

6. Before natural creeks, streams, rivers, lakes, or other bodies of water may be altered in course or relocated by the Operator, the plan for such alteration or relocation must be approved in accordance with all applicable laws and regulations and by the Division as a part of this Plan.
7. The Operator shall obtain all required permits and maintain compliance with the Rules and Regulations of the State of Georgia, including but not limited to the Water Quality Control Rules, Chapter 391-3-6-.16.
8. Where properties on the National Register of Historic Places are located within one mile of any portion of the proposed mining operation, the Operator shall provide, as an attachment to this Plan, documentation which demonstrates the following have been adequately considered:
  - A. alternatives or measures to avoid or reduce effects on the historic properties;
  - B. determinations of effects on alteration to features of the property's location, setting, or use;
  - C. determinations of adverse effects which may diminish the integrity of the property's location, design, setting, materials, workmanship, or other structural detail.

Adverse effects on historic properties include, but are not limited to:

- A. physical destruction, damage, or alteration of all or part of the property;
- B. isolation of the property from or alteration of the character of the property's setting when that character contributes to the property's qualification for the National Register;
- C. introduction of visual, audible, or atmospheric elements that are out of character with the property or alter its setting.

Adverse effects from the introduction of atmospheric elements shall be defined as repetitive non-conformance with the National Ambient Air Quality Standards (NAAQS) regarding fugitive dust particles of 10 microns and smaller which may leave the subject property as set forth by the Environmental Protection Agency.

Adverse effects from the introduction of audible elements shall be defined as repetitive noncompliance with the Georgia Blasting Standards Act (State of Georgia House Bill 824) regarding atmospheric overpressure limits as governed by the Department of the Fire Marshal for the State of Georgia. Avoidance of adverse effects by the introduction of visual elements shall be accomplished wherever practical by maintaining visual barriers, either by undisturbed buffer areas or manmade structures such as berms, as outlined in the approved Mining Land Use Plan.

It is incumbent upon the Operator to provide satisfactory evidence to the Director that alternatives have been considered and this plan contains appropriate measures to provide for minimizing and/or mitigating any adverse effects. If after the mining operation begins adverse effects become evident, the Director will give the Operator written notice of the occurrence of such adverse effects. The Operator will then have sixty (60) days to mitigate the adverse effects. If during the sixty day period no successful action is taken by the Operator to mitigate the adverse effects, the Operator upon notice from the Director will cease operations. The Operator will then provide to the Director within ten (10) days an assessment of the effects and a plan to mitigate the impact. Upon approval by the Director, the Operator may be allowed to resume mining operations.