

The intent of this letter is to allow my son, David D. Kennedy, to reclaim an area where a pond was constructed years ago. (Property reference: NE quarter of the SW quarter Section 13 Township 9 North range 3 East)

He has my permission to dig out the pond of 3.8 acres which will increase it by 3 acres. He also has my permission to mine out the dirt from this site.

Peggy F. Kennedy

A handwritten signature in cursive script that reads "Peggy F. Kennedy". The signature is written in dark ink and is positioned below the typed name.

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NOV 26 2014

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To: Madison County Board of Supervisors

Hours of operation will be 6:30 a.m. to 5:30 p.m.

This site is located directly on State Highway 16. So there is no haul route on county roads which will delete any road damage.

There will be truck entering road sides posted from both direction as our safety plan.

Dirt will be mined to reconstruct and increase existing pond.



*State of Mississippi
Department of Environmental Quality
Office of Pollution Control*

Certificate of Permit Coverage

under Mississippi's Mining Storm Water General NPDES Permit

Be it known

David D. Kennedy
Canton, Mississippi

having submitted an acceptable Mining Notice of Intent, is hereby granted this Certificate of Permit Coverage in order to discharge storm water in association with the operation of

Kennedy Mine
Receiving Stream: Tildabo Creek
Madison County

Coverage No: **MSR322444**

Date of Coverage: **December 1, 2014**

Date of Annual Inspection Report Submittal: **January 28, 2015**

Date General Permit Expires: **August 31, 2017**



Chief, Environmental Permits Division

66941 GNP20140001

45-166 AI# 66941

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: DAVID D. KENNEDY OWNER / LONNIE HARRIS OPERATOR
Mailing address: 352 ROBINSON ROAD
CANTON MS 39046
Telephone number: 601-~~961~~ 750-1161

Do you have any **other** exempt mining operations on file? [] yes [X] no
Do you plan to file for a **permit** and expand this site later? [] yes [X] no

SW SW LOCATION
NW 1/4 of SW 1/4 of Section 13, Township 9N Range 3E County MADISON

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

Name of land owner: Peggy Kennedy
Mailing address: 82 E. Timbercove Drive
Columbus MS 39705
Telephone number: _____

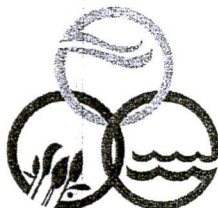
Date operation to begin 1-5-15 Date operation to end (estimated) 10-5-15
Material to be mined Borrow Material Number of acres to be mined 3.0 (A)*
Total acres to be affected by operation (mine, roads, storage, etc.) 3.75 (B)*
Is operation **closer** than 1,320 feet (1/4 mile) to another mine? [X] no [] yes*
Is there a **Dam** present and/or one to be constructed onsite? [] no [X] yes

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

Applicant/operator: DAVID D. Kennedy By David D. Kennedy
Signature
Date: 11-10-14 Position Landowner

For Office of Geology use only

Date: 11-10-2014 By [Signature]
Mining and Reclamation Division



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. However, 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, Wastewater Recirculation System with No Discharge

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 must be included with the MNOI submittal. Additional submittals may include the following (check all that apply).

- SWPPP, in accordance with ACT 5 of the General Permit (checked), Section 404 Documentation, Dam/Reservoir Safety Permit or Written Authorization, Notice of Exempt Operations Form (checked)

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

APPLICANT INFORMATION

IS APPLICANT THE [] OWNER [X] OPERATOR (Check one or both)
OPERATOR CONTACT PERSON: DAVID D. Kennedy
OPERATOR COMPANY NAME:
OPERATOR STREET (P. O. BOX): 352 Robinson ROAD
OPERATOR CITY: CANTON STATE: MS ZIP: 39046
OPERATOR TELEPHONE NUMBER (INCLUDE AREA CODE): (601) 750-1161

OWNER CONTACT PERSON: DAVID D Kennedy
 OWNER COMPANY: _____
 OWNER STREET (P. O. BOX): 352 Robinson Road
 OWNER CITY: CANTON STATE: Ms ZIP: 3904
 OWNER TELEPHONE NUMBER (INCLUDE AREA CODE): 601-750-1161

MINE INFORMATION

NAME OF MINE: Kennedy Pit 1 CANTON, Ms
 STREET ADDRESS OR NEAREST NAMED ROAD: Highway 16 EAST
 NEAREST CITY: CANTON COUNTY: MADISON
NE /4 OF SW /4 OF SECTION 13, TOWNSHIP 9N, RANGE 3E
 ATTACH A USGS QUAD MAP, EXTENDING 1/2 MILE BEYOND FACILITY, OUTLINING THE MINE BOUNDARIES (Maps can be obtained from the Mississippi Office of Geology. For information call 601-961-5523).
 LATITUDE: ___ degrees ___ minutes ___ seconds LONGITUDE: ___ degrees ___ minutes ___ seconds
 METHOD USED TO DETERMINE LAT & LONG (GPS (Please GPS Entrance Gate) or Map Interpolation): _____
 TOTAL ACREAGE: 3 1/2 MATERIAL TO BE MINED: DIRT
 WILL HYDRAULIC DREDGING BE USED? YES NO WASHING OF SAND/GRAVEL? YES NO
 RECEIVING STREAM: Tildabo Creek
 ESTIMATED START DATE: 1-5-15 ESTIMATED END DATE: 10-15-15

COMPLETE IF STORM WATER DISCHARGE IS PROPOSED

STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE: 1442
 ATTACH A STORM WATER POLLUTION PREVENTION PLAN (SEE PERMIT FOR REQUIREMENTS)
 IDENTIFY THE ASSOCIATION OR GENERIC SWPPP ON FILE AT MDEQ: _____

COMPLETE IF WASTEWATER RECIRCULATION SYSTEM WITH NO DISCHARGE IS PROPOSED

DISTANCE BETWEEN RECIRCULATION POND(S) AND PROPERTY LINE: _____ (FT)
 (MUST BE AT LEAST 150 FEET)
 NUMBER OF RECIRCULATION POND(S): _____
 STORAGE CAPACITY OF EACH RECIRCULATION POND(S): _____ (FT³)

COMPLETE IF MINE DEWATERING IS PROPOSED

ESTIMATED DEWATERING VOLUME: _____ (GAL/DAY)
 NAME AND ADDRESS OF THE RECIPIENT OF THE DISCHARGE MONITORING REPORTS (DMRs), IF DIFFERENT FROM SIGNATORY:

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?

[X] 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 601-961-5515.

LIST ANY LOCAL STORM WATER ORDINANCES WITH WHICH THE OPERATIONS MUST COMPLY AND SUBMIT ANY ASSOCIATED APPROVAL DOCUMENTATION. _____

IF IMPOUNDMENTS 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.

If any of the impoundments meet 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.

Handwritten signature: David D. Kennedy
Authorized Signature

Handwritten date: 11-13-14
Date

Printed Name: DAVID D. Kennedy

Handwritten title: Owner
Title

This application shall be signed according to the General Permit, Act 14, 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.
- Duly Authorized Representative

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

STORM WATER PREVENTION PLAN (SWPPP)

Site Information

The site is increase of an existing pond and will be a total of 3.9 acres. All water will flow into an existing embankment. The entire area is of established pasture with no slope. No creeks or wetland will be disturb on this site.

Controls

Vegetative Controls: A 15 foot undisturbed vegetative buffer zone will be maintained around the perimeter of the site. Existing trees will be preserved where possible. All diversions will be seeded in permanent vegetation. Grass lined waterways will be constructed and lined with straw net. Pond will be cut on a 3:1 slope then seeded and fertilized.

Structure Controls: A sediment basin with a surface discharge will be constructed at the end of the existing intermittent drainage on west end. Also a sediment basin will be constructed at the east end of the existing intermittent silt fencing and hay will be utilized in both of the structures. Storm water will be these basins with the assistance of diversion and grass waterways. These structures will maintain minimum erosion.

Housekeeping Practices: There will be no maintenance or repair of any equipment on this site. This property will be kept free of garbage and any other potential toxic materials.

Post Construction/Storm Water Management Measures: The Temporary sediment basin will be converted to a detention basin after construction.

Implementation Sequence

- 1) Build construction entrance and exit.
- 2) Install sediment basins.
- 3) Install diversion and waterways for storm water.
- 4) Construct silt fence and hay at

both sediment basins. 5) dig additional area to increase size of pond. 6) finish 3:1 slopes then seed and fertilize.

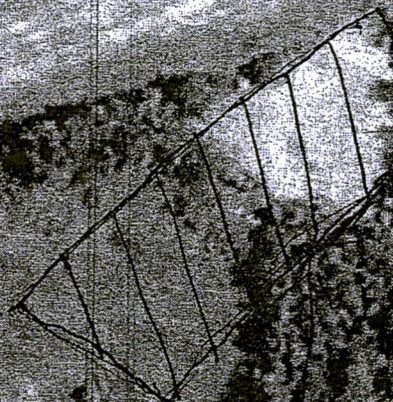
Maintenance Plan

Once the 3.8 pond is complete the area will be established in permanent pasture grass maintained from any undesirable vegetation. It will be reclaimed as a productive area with good sod this is fertilized and mowed to control any erosion.

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David Kennedy

From: Craig_Prestwood@deq.state.ms.us
Sent: Tuesday, November 18, 2014 10:00 AM
To: dkennedy@watsonquality.com
Subject: Pond in Canton, MS

David,

After talking to you last week and looking over the size and location of the pond you submitted paperwork on to our Geology office, the Dam Safety division has decided that the impoundment is too small to fit our regulatory standards. At this time we consider the pond non-regulatory. If you have any other Dam questions please feel free to give us a call.

Thanks again and have a good day,

Craig

Craig Prestwood, P.E.
Dam Safety Division
Mississippi Department of Environmental Quality
(601) 961-5219