffer zone. The existing building has a few planted trees and sodded areas around the building of more than 15ft. There are no existing trees on the property since it was originally pasture land. Top soil will be stockpiled for use in the reclamation process. After the final mining operation is completed, the reclamation process will be conducted as per the plan in the application.

Structural Controls:

There will be a silt fence along the northwest corner of the property, along with hay bales to control the sediment. The construction entrance which is being used for the original 4 acre mining pit will continue to be used for the additional part. The course aggregate will be maintained to reduce the mud and dirt from entering the road.

Housekeeping Practices

All equipment maintenance and repair will be done offsite. Trash cans will be placed at convenient locations throughout the site. The main trash bin is located at the southeast corner of the building gravel parking lot and is picked up weekly. There will be no toxic materials stored onsite.

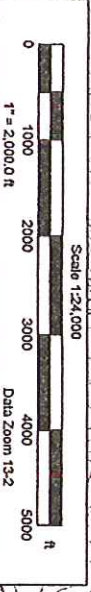
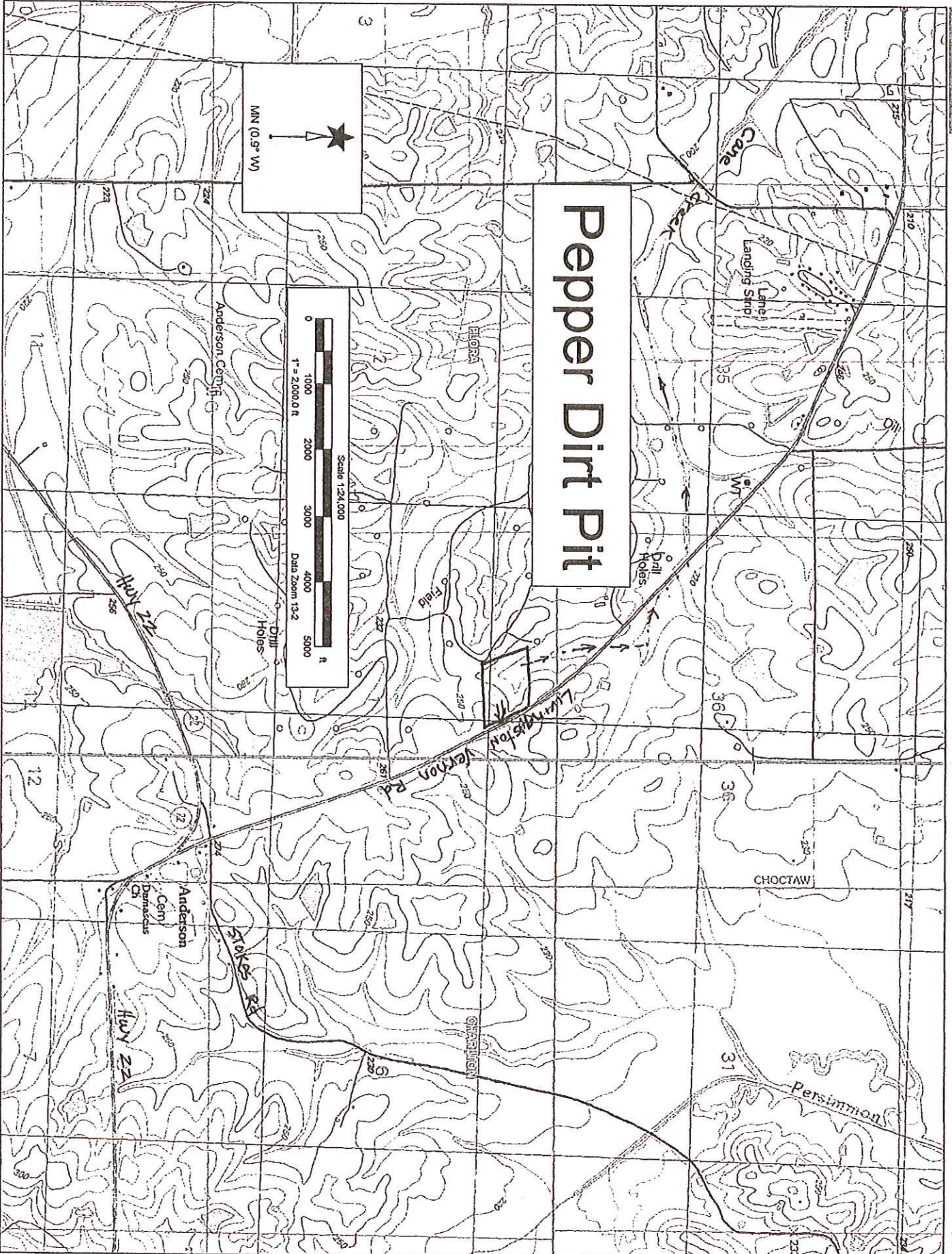
Implementation Sequence

1) Continue with the 4 acre mining operation, in which the reclamation process should be completed by March of 2017. The exact date will be determined by the weather. 2) Install silt fencing and hay bales on the northwest corner of the property. 3) Strip topsoil from the new 6 acre extension and stockpile for the reclamation later. 4) Begin excavating soil on the northwest corner of the property and begin installing the dam. The excavating will gradually move towards the southwest corner and eventually tie into the previous 4 acre pit area. So most of the six acre extension will be consumed with the lake. Part of it will extend into the four acre initial pit area. 5) Grade and vegetate all exposed areas after construction. 6) Remove all temporary measures and vegetate those areas. We believe that all the work on the entire ten acre surface mine can be completed in one year. But in the process of constructing a dam and excavating the lake to the depth needed, rain can really slow the process down. With this in mind and not knowing when we will receive the necessary permits to begin, we would like to extend the completion date until the first part of 2019.

Maintenance Plan

Check all disturbed areas, erosion and sediment controls after each significant rainfall, but not less than once per week. Make needed repairs within twenty four hours. Remove sediment from basin and silt fences when accumulated sediment has reached 50 percent capacity. Maintain all vegetated areas to provide proper ground cover. Reseed, fertilize and mulch as needed.

Pepper Dirt Pit



Data use subject to license.

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www.delorme.com

FLORA

CHARLTON



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
1/25/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER: SouthGroup Hattiesburg 1 106 Madison Plaza, Suite B Hattiesburg, MS 39402
CONTACT NAME: Sybil Jordan
PHONE: (601) 909-6036
E-MAIL ADDRESS: sybil.jordan@southgroup.net
INSURER(S) AFFORDING COVERAGE: EMPLOYERS MUTUAL (EMC)

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

Table with columns: INSR LTR, TYPE OF INSURANCE, ADDL INSD, SUBR WVD, POLICY NUMBER, POLICY EFF (MM/DD/YYYY), POLICY EXP (MM/DD/YYYY), LIMITS. Includes Commercial General Liability and Automobile Liability sections.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER: Mississippi Department of Environmental Quality Office of Geology Attn: Mr. James Matheny
CANCELLATION: SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

Note: Miss. Code Ann. § 53-7-27 (2)(h) requires that an Application for Surface Mining Permit include a notarized statement showing the applicant's legal right to surface mine the affected area.

CERTIFICATION OF LEGAL RIGHT TO MINE

I certify that I have the legal right to conduct surface mining operations on the property which is the subject of this application for Surface Mining Permit.

I am including a copy of the deed to the property and a copy of the Lease/Contract to surface mine the property (if applicable).

Gainey and Gainey Construction, LLC
Printed/Typed Name of Applicant for Surface Mining Permit

NORMAN GAINey
Printed/Typed Name of Person Authorized to sign on behalf of Applicant

OWNER/Operator
Title of Person Authorized to sign on behalf of Applicant

Norman Gainey
Signature of Person Authorized to sign on behalf of Applicant



STATE OF MISS

COUNTY OF MADISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 24th day of January, 20 11, within my jurisdiction, the within named NORMAN GAINey, who acknowledged that (he) (she) is PRESIDENT (title) of GAINey and GAINey Construction, LLC, a MS (state) corporation, and that for and on behalf of the said corporation, and as its act and deed (he) (she) executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

[Signature]

(NOTARY PUBLIC)

My Commission expires: Sept 14 2012

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY

Mining and Reclamation Division
P. O. Box 2279
Jackson, Mississippi 39225-2279
(601) 961-5515

Permit Number

Application Number

PERFORMANCE BOND

Bond No. 1077638

KNOW ALL MEN BY THESE PRESENTS, that Turfscape Landscaping and Management, LLC

as Principal, hereinafter called Principal, and Lexon Insurance Company

as Surety, hereinafter called Surety, are held and firmly bound unto the State of Mississippi in the amount of _____

Ten Thousand Dollars Dollars (\$10,000.00)

for the payment whereof Principal and Surety bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents:

WHEREAS, Principal has filed an application with the Office of Geology, hereinafter called Office, for a permit to engage in a surface mining operation as required by the Mississippi Surface Mining and Reclamation Act of 1977 (Section 53-7-1 et seq., Mississippi Code of 1972), hereinafter called the Act, which permit application is by reference made a part hereof; in said

application Principal estimates that 10 acres of land will be affected by the surface mining operation; and said application contains a plan for reclamation of lands to be affected by the proposed mining operation.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that if Principal shall faithfully perform the reclamation plan approved by the Office on all affected lands covered by said permit application in accordance with the Act, the rules and regulations of the Office, and the conditions of the surface mining permit, then this obligation shall be null and void, otherwise to remain in full force and effect.

Whenever Principal shall be, and declared by the Office to be, in default under the surface mining permit, Surety shall be given written notice of such default and may commence corrective action within sixty (60) days from the date of such notice, all in accordance with Section 53-7-35, Mississippi Code of 1972.

Dated the 17 day of January, 2017

Maurin D. Papp
Witness

Turfscape Landscaping and Management, LLC

By William B. Pepper
Principal

William B. PEPPER
Print Name and Title

Lexon Insurance Company

Surety

By Robert D. Perrett

Robert D. Perrett

Print Name and Title

POWER OF ATTORNEY

LX - 050090

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Robert D. Perrett *****

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 5,000,000.00 Five million dollars ***** dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY [Signature] David E. Campbell President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

OFFICIAL SEAL MAUREEN K. AYE Notary Public, State of Illinois My Commission Expires 09/21/13

[Signature] Maureen K. Aye Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Woodridge, Illinois this 17 Day of JAN, 20 17.



[Signature] Philip G. Lauer Assistant Secretary

WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY
Mining and Reclamation Division
P. O. Box 2279
Jackson, Mississippi 39225-2279
(601) 961-5514

ORGANIZATION REPORT

This is the initial and principal instrument that identifies an organization to the Office of Geology. It is imperative that it be fully and correctly executed and filed with the Office of Geology.

1. Full Name of Organization: *Gainey and Gainey Construction, LLC*
2. Post Office Box or Street Address, City, State, and Zip and Telephone Number:
1333 Way Road, Canton, MS 39046
3. Type of Organization (state whether corporation, partnership, limited partnership, joint venture, individual, trust, etc.):
LIMITED Liability Company
4. If reorganized, give full name and address of previous organization. *n/a*
5. If foreign corporation, give state or country under the laws of which it was incorporated. *n/a*
6. If foreign corporation, give name and address of person registered as Mississippi agent. *n/a*
7. If limited partnership, give name of Mississippi county in which certificate detailing the organization was filed.
MADISON
8. Directors, Officers, Partners, Trustees, and General Partners* (required of all organizations except individuals):

Title	Name	Address
<i>President</i>	<i>Norman Gainey</i>	<i>1333 way road Canton, MS. 39046</i>
<i>Secretary</i>	<i>HILDA Gainey</i>	<i>1333 way road Canton, MS 39046</i>

*If separate Form MRD-1's are already on file for any partner or joint venturer, include and clearly specify the organization names that appear on those forms.

I declare that I am authorized to make this report, that it was prepared by me or under my supervision, and that facts and information stated herein are true, correct, and complete to the best of my knowledge.

January 24, 2017 Norman Gainey
Date Signature

Gainey and Gainey Construction, LLC Norman Gainey
Organization Name of Person (Print)

1333 Way Road OPERATOR
Street Address or P. O. Box Title (If agent, attach authorization from operator)

Canton MS 391046 Telephone: 601-317-0449
City State Zip (Area Code) (Number)



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

February 3, 2017

Marvin Pepper
207 Crescent Lake Drive
Madison, MS 39110

Re: Application #: 17-001 to Construct Pepper Dirt Pit Dam in Madison County

Dear Mr. Pepper:

Enclosed you will find the permit to construct the above referenced low hazard dam. All work must be done in accordance with the size, dimensions, and design information your engineer furnished in the Dam Application we have designated as No. 17-001. Please review and comply with the special terms and conditions listed on the second page of the permit.

Also, please be aware that the enclosed permit does not authorize you to proceed with the construction of your dam if you have not obtained other required federal, state, and local approvals that apply to your project, such as a Corps of Engineers permit for placing fill in wetlands or other waters of the United States.

If you have any questions, please contact me at (601) 961-5207.

Sincerely,

A handwritten signature in black ink, appearing to read "Dusty Myers".

Dusty Myers, P.E.
Chief, Dam Safety Division

Enclosure

17

STATE OF MISSISSIPPI
Department of Environmental Quality
Office of Land and Water Resources
P. O. Box 2309
Jackson, Mississippi 39225-2309

PERMIT
TO CONSTRUCT / REPAIR / MODIFY A DAM

This permit is issued to the owner named below in accordance with the provisions of the Mississippi Water Resources Statutes, Mississippi Code Annotated Sections 51-3-39, et seq.(Rev. 2003), and the State of Mississippi Dam Safety Regulation 11 Miss. Admin. Code Pt. 7 Ch 3. Whether or not specifically named in this permit or in the applications for this permit, anyone constructing the dam described below shall do so in compliance with the provisions of this permit, including the "Special Terms and Conditions" attached hereto. Nothing in this permit shall be construed as giving the right to adversely affect riparian or other beneficial water uses. Nothing in this permit shall be construed as giving the right to adversely affect plans for the proper utilization of state waters. Nothing in this permit shall be construed as giving the right to cause flooding of upstream or adjoining property, unless the owner of the proposed dam has legally acquired the right to do so. This permit does not relieve the applicant of the obligation to obtain and comply with other Federal, state, and local permits or authorizations that may be required in connection with the proposed work. This permit may not be modified, transferred or revoked without prior written approval of the Dam Safety Division of the Mississippi Department of Environmental Quality. The holder of this permit shall at all times be responsible for adherence to the terms and conditions of this permit. No agreement between the permit holder and any other party shall affect the obligations and liabilities of the permit holder.

Authorization is hereby granted to construct, repair or modify the dam designated herein, subject to the following terms, conditions and limitations:

Application Number: 17-001

State Id (if applicable):

Surface Water Impoundment Permit Number: N/R

Owner Name: WILLIAM B. PEPPER

Owner Address: 1331 LIVINGSTON VERNON ROAD
FLORA, MS 39071

Hazard Classification: LOW

Permitted Action: NEW

County: MADISON

Date Permit Issued: 02/03/2017

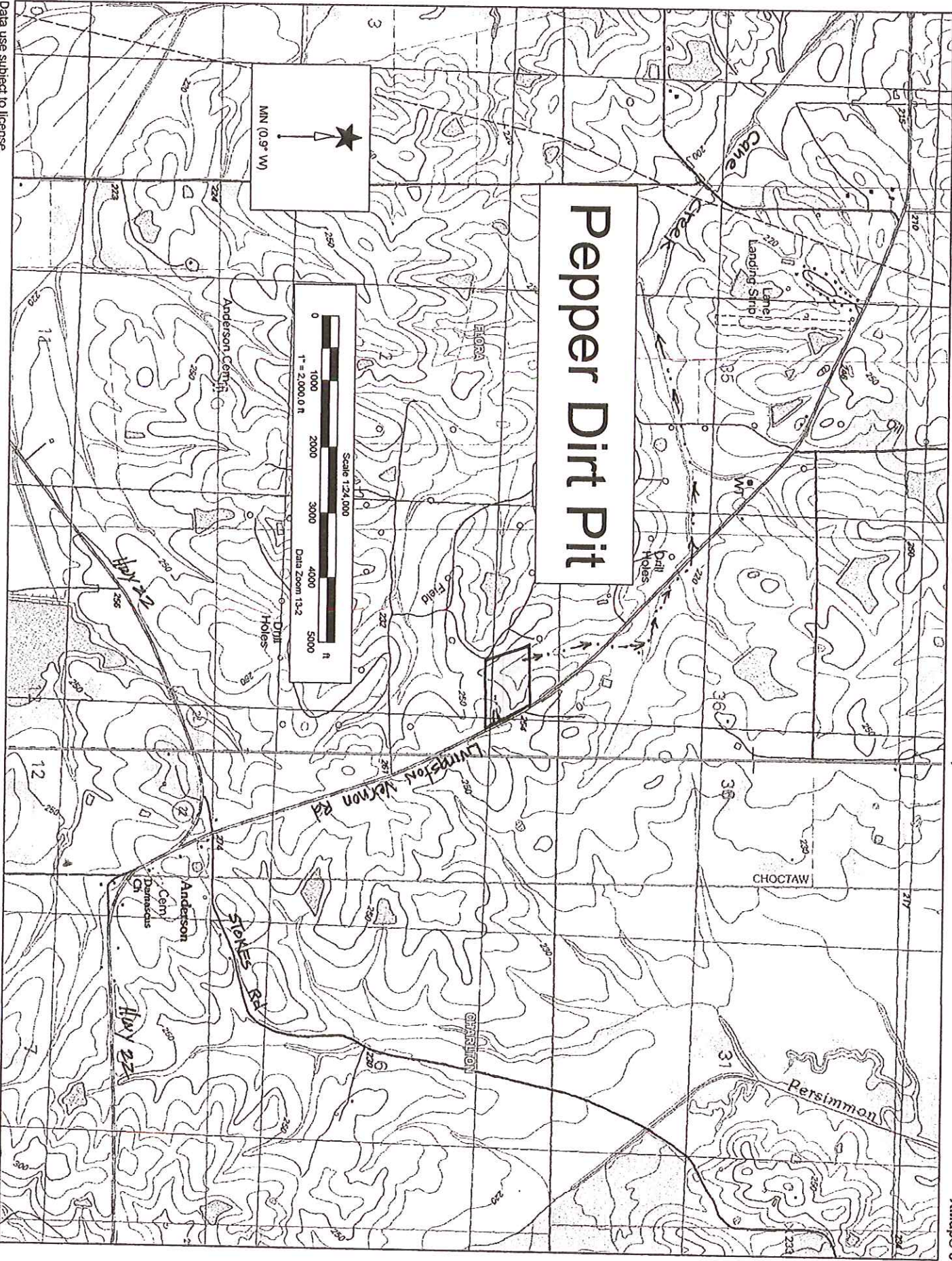
Date Permit Expires: 02/03/2018


FOR Kay Whittington
Office Director

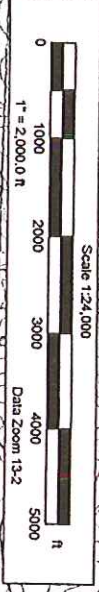
SPECIAL TERMS AND CONDITIONS:

1. The dam must be constructed in accordance with the engineering design documents reviewed by this office and authorized for construction this date.
2. Any proposed change in the design or supporting documentation must be submitted to this office for review and a permit modification for the change must be obtained prior to modifying the construction contract.
3. The owner shall ensure that a construction schedule is provided to the Dam Safety Division of the Mississippi Department of Environmental Quality. This construction schedule must show the start and end dates for construction as well as dates for critical stages in the construction. This schedule must be provided to the Dam Safety Division of the Mississippi Department of Environmental Quality before construction commences. Each of the critical stages shall be fully documented in the inspector's logs/journals with construction photographs. All logs/documentation shall be made available to Mississippi Department of Environmental Quality personnel upon request.
4. This office shall be provided written notification of completion of the dam, including a statement by the design engineer that the work was completed in substantial compliance with the approved plans. The notice of completion and a set of "as-built" plans shall be filed within 30 days after project completion. Thereafter, the dam must be operated, maintained, and inspected in accordance with the requirements and guidelines contained in Dam Safety Regulation 11 Miss. Admin. Code Pt. 7 Ch. 3.
5. The dam owner and/or the holder of this Permit has until February 3, 2018 to initiate construction. If construction has not been initiated by that date, this permit will expire and the dam owner and/or the holder of this Permit must obtain reauthorization from this office before initiating construction. The request for reauthorization shall either be accompanied by a new application showing changes in the proposed project, or a written certification that the information contained in the original application is correct and valid as of the date of the request.

MAP # 1



Pepper Dirt Pit



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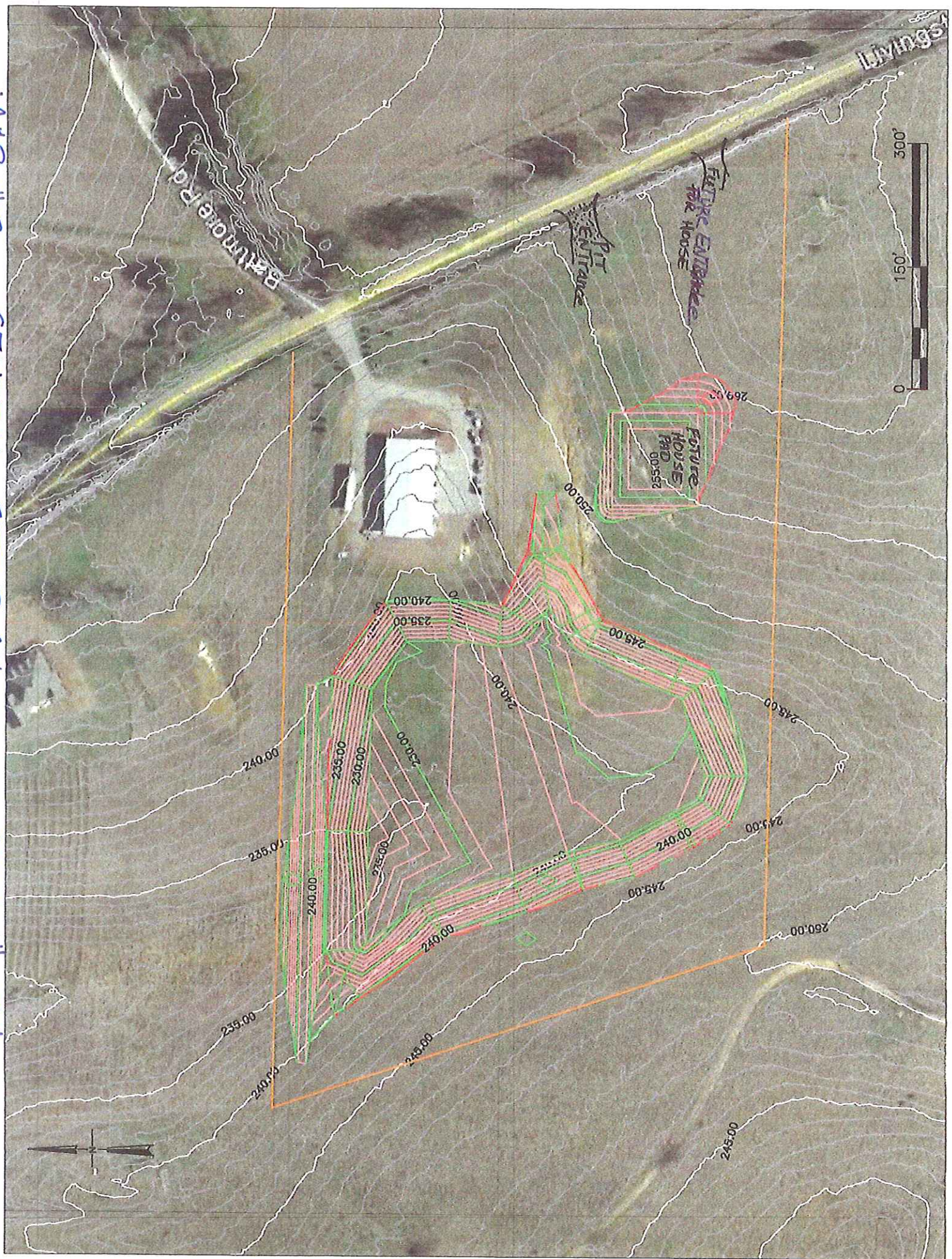
MAP # 1

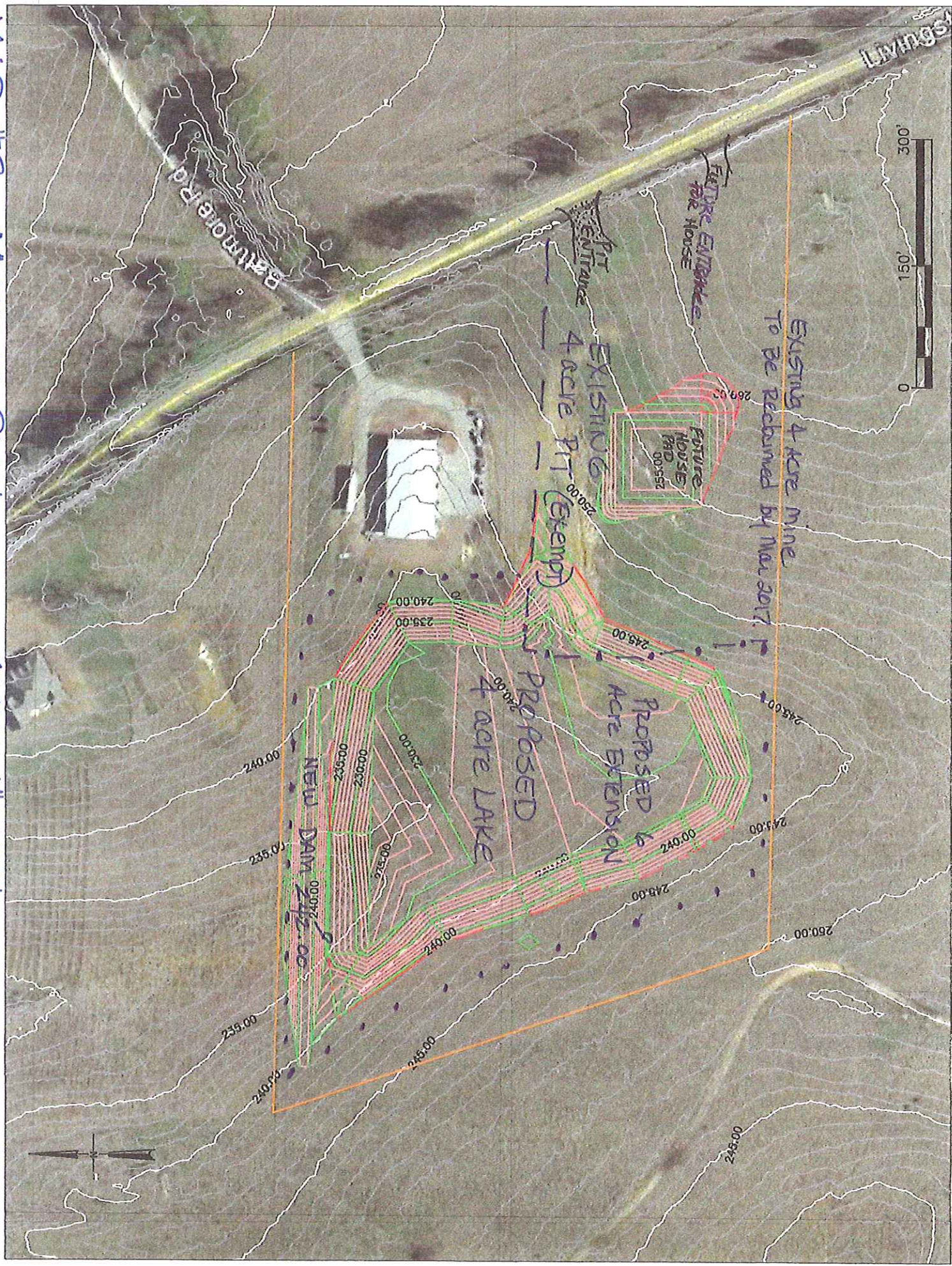
FLORA
QUAD

CHARLTON
QUAD

MAP #2 GENERAL SITE PLAN

SCALE: 1" = 150'





EXISTING 4 acre mine
To be reclaimed by Mar 2017.

FUTURE HOUSE
PAD
00-552

EXISTING
4 acre PIT (Exempt)

PROPOSED
4 acre LAKE

PROPOSED
6 acre EXTENSION

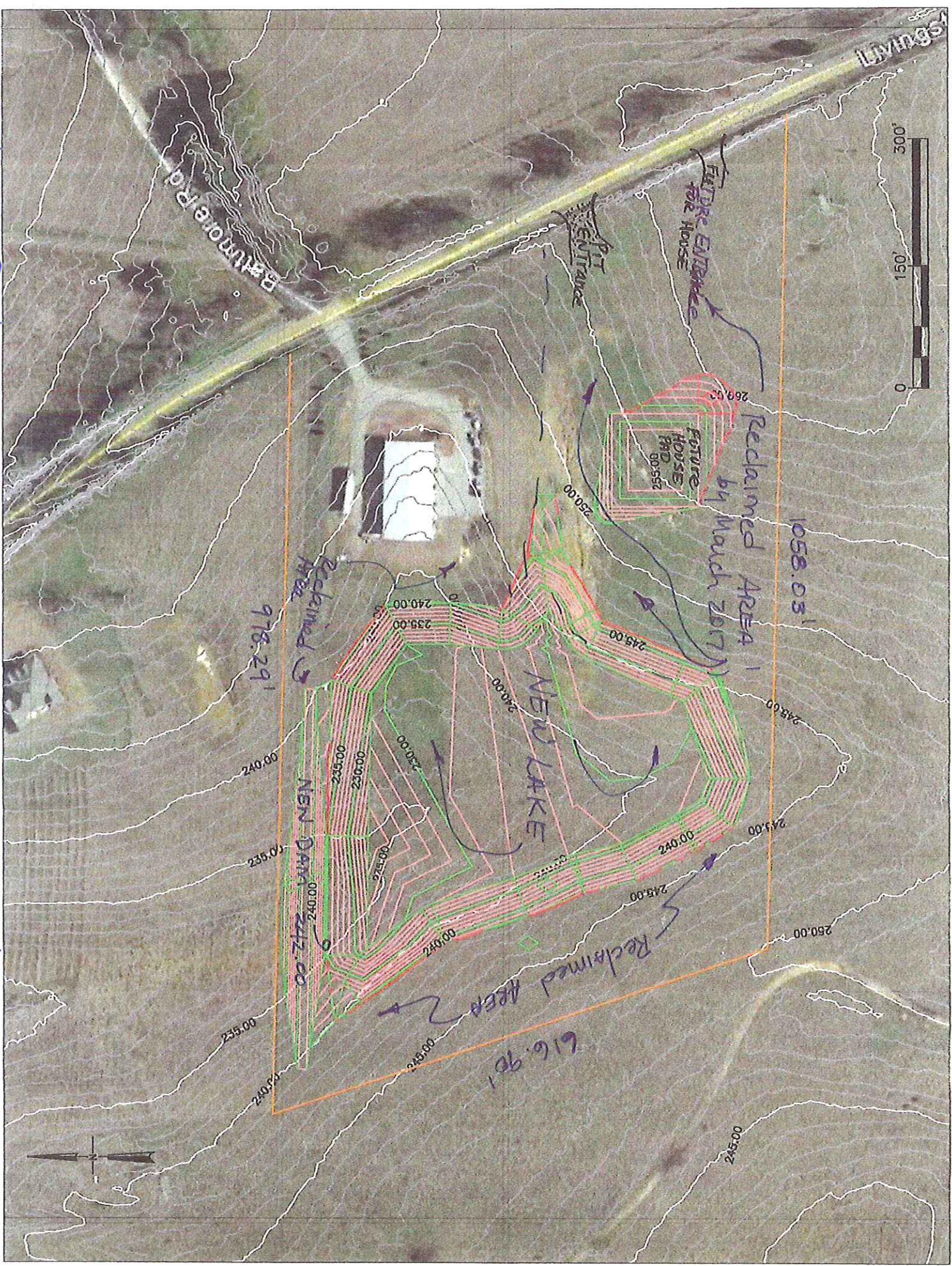
NEW DAM
00-042

FUTURE ENTRANCE
FOR HOUSE



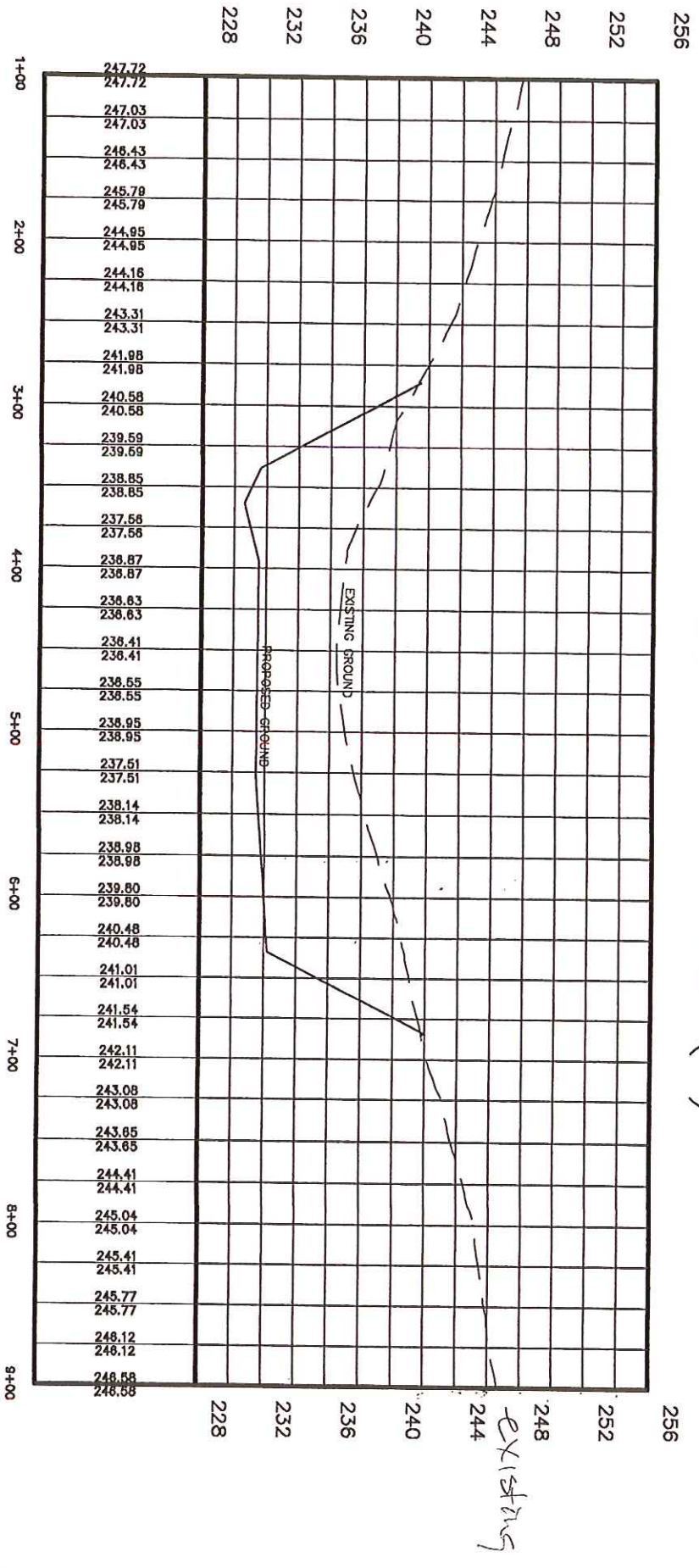
MAP # 4 RECLAMATION PLAN

SCALE: 1" = 150'



MAP # 5

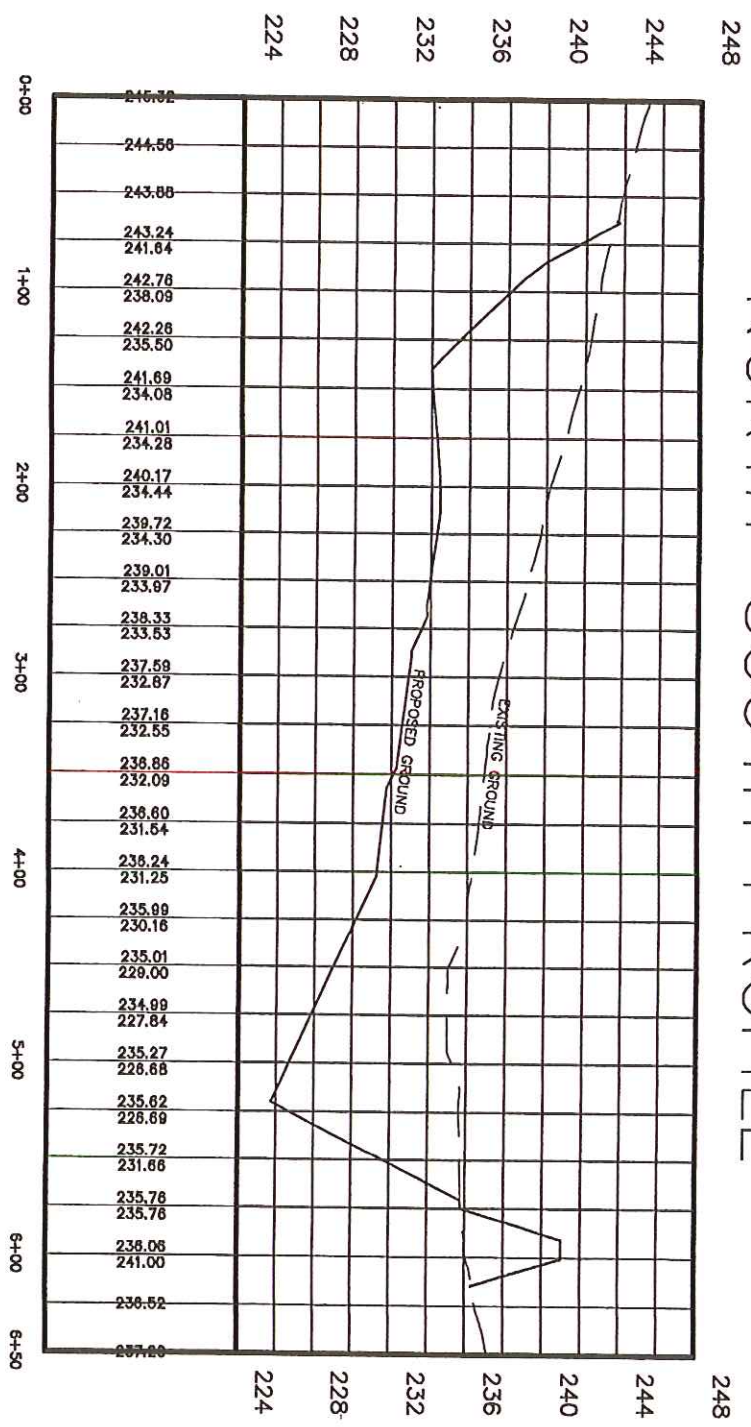
EAST-WEST PROFILE (1)



EXISTING

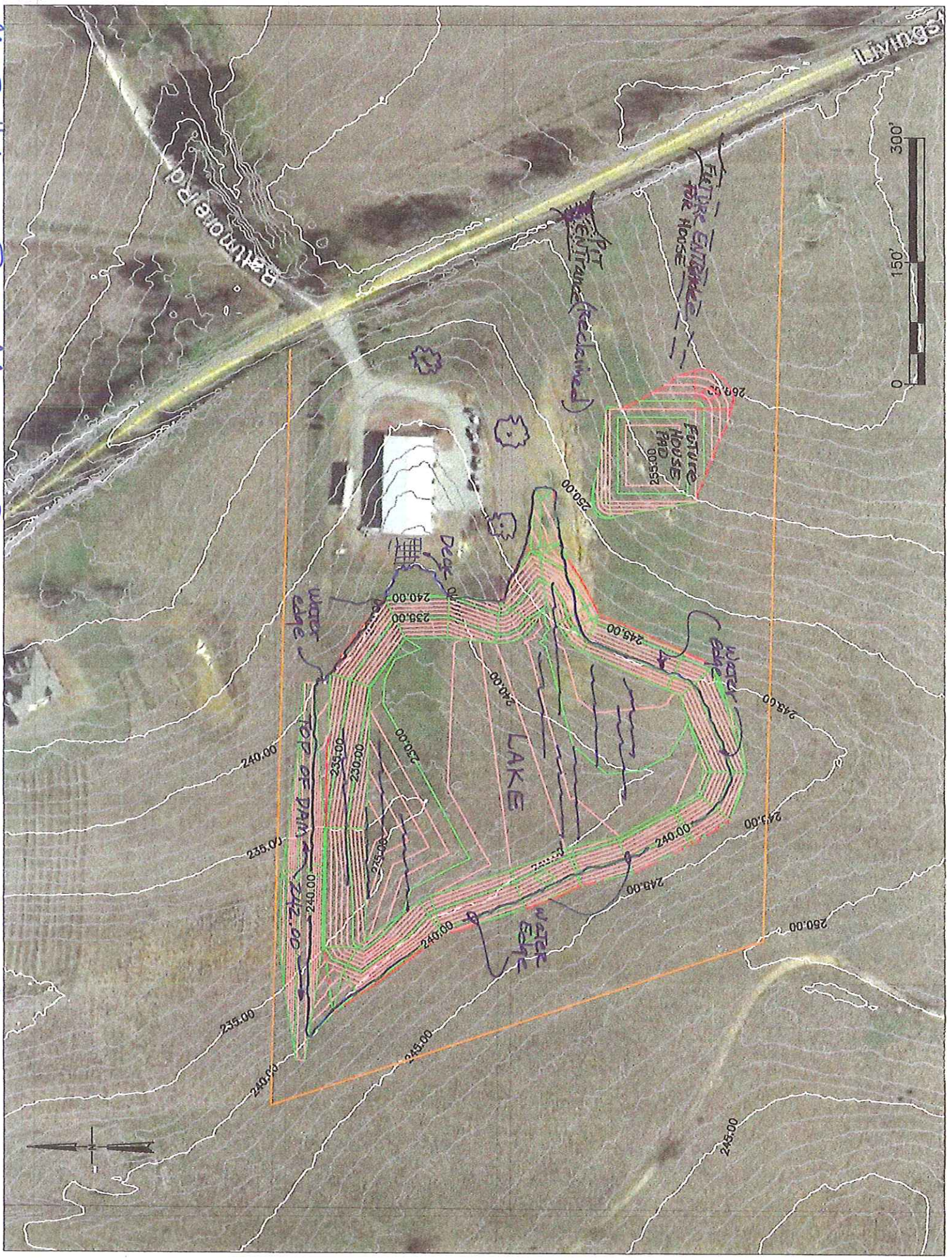
MAP # 5

NORTH-SOUTH PROFILE



MAP # 6 POST MINING PLAN

SCALE: 1" = 150'



MAP #7 Post MINKING WITH Coordinates

