

APPLICATION FOR SPECIAL EXCEPTION

Surface Mining

Name and Address of Applicant: <i>Danny Murphy</i> <i>110 Trailbridge Crossing</i> <i>Canton MS, 39046</i>	Street Address of Property (if different address): Same <i>Russell Low</i> <i>2886 Hwy 43 North</i> <i>Canton MS, 39046</i>
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APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
<i>4-5-17</i>	<i>A-1</i>	See (Exhibit A)	<i>093A-12-003/0100</i>	X	See (Exhibit B)

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

Comments

Respectfully Submitted

Danny Murphy

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 _____

Original

(hereafter referred to as "Grantee"), any and all of the right, title and any interest they may own in and to the following described property lying and being situated in Madison County, Mississippi,

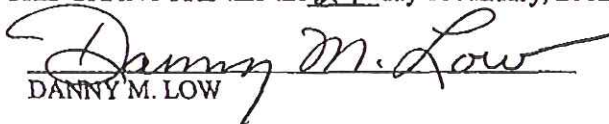
to-wit:

The Northwest quarter (NW1/4) of Section 12; the Southwest Quarter of Southwest Quarter (SW1/4 of SW1/4) of Section 1, less ten acres off the west side thereof; and 18.51 acres off the south end of the Southeast Quarter of The Southwest Quarter of Section 1; all in Township 9 North, Range 3 East, less and except from said tract of land a parcel of land described as: A tract of land containing .45 acres, more or less, described as beginning at the northwest corner of Section 12, Township 9 North, Range 3 East, and run thence 2.65 chains east to fence, thence South 37 degrees 40 minutes east along said fence for 3.84 chains, then North for 3.04 chains to the point of beginning, containing .45 acres, more or less, and being in NW1/4 of NW1/4 Section 12, Township 9 North, Range 3 East, Madison County, Mississippi.

Also a tract of land containing .50 acres, more or less, and described as beginning at a point 5.0 chains east of the Northwest corner of Section 12, and from said point of beginning run thence North 0 degrees 25 minutes West for 3.44 chains to fence, thence South 37 degrees 40 minutes West for 4.34 chains, thence east for 2.35 chains to point of beginning, containing .50 acres, more or less, in SW1/4 of SW1/4 of Section 1, Township 9 North, Range 3 East, Madison County Mississippi.

This conveyance is subject to any and all recorded building restrictions and covenants, rights of way, easements or mineral reservations applicable to the above described property and all facts and conditions which would be revealed by an accurate survey or by a competent inspection of the premises.

WITNESS THE SIGNATURE OF THE GRANTORS this the 27 day of January, 2012.


DANNY M. LOW

CYNTHIA LOW BURGESS

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY
Mining and Reclamation Division
P. O. Box 2279
Jackson, Mississippi 39225-2279
(601) 961-5527

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: Danny Murphy
Mailing address: 110 Trailbridge Crossing Canton MS, 39046
Telephone number: 601-941-3214

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

DW 1/4 of SW 1/4 of Section 12, Township 9N Range 3E County Madison

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

Name of land owner: Russell Low
Mailing address: 978 Woodbridge Dr.
Madison MS 39110
Telephone number: 601-896-6038

Date operation to begin ASAP Date operation to end (estimated) 5-20-18
Material to be mined Recl Dirt Number of acres to be mined 4 (A)*
Total acres to be affected by operation (mine, roads, storage, etc.) 4 (B)*
Is operation closer than 1,320 feet (1/4 mile) to another mine? no yes (C*)
Is there a Dam present and/or one to be constructed onsite? no yes

***If items A or B exceed 4 acres or you answered YES to C above, you need to apply for a MINING PERMIT.**

Applicant/operator: Danny Murphy By Danny Murphy
Signature
Date: 4-5-17 Position Operator

For Office of Geology use only

Date: _____ By _____

Mining and Reclamation Division

Safety Measures

There will be a Water Truck onsite for dust control.

There will be large gravel on at least the 1st 100 feet from the Hwy to eliminate any mud from getting on the Hwy.

There will be signs on the Hwy notifying traffic that there are trucks entering Hwy.

April 20, 2017

Dear Sir or Madam,

I have granted Danny Murphy permission to mine on my property located at 2886 highway 43 north Canton, Mississippi. If you require any other information you may contact me:

Russell Low

978 Woodbridge Dr.

Madison, Ms. 39110

Thank you for your attention in this matter.

Sincerely,

Russell Low



MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

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

(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 (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.

Please indicate the activities to be covered by this MNOI (check all that apply).

- Storm Water Discharges Associated with Mining (checked) Mine Dewatering (N/A) Wastewater Recirculation System with No Discharge (N/A)

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 USGS quadrangle map, or a copy, indicating the site location and outfalls, and a SWPPP must be included with the MNOI submittal. Additional submittals may include the following (check all that apply).

- Notice of Exempt Operations Form (unchecked) Section 404 Documentation (unchecked) Dam/Reservoir Safety Permit or Written Authorization (unchecked)

ALL INFORMATION MUST BE COMPLETED (indicate "N/A" where not applicable)

APPLICANT IS THE: OPERATOR (checked) LANDOWNER (unchecked) (Must check one or both)

OPERATOR INFORMATION

OPERATOR CONTACT PERSON: Danny Murphy OPERATOR COMPANY NAME: Murphy's Co. LLC OPERATOR STREET OR P. O. BOX: 110 Trailbridge Crossing OPERATOR CITY: Canton STATE: MS ZIP: 39046 OPERATOR PHONE NUMBER (601) 941-3214 EMAIL ADDRESS: danny.murphy.675@gmail.com

LANDOWNER INFORMATION

LANDOWNER CONTACT PERSON: Russell Low LANDOWNER COMPANY: LANDOWNER STREET OR P. O. BOX: 978 Woodbridge Dr. LANDOWNER CITY: Madison STATE: MS ZIP: 39110 LANDOWNER PHONE NUMBER: (601) 896-6038 EMAIL ADDRESS: low.russell@gmail.com

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). _____ GEOLOGY APPLICATION/PERMIT NO. _____

LIST OTHER GEOLOGY PERMIT NUMBERS THAT APPLY TO COVERAGE AREA _____

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 601-961-5527.

LIST ANY LOCAL STORM WATER ORDINANCES WITH WHICH THE OPERATIONS MUST COMPLY AND SUBMIT ANY

ASSOCIATED APPROVAL DOCUMENTATION. _____

IF AN IMPOUNDMENT 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 the impoundment meets 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.

Danny Murphy
Authorized Signature¹

4-5-17
Date

Danny Murphy
Printed Name

Operator
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.

Please submit this form to:
Chief, Environmental Permits Division
MDEQ, Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225

Site Information

This area is a large grass field that slopes to the south, has a tree line to the North and a steep slope to the East from previous mining. Also there is an old pond to the East that has a broken levee used as a settlement pond.

Controls

Vegetative Control - Where sloping is needed there will be 3:1 slopes made and will be permanently seeded when digging is finished. It will be lightly disk for a good seed bed, and done within 7 calendar days of final grading.

Structural Controls - There will be a silt fence placed on the South side of the hill to prevent any dirt washing down the hill. There will be hay bales placed in between the spoil pile and trees to prevent any spoil washing onto the trees. There will be large rocks on the mining road to rub unwanted mud off of tires before making it to the Hwy.

Housekeeping Practices - Diesel tank will have a berm built around it for a spill hazard. All equipment maintenance will be done off site. There will be a trash can on site for people to use.

Dany Myszka
4-5-17

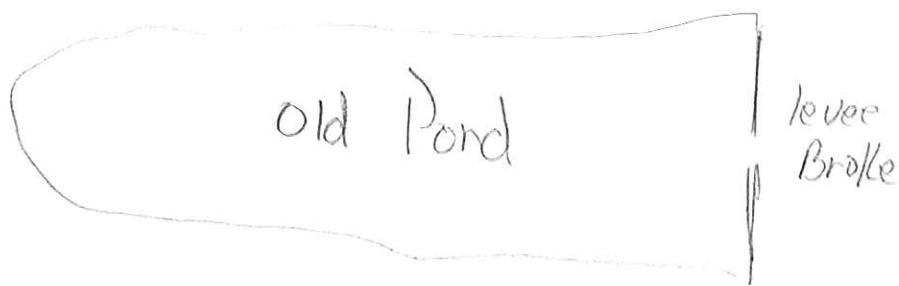
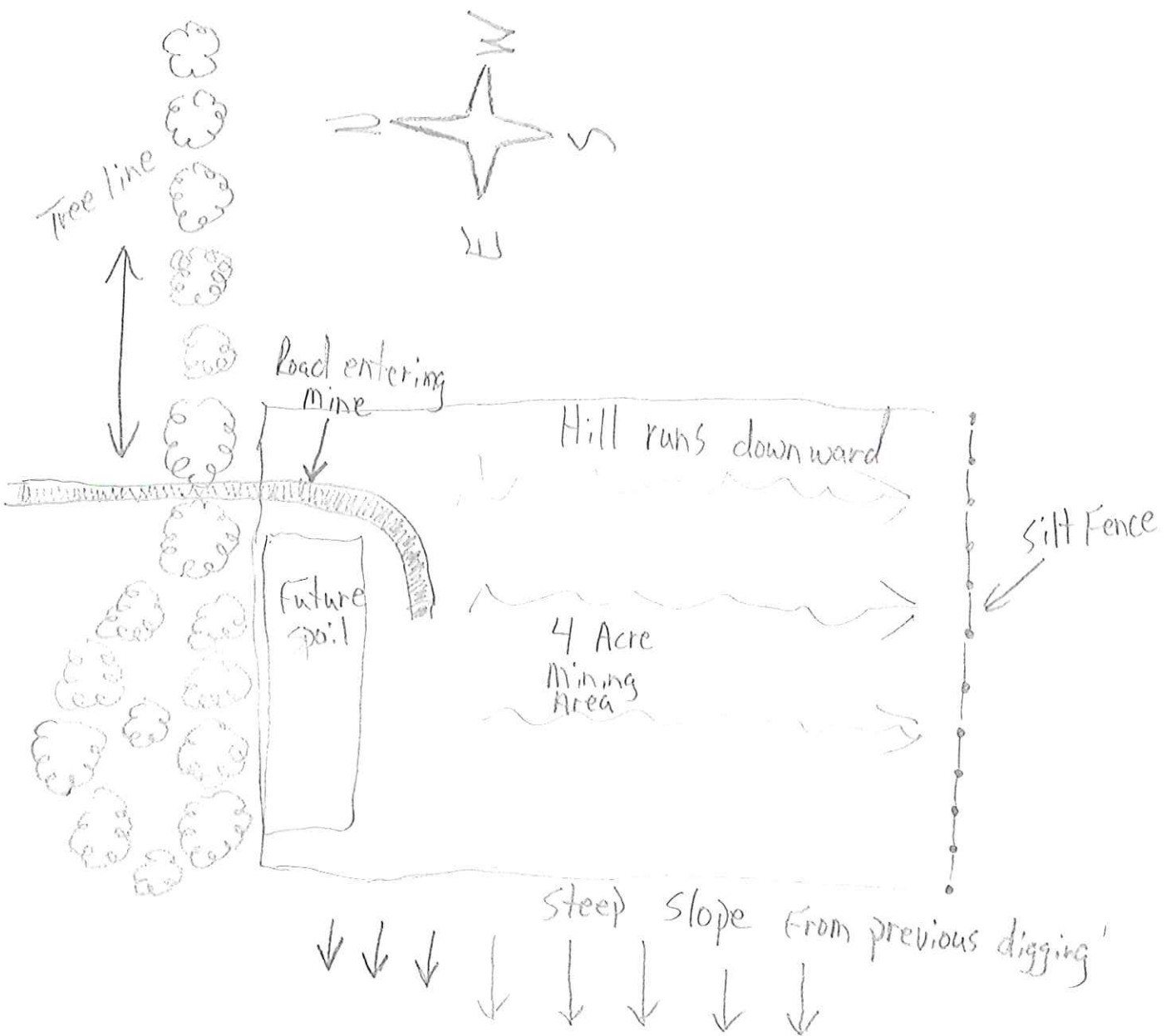
Post Construction / Storm Water Management Measures

The temporary silt fence and hay bales will be removed after the grass seed has sprouted and formed into erosion control.

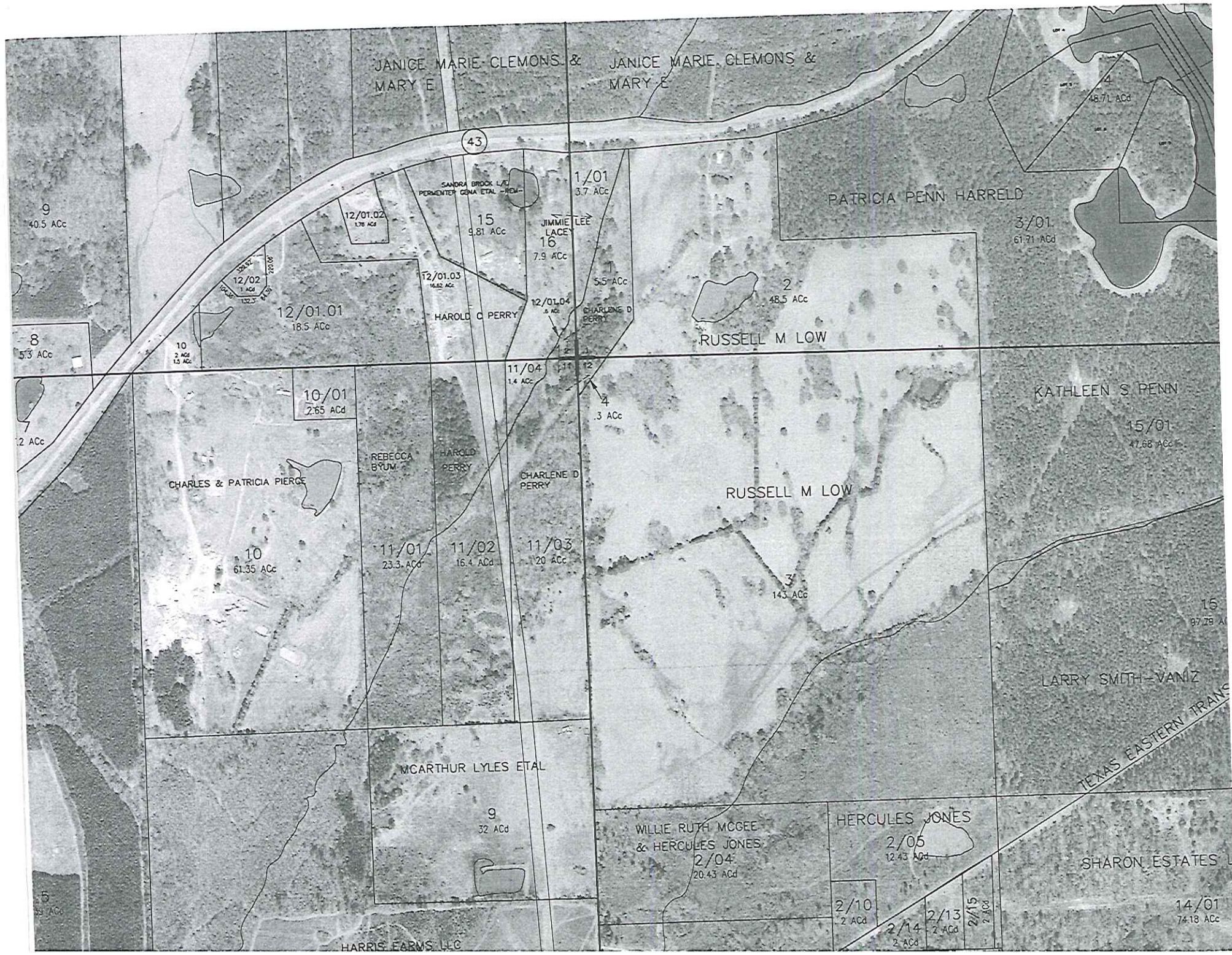
Implementation Sequence - 1) Place silt fence to the south. 2) Place hay bales to the North 20 ft. from trees. 3) Stripe topsoil and place it to the North in stock pile. 4) Slope banks to 3:1 5) lightly disk and level land 6) Seed and fertilize all areas that have been disturbed 7) When area is stabilized with grass remove all temporary measures.

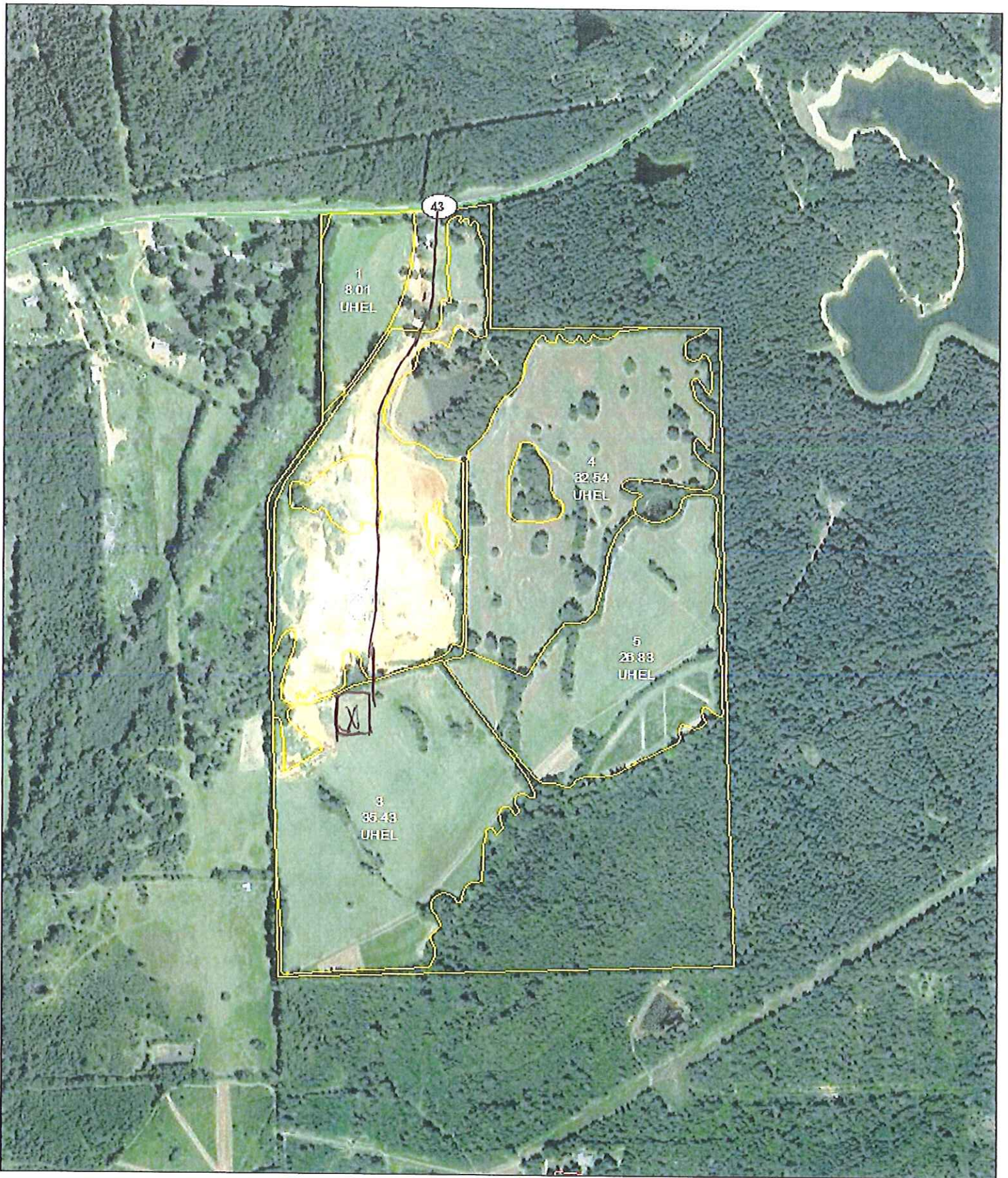
Maintenance Plan - Check all disturbed areas weekly, If any silt fences are 50 percent or more replace immediately. Any washed areas reseed, fertilize as needed.

Darryl Maysky
4-5-17



Dary Murphy





Farm: 5268
 Tract: 1753



Wetland Determination Identifiers
 ● Restricted use
 ▲ Limited Restrictions
 ■ Exempt from Conservation Compliance Provisions

USDA USDA Farm Service Agency
 Madison County, Mississippi

Printed Date: March 30, 2017
 Photography Date: 2016

Disclaimer: Wetland identifiers do not represent size, shape, or specific determination of area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.