



Clean Water Act Section 404: Site Visit/Case Development

For inspections authorized pursuant to Clean Water Act sections 308 and 404 (33 U.S.C. §§ 1318 and 1344)

This report includes only factual information gained by documentation, onsite observations, and/or onsite interviews.

Inspector Name(s)	Rachel Earwood Joel Strange	Time In	12:50 CST	Start Date	January 22, 2024
		Time Out	15:00 CST	End Date	January 22, 2024
Inspector's Organization	Enforcement and Compliance Assurance Division/Waterways and Wetlands Enforcement Section				
Organization Requesting Inspection (if different)					
Inspection Type	Evaluation	Inspection Status	Original		
Site Name	Henry Brick Company, Inc. (Claude Jack Mine)				
Site Address*	Main entrance of mine is off Race Street, south of AL State Route 14				
City*	Selma	County*	Dallas	State*	AL
				Zip Code*	36703
Mailing Address*	3409 Water Ave				
City*	Selma	County*	Dallas	State*	AL
				Zip Code*	36703
Latitude*	32.424264	Longitude*	-86.996939		
Estimated Size of Site (acres)	295	Is there a home on the site?	☐ Yes ☒ No		
Inspector Signature	RACHEL EARWOOD Digitally signed by RACHEL EARWOOD Date: 2024.04.01 10:18:18 -04'00'			Date	
Supervisor Signature	AHMAD DROMGOOLE Digitally signed by AHMAD DROMGOOLE Date: 2024.04.01 16:57:46 -04'00'			Date	

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Site Name	Henry Brick Company, Inc. (Claude Jack Mine)	Start Date	January 22, 2024
		End Date	January 22, 2024
Inspection Purpose	Initial site visit		
Opening Conference			
☒ Presentation of Inspector Credentials Name and Title (Use N/A if owner/operator not available to join the inspection) Denson Henry (Vice President), Davis Henry (President), Clarke Burns (Assistant Production Manager), Tom DeLawrence (legal counsel)			
☒ Opening Conference Name of person authorizing access if applicable Denson Henry			
Notes from Opening Conference Both parties introduced themselves, then the EPA inspection team discussed the inspection's purpose and objective.			
☐ Access Issues if Any Describe N/A			
Inspection Observations and Sample Collection			
Site Owner/Site Operator/Responsible Party (Name, title and contact information) Denson Henry, Vice President, densonhenry@henrybrick.com			
Additional Persons Present at Inspection Clarke Burns, Tom DeLawrence, Courtney Shea (USACE), Bianca Jaikaran (EPA)			
General Site Characteristics (layout of property, etc.) See Attachment A.			
Purpose and Need for Discharge of Dredged and/or Fill Material The company manufactures brick, which includes mining the raw material. The material is a hydric soil series commonly found in wetlands.			
Site Overview (Past inspections, site description, permits, etc.) The Site is approximately 295 acres in land area and consists of four parcels per Dallas County's public GIS map. It is located approximately two miles northeast of downtown Selma, Alabama (see Attachment C). The U.S. Army Corps of Engineers, Mobile District (USACE) became involved when the company sought after-the-fact permitting for the unauthorized impacts to WOTUS. In February 2022, the EPA, Region 4 (EPA) became the lead enforcement agency per its Memorandum of Agreement with the USACE while the matter was on Public Notice (No. SAM-2020-01147-JSC).			



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Site Name	Henry Brick Company, Inc. (Claude Jack Mine)	Start Date	January 22, 2024
		End Date	January 22, 2024
Scope of Inspection (Areas inspected or not inspected)			
See Attachment A.			

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Site Name	Henry Brick Company, Inc. (Claude Jack Mine)	Start Date	January 22, 2024
		End Date	January 22, 2024
Environmental Conditions (e.g., wind, rain, smoke, dust, temperature, snow)			
Weather Conditions During the Site Inspection: scattered clouds, mid 50s, light wind (approximately 7 mph). Antecedent precipitation was normal on the date of the inspection (see Attachment B).			
Field Work Conducted			
Observations were conducted along the concrete-lined tributary of Beech Creek and its adjacent wetlands. Photographs were taken using a GPS-enabled Nikon AW120 camera. Locations of observations are included in the attached site overview map and photographic log (see Attachments A and C).			
Closing Conference			
Documents Received and/or Requested During the Inspection			
None. However, Courtney Shea (USACE, Mobile District) suggested that the company submit a mitigation plan to the District in order for the USACE to begin their review.			
Compliance Assistance Provided (If any)			
The EPA and USACE reviewed the site schematic, that was an attachment to the November 29, 2022, Joint Public Notice between the USACE (Mobile District) and ADEM, with the closing conference group.			
Observations Relayed to Site Owner/Operator			
The EPA informed the group (at this time, comprised of Denson Henry, Tom DeLawrence, and Courtney Shea) that we would discuss observations with EPA management. In addition, the group was informed that the EPA inspection report would be released to the company within 70 days of the closing conference.			
Actions Taken by Owner/Operator During the Inspection (If any)			
None.			
Potential Issues of Concern Including Regulatory Citations			
Unauthorized discharges of dredged and/or fill material into water of the United States (Sections 301 and 404 of the CWA, 33 U.S.C. §§ 1311 and 1344).			
Attachments*			
☒ Maps and Sketches ☒ Photographs (including location) and Photo Log ☒ Other (SSIP, Wetlands Delineation Forms, etc.)			
Attachment A - Site Overview Map Attachment B - Antecedent Precipitation Data Attachment C - Photographic Log			
Additional Notes			
None.			

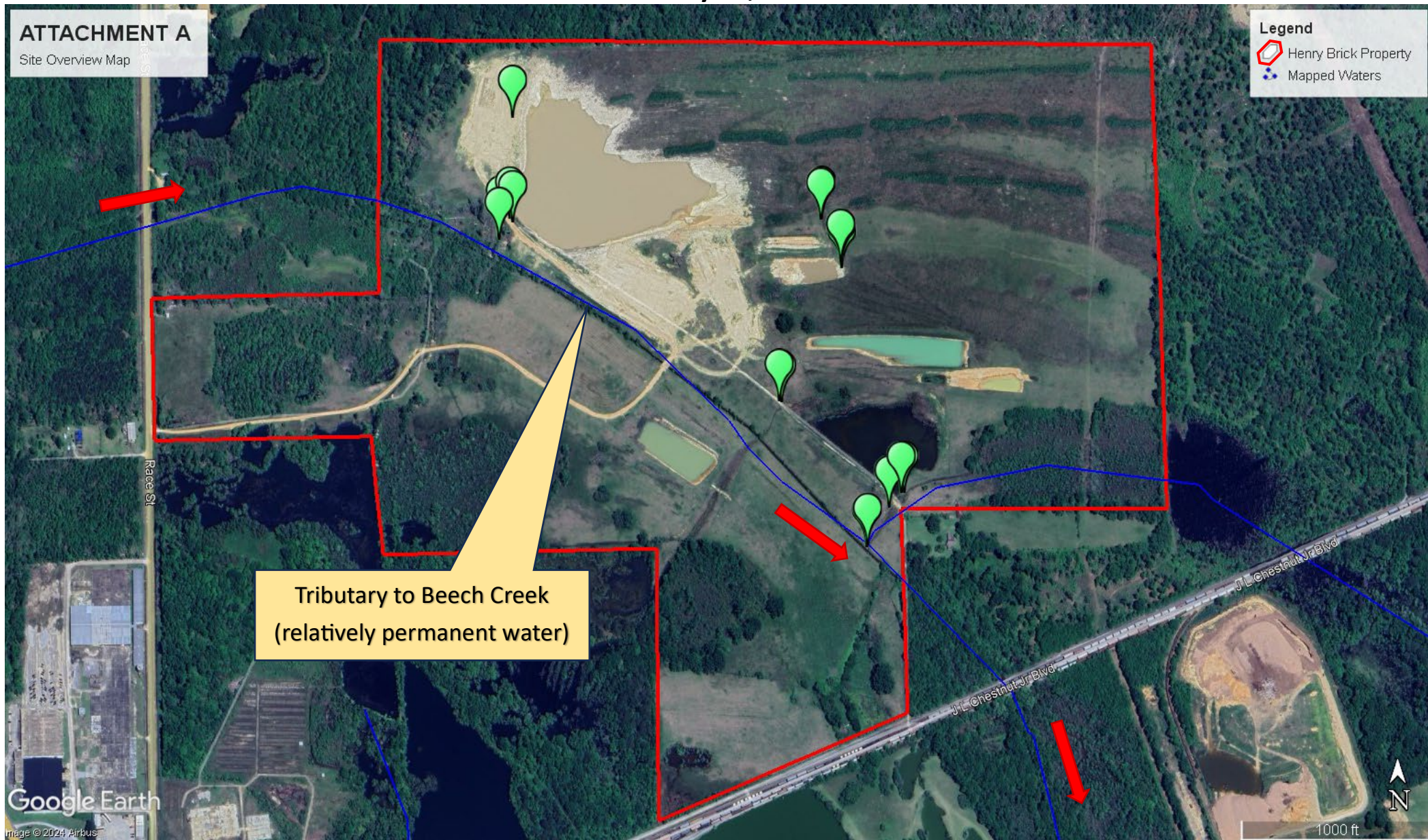
Henry Brick Company, Inc. - Claude Jack Mine
Selma, Dallas County, Alabama
January 22, 2024

ATTACHMENT A

Site Overview Map

Legend

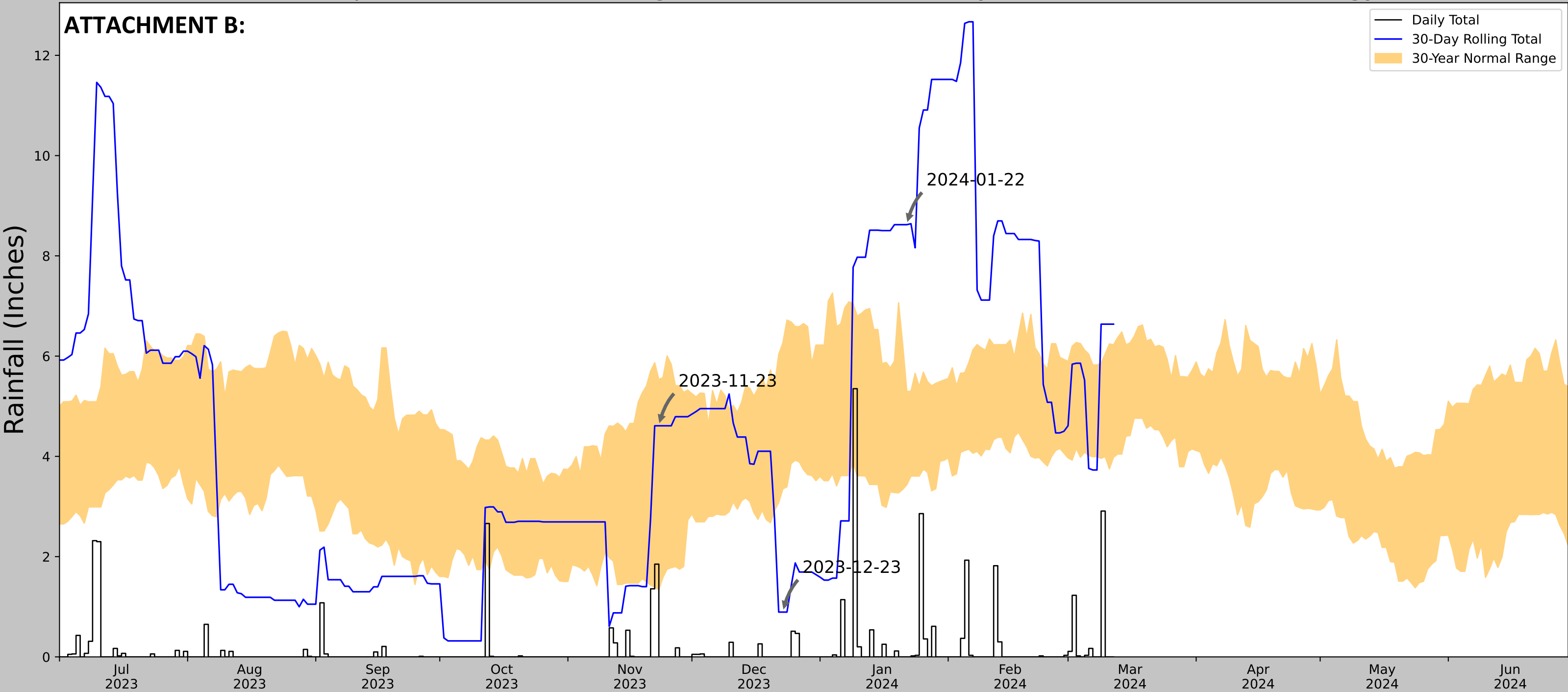
-  Henry Brick Property
-  Mapped Waters



Tributary to Beech Creek
(relatively permanent water)

Red arrows indicate the direction of flow. Seventeen (17) photos were taken onsite.

Antecedent Precipitation vs Normal Range based on NOAA's Daily Global Historical Climatology Network



Coordinates	32.4111, -86.9907
Observation Date	2024-01-22
Elevation (ft)	116.339
Drought Index (PDSI)	Incipient wetness
WebWIMP H ₂ O Balance	Wet Season

30 Days Ending	30 th %ile (in)	70 th %ile (in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2024-01-22	3.434252	5.296851	8.622048	Wet	3	3	9
2023-12-23	3.350788	6.261024	0.893701	Dry	1	2	2
2023-11-23	1.342126	5.533465	4.610236	Normal	2	1	2
Result							Normal Conditions - 13



**US Army Corps
of Engineers®**

Figures and tables made by the
Antecedent Precipitation Tool
Version 2.0

Developed by:
U.S. Army Corps of Engineers and
U.S. Army Engineer Research and
Development Center



ERDC
ENGINEER RESEARCH & DEVELOPMENT CENTER

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation Δ	Weighted Δ	Days Normal	Days Antecedent
SELMA	32.4111, -87.0144	146.982	1.766	30.643	0.849	10986	90
SELMA 1.5 WSW	32.4042, -87.0546	150.919	2.393	3.937	1.086	280	0
SELMA 6 SSE	32.335, -86.9786	157.152	5.658	10.17	2.604	21	0
JONES BLUFF L&D	32.3236, -86.7828	145.997	14.806	0.985	6.677	65	0

Attachment C

Henry Brick Company, Inc. Claude Jack Mine Site Inspection Photographic Log

Selma, Dallas County, Alabama

January 22, 2024

Overview Map



Satellite imagery sourced from Google Earth, dated 4/19/2024
Topographic map layer sourced from Earth Point



Title	Photo 1
Comment	Taken by Rachel Earwood
Description	Striking east, downstream. Tributary (relatively permanent water, "RPW") site-side of Franklin Street. Beginning of channelization. Red arrow in top photo indicates direction of flow.



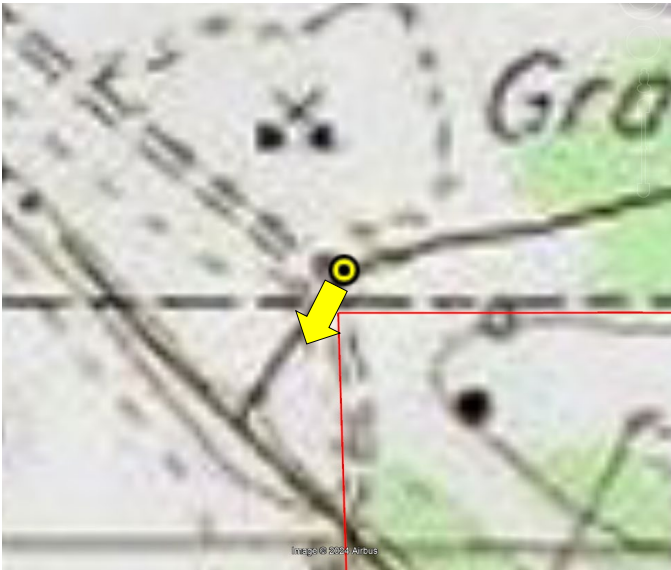
Title	Photo 2
Comment	Taken by Rachel Earwood
Description	Striking west, upstream. RPW on opposite side of Franklin Street. Culverted under road. No directional flow observed.



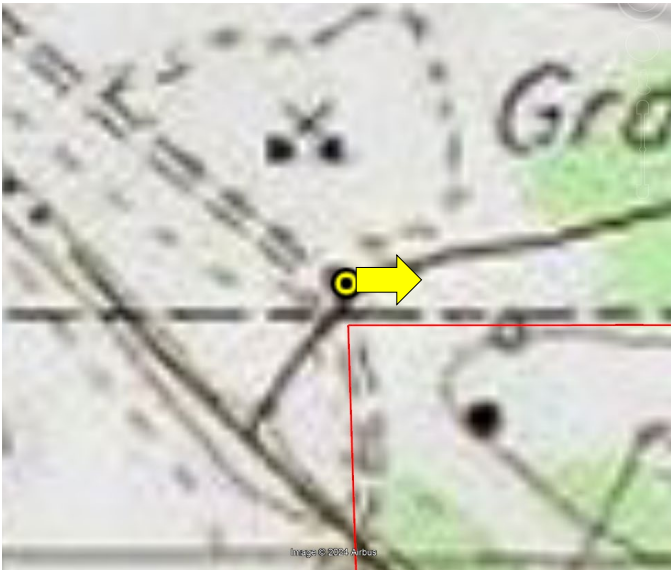
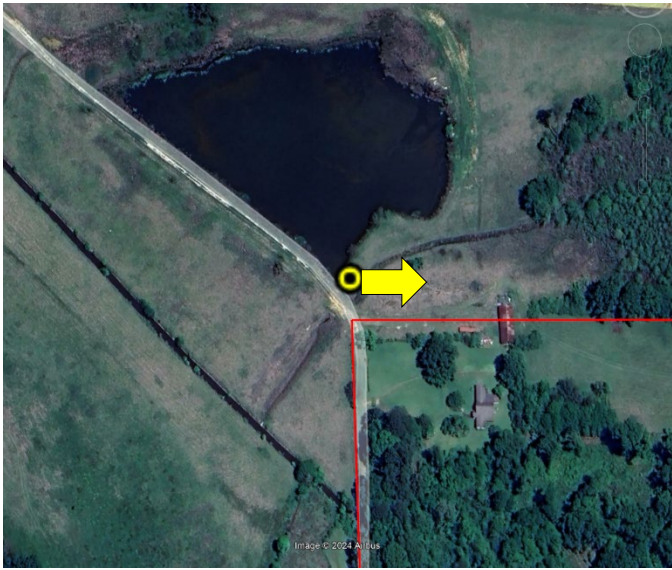
Title	Photo 3
Comment	Taken by Rachel Earwood
Description	Striking south. Looking from dirt road to the channelized tributary-side of the landscape. Notice brick material near road. <i>Juncus effusus</i> common.



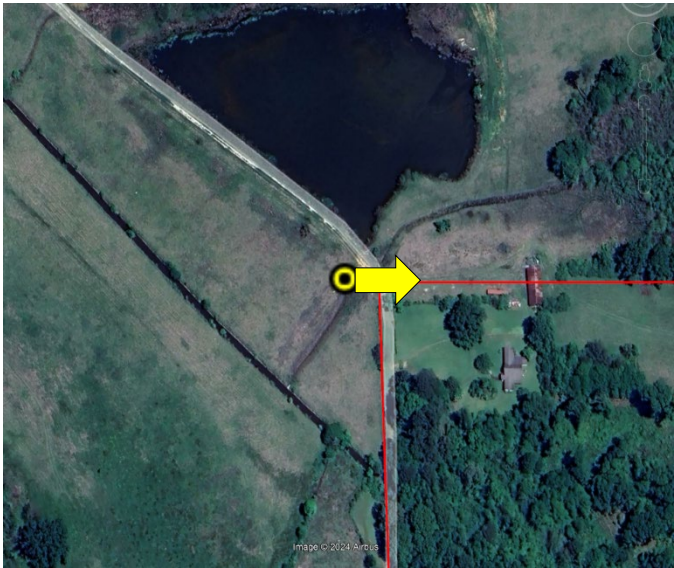
Title	Photo 4
Comment	Taken by Rachel Earwood
Description	Striking east. Other side of dirt road.



Title	Photo 5
Comment	Taken by Rachel Earwood
Description	Striking south, southwest. Overflow area from open water/pond. Evidence of flow over the dirt road/berm.



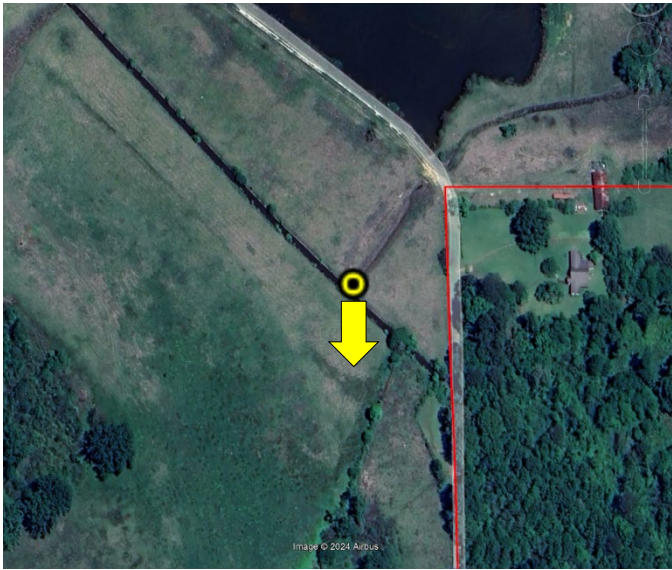
Title	Photo 6
Comment	Taken by Rachel Earwood
Description	Striking east, upstream of channel (RPW).



Title	Photo 7
Comment	Taken by Rachel Earwood
Description	Striking east. Continuation of the channel on the other side of the dirt road/berm.



Title	Photo 8
Comment	Taken by Rachel Earwood
Description	Striking southeast. Confluence of channel in Photos 5-7 with the channelized tributary (RPW) that transverses the property. Notice plum; evidence of flow moving under the concrete.



Title	Photo 9
Comment	Taken by Rachel Earwood
Description	Striking south. Downstream of the channelized tributary.



Title	Photo 10
Comment	Taken by Rachel Earwood
Description	Striking northeast. Across the road from the excavated area. Notice the two corrugated pipes; initially installed pipe located at the water's surface.



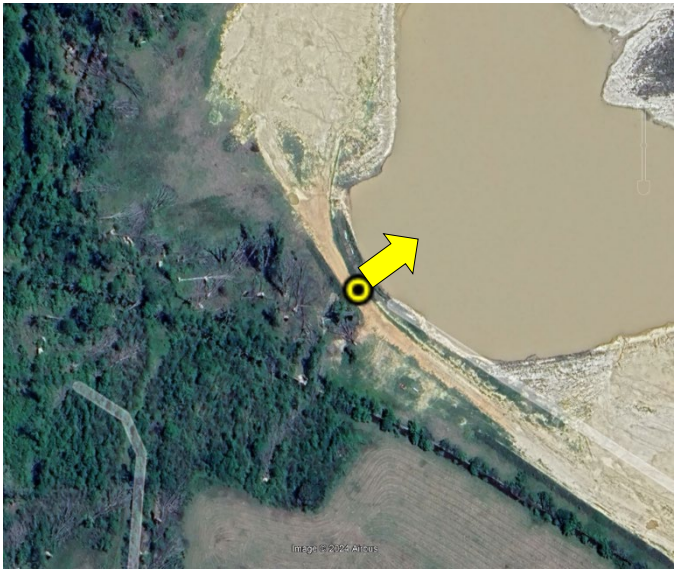
Title	Photo 11
Comment	Taken by Rachel Earwood
Description	Striking southwest. Downstream of Intermittent Stream 1, or "IS-1" (per GMC's Figure 6B, dated 8/2/2022).



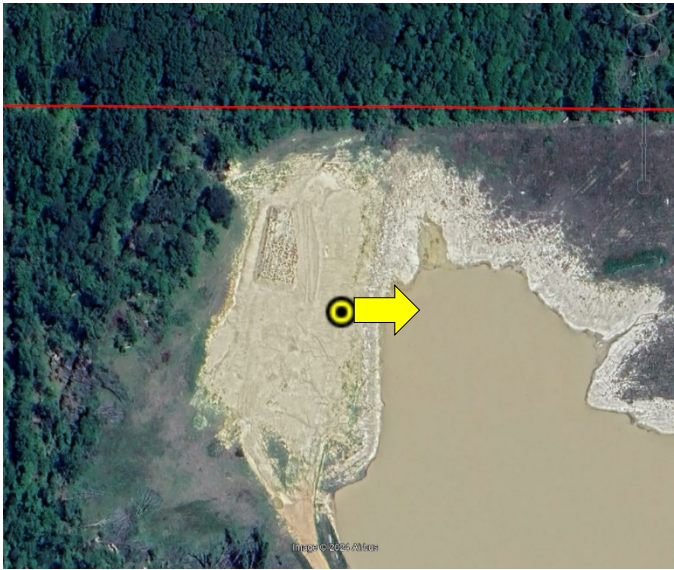
Title	Photo 12
Comment	Taken by Rachel Earwood
Description	Striking east. Pond-side of the culvert that runs under the dirt road/berm. Approximately 11 acres have been excavated.



01.22.2024 14:03



Title	Photo 13
Comment	Taken by Rachel Earwood
Description	Striking northeast. Landscape across the open water where wetlands were mechanically land-cleared (approx. 55.09 acres) and excavated (approx. 11 acres).



Title	Photo 14
Comment	Taken by Rachel Earwood
Description	Striking east. View of mechanically cleared wetlands.



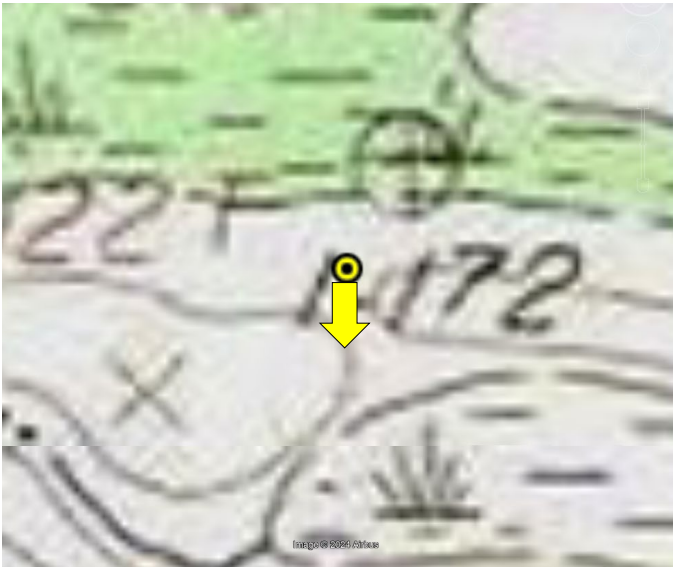
Title	Photo 15
Comment	Taken by Rachel Earwood
Description	Hydric soil indicator, per U.S. Army Corps of Engineers Regional Supplement to the Delineation Manual, observed at this sampling location.



Title	Photo 16
Comment	Taken by Rachel Earwood
Description	Striking west. Newly dug pond that has its fill material placed to the right of the image. Southern end of the Wetland 1 ("W-1" per GMC report) swale is also to the right of where this photo was taken.



Title	Photo 17
Comment	Taken by Rachel Earwood
Description	Striking northwest. Looking up the swale toward W-1's northern portion, as delineated by GMC.



Title	Photo 18
Comment	Taken by Rachel Earwood
Description	Striking south. Looking down the swale from the southern boundary of W-1's northern portion.



Title	Photo 19
Comment	Taken by Rachel Earwood
Description	Striking north. Looking toward the cleared W-1 from its northern portion's southern boundary.



Title	Photo 20
Comment	Taken by Rachel Earwood
Description	Striking northwest, upstream. Beech Creek from Water Avenue.



Title	Photo 21
Comment	Taken by Rachel Earwood
Description	Striking south, downstream. Beech Creek from Water Avenue.



Title	Photo 22
Comment	Taken by Rachel Earwood
Description	Striking southwest. Confluence of Beech Creek and the Alabama River, a Section 10 Water at this location.

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