



State of Tennessee
Department of Environment and Conservation
Division of Mineral and Geologic Resources
Mining Section
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COMBINED NOTICE

Public Hearing **Proposed Issuance of NPDES Permit** **Proposed Issuance of Aquatic Resource Alteration Permit**

Public Notice M2023-20

December 6, 2023

NOTICE IS HEREBY GIVEN; the Division of Mineral and Geologic Resources will hold a public hearing pursuant to Rules 0400-40-05-.06 (8) and 0400-40-07-.04 (4) regarding the proposed issuance of a National Pollutant Discharge Elimination System (NPDES) permit and an Aquatic Resource Alteration Permit (ARAP).

Date: January 9, 2024

Time: 5:00 p.m. EST, Information Session
6:00 p.m. EST, Public Hearing

Location: Cove Lake State Park
Recreation Building
110 Cove Lake Lane
Caryville, TN 37714

The public hearing will be presented via video-teleconference and may be attended online, by phone, or in-person at the address above. Information describing how to join online or by phone is provided below. At the hearing, the Division will receive public comments concerning the following permit actions:

NPDES Permit: TN0070716
ARAP: NR23MS.010
Applicant: Hurricane Creek Mining, LLC
Mine Name: Mine 2
Facility Location: Valley Creek Road, Clairfield, TN 37715
County: Claiborne

The applications and draft permits are available in the Division of Water Resources Data Viewer at www.tn.gov/environment/about-tdec/tdec-dataviewers.html. The draft NPDES permit is for a new coal mine at an area previously mined by another company. The receiving streams for the proposed discharges are unnamed tributaries to Tackett Creek, Valley Creek, Hurricane Creek, Pigeon Roost Branch, and Spruce Lick Branch. The ARAP would authorize stream crossings and wetland alterations. A video presentation regarding the draft permits is available at https://www.youtube.com/watch?v=_lFc5V1M7RI. If you have questions related to the draft permits, contact the permit writer, Dan Murray, at (865) 770-9473 or Dan.Murray@tn.gov.

The purpose of the hearing is to gather information from the public relevant to a final decision on the permit applications. Comments not related to water quality or to the information contained in the permit applications will not be considered in the decision-making process. Issues such as air quality, zoning, blasting, noise, dust, and traffic are not related to water quality and are not regulated by the Division of Mineral and Geologic Resources, the NPDES program, or the ARAP program; therefore, consideration of these issues would not contribute relevant information for the proposed permits.

The hearing officer may limit the length of oral comments to five minutes and will require that all comments be relevant to water quality-related issues. Undue repetition in oral presentations should be avoided so that all interested parties will have an opportunity to present their concerns. Written comments related to the proposed permit actions will be accepted until January 19, 2024. Written comments will be afforded the same consideration as verbal comments.

Participants may join online using the website link below or call in by phone (audio only). Prior to opening the formal public hearing, an information session will be held at 5:00 p.m. EST. The information session will allow participants to ask questions informally and receive input from TDEC staff. The formal hearing will begin at 6:00 p.m. Once the formal public hearing begins, the question-and-answer format will end, and all public comments will be collected for the hearing record without response from TDEC during the hearing.

Information regarding how to join by computer will be posted to the following website:

<https://www.tn.gov/environment/ppo-public-participation/ppo-public-participation/ppo-dmgr.html>

Join by phone: 1-629-209-4396

Phone Conference ID: 844 564 322#

If you have difficulty connecting to the hearing, please call: (865) 441-4773.

Individuals with disabilities who wish to participate in these proceedings or review the file should contact TDEC to discuss any auxiliary aids or services needed to facilitate such participation. Contact may be by writing, telephone, or other means. Contact the ADA Coordinator at (866) 253-5827 for further information. Such contact should be made no later than ten working days prior to the hearing to allow time to provide such aid or services. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298). If it is hard for you to read, speak, or understand English, TDEC can provide translation or interpretation services free of charge by contacting Brian Canada at 615-532-0660 or Brian.Canada@tn.gov. Si le resulta difícil leer, hablar o comprender inglés, TDEC puede proporcionarle servicios de traducción o interpretación sin cargo comunicándose con Brian Canada al 615-532-0660 o Brian.Canada@tn.gov.

Please submit any written comments to the Division at the letterhead address above or to Dennis.Conger@tn.gov. **The last day to submit comments for the hearing record is January 19, 2024.**