



ARKANSAS
Department of Environmental Quality

APR 9 2014

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (91 7199 9991 7030 4910 2437)

Mr. Kennie Day, Partner
American Silica, LLC
East Cave City Quarry
P.O. Box 68
Brooksville, FL 34605

Re: State Construction Permit Number AR0052353C, AFIN 68-00332

Dear Mr. Day:

Enclosed are the public notice, Statement of Basis, and a copy of the draft construction permit that the Arkansas Department of Environmental Quality has prepared, as required by Act 163 of 1993.

In accordance with Reg. 8.207, the enclosed public notice will be or has been published by ADEQ in a newspaper of general circulation of your facility for one (1) day only. An invoice for the cost of publishing the public notice and proof of publication will be sent to you by the advertising newspaper. The permittee must send proof of publication and proof of payment to the address at the bottom of this letter as soon as possible but no later than 30 days from the above date. Until this Department receives proof of publication of the public notice and payment of all permit fees, no further action will be taken on the issuance of your construction permit.

Should you have any questions concerning any part of the draft permit, please contact the Arkansas Department of Environmental Quality, NPDES Branch, at (501) 682-0622.

Sincerely,

A handwritten signature in black ink, appearing to read "Ellen Carpenter", is written over a horizontal line.

Ellen Carpenter
Chief, Water Division

EC:eg

Enclosure

**PUBLIC NOTICE OF DRAFT CONSTRUCTION PERMIT
CONSTRUCTION PERMIT NUMBER AR0052353C, AFIN 68-00332**

This is to give notice that the Arkansas Department of Environmental Quality (ADEQ), Water Division, 5301 Northshore Drive, North Little Rock, Arkansas 72118-5317 at telephone number (501) 682-0622, proposes a draft construction permit for which an application was received on December 30, 2013 with additional information received on March 5, 2014 in accordance with Regulation No. 6.

Applicant: American Silica, LLC - East Cave City Quarry, Cougar Road, Cave City, AR 72579; Latitude: 35° 54' 50.82"; Longitude: 91° 26' 25.60" in Sharp County, Arkansas.

The discharge from this new facility will be made into an unnamed tributary of South Prong, thence to South Prong, thence to Reeds Creek, thence to the Strawberry River, thence to the Black River, thence to the White River in Segment 4G of the White River Basin.

Proposed Construction is a new Quarry which includes a stormwater/process water pond with a capacity of approximately 20,310,511 gallons at the primary spillway.

ADEQ's contact person for submitting written comments, requesting information regarding the draft permit, or obtaining a copy of the permit and the Statement of Basis is Eleanor Goins, at the above address and telephone number or by email at Water-Draft-Permit-Comment@adeq.state.ar.us. For those with Internet access, a copy of the proposed draft permit as well as the publication date may be found on the ADEQ's website at: http://www.adeq.state.ar.us/water/branch_permits/individual_permits/pn_permits/pnpermits.asp.

The comment period shall end at 4:30 P.M. (Central Time) on the 30th day after the publication date. If the last day of the comment period is a Saturday, Sunday or legal holiday, the public comment period shall expire on the next day that is not a Saturday, Sunday or legal holiday. For information regarding the actual publication date along with the actual date and time the comment period will end, please contact Eleanor Goins at the above address and telephone number or by email at Water-Draft-Permit-Comment@adeq.state.ar.us. Public notice, comments, and hearings will be conducted in accordance with Regulation 8.209 and 8.210 (Administrative Procedures). All persons, including the permittee, who wish to comment on ADEQ's draft permitting decision must submit written comments to ADEQ, along with their name and mailing address. A Public Hearing will be held when ADEQ finds a significant degree of public interest. After the public comment period, ADEQ will issue a final permitting decision. ADEQ will notify the applicant and each person who has submitted written comments or request notice of the final permitting decision. Any interested person who has submitted comments may appeal a final decision by ADEQ in accordance with the APCEC Regulation No. 8.603.

STATEMENT OF BASIS

For a draft State Construction Permit Number AR0052353C.

The issuing office is:

Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118

The applicant is:

American Silica, LLC
East Cave City Quarry
P.O. Box 68
Brooksville, FL 34605

1. BASIS FOR PERMIT AND CONDITIONS

This permit is your authority to construct the wastewater treatment system in accordance with the permit application and plans and specifications which were received on December 30, 2013 with additional information received on March 5, 2014. The issuance of the permit and conditions are based on the Arkansas Water and Air Pollution Control Act (Arkansas Code Annotated §8-4-101 et seq. and Arkansas Code Annotated §8-4-101 et seq.), Arkansas Pollution Control and Ecology Commission (APCEC) Regulation No. 6.202, NPDES Discharge permit AR0052353C, and 40 CFR 122.26.

Specific permit conditions and their sources are listed as follows:

Conditions 1, 2, 3, 4, 5, 7, 9 and 10 are self-explanatory. Condition 8 is based on 40 CFR 122.26(b)(15). Condition 11 is based on submitted application and Plans and Specifications. Condition 6 is based on Section 93.42 of 2004 Edition of Recommended Standards for Wastewater Facilities (10-SS) and generally accepted scientific knowledge, and engineering practices.

2. PUBLIC NOTICE

In accordance with Arkansas Pollution Control and Ecology Commission (APCEC) Regulation No. 8, the public notice will be published by ADEQ in a newspaper of general circulation for one (1) day only. The public comment period will begin on the date of publication and will end no sooner than 30 days from that date. Comments must be received at ADEQ prior to the close of the public comment period.

3. SOURCES

1. Application Form 1 and Plans and Specifications dated December 30, 2013 with additional information received on March 5, 2014.
2. 2004 Edition of Recommended Standards for Wastewater Facilities (10-SS).
3. APC&EC Reg. 6, Reg. 8, and Reg. 9

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4. A.C.A. §8-4-217(b)(1)(C)
5. 40 CFR 122.26

4. CONTACT PERSON

The ADEQ contact person for submitting written comments, requesting information, or obtaining copies of the application, permit, and the Statement of Basis is:

Eleanor Goins
NPDES Branch, Water Division
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317
(501) 683-5406

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STATE CONSTRUCTION PERMIT

Permit Number: AR0052353C

TO:

American Silica, LLC
East Cave City Quarry
P.O. Box 68
Brooksville, FL 34605

Consulting Engineer:

Jennifer Harmon
Terracon Consultants, Inc.
25809 I-30 South
Bryant, AR. 72022

This permit is your authority to construct the wastewater treatment system in accordance with the permit application and plans and specifications which were received on December 30, 2013 with additional information received on March 5, 2014 under authority of the Arkansas Water and Air Pollution Control Act (Arkansas Code Annotated §8-4-101 et seq. and Arkansas Code Annotated §8-4-201 et seq.) and the following terms and conditions.

1. The treatment system shall be constructed in accordance with the final plans and specifications as approved by the Arkansas Department of Environmental Quality (ADEQ). In case any statement or representation in the aforementioned documents is found to be incorrect, this approval may be revoked.
2. There should be no deviation from the approved plans and specifications unless the revisions have been submitted for review and written approval is received.
3. Within thirty (30) days of completion of construction, a Professional Engineer (PE) registered in Arkansas shall submit written certification to the Department (Permits Branch of the Water Division) that the facility has been constructed in accordance with the approved plans and specifications.
4. This permit is issued in reliance upon the statements and representations made in the application and the plans and specifications. Issuance of a State Construction Permit does not guarantee satisfactory operation of the treatment system. The permittee shall ensure that water quality standards are not violated. Any modifications to the treatment facility necessary to meet water quality standards are the responsibility of the permittee and would require a modification to this State Construction Permit.
5. A State Construction Permit for a new wastewater treatment facility does not constitute an NPDES permit. Issuance of a State Construction Permit for construction of a treatment system in no way guarantees or assumes that an application for an NPDES permit to operate the system will be approved or an NPDES permit will be issued.
6. Pond Liner: The stormwater/process water pond must meet the requirements of one of the options listed below.
 - A. The stormwater/process water pond must have a pond bottom soil liner with a permeability of less than 1×10^{-7} cm/sec and a thickness of at least 16 inches or equivalent before the start of operation in accordance with Section 93.422 of the Ten State Standards and the submitted Plans and Specifications Section 3.2.2. The soil used to construct the pond bottoms (not including the seal) shall be relatively incompressible and compacted at or up to 4% above the

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optimum water content to at least 95% Standard Proctor Density as stated in the plans and specifications Section 3.2.1.

- B. The stormwater/process water pond must have a pond bottom synthetic liner of 30-MIL PVC Geomembrane. The Synthetic liner must be ventilated with a non-woven geotextile cushion/ventilating layer as specified in the plans and specifications Figure 3 sheet 3 of 3.
7. A complete "Operations and Maintenance (O&M) Manual" of the wastewater treatment system shall be developed by the engineering consultant for the operator's use before the plant is in operation.
 8. If the construction site will disturb in excess of one (1) acre, the permittee must comply with the terms of the Stormwater Construction General Permit Number ARR150000 prior to the start of construction. Best Management Practices (BMPs) must be in place regardless of the size.
 9. This facility is located as follows: Latitude: 35° 54' 50.82" Longitude: 91° 26' 25.60"; from Hwy 67 N at Cave City, east on AR230 to Aetna Road (on the south side of AR230). South on Aetna Road to Mt. View Road. East on Mt. View Road. Take the 1st right (approximately 0.6 miles) onto Cougar Road. Continue on Cougar Road for approximately 1 mile, in Sharp County, Arkansas.
 10. The receiving waters named: an unnamed tributary of South Prong, thence to South Prong, thence to Reeds Creek, thence to the Strawberry River, thence to the Black River, thence to the White River in Segment 4G of the White River Basin. The outfall is located at the following coordinates: Outfall 001: Latitude: 35°55'7.34"; Longitude: 91° 26' 28.92".
 11. The construction will include a new Quarry which includes a stormwater/process water pond with a capacity of approximately 20,310,511 gallons at the primary spillway.

Effective Date:

Ellen Carpenter
Chief, Water Division
Arkansas Department of Environmental Quality

Issue Date