

# Appendix B

## State Regulations, Permits and Applications

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### State Regulations

The following appendix contains the State of Mississippi General Permits for the following activities: Small Municipal Separate Storm Sewer System (MS4), Small Construction (for land disturbing activities of one (1) to less than five (5) acres), and Large Construction (for land disturbing activities of 5 or more acres). This appendix is provided for easy access to State regulations related to stormwater. It should be used as a reference when planning activities that may require regulation by the Mississippi Department of Environmental Quality.

### Applications

A copy of the Large Construction Forms package is provided as a part of this appendix for reference when planning a construction project. The Large Construction Forms package includes:

- Large Construction Notice of Intent (NOI)
- Prime Contractor Certification
- Registration Form for Residential Lot Coverage
- Inspection and Certification Form
- Major Modification Form
- Request for Transfer of Permit, General Permit Coverage, and/or Name Change
- Inspection Suspension Form
- Notice of Termination (NOT) of Coverage

**\*\* Note:** The information provided in this appendix is for reference only. It is the responsibility of the operator to ensure that he is providing the correct information to the appropriate agencies. The first step of any potential project should be contacting state agencies for the latest regulation information. See Appendix J for Local Agency contact information.



**STATE OF MISSISSIPPI**  
**SMALL MUNICIPAL SEPARATE**  
**STORM SEWER SYSTEM (MS4) GENERAL PERMIT**

FOR CITIES, COUNTIES AND OTHER DESIGNATED ENTITIES

**THIS CERTIFIES THAT**

MS4s ISSUED A CERTIFICATE OF COVERAGE UNDER THIS PERMIT ARE GRANTED PERMISSION TO DISCHARGE  
STORM WATER FROM SMALL MUNICIPAL SEPARATE  
STORM SEWER SYSTEMS INTO STATE WATERS

in accordance with effluent limitations, inspection requirements and other conditions set forth in herein. This permit is issued in accordance with the provisions of the Mississippi Water Pollution Control Law (Section 49-17-1 et seq., Mississippi Code of 1972), and the regulations and standards adopted and promulgated thereunder, and under authority granted pursuant to Section 402(b) of the Federal Water Pollution Control Act.

**Mississippi Environmental Quality Permit Board**

  
Authorized Signature

**Mississippi Department of Environmental Quality**

Issued: January 5, 2009

Permit No. MSRMS4

Expires: December 31, 2013

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## Table of Contents

ACT1 (MS4) Introduction: Narrative Requirements Introduction.....	1
ACT2 (MS4) Permit Applicability and Coverage: Narrative Requirements Permit Area..... Eligibility..... This Permit Does Not Authorize.....	2 2 2 4
ACT3 (MS4) Obtaining Coverage: Submittal/Action Requirements Obtain Authorization..... Requiring an Individual Permit or Alternative General Permit..... How to Request Subsequent Re-coverage under a Reissued Permit.....	5 5 5 6
ACT4 (MS4) Notice of Intent (MS4 NOI): Submittal/Action Requirements MS4 Notice of Intent Submittal..... Contents of MS4 NOI..... Joint MS4 NOI..... Narrative Requirements Where to Obtain the MS4 NOI and/or Re-Coverage Forms..... Where to Submit the MS4 NOI and/or Re-Coverage Forms..... Failure to Notify.....	7 7 8 8 8 8 8 8
ACT5 (MS4) Storm Water Management Program (SWMP) Development and Content: Submittal/Action Requirements SWMP Development and Submittal..... Six Minimum Control Measures..... Public Education and Outreach on Storm Water Impacts..... Public Involvement/Participation..... Illicit Discharge Detection and Elimination..... Construction Site Storm Water Runoff Control..... Post Construction Storm Water Management in New Development and Redevelopment..... Pollution Prevention/Good Housekeeping for Municipal Operations.....	9 9 10 10 11 12 14 17 20
ACT6 (MS4) Storm Water Management Program (SWMP) Implementation Requirements: Submittal/Action Requirements Reviewing and Updating SWMP..... Sharing Minimum Measure Responsibility..... Failure to Implement SWMP.....	22 24 25
ACT7 (MS4) Monitoring, Reporting and Recordkeeping Requirements: Submittal/Action Requirements	

## Table of Contents

Monitoring .....	26
Annual Reports .....	26
Where to Send Reports .....	28
Records Retention .....	28
Noncompliance Reporting .....	28
ACT8 (MS4) Storm Water Quality Requirements:	
Limitation Requirements	
Storm Water Requirements .....	29
ACT9 (MS4) Standard Requirements Applicable to All Water Permits:	
Narrative Requirements	
Duty to Comply .....	30
Continuation of an Expired General Permit .....	30
Duty to Mitigate .....	30
Duty to Provide Information .....	30
Signatory Requirements .....	30
Duly Authorized Representative .....	31
Changes in Authorization .....	31
Certification .....	31
Oil and Hazardous Substance Liability .....	31
Property Rights .....	32
Severability .....	32
Proper Operation and Maintenance .....	32
Bypass Prohibition .....	32
Upset Conditions .....	33
Inspection and Entry .....	33
Permit Actions .....	33
Scientific, Technical and Legal Environmental Assistance .....	34
Reopener Clause .....	34
Permit Modification .....	34
ACT10 (MS4) Definitions: .....	35

**ACT1 (MS4) Introduction:**

## Narrative Requirements:

Condition No.	Condition
T-1	Subject to regulation and compliance with the conditions set forth, this Small Municipal Separate Storm Sewer System (MS4) General Permit (this permit) authorizes storm water discharges and allowable non-storm water discharges outlined in ACT2, T-4 of this permit. This permit replaces the previous Small Municipal Separate Storm Sewer System (MS4) General Permit that expired on November 30, 2007. [WPC-1]

**ACT2 (MS4) Permit Applicability and Coverage:****Narrative Requirements:**

Condition No.	Condition
T-1	<p><b>PERMIT AREA:</b></p> <p>The permit covers the State of Mississippi. [WPC-1]</p>
T-2	<p><b>ELIGIBILITY:</b></p> <p><b>COVERED AREAS AND DISCHARGES:</b></p> <p>(1) The permitting of selected storm sewer systems is required as a result of the U.S. Environmental Protection Agency's Phase II Storm Water Rule. This permit authorizes discharges of storm water from small Municipal Separate Storm Sewer Systems (MS4s), as defined in 40 CFR 122.26(b)(16).</p> <p>MS4s are authorized to discharge under the terms and conditions of this general permit that:</p> <ul style="list-style-type: none"> <li>- Operate a small MS4 within the State of Mississippi, and</li> <li>- Are located fully or partially within an urbanized area as determined by the latest census by the Bureau of Census and pursuant to 40 CFR 122.32, or</li> <li>- Are designated by the Mississippi Commission on Environmental Quality (Commission) pursuant to 40 CFR 122.32(a)(2), 122.32(b), or 123.35(b)(3) or (4).</li> </ul> <p>(2) For the Mississippi Department of Transportation (MDOT), at a minimum, permit coverage must be obtained for the entire counties (including cities within) of: DeSoto, Forrest, Hancock, Harrison, Hinds, Jackson, Lamar, Madison and Rankin and any other county containing an urbanized area as determined by the latest census conducted by the U.S. Census Bureau.</p> <p>(3) The discharges of storm water commingled with discharges authorized by and in compliance with separate NPDES permits are authorized under this permit. [WPC-1]</p>
T-3	<p>(4) A MS4 is eligible for coverage under this permit for discharges of pollutants of concern to water bodies for which there is a total maximum daily load (TMDL) established or approved by EPA if measures and controls are incorporated that are consistent with the assumptions and requirements of such TMDL. To be eligible for coverage under this permit, the facility must incorporate in the SWPPP and/or effluent limitation any conditions applicable to any discharge(s) necessary for consistency with the assumptions and requirements of such TMDL. If, after coverage issuance, a specific waste load allocation is established that would apply to the facility's discharge, the facility must implement steps necessary to meet that allocation. [WPC-1]</p>

**ACT2 (continued):****Narrative Requirements:**

Condition No.	Condition
T-4	<p>(5) This permit authorizes the following non-storm water discharges provided: (1) they do not cause or contribute to a violation of water quality standards, (2) the Executive Director of the Mississippi Department of Environmental Quality (MDEQ) has determined these sources entering the MS4 are not a substantial cause or contributor of pollutants entering the MS4 that may violate applicable state or federal laws, regulations, or criteria, (3) the regulated entity has determined these sources entering the MS4 are not a substantial contributor of pollutants entering the MS4 that may violate applicable state or federal laws, regulations, or criteria, and (4) the regulated entity is implementing the Storm Water Management Program as set forth in ACT5 of this permit:</p> <ul style="list-style-type: none"> <li>- Water line flushing</li> <li>- Landscape irrigation</li> <li>- Diverted stream flows</li> <li>- Rising ground waters</li> <li>- Uncontaminated ground water infiltration (infiltration is defined as water other than wastewater that enters a storm sewer system, including sewer service connections and foundation drains, from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.)</li> <li>- Uncontaminated pumped ground water</li> <li>- Discharges from potable water sources</li> <li>- Foundation drains</li> <li>- Air conditioning condensate and coil wash water with no additives</li> <li>- Irrigation water</li> <li>- Springs</li> <li>- Water from crawl space pumps</li> <li>- Footing drains</li> <li>- Lawn watering runoff</li> <li>- Water from individual residential car washing</li> <li>- Flows from riparian habitats and wetlands</li> <li>- Dechlorinated swimming pool discharges</li> <li>- Street wash water</li> <li>- Discharges or flows from fire fighting activities</li> <li>- Fire hydrant flushings</li> <li>- External building wash downs which do not use detergents. [WPC-1]</li> </ul>



**ACT2 (continued):****Narrative Requirements:**

Condition No.	Condition
T-5	<p>THIS PERMIT DOES NOT AUTHORIZE:</p> <p>(1) Storm water discharges that are mixed with non-storm water unless such non-storm water discharges are in compliance with a separate NPDES permit.</p> <p>(2) Storm water discharges that are mixed with non-storm water discharges and that are determined to be a substantial contributor of pollutants to waters of the United States.</p> <p>(3) Storm water discharges associated with industrial activity as defined in 40 CFR 122.26(b)(14)(i) - (ix) and (xi).</p> <p>(4) Storm water discharges associated with construction activity as defined in 40 CFR 122.26(b)(14)(x) or 40 CFR 122.26(b)(15).</p> <p>(5) Discharges or discharge-related activities that are likely to jeopardize the continued existence of any species that is listed as endangered or threatened under the Endangered Species Act (ESA) or result in the adverse modification or destruction of habitat that is designated as critical under the ESA. Coverage under this permit is available only if the regulated entity's storm water discharges, allowable non-storm water discharges, and discharge-related activities are not likely to jeopardize the continued existence of any species that is listed as endangered or threatened ("listed") under the ESA or result in the adverse modification or destruction of habitat that is designated as critical under the ESA ("critical habitat"). Submission of a signed NOI will be deemed to constitute the regulated entity's certification of eligibility. [WPC-1]</p>
T-6	<p>(6) Implementation of a Storm Water Management Program (SWMP) which directly and adversely affect properties listed or eligible for listing in the National Register of Historic Places, unless the regulated entity is in compliance with requirements of the National Historic Preservation Act and has coordinated any necessary activities to avoid or minimize such direct and adverse impacts with the appropriate State Historic Preservation Officer. Submission of a signed NOI will be deemed to constitute the regulated entity's certification of eligibility.</p> <p>(7) Storm water discharges, which result in violation of State Water Quality Standards. If a discharge authorized under this permit is later determined to cause or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard, MDEQ will notify the regulated entity of such water quality violation(s) in writing and will provide the public information used by MDEQ to make this determination. The regulated entity must take all necessary actions required by their SWMP to ensure future discharges do not cause or contribute to the violation of a water quality standard and document these actions in the SWMP. If such violations remain or re-occur, then additional measures such as the addition of BMPs or the requirement to obtain an individual permit may be required by the Permit Board. Compliance with this requirement does not preclude any enforcement activity as provided by the Clean Water Act for the underlying violation. [WPC-1]</p>

**ACT3 (MS4) Obtaining Coverage:****Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p><b>OBTAINING AUTHORIZATION:</b></p> <p>(1) The regulated entity must submit a MS4 Notice of Intent (MS4 NOI) and a Storm Water Management Program (SWMP) in accordance with the requirements of ACT4 of this permit. MS4 NOI packages in 3-ring binders will not be accepted due to limited filing space.</p> <p>(2) Upon review of the MS4 NOI and attachments, the staff may require additional information, deny coverage, or require an alternate permit. Staff decisions may be brought before the Mississippi Environmental Quality Permit Board (Permit Board) for review and reconsideration at a regularly scheduled meeting.</p> <p>(3) A regulated entity is authorized to discharge storm water from its MS4 under the terms and conditions of this permit, only upon receipt of written notification of approval of coverage by the Permit Board. Discharge of storm water by a regulated entity without written notification of coverage or issuance of an individual NPDES Storm Water Permit by the Permit Board is a violation of State law.</p> <p>(4) In the event that a regulated entity submits an MS4 NOI in a timely manner and substantially complies with the requirements of the general permit, including development of the Storm Water Management Program, the discharges occurring between the submission of the MS4 NOI and the issuance of notification of coverage shall be considered in compliance with this permit. [WPC-1]</p>
S-2	<p><b>REQUIRING AN INDIVIDUAL PERMIT OR ALTERNATIVE GENERAL PERMIT:</b></p> <p>(1) The Permit Board may require the regulated entity to apply for and obtain an individual NPDES permit instead of coverage under this permit. Any interested person may petition the Permit Board to take action under this paragraph in accordance with Section 49-17-29 of the Mississippi Code. The Permit Board may require the regulated entity to apply for an individual NPDES permit only after they have been notified in writing. This notice shall include reasons for this decision, an application form and a filing deadline. The Permit Board may grant additional time upon request. If the regulated entity fails to submit a requested application in a timely manner, coverage under this permit is automatically terminated at the end of the day specified for application submittal.</p> <p>(2) The regulated entity may request to be excluded from permit coverage by applying for an individual permit. The regulated entity shall submit an individual application in accordance with 40 CFR 122.33 (2) (i - iii).</p> <p>(3) Coverage under this permit is automatically terminated on the issuance or coverage date of the respective alternate individual NPDES permit. When an alternate individual NPDES permit is denied, coverage under this permit continues unless terminated on the date of such denial by the Permit Board. [WPC-1]</p>

**ACT3 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-3	<p>HOW TO REQUEST SUBSEQUENT RE-COVERAGE UNDER A REISSUED PERMIT:</p> <p>The submittal of the fourth Annual Report (due no later than January 28, 2013) shall be deemed to be a notification of the MS4's intent to be covered by the subsequently issued MS4 General Permit, provided the Annual Report is signed by a principal executive officer or ranking elected official according to ACT9, T-5 of this permit.</p> <p>Upon reissuance of the general permit, MDEQ will send recoverage packages to each MS4 with instructions on how to continue coverage under the reissued permit. If reissuance of this permit does not occur before its expiration date and the coverage recipient has submitted a timely and complete final Annual Report, continued coverage under this permit will be allowed until the effective date of the reissued general permit coverage. [WPC-1]</p>

**ACT4 (MS4) Small Municipal Separate Storm Sewer System Notice of Intent (MS4 NOI):****Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p><b>MS4 NOI SUBMITTAL:</b></p> <p>A regulated entity desiring coverage for storm water discharges under this general permit shall submit a MS4 NOI form for initial coverage and a request for recoverage for subsequent coverage. For regulated entities that have been designated by the Commission pursuant to 40 CFR 122.32(a)(2), the regulated entity is required to submit an MS4 NOI and storm water management plan within 180 days of designation by the Commission.</p> <p>For regulated entities covered by a previous Small Municipal Separate Storm Sewer System (MS4) General Permit, re-coverage must be made in accordance with the requirements of the reissued permit. [WPC-1]</p>
S-2	<p><b>CONTENTS OF THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) NOTICE OF INTENT (NOI):</b></p> <p>The MS4 NOI shall be signed in accordance with ACT9, T-5 of this permit and shall include the following information:</p> <ol style="list-style-type: none"> <li>1. The name of the regulated entity, mailing address, and telephone number specifying the contact person.</li> <li>2. An indication of whether the regulated entity is a Federal, State, County, Municipal, or other public entity.</li> <li>3. The urbanized area where your MS4 is located; the name of your organization, and county(ies) where your MS4 is located.</li> <li>4. The name of the major (named on a USGS Quad Map) receiving water(s).</li> <li>5. A list of receiving waters that are on the latest State of Mississippi 303(d) list of impaired waters.</li> <li>6. If relying on another governmental entity regulated under the storm water regulations (40 CFR 122.26 &amp; 122.32) to satisfy one or more of the regulated entity's permit obligations, the identity of that entity or entities and the element(s) they will be implementing must be submitted. If the entity that the permitted MS4 operator is relying on to carry out the requirements of the minimum control measure fails to meet the permit requirements, it is the regulated entity's responsibility to assure compliance.</li> <li>7. As an attachment to the MS4 NOI, a Storm Water Management Program (SWMP) must be submitted that includes the minimum requirements of as outlined in ACT5 of this permit. [WPC-1]</li> </ol>

**ACT4 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-3	<p>JOINT MUNICIPAL SEPARATE STORM SEWER SYSTEM NOTICE OF INTENT (MS4 NOI):</p> <p>A regulated entity may, pursuant to the Mississippi Storm Water Management District Act, Miss. Code Ann. Section 51-39-1 et. Seq., or under other applicable authority, partner with another regulated entity to develop and/or implement a SWMP. However, each regulated entity remains responsible for the implementation of the SWMP in their MS4. Each regulated entity must complete the joint MS4 NOI form. The SWMP must clearly describe which regulated entity will be implementing each control measure. [WPC-1]</p>

**Narrative Requirements:**

Condition No.	Condition
T-1	<p>WHERE TO OBTAIN THE MS4 NOI AND/OR RE-COVERAGE FORMS:</p> <p>MS4 NOI forms are contained in the MS4 Forms Package or may be obtained from the MDEQ at the address shown below or by calling 601/961-5171. MS4 NOI forms, as well as the general permit, may also be found on the MDEQ web site at <a href="http://www.deq.state.ms.us">www.deq.state.ms.us</a>. [WPC-1]</p>
T-2	<p>WHERE TO SUBMIT THE MUNICIPAL SEPARATE STORM SEWER SYSTEM NOTICE OF INTENT (MS4 NOI) AND/OR RE-COVERAGE FORM:</p> <p>Complete and appropriately signed forms must be submitted to:</p> <p>Chief, Environmental Permits Division MS Dept of Environmental Quality, Office of Pollution Control P.O. Box 2261 Jackson, Mississippi 39225. [WPC-1]</p>
T-3	<p>FAILURE TO NOTIFY:</p> <p>Failure to submit a MS4 NOI in accordance with State and Federal Law and Regulations, or as required by this general permit and discharges of storm water from regulated MS4s to waters of the State without coverage under this permit or an individual NPDES permit are violations of State law. [WPC-1]</p>

**ACT5 (MS4) Storm Water Management Program (SWMP) Development and Content:****Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p><b>SWMP DEVELOPMENT AND SUBMITTAL:</b></p> <p>The regulated entity must develop, implement, and enforce a Storm Water Management Program (SWMP) designed to reduce the discharge of pollutants from its Municipal Separate Storm Sewer System (MS4) to the maximum extent practicable (MEP) to protect water quality and to satisfy applicable water quality requirements of the Clean Water Act. The SWMP is not required to address discharges into the regulated MS4 that occur outside the jurisdiction (or boundary) of the regulated entity. The SWMP should include management practices; control techniques and system design, and engineering methods; and such other provisions necessary for the control of pollutants to satisfy the applicable water quality requirements of the Clean Water Act. A regulated entity's SWMP must include the six minimum control measures described below. The SWMP, at a minimum, must be implemented for the entire urbanized area, or if designated separately by the MDEQ Executive Director, the entire designated area. The plan must identify:</p> <ol style="list-style-type: none"> <li>(1) Best Management Practices (BMPs) that the regulated entity or partner regulated entity will implement for each of the storm water minimum control measures.</li> <li>(2) Measurable goals for each of the BMPs including, as appropriate, the years in which the regulated entity will undertake required actions, including interim milestones and the frequency of the action.</li> <li>(3) Responsible persons for implementing or coordinating the BMPs for the SWMP. [WPC-1]</li> </ol>
S-2	<p>(4) In addition to the requirements listed above, the regulated entity must:</p> <ul style="list-style-type: none"> <li>- Provide a rationale for how and why the regulated entity selected each of the BMPs and measurable goals for the SWMP</li> <li>- Develop and fully implement the regulated entity's program within five years from coverage issuance</li> <li>- Implement BMPs and set measurable goals that are targeted to addressing existing water quality problems and preventing new water quality problems. [WPC-1]</li> </ul>

**ACT5 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-3	<p><b>SIX MINIMUM CONTROL MEASURES:</b></p> <p>(1) <b>PUBLIC EDUCATION AND OUTREACH ON STORM WATER IMPACTS:</b></p> <p>The regulated entity shall develop a program for educating the public on issues impacting stormwater. The program shall, at a minimum, include the following components.</p> <p>(A) Implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff.</p> <p>(B) Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. [WPC-1]</p>
S-4	<p>(C) Document the decision process for the development of a storm water public education and outreach program. The regulated entity's rationale statement must address both the overall public education program and the individual BMPs, measurable goals, and responsible persons for this program. The rationale statement must include the following information, at a minimum:</p> <p>(i) How the regulated entity plans to inform individuals and households about the steps they can take to reduce storm water pollution such as proper septic system maintenance, proper use and disposal of landscape and garden chemicals including fertilizers and pesticides, protecting and restoring riparian vegetation and properly disposing of used motor oil or household hazardous waste.</p> <p>(ii) How the regulated entity plans to inform individuals and groups on how to become involved in the storm water program (with activities such as storm drain stenciling/markings, adopt-a-stream, and liter clean-up projects).</p> <p>(iii) Who are the target audiences for the education program who are likely to have significant storm water impacts (including commercial, industrial and institutional entities) and why those target audiences were selected.</p> <p>(iv) What are the target pollutant sources the public education program is designed to address.</p> <p>(v) What is the regulated entity's outreach strategy, including the mechanisms (e.g., printed brochures, newspapers, media, workshops, etc.) the regulated entity will use to reach target audiences, and how many people the regulated entity expects to reach by the outreach strategy over the permit term. [WPC-1]</p>

**ACT5 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-5	<p>(vi) How the regulated entity will evaluate the success of this minimum measure, including how the measurable goals for each of the BMPs were selected.</p> <p>(vii) Responsibility for overall management and implementation of the storm water public education and outreach program and, if different, who is responsible for each of the BMPs identified for this program. [WPC-1]</p>
S-6	<p>(2) PUBLIC INVOLVEMENT/PARTICIPATION:</p> <p>The regulated entity shall develop a program for public involvement and participation that contains the following elements.</p> <p>(A) At a minimum, notify the public of opportunities to provide input to the process of implementing a SWMP by complying with local public notice requirements.</p> <p>(B) Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. [WPC-1]</p>
S-7	<p>(C) Document the decision process for the development of a storm water public involvement/participation program. The regulated entity's rationale statement must address both the overall public involvement/participation program and the individual BMPs, measurable goals, and responsible persons for this program. The rationale statement must include the following information, at a minimum:</p> <p>(i) How the regulated entity has and will continue to involve the public in the development and submittal of the MS4 NOI and SWMP.</p> <p>(ii) What is the plan to involve the public in the development and implementation of this program.</p> <p>(iii) Who are the target audiences for the public involvement program, including a description of the types of ethnic and economic groups engaged. The regulated entity is encouraged to actively involve all potentially affected stakeholder groups, including commercial and industrial businesses, trade associations, environmental groups, homeowners associations, and educational organizations, among others. [WPC-1]</p>



**ACT5 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-8	<p>(iv) What are the types of public involvement activities included in the program. Where appropriate, consider the following types of public involvement activities:</p> <ul style="list-style-type: none"> <li>(a) Citizen representatives on a storm water management panel</li> <li>(b) Public hearings</li> <li>(c) Working with citizen volunteers willing to educate others about the program</li> <li>(d) Volunteer monitoring or stream/beach clean-up activities</li> <li>(v) How the regulated entity will evaluate the success of this minimum measure, including how the measurable goals for each of the BMPs were selected.</li> <li>(vi) Responsibility for the overall management and implementation of the storm water public involvement/participation program and, if different, who is responsible for each of the BMPs identified for this program. [WPC-1]</li> </ul>
S-9	<p>(3) <b>ILLCIT DISCHARGE DETECTION AND ELIMINATION:</b></p> <p>The regulated entity shall develop a program to detect and eliminate illicit discharges, which contains the following components.</p> <ul style="list-style-type: none"> <li>(A) Develop, implement and enforce a program to detect and eliminate illicit discharges (as defined in 40CFR 122.26(b)(2)) into the regulated entity's small MS4.</li> <li>(B) Develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and location of all waters of the United States that receive discharges from those outfalls.</li> <li>(C) To the extent allowable under State or local law, effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into the regulated entity's storm sewer system and implement appropriate enforcement procedures and actions. Existing ordinances addressing illicit discharges shall be submitted to MDEQ for compliance review with the SWMP. Draft ordinances shall be submitted to MDEQ for review 30 days before proposed adoption.</li> <li>(D) Develop and implement a plan to detect and address illicit discharges, including illegal dumping, to the regulated entity's system.</li> <li>(E) Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste. [WPC-1] <b>B-17</b></li> </ul>

**ACT5 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-10	<p>(F) Address the non-storm water discharges or flows identified in ACT2, T-4 of this permit only if the regulated entity or MDEQ identify them as significant contributors of pollutants to the regulated entity's small MS4. The regulated entity may also develop a list of other similar occasional incidental non-storm water discharges (e.g. non-commercial or charity car washes, etc.) that will not be addressed as illicit discharges. These non-storm water discharges must not be reasonably expected (based on available information) to be significant sources of pollutants to the MS4. If a list of incidental non-storm water discharges is developed the regulated entity must:</p> <ul style="list-style-type: none"> <li>(i) Document in your plan any local controls or conditions placed on the discharges.</li> <li>(ii) Include a provision prohibiting any individual non-storm water discharge that is determined to be contributing significant amounts of pollutants to the MS4.</li> </ul> <p>(G) Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. [WPC-1]</p>
S-11	<p>(H) Document the decision process for the development of a storm water illicit discharge detection and elimination program. The regulated entity's rationale statement must address both the overall illicit discharge detection and elimination program and the individual BMPs, measurable goals, and responsible persons for this program. The rationale statement must include the following information, at a minimum:</p> <ul style="list-style-type: none"> <li>(i) The plan to detect and address illicit discharges to the regulated entity's system, including discharges from illegal dumping and spills. This plan must include dry weather field screening for non-storm water flows. This plan must also address on-site sewage disposal systems that flow into the regulated entity's storm drainage system. This description must address the following, at a minimum: <ul style="list-style-type: none"> <li>(a) Procedures for locating priority areas which include areas with higher likelihood of illicit connections (e.g., areas with older sanitary sewer lines)</li> <li>(b) Procedures for tracing/locating the source of an illicit discharge, including the use of MDEQ's Complaint Tracking System</li> <li>(c) Procedures for removing the source of the illicit discharge</li> <li>(d) Procedures for program evaluation and assessment. [WPC-1]</li> </ul> </li> </ul>

**ACT5 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-12	<p>(ii) How the regulated entity plans to inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste. Include in the regulated entity's description how this plan will coordinate with the regulated entity's public education minimum measure and the regulated entity's pollution prevention/good housekeeping minimum measure programs. Illicit discharge education actions may include storm drain marking, a program to promote, publicize, and facilitate public reporting of illicit connections or discharges, and distribution of outreach materials.</p> <p>(iii) How the regulated entity will evaluate the success of this minimum measure, including how the measurable goals for each of the BMPs were selected.</p> <p>(iv) Responsibility for overall management and implementation of the storm water illicit discharge detection and elimination program and, if different, who is responsible for each of the BMPs identified for this program. [WPC-1]</p>
S-13	<p>(4) CONSTRUCTION SITE STORM WATER RUNOFF CONTROL:</p> <p>The regulated entity shall develop a program to control storm water runoff from construction sites, which contains the following elements.</p> <p>(A) Develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the small MS4 from construction activities that result in a land disturbance of greater than or equal to one (1) acre. Reduction of storm water discharges from construction activity disturbing less than one (1) acre must be included in your program if that construction activity is part of a larger common plan of development or sale that would disturb one (1) acre or more. The program must include the development and implementation of, at a minimum:</p> <p>(i) An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State or local law. Existing ordinances addressing construction site storm water runoff shall be submitted to MDEQ for compliance review with the SWMP. Draft ordinances shall be submitted to MDEQ for review 30 days before proposed adoption. [WPC-1]</p>

**ACT5 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-14	<p>(ii) Requirements for construction site operators to provide the regulated entity a copy of their Storm Water Pollution Prevention Plan and proof of issuance of applicable MDEQ approvals/permits prior to the issuance of local construction approvals/permits. Examples of MDEQ approvals/permits include:</p> <ul style="list-style-type: none"> <li>- Small Construction General Permit coverage for land disturbances one (1) acre to less than five (5) acres (less than one acre if part of a larger common plan of development or sale)</li> <li>- Large Construction General Permit coverage for land disturbances five (5) acres and greater (or less if part of a larger common plan of development or sale)</li> <li>- Registration Form for Residential Lot Coverage and Large Construction General Permit coverage number for residential lots in subdivision covered under a Large Construction General Permit.</li> </ul> <p>(iii) Requirements for construction site operators to provide the regulated entity a copy of the proper permits or approvals from the Army Corps of Engineers if waters of the United States are being filled, rerouted or dammed. [WPC-1]</p>
S-15	<p>(iv) Requirements for construction site operators to implement appropriate erosion and sediment control best management practices, including verification that operators have received training in proper installation of said controls.</p> <p>(v) Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.</p> <p>(vi) Procedures for site plan review which incorporate consideration of potential water quality impacts.</p> <p>(vii) Procedures for receipt and consideration of information submitted by the public.</p> <p>(viii) Procedures for site inspection and enforcement of control measures.</p> <p>(ix) Procedures to ensure implementation of required post-construction controls (see ACT5, S-15). [WPC-1]</p>

**ACT5 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-16	<p>(B) Define appropriate BMPs for this minimum control measure and measurable goals for each BMP.</p> <p>(C) Document the decision process for the development of a construction site storm water control program. The regulated entity's rationale statement must address the overall construction site storm water control program, the individual BMPs, measurable goals, and responsible persons for this program. The rationale statement must include the following information, at a minimum:</p> <p>(i) The procedures for site plan review, including the review of pre-construction site plans, which incorporate consideration of potential water quality impacts and consistency with local sediment and erosion control requirements.</p> <p>(ii) The procedures for receipt and consideration of information submitted by the public. Consider coordinating this requirement with the regulated entity's public education program. [WPC-1]</p>
S-17	<p>(iii) The procedures for site inspection and enforcement of control measures, including how the regulated entity will prioritize sites for inspection based on the nature of the construction activity, topography, soil characteristics, and receiving water quality. Some examples of sanctions to ensure compliance include non-monetary penalties, fines, bonding requirements and/or permit denials for non-compliance.</p> <p>(iv) The procedures to provide appropriate educational training measures for construction site operators.</p> <p>(v) How the regulated entity will evaluate the success of this minimum measure, including how the measurable goals for each of the BMPs were selected.</p> <p>(vi) Responsibility for overall management and implementation of the construction site storm water control program and, if different, who is responsible for each of the BMPs identified for this program. [WPC-1]</p>

**ACT5 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-18	<p>(5) POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT:</p> <p>The regulated entity shall develop a program to address post-construction storm water management in new development and redevelopment, including the following elements.</p> <p>(A) Develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one (1) acre, including projects less than one (1) acre that are part of a larger common plan of development or sale, that discharge into the regulated entity's small MS4. The program must ensure that controls are in place that would prevent or minimize water quality impacts.</p> <p>(B) Develop and implement strategies, which include a combination of structural and/or non-structural best management practices (BMPs), appropriate for the regulated entity.</p> <p>(C) Use an ordinance or other regulatory mechanism to address post construction runoff from new development and redevelopment projects to the extent allowable under State or local law. The ordinance or regulatory mechanism shall not limit the post-construction minimum measure to a single type of best management practice. Existing ordinances addressing post construction storm water management shall be submitted to MDEQ for compliance review with the SWMP. Draft ordinances shall be submitted to MDEQ for review 30 days before proposed adoption. [WPC-1]</p>
S-19	<p>(D) Ensure adequate long term operation and maintenance of BMPs. The MS4 shall require a maintenance agreement and provide verification of maintenance provisions for post-construction management practices. These agreements shall allow the MS4, or its designee, to conduct inspections of the management practices and also account for transfer of responsibility in leases and/or deed transfers. Verification shall include one or more of the following as applicable:</p> <p>(i) The developer's signed statement accepting responsibility for maintenance until the maintenance responsibility is legally transferred to another party; and/or</p> <p>(ii) Written conditions in the sales or lease agreement that require the recipient to assume responsibility for maintenance; and/or</p> <p>(iii) Written conditions in project conditions, covenants and restrictions for residential properties assigning maintenance responsibilities to a home owners' association, or other appropriate group, for maintenance of structural and treatment control management practices; and/or</p> <p>(iv) Any other legally enforceable agreement that assigns permanent responsibility for maintenance of structural or treatment control management practices.</p> <p>(E) Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. [WPC-1]</p>

**ACT5 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-20	<p>(F) Document the decision process for the development of a post-construction storm water management program. The regulated entity's rationale statement must address the overall post-construction storm water management program, the individual BMPs, measurable goals, and responsible persons for this program. The rationale statement must include the following information, at a minimum:</p> <p>(i) The regulated entity's program to address storm water runoff from new development and redevelopment projects. Include in this description any specific priority areas for this program.</p> <p>(ii) How the regulated entity's program will be specifically tailored for the regulated entity, minimize water quality impacts, and attempt to maintain pre-development runoff conditions.</p> <p>(iii) Any non-structural BMPs in the program, including, as appropriate:</p> <p>(a) Policies and ordinances that provide requirements and standards to direct growth to identified areas, protect sensitive areas such as wetlands and riparian areas, maintain and/or increase open space (including a dedicated funding source for open space acquisition), provide buffers along sensitive water bodies, minimize impervious surfaces, and minimize disturbance of soils and vegetation and encourage infill development in higher density urban areas, and areas with existing storm sewer infrastructure.</p> <p>(b) Education programs for developers and the public about project designs that minimize water quality impacts.</p> <p>(c) Measures such as minimization of the percentage of impervious area after development, and minimization of directly connected impervious areas. [WPC-1]</p>

**ACT5 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-21	<p>(iv) Any structural BMPs in the program, including, as appropriate:</p> <ul style="list-style-type: none"> <li>(a) Storage practices such as wet ponds and extended detention outlet structures.</li> <li>(b) Filtration practices such as grassed swales, bioretention cells, sand filters and filter strips.</li> <li>(c) Infiltration practices such as infiltration basins, infiltration trenches and pervious concrete.</li> <li>(v) Ensure the appropriate implementation of the structural BMPs by considering some or all of the following: <ul style="list-style-type: none"> <li>(a) Pre-construction review of BMP design</li> <li>(b) Inspections during construction to verify BMPs are built and properly designed</li> <li>(c) Post-construction inspection and maintenance of BMPs</li> <li>(d) Penalty provisions for non-compliance</li> </ul> </li> <li>(vi) How the regulated entity will evaluate the success of this minimum measure, including how the measurable goals for each of the BMPs were selected.</li> <li>(vii) Responsibility for overall management and implementation of the regulated entity's post-construction storm water management program and, if different, who is responsible for each of the BMPs identified for this program. [WPC-1]</li> </ul>



**ACT5 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-22	<p>(6) POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS</p> <p>The regulated entity shall develop a pollution prevention/good housekeeping program with the following components.</p> <p>(A) Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from the regulated entity's operations.</p> <p>(B) Using training materials that are available from EPA, the State, or other organizations, the regulated entity's program must include employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance.</p> <p>(C) Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. [WPC-1]</p>
S-23	<p>(D) Document the decision process for the development of a pollution prevention/good housekeeping program for municipal operations. The regulated entity's rationale statement must address the overall pollution prevention/good housekeeping program, the individual BMPs, measurable goals, and responsible persons for this program. The rationale statement must include the following information, at a minimum:</p> <p>(i) The regulated entity's program must specifically list the municipal operations that are impacted by this operation and maintenance program. The regulated entity must also include a list of industrial facilities that the regulated entity owns or operates which are covered by General Storm Water Permits or have individual NPDES Storm Water Permits. Include the facility's coverage number and/or permit number.</p> <p>(ii) Any employee training program the regulated entity will use to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance. Describe any existing, available materials the regulated entity plans to use. Describe how this training program will be coordinated with the outreach programs developed for the public information minimum measure and the illicit discharge minimum measure. [WPC-1]</p>

**ACT5 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-24	<p>(iii) The regulated entity's program description must specifically address the following areas:</p> <p>(a) Maintenance activities, maintenance schedules, and long-term inspection procedures for controls to reduce floatables (including froth, oil and floating solids) and other pollutants to the MS4.</p> <p>(b) Controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, salt/sand storage locations and waste transfer stations.</p> <p>(c) Procedures for the proper disposal of waste removed from the MS4 and regulated entity's operations, including dredge spoil, accumulated sediments, floatables, and other debris.</p> <p>(d) Procedures to ensure that new flood management projects are assessed for impacts on water quality and existing projects are assessed for incorporation of additional water quality protection devices or practices.</p> <p>(iv) How the regulated entity will evaluate the success of this minimum measure, including how the measurable goals for each of the BMPs were selected.</p> <p>(v) Responsibility for overall management and implementation of the pollution prevention/good housekeeping program and, if different, who is responsible for each of the BMPs identified for this program. [WPC-1]</p>

**ACT6 (MS4) Storm Water Management Program (SWMP) Implementation Requirements:****Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p><b>REVIEWING AND UPDATING STORM WATER MANAGEMENT PROGRAMS:</b></p> <p>(1) Storm Water Management Program Review: The regulated entity must conduct an annual review of their Storm Water Management Program in conjunction with preparation of the annual report required under ACT7, S-2 of this permit.</p> <p>(2) Storm Water Management Program Update: The regulated entity may change their Storm Water Management Program during the life of the permit in accordance with the following procedures:</p> <p>(A) Changes adding (but not subtracting or replacing) components, control measures, or requirements to the Storm Water Management Program may be made at any time upon written notification to MDEQ. These changes must be documented in the annual report.</p> <p>(B) Changes subtracting or replacing ineffective or impracticable components, control measures, or requirements, specifically identified in the Storm Water Management Program, with alternate components, controls, or requirements may be requested at any time. Unless denied by the Permit Board, changes proposed in accordance with the criteria below shall be deemed approved and may be implemented 60 days from submittal of the request. If request is denied, the Permit Board, or MDEQ acting on behalf of the Permit Board, will respond in writing. The regulated entity's modification requests must include the following:</p> <p>(i) An analysis of why the components, control measures, goals, or requirements are ineffective or impracticable (including cost analyses)</p> <p>(ii) Expectations on the effectiveness of replacement components, control measures, goals, or requirements.</p> <p>(iii) An analysis of why the replacement components, control measures, goals, or requirements are expected to achieve the goals of the components, controls, or requirements to be replaced.</p> <p>(C) Change requests or notifications must be made in writing and signed in accordance with ACT9, T-5 of this permit. [WPC-1]</p>

**ACT6 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-2	<p>(3) Storm Water Management Program Updates Required by MDEQ:</p> <p>(A) The Permit Board shall require Storm Water Management Program updates as part of the re-coverage process for subsequently issued MS4 General Permits. These updates may include, but not be limited to, best management practices, measurable goals, policies, procedures, programs, ordinances, strategies, etc.</p> <p>(B) The Permit Board may require changes to the Storm Water Management Program as needed to:</p> <p>(i) Meet the conditions of this permit.</p> <p>(ii) Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4.</p> <p>(iii) Include additional control measures when a Total Maximum Daily Load (TMDL) has been specified for a receiving waterbody, when a Watershed Management Plan has been adopted for a watershed or if a coverage recipient's SWMP proves to be inadequate in reducing pollutants in storm water runoff.</p> <p>(iv) Include more stringent requirements necessary to comply with new Federal statutory or regulatory requirements.</p> <p>(v) Include such other conditions necessary to comply with the requirements of the Clean Water Act.</p> <p>(C) Changes requested by the Permit Board must be made in writing, set forth the time schedule for the regulated entity to develop the changes, and offer the regulated entity the opportunity to propose alternative program changes to meet the objective of the requested modification. All changes required by the Permit Board will be made in accordance with 40 CFR 124.5, 40 CFR 122.62, or as appropriate 40 CFR 122.63.</p> <p>(4) Transfer of Operational Authority, or Responsibility for Storm Water Management Program Implementation: The regulated entity must implement the Storm Water Management Program on all new areas added to the regulated entity's portion of the municipal separate storm sewer system (or for which the regulated entity becomes responsible for implementation of storm water quality controls) as expeditiously as practicable, but not later than one year from addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for controls that cannot be implemented immediately. [WPC-1]</p>

**ACT6 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-3	<p>(A) Within 90 days of a transfer of operational authority, or responsibility for storm water management program implementation, the regulated entity must have a plan for implementing the regulated entity's Storm Water Management Program on all affected areas. The plan may include schedules for implementation. Information on all new annexed areas and any resulting updates required to the Storm Water Management Program must be included in the annual report.</p> <p>Only those portions of the Storm Water Management Programs specifically required as permit conditions shall be subject to the modification requirements of 40 CFR 124.5. Addition of components, controls, or requirements by the regulated entity(s) and replacement of an ineffective or infeasible BMP implementing a required component of the Storm Water Management Program with an alternate BMP expected to achieve the goals of the original BMP shall be considered minor changes to the Storm Water Management Program and not modifications to the permit. [WPC-1]</p>
S-4	<p><b>SHARING MINIMUM MEASURE RESPONSIBILITY:</b></p> <p>(1) Implementation of one or more of the minimum measures may be shared with another entity, or the other entity may fully take over the measure. A regulated entity may rely on another entity only if:</p> <p>(A) The other entity, in fact, implements the control measure.</p> <p>(B) The particular control measure, or component of that measure, is at least as stringent as the corresponding permit requirement.</p> <p>(C) The other entity agrees to implement the control measure on the regulated entity's behalf and accepts this obligation in writing. This obligation must be maintained as part of the description of the regulated entity's storm water management program. If the other entity fails to implement the control measure on the regulated entity's behalf, then the regulated entity remains liable for any discharges due to that failure to implement.</p> <p>(2) In the case of the construction minimum measure, MDEQ may agree to assume responsibility, if petitioned by the regulated entity, for the portion of the minimum measure that addresses construction activities five (5) acres and greater (residential subdivisions are specifically excluded). If MDEQ agrees to assume responsibility, the regulated entity is not required to include that portion of the minimum control measure in the SWMP, nor required to address large construction in the annual report. The MS4 General Permit Forms Package contains a petition form for this purpose.</p> <p>(3) Programs that meet or exceed the provisions of this minimum measure and the provisions of Mississippi's construction general permit requirements may, at the request of the regulated entity and at the discretion of MDEQ, be designated as a qualifying local program. Construction sites that meet the requirements of the qualifying local program may be deemed to also satisfy Mississippi's construction general permit requirements. [WPC-1]</p>

**ACT6 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-5	<p><b>FAILURE TO IMPLEMENT STORM WATER MANAGEMENT PROGRAM (SWMP):</b></p> <p>Any permit noncompliance constitutes a violation of the Mississippi Water Pollution Control Law and is grounds for enforcement action against the MS4. In addition, failure by the MS4 to initiate appropriate enforcement actions as defined in the SWMP may be the basis for State determination that the MS4 has failed to take timely enforcement action. In instances where the State determines that the MS4 has not initiated timely and appropriate enforcement action, the State may proceed with any or all enforcement options against the discharger and MS4 under the Clean Water Act. [WPC-1]</p>

**ACT7 (MS4) Monitoring, Reporting and Recordkeeping Requirements:****Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p><b>MONITORING:</b></p> <p>The coverage recipient must evaluate program compliance, the appropriateness of their identified best management practices, and progress towards achieving their identified measurable goals. Although water quality sampling and analysis may be used by a regulated entity, it is not a requirement of this permit. [WPC-1]</p>
S-2	<p><b>ANNUAL REPORTS:</b></p> <p>The coverage recipient must prepare and submit to MDEQ an annual report. The objective of the annual report is to summarize the progress made in implementing the conditions of the permit and elements of the storm water management plan. The submittal of the fourth Annual Report shall be deemed to be a notification of the MS4's intent to be covered by the subsequently issued MS4 General Permit. The annual report shall be in the approved MDEQ format. A template of the approved MDEQ annual report format may be obtained from MDEQ at the address shown below or by calling 601/961-5171. The annual report template, general permit and forms package may also be found on the MDEQ web site at <a href="http://www.deq.state.ms.us">www.deq.state.ms.us</a>. Annual reports in 3-ring binders will not be accepted due to limited filing space. These annual reports must include, at a minimum:</p> <ol style="list-style-type: none"> <li>(1) The status of compliance with permit conditions, an assessment of the appropriateness of the coverage recipient's identified BMPs and progress towards achieving the coverage recipient's identified measurable goals for each of the minimum control measures.</li> <li>(2) Results of information collected and analyzed, including monitoring data, if any, during the reporting period.</li> <li>(3) A summary of the storm water activities planned during the next reporting cycle.</li> <li>(4) Proposed changes to the storm water management program, including changes to any BMPs or any identified measurable goals that apply to the program elements.</li> <li>(5) Changes in any identified measurable goals that apply to the program elements.</li> <li>(6) Notice that you are relying on another government entity to satisfy some of your permit obligations (if applicable). [WPC-1]</li> </ol>

**ACT7 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-3	<p>(7) The number of small construction projects receiving approval from the MS4. Small construction projects are land disturbance activities of equal to or greater than one (1) acre and less than five (5) acres or are part of a larger common plan of development or sale with a planned disturbance of equal to or greater than one (1) acre and less than five (5) acres. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, and original purpose of the facility (i.e. an existing ditch, channel, or other similar storm water conveyance, as well as routine grading of existing dirt roads, asphalt overlays of existing roads, and similar maintenance activities).</p> <p>(8) The number of large construction projects receiving approval from the MS4. Large construction projects are land disturbance activities of equal to or greater than five (5) acres or are part of a larger common plan of development or sale with a planned disturbance of equal to or greater than five (5) acres. Large construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, and original purpose of a ditch, channel, or other similar storm water conveyance. Large construction activity does not include the routine grading of existing dirt roads, asphalt overlays of existing roads, and similar maintenance activities.</p> <p>(9) The number and type of inspections conducted and enforcement actions taken.</p> <p>(10) The number of illicit discharges detected and the number of illicit discharges eliminated.</p> <p>(11) The number, type (i.e., detention basin, manufactured system, etc.) and location of post-construction management practices installed at new development and redevelopment projects. [WPC-1]</p>
S-4	<p>(12) Documentation that all control measures being planned or implemented that may address Wasteload Allocation (WLA) provisions of a TMDL, if it is found that a MS4 must implement specific WLA provisions of a TMDL. Also, include a schedule of implementation for all planned controls.</p> <p>(13) Certification that the MS4 NOI and SWMP are up to date. The annual report shall be certified according to ACT9, T-5 and T-6 of this permit. [WPC-1]</p>



**ACT7 (continued):****Submittal/Action Requirements:**

Condition No.	Condition
S-5	<p><b>WHERE TO SEND REPORTS:</b></p> <p>The annual reports required in Part ACT7, S-2 of this permit are to be submitted annually postmarked no later than the 28th day of January. The first submission may be for less than a 12-month period. Reports shall be submitted to the MDEQ at the following address:</p> <p>Chief, Environmental Compliance and Enforcement Division Office of Pollution Control, Dept of Environmental Quality P.O. Box 2261 Jackson, Mississippi 39225. [WPC-1]</p>
S-6	<p><b>RECORDS RETENTION:</b></p> <p>All records, reports and information resulting from activities required by this permit shall be retained for a period of at least three years from the date of the coverage recipient's MS4 NOI, inspection or report. The coverage recipient must make records required by this permit, including the regulated entity's SWMP, available to the public at reasonable times during regular business hours. (The regulated entity may assess a reasonable charge for copying. The coverage recipient may require a member of the public to provide advance notice, not to exceed two working days.). [WPC-1]</p>
S-7	<p><b>NONCOMPLIANCE REPORTING:</b></p> <p>(1) Anticipated Noncompliance. The regulated entity shall give at least 10 days advance notice, if possible, before any planned noncompliance with permit requirements.</p> <p>(2) Unanticipated Noncompliance. The regulated entity shall notify the MDEQ orally within 24 hours from the time he or she becomes aware of unanticipated noncompliance. A written notice shall be provided to the MDEQ within 5 working days of the time he or she becomes aware of the circumstances. The written report shall describe the cause, the exact dates and times, steps taken or planned to reduce, eliminate, or prevent reoccurrence of the noncompliance and, if the noncompliance has not ceased, the anticipated time for correction. [WPC-1]</p>

**ACT8 (MS4) Storm Water Quality Requirements:****Limitation Requirements:**

Condition No.	Parameter	Condition
L-1		<p><b>LIMITATION REQUIREMENTS:</b></p> <p>Storm water shall be free from:</p> <ul style="list-style-type: none"><li>(1) Debris, oil, scum, and other floating materials other than in trace amounts</li><li>(2) Eroded soils and other materials that will settle to form objectionable deposits in receiving waters</li><li>(3) Suspended solids, turbidity and color at levels inconsistent with the receiving waters</li><li>(4) Substances in concentrations that would cause violation of State Water Quality Criteria in the receiving waters. [WPC-1]</li></ul>

**ACT9 (MS4) Standard Requirements Applicable to All Water Permits:****Narrative Requirements:**

Condition No.	Condition
T-1	<p><b>DUTY TO COMPLY:</b></p> <p>Any permit noncompliance constitutes a violation of the Mississippi Water Pollution Control Law and is grounds for enforcement action or coverage termination and requiring reapplication in accordance with ACT3, S-2 of this permit. [WPC-1]</p>
T-2	<p><b>CONTINUATION OF AN EXPIRED GENERAL PERMIT:</b></p> <p>All general permits and coverages issued by the Permit Board shall remain in full force and effect until the Permit Board makes a final determination regarding any reissuance, modification, or revocation of the permits and coverages. [WPC-1]</p>
T-3	<p><b>DUTY TO MITIGATE:</b></p> <p>The regulated entity shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that is likely to adversely affect human health or the environment. [WPC-1]</p>
T-4	<p><b>DUTY TO PROVIDE INFORMATION:</b></p> <p>The regulated entity shall furnish to the MDEQ, within a reasonable time, any information which the MDEQ may request to determine compliance with this permit. [WPC-1]</p>
T-5	<p><b>SIGNATORY REQUIREMENTS:</b></p> <p>All Notice of Intent forms, reports, certifications, or information submitted to the permitting authority, or that this permit requires be maintained by you shall be signed and certified as follows:</p> <p>(1) The MS4 NOI(s) and SWMP(s) submitted to the MDEQ shall be signed by a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).</p> <p>(2) All reports required by this permit, and other information requested by the Permit Board shall be signed by a person described above or a duly authorized representative (see T-6 below). [WPC-1]</p>

**ACT9 (continued):****Narrative Requirements:**

Condition No.	Condition
T-6	<p><b>DULY AUTHORIZED REPRESENTATIVE:</b></p> <p>A person is a duly authorized to sign submissions to the MDEQ only if:</p> <p>(1) The authorization is made in writing by a person described in T-5 above, and submitted to the MDEQ.</p> <p>(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated activity, such as manager, operator, superintendent or one having overall environmental responsibility (a duly authorized representative may be a named individual or any individual occupying a named position). [WPC-1]</p>
T-7	<p><b>CHANGES TO AUTHORIZATION:</b></p> <p>If an authorization is no longer accurate because a different individual or position has permit responsibility, a new authorization satisfying the above requirements must be submitted to the MDEQ prior to or together with any reports, information or applications signed by the representative. [WPC-1]</p>
T-8	<p><b>CERTIFICATION:</b></p> <p>Any person signing documents under this section shall make the following certification:</p> <p>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. [WPC-1]</p>
T-9	<p><b>OIL AND HAZARDOUS SUBSTANCE LIABILITY:</b></p> <p>Nothing in this permit shall relieve the regulated entity from responsibilities, liabilities, or penalties under Section 311 of the Clean Water Act (CWA). [WPC-1]</p>

**ACT9 (continued):****Narrative Requirements:**

Condition No.	Condition
T-10	<p><b>PROPERTY RIGHTS:</b></p> <p>The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. [WPC-1]</p>
T-11	<p><b>SEVERABILITY:</b></p> <p>The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby. [WPC-1]</p>
T-12	<p><b>PROPER OPERATION AND MAINTENANCE:</b></p> <p>The regulated entity shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the regulated entity to achieve compliance with the conditions of this permit including the storm water pollution prevention plan. Proper operation and maintenance includes adequate laboratory controls with appropriate quality assurance procedures and requires the operation of backup or auxiliary facilities when necessary to achieve compliance with permit conditions. [WPC-1]</p>
T-13	<p><b>BYPASS PROHIBITION:</b></p> <p>Bypass (see 40 CFR 122.41(m)) is prohibited and enforcement action may be taken against a regulated entity for a bypass, unless: (1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This conditions is not satisfied if the regulated entity should, in the exercise of reasonable engineering judgement, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and (3) The regulated entity submitted notices per ACT7, S-7 of this permit. [WPC-1]</p>

**ACT9 (continued):****Narrative Requirements:**

Condition No.	Condition
T-14	<p><b>UPSET CONDITIONS:</b></p> <p>An upset (see 40 CFR 122.41(n)) constitutes an affirmative defense to an action brought for noncompliance with technology-based permit limitations if a regulated entity shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that: (1) An upset occurred and the regulated entity can identify the specific cause(s) of the upset, (2) The permitted facility was at the time being properly operated, (3) The regulated entity submitted notices per ACT7, S-7 of this permit). The regulated entity took remedial measures as required under ACT9, T-3 of this permit. In any enforcement proceeding, the regulated entity has the burden of proof that an upset occurred. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. [WPC-1]</p>
T-15	<p><b>INSPECTION AND ENTRY:</b></p> <p>The regulated entity shall allow MDEQ or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to</p> <p>(1) Enter upon the regulated entity's premises where a regulated activity is located or conducted or where records must be kept under the conditions of this permit;</p> <p>(2) Have access to and copy at reasonable times any records that must be kept under the conditions of this permit; and</p> <p>(3) Inspect at reasonable times any facilities or equipment. [WPC-1]</p>
T-16	<p><b>PERMIT ACTIONS:</b></p> <p>This permit may be modified, revoked and reissued, or terminated for cause. A request by the regulated entity for permit or coverage modification, revocation and reissuance, or termination, or a certification of planned changes or anticipated noncompliance does not stay any permit condition. [WPC-1]</p>

**ACT9 (continued):****Narrative Requirements:**

Condition No.	Condition
T-17	<p data-bbox="222 578 1100 602"><b>SCIENTIFIC, TECHNICAL AND LEGAL ENVIRONMENTAL ASSISTANCE:</b></p> <p data-bbox="222 638 1965 902">Where a discharge authorized under this permit is determined to cause or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard or other requirement of a regulation promulgated by the Commission or any of the minimum control measures set forth in its SWMP and required by this permit (referred to herein as "Environmental Requirement"), MDEQ shall, in writing, notify the regulated entity of the actual or potential violation of the Environmental Requirement. After receiving such notification from MDEQ, the regulated entity may request MDEQ assistance in determining the source of the pollutant discharge to the MS4, which is causing the MS4 to violate or have the potential to violate the Environmental Requirement. Such requests are proper where MDEQ's scientific, technical, or other environmental knowledge may assist the regulated entity in isolating and addressing sources of actual or potential violation of the Environmental Requirement which are not readily discoverable by the regulated entity after completing the procedures required by the regulated entity's SWMP. When a regulated entity requests MDEQ assistance, MDEQ will provide to the regulated entity available public information relevant to MDEQ's notification.</p> <p data-bbox="222 938 1965 1052">The Commission shall retain jurisdiction and responsibility to enforce compliance with all applicable Commission regulations and the permit. The regulated entity shall retain jurisdiction and responsibility to enforce compliance with its SWMP, local laws, regulations, and ordinances. MDEQ, as appropriate and able, will provide technical assistance to the regulated entity as it pursues judicial or administrative enforcement procedures. However, the implementation of the SWMP remains the responsibility of the regulated entity. [WPC-1]</p>
T-18	<p data-bbox="222 1084 478 1109"><b>REOPENER CLAUSE:</b></p> <p data-bbox="222 1144 1965 1227">If there is evidence indicating potential or realized impacts on water quality due to storm water discharge covered by this permit, the regulated entity may be required to obtain an individual permit or an alternative general permit in accordance with ACT3, S-2 of this permit or the permit may be modified to include different limitations and/or requirements. [WPC-1]</p>
T-19	<p data-bbox="222 1260 531 1284"><b>PERMIT MODIFICATION:</b></p> <p data-bbox="222 1317 1486 1339">Permit modification or revocation will be conducted according to 40 CFR 122.62, 122.63, 122.64 and 124.5. [WPC-1]</p>

**ACT10 (MS4) Definitions:****Narrative Requirements:**

Condition No.	Condition
T-1	All definitions contained in Section 502 of the Act and 40 CFR 122 shall apply to this permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided, but in the event of a conflict, the definition found in the Statute or Regulation takes precedence. [WPC-1]
T-2	BEST MANAGEMENT PRACTICES (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of State. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. [WPC-1]
T-3	CODES OF FEDERAL REGULATIONS (CFR) are documents containing all finalized regulations. The contents of 40 CFR are all related to the environmental aspects. [WPC-1]
T-4	COMMISSION means the Mississippi Commission on Environmental Quality. [WPC-1]
T-5	CONTROL MEASURE as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the State. [WPC-1]
T-6	CLEAN WATER ACT (CWA) means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq. [WPC-1]
T-7	DISCHARGE-RELATED ACTIVITIES include: activities which cause, contribute to, or result in storm water point source pollutant discharges; and measures to control storm water discharges, including the siting, construction and operation of best management practices (BMPs) to control, reduce or prevent storm water pollution. [WPC-1]
T-8	ILLICIT CONNECTION means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer. [WPC-1]
T-9	ILLICIT DISCHARGE means any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and those non-storm water discharges identified in ACT2, T-4 of this permit. [WPC-1]



**ACT10 (continued):****Narrative Requirements:**

Condition No.	Condition
T-10	LARGER COMMON PLAN OF DEVELOPMENT OR SALE means a contiguous area where multiple separate and distinct construction activities are occurring under one plan. The plan in a common plan of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that construction activities may occur on a specific plot. [WPC-1]
T-11	MAJOR RECEIVING WATER(s) are those waters of the State that are named on an United States Geological Quadrangle Map. [WPC-1]
T-12	MAXIMUM EXTENT PRACTICABLE "MEP" is the statutory standard that establishes the level of pollutant reductions that operators of regulated MS4s must achieve. The CWA requires that NPDES permits for discharges from MS4s "shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system, design and engineering methods." Compliance with the conditions of the general permit and the series of steps associated with identification and implementation of the minimum control measures will satisfy the MEP standard. EPA has intentionally not provided a precise definition of MEP to allow maximum flexibility in MS4 permitting. MS4s need the flexibility to optimize reductions in storm water pollutants on a location-by-location basis. EPA envisions that this evaluative process will consider such factors as conditions of receiving waters, specific local concerns, and other aspects included in a comprehensive watershed plan. Other factors may include MS4 size, climate, implementation schedules, current ability to finance the program, beneficial uses of receiving water, hydrology, geology, and capacity to perform operation and maintenance. The pollutant reductions that represent MEP may be different for each small MS4, given the unique local hydrologic and geologic concerns that may exist and the differing possible pollutant control strategies. Therefore, each regulated entity will determine appropriate BMPs to satisfy each of the six minimum control measures through an evaluative process. [WPC-1]
T-13	EPA envisions application of the MEP standard as an iterative process. MEP should continually adapt to current conditions and BMP effectiveness and should strive to attain water quality standards. Successive iterations of the mix of BMPs and measurable goals will be driven by the objective of assuring maintenance of water quality standards. If, after implementing the six minimum control measures there is still water quality impairment associated with discharges from the MS4, after successive permit terms the regulated entity will need to expand or better tailor its BMPs within the scope of the six minimum control measures for each subsequent permit. EPA envisions that this process may take two to three permit terms. [WPC-1]
T-14	MEASURABLE GOALS are a municipality's storm water program goals, which are intended to gauge permit compliance and program effectiveness. [WPC-1]
T-15	MUNICIPALITY refers to a city, town, county, district, association, or other public body created by or under State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes. [WPC-1]

**ACT10 (continued):****Narrative Requirements:**

Condition No.	Condition
T-16	MS4 is an acronym for "Municipal Separate Storm Sewer System" and is used to refer to either a Large, Medium (e.g. "the Jackson MS4"), or Small Municipal Separate Storm Sewer System. The term is used to refer to either the system operated by a single entity or a group of systems within an area that are operated by multiple entities (e.g., the Jackson MS4 includes MS4s operated by the city of Jackson, the Mississippi Department of Transportation (MDOT) - state and interstate highways, their right-of-ways and thoroughfares [including highways, streets, roads, bridges, maintenance facilities, service areas, and rest areas] within the jurisdictional boundary of MDOT, the University Medical Center and others). [WPC-1]
T-17	MUNICIPAL SEPARATE STORM SEWER means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man made channels, or storm drains): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States; (ii) Designed or used for collecting or conveying storm water; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW). [WPC-1]
T-18	NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) refers to Section 402 of the federal Clean Water Act. [WPC-1]
T-19	NOI is an acronym for "Notice of Intent" to be covered by this permit and is the mechanism used to "register" for coverage under a general permit. [WPC-1]
T-20	PERMIT BOARD means the Mississippi Environmental Quality Permit Board established pursuant to Miss. Code Ann. Section 49-17-28. [WPC-1]
T-21	PHASE II is the second stage of the State and Federal storm water permit regulations. [WPC-1]
T-22	REGULATED ENTITY , as used within this general permit, is a small MS4 within the State of Mississippi and located fully or partially within an urbanized area as determined by the latest Decennial Census pursuant to 40 CFR 122.32, or designated by MDEQ pursuant to 40 CFR 123.35. [WPC-1]
T-23	SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM refers to all separate storm sewers that are owned or operated by the United States, a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States, but is not defined as "large" or "medium" municipal separate storm sewer system (those municipalities with a population of 100,00 or more) . This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings. [WPC-1]

**ACT10 (continued):****Narrative Requirements:**

Condition No.	Condition
T-24	STORM WATER means rainfall runoff, snowmelt runoff, and surface runoff. [WPC-1]
T-25	STORM WATER MANAGEMENT PROGRAM (SWMP) refers to a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system. [WPC-1]
T-26	TOTAL MAXIMUM DAILY LOAD (TMDL) means the calculated maximum permissible pollutant loading to a waterbody at which water quality standards can be maintained. The sum of wasteload allocations (WLAs) and load allocations (LAs) for any given pollutant. [WPC-1]
T-27	URBANIZED AREA (UA) is a land area comprising one or more places {core and fringe} with urban limits defined by a population density of 1,000 people per square mile and its contiguous census tracts of 500 people per square mile - that together have a residential population of at least 50,000. [WPC-1]



State of Mississippi  
Mississippi Department of Environmental Quality (MDEQ)  
Office of Pollution Control (OPC)



**SMALL CONSTRUCTION GENERAL PERMIT**

**FOR LAND DISTURBING ACTIVITIES OF ONE (1) TO LESS THAN FIVE (5) ACRES**

TO DISCHARGE STORM WATER FROM REGULATED CONSTRUCTION ACTIVITIES IN ACCORDANCE WITH THE NATIONAL  
POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

**THIS CERTIFIES THAT**

FACILITIES OR PROJECTS ISSUED A CERTIFICATE OF PERMIT COVERAGE UNDER THIS PERMIT ARE GRANTED  
PERMISSION TO DISCHARGE STORM WATER FROM REGULATED CONSTRUCTION ACTIVITIES INTO STATE WATERS

in accordance with effluent limitations, inspection requirements and other conditions set forth in herein. This permit is issued in  
accordance with the provisions of the Mississippi Water Pollution Control Law (Section 49-17-1 et seq., Mississippi Code of 1972), and  
the regulations and standards adopted and promulgated thereunder, and under authority granted pursuant to Section 402(b) of the Federal  
Water Pollution Control Act.

**Mississippi Environmental Quality Permit Board**

  
\_\_\_\_\_  
**Authorized Signature**

**Mississippi Department of Environmental Quality**

Issued: January 3, 2008

Permit No. MSR15

Expires: December 31, 2012

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## Table of Contents

ACT1 (Small Construction) Introduction:	
Narrative Requirements	
Introduction.....	1
ACT2 (Small Construction) Permit Applicability and Coverage:	
Narrative Requirements	
Permit Area.....	2
Covered Discharges .....	2
Allowable Non-Storm Water Discharges.....	3
This Permit Does Not Authorize.....	4
ACT3 (Small Construction) Obtaining Coverage:	
Submittal/Action Requirements	
How to Obtain Authorization.....	5
Requiring an Individual Permit .....	5
ACT4 (Small Construction) Notice of Intent (SCNOI):	
Submittal/Action Requirements	
Small Construction Notice of Intent .....	6
Where to Submit the SCNOI if Requested.....	6
ACT5 (Small Construction) Storm Water Pollution Prevention Plan (SWPPP) Development and Content:	
Submittal/Action Requirements	
SWPPP Development .....	7
SWPPP Content .....	8
Owner or Operator .....	8
Erosion and Sediment Controls.....	8
Non-Storm Water Discharge Management .....	9
Housekeeping Practices .....	10
Prepare Scaled Site Map .....	10
Implementation Sequence .....	10
Implementation of Controls .....	10
Maintenance and Weekly Inspections .....	11
Example SWPPPs .....	11
ACT6 (Small Construction) SWPPP Implementation, Inspection and Reporting Requirements:	
Submittal/Action Requirements	
SWPPP Implementation Requirements.....	12
SWPPP Compliance with Local Storm Water Ordinances .....	13
Inspection Requirements.....	13
Release Reporting .....	14
Noncompliance Reporting .....	14

\*\*\* Official MDEQ Permit \*\*\*

Page i of iii



## Table of Contents

ACT7 (Small Construction) Limitation Requirements:	
Limitation Requirements	
Non-Numeric Limitations .....	15
ACT8 (Small Construction) Recordkeeping:	
Record-Keeping Requirements	
Retention of Records.....	16
Documentation of Inspections.....	16
ACT9 (Small Construction) Termination of Permit Coverage:	
Submittal/Action Requirements	
Termination of Permit Requirements .....	17
ACT10 (Small Construction) Standard Requirements Applicable to All Water Permits:	
Narrative Requirements	
Duty to Comply .....	18
Duty to Mitigate.....	18
Duty to Provide Information .....	18
Signatory Requirements.....	19
Duly Authorized Representative .....	19
Changes in Authorization.....	20
Certification .....	20
Oil and Hazardous Substance Liability .....	20
Property Rights .....	20
Severability .....	20
Transfers .....	21
Proper Operation and Maintenance.....	21
Bypass Prohibition.....	21
Upset Conditions.....	21
Inspection and Entry .....	22
Permit Actions .....	22
Anticipated Noncompliance.....	22
Unanticipated Noncompliance .....	22
Reopener Clause .....	23
Permit Modification .....	23
Civil and Criminal Liability.....	23
ACT11 (Small Construction) Definitions: .....	24
<b>Forms</b>	
SCNOI Form.....	27
Inspection Form .....	28
Transfer Form .....	29

Small Construction General Permit  
Subject Item Inventory

**Subject Item Inventory:**

ID	Designation	Description
ACT1	Small Construction	Introduction
ACT2	Small Construction	Permit Applicability and Coverage
ACT3	Small Construction	Obtaining Coverage
ACT4	Small Construction	Small Construction Notice of Intent
ACT5	Small Construction	Storm Water Pollution Prevention Plan (SWPPP) Development and Content
ACT6	Small Construction	Implementation, Inspection and Reporting Requirements
ACT7	Small Construction	Limitation Requirements
ACT8	Small Construction	Record Keeping
ACT9	Small Construction	Termination of Permit Coverage
ACT10	Small Construction	Standard Requirements Applicable to All Water Permits
ACT11	Small Construction	Definitions
AI35524		

**KEY**

ACT = Activity



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Small Construction General Permit  
Facility Requirements

Page 1 of 30

**ACT1 (Small Construction) Introduction:**

**Narrative Requirements:**

Condition No.	Condition
T-1	<p><b>INTRODUCTION:</b></p> <p>The Small Construction General Permit (SCGP) authorizes storm water discharges from construction activities disturbing one (1) acre to less than five (5) acres, or less than one acre if part of a "larger common plan of development or sale," where the total acreage is based on cumulative planned disturbance (see Definitions). Construction activities that disturb five acres or greater are regulated under the Large Construction General Permit.</p> <p>Storm water discharges that enter state waters or storm water conveyance systems leading to state waters are subject to regulation and compliance with the conditions set forth in this permit. This permit also authorizes storm water discharges from any other construction activity designated by the Executive Director based on the potential for contribution to an excursion of a water quality standard or for significant contribution of pollutants to state waters. Upon issuance by the Permit Board on Environmental Quality, this permit will replace the previous Small Construction General Permit.</p> <p>Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, and original purpose of the facility (for example, existing ditches, channels, or other similar storm water conveyances, as well as routine grading of existing dirt roads, asphalt overlays of existing roads, and other similar maintenance activities). [WPC-1]</p>

B-50

Small Construction General Permit  
Facility Requirements

Page 2 of 30

**ACT2 (Small Construction) Permit Applicability and Coverage:**

**Narrative Requirements:**

Condition No.	Condition
T-1	<p><b>PERMIT AREA:</b></p> <p>The Small Construction General Permit covers all areas of the State of Mississippi. [WPC-1]</p>
T-2	<p><b>COVERED DISCHARGES:</b></p> <p>(1) Discharges composed entirely of storm water and allowable non-storm water identified in T-4 of this ACT from small construction activities including clearing, grading, excavating and other land disturbing activities equal to or greater than one (1) acre and less than five (5) acres. These discharges are automatically designated as small construction activities under the National Pollutant Discharge Elimination System (NPDES) storm water program and are automatically covered under this permit. Small construction activities disturbing less than one (1) acre are designated if:</p> <ul style="list-style-type: none"><li>- The project is part of a larger common plan of development or sale with a cumulative planned disturbance of equal to or greater than one (1) acre and less than five (5) acres (for example, individual or commercial lots that are part of a subdivision or a commercial development that initially impacts less than one (1) acre but will ultimately exceed the one (1) acre threshold, or</li><li>- The Executive Director of the Mississippi Department of Environmental Quality (MDEQ) designates the construction activity based on the potential for contribution to a violation of a water quality standard or for significant contribution of pollutants to waters of the State. [WPC-1]</li></ul>
T-3	<p>(2) A project is eligible for coverage under this general permit for discharges of pollutants of concern to water bodies for which there is a total maximum daily load (TMDL) established or approved by EPA if measures and controls are incorporated that are consistent with the assumptions and requirements of such TMDL. To be eligible for coverage under this general permit, the facility must incorporate any conditions applicable to any discharge(s) necessary for consistency with the assumptions and requirements of such TMDL. If, after coverage issuance, a specific wasteload allocation is established that would apply to the facility's discharge, the facility must implement steps necessary to meet that allocation. [WPC-1]</p>

B-51

Small Construction General Permit  
Facility Requirements

Page 3 of 30

**ACT2 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-4	<p><b>ALLOWABLE NON-STORM WATER DISCHARGES:</b></p> <p>Owner or operators are authorized for the following non-storm water discharges. Except for flows from fire fighting activities, sources of non-storm water below that are combined with storm water discharges associated with construction activity must be identified in the Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.</p> <p>Discharges from fire-fighting activities Fire hydrant flushings Waters used to wash vehicles where detergents are not used Water used to control dust Potable water sources including water line flushings Routine external building wash down that does not use detergents Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless totally removed) and where detergents are not used Uncontaminated air conditioning or compressor condensate Uncontaminated ground water or spring water Foundation or footing drains where flows are not contaminated with process materials such as solvents Uncontaminated excavation dewatering Landscape irrigation. [WPC-1]</p>

B-52

Small Construction General Permit  
Facility Requirements

**ACT2 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-5	<p>THIS PERMIT DOES NOT AUTHORIZE:</p> <p>(1) Discharges of hazardous substances or oil resulting from an on-site spill.</p> <p>(2) Discharges that originate from the site after construction activities have been completed and the site has undergone final stabilization.</p> <p>(3) Discharges associated with construction activity that disturb five (5) or more acres or that have been covered under an individual permit in accordance with ACT3, S-2 of this permit.</p> <p>(4) Discharges from construction sites that the Executive Director determines will cause, or have reasonable potential to cause or contribute to, violations of water quality standards. Where such determinations have been made, the Mississippi Environmental Quality Permit Board (Permit Board) may notify the owner or operator that an individual permit application is necessary in accordance with ACT3, S-2 of this permit. However, the Permit Board may authorize coverage under this permit after appropriate controls and implementation procedures, designed to bring the discharges into compliance with water quality standards, have been included in the Storm Water Pollution Prevention Plan.</p> <p>(5) Discharges to impaired receiving waters, unless the SWPPP specifically identifies Best Management Practices (BMPs) which ensure storm water will not cause or contribute to non-attainment of a water quality standard. In cases where the Permit Board becomes aware of potential impairment due to small construction activities, the Permit Board may require the submittal of the SWPPP in order to ascertain whether the selected BMPs are sufficient to comply with requirements of this permit or any other requirements of the Permit Board. The list of impaired receiving waters may be found on the MDEQ web site at <a href="http://www.deq.state.ms.us">www.deq.state.ms.us</a> or by calling 601-961-5171. [WPC-1]</p>
T-6	<p>(6) Discharges that are likely to jeopardize the continued existence of any species that is listed as endangered or threatened under the Environmental Species Act (ESA) or result in the adverse modification or destruction of habitat that is designated under ESA</p> <p>(7) Construction activities that will affect state waters, including wetlands, without obtaining the necessary U.S. Army Corps of Engineers' (COE) individual Section 404 permit or coverage under a COE nationwide or general permit. If a Small Construction Notice of Intent (SCNOI) is requested by the Permit Board, appropriate COE documentation must be included. [WPC-1]</p>

Small Construction General Permit  
Facility Requirements

Page 5 of 30

**ACT3 (Small Construction) Obtaining Coverage:**

**Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p><b>HOW TO OBTAIN AUTHORIZATION:</b></p> <p>(1) If a Small Construction Notice of Intent (SCNOI) has not been requested by the Permit Board (SCNOI not submitted to MDEQ).</p> <p>Owners or operators are authorized to discharge storm water or allowable non-storm water associated with small construction activity under the terms and conditions of this permit upon commencement of small construction land disturbing activities (i.e., Construction may begin after the completion of the SCNOI and the development and implementation of the required Storm Water Pollution Prevention Plan (SWPPP)).</p> <p>(2) If a Small Construction Notice of Intent (SCNOI) has been requested by the Permit Board (SCNOI submitted to MDEQ).</p> <p>Owners or operators are authorized to discharge storm water or allowable non-storm water only after staff review and receipt of written notification of approval of coverage by the Permit Board Staff. [WPC-1]</p>
S-2	<p><b>REQUIRING AN INDIVIDUAL PERMIT:</b></p> <p>Upon receipt of a SCNOI, the Permit Board may require an alternate permit. The Permit Board may require any owner or operator of land disturbing activities of equal to or greater than one (1) acre and less than five (5) acres to apply for and obtain an individual NPDES permit. Any interested person may petition the Permit Board to take action under this paragraph. The Permit Board may require any small construction owner or operator to apply for an individual NPDES permit only if the owner or operator has been notified in writing. This notice shall include reasons for this decision, an application form and a filing deadline. The Permit Board may grant additional time upon request. [WPC-1]</p>

B-54

Small Construction Storm Water General Permit  
Facility Requirements

Page 6 of 30

**ACT4 (Small Construction) Small Construction Notice of Intent:**

**Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p><b>SMALL CONSTRUCTION NOTICE OF INTENT (SCNOI):</b></p> <p>Prior to the commencement of small construction activity, the owner or operator must complete a Small Construction Notice of Intent (SCNOI) provided at the end of this permit. The SCNOI and SWPPP described in ACT5 shall be submitted to the Mississippi Department of Environmental Quality (MDEQ) only upon request from MDEQ. However, the SCNOI and SWPPP must be maintained at the permitted site or locally available in case inspector review is necessary. Failure to complete a SCNOI prior to the commencement of construction activity or to submit a SCNOI when requested is a violation of State regulations. The SCNOI shall be retained by the owner or operator as required by ACT8, R-1 of this permit. Attachments to the SCNOI must include: a Storm Water Pollution Prevention Plan (SWPPP) and a U.S. Geological Survey quadrangle map or copy (only if required to be submitted to MDEQ) showing site location.</p> <p>The owner(s) of the property and the operator(s) associated with the regulated construction activity on the property have joint and severable responsibility for compliance with the permit. Notwithstanding any permit condition to the contrary, the coverage recipient and any person who causes pollution of waters of the state or places waste in a location where they are likely to cause pollution, shall remain responsible under applicable federal and state laws and regulations, and applicable permits.</p> <p>The SCNOI shall be signed in accordance with the provisions of ACT10, T-4 of this permit. [WPC-1]</p>

**Narrative Requirements:**

Condition No.	Condition
T-1	<p><b>WHERE TO SUBMIT THE SMALL CONSTRUCTION NOTICE OF INTENT (SCNOI), IF REQUESTED:</b></p> <p>If requested, complete and appropriately signed SCNOI forms must be submitted to:</p> <p>Chief, Environmental Permits Division MS Dept of Environmental Quality, Office of Pollution Control P.O. Box 10385 Jackson, Mississippi 39289-0385. [WPC-1]</p>

B-55

**ACT5 (Small Construction) Storm Water Pollution Prevention Plan (SWPPP) Development and Content:**

**Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p><b>SWPPP DEVELOPMENT:</b></p> <p>A SWPPP shall be developed and implemented by the owner or operator of a small construction project. Failure to develop a SWPPP prior to commencement of construction activity or to submit a SWPPP when requested is a violation of State regulations. The SWPPP must include a description of appropriate control measures (i.e., BMPs) that will be implemented as part of the construction activity to control pollutants in storm water discharges.</p> <p>(1) The SWPPP shall be retained at the permitted site or locally available. A copy of the SWPPP must be made available to the MDEQ inspectors for review at the time of an on-site inspection.</p> <p>(2) BMPs shall be in place upon commencement of construction.</p> <p>(3) The Executive Director of MDEQ may notify the owner or operator at any time that the SWPPP does not meet the minimum requirements of this permit. After notification, the owner or operator shall amend the SWPPP, implement the changes and certify in writing to the Executive Director that the requested changes have been made. Unless otherwise provided by the Executive Director, the requested changes shall be made within 15 days.</p> <p>(4) The owner or operator shall amend the SWPPP and implement the changes before there is a change in construction, operation, or maintenance, which may potentially effect the discharge of pollutants to State waters.</p> <p>(5) The owner or operator shall amend the SWPPP and implement the changes if the SWPPP proves to be ineffective in controlling storm water pollutants including, but not limited to, significant sediment leaving the site and non-functioning BMPs. [WPC-1]</p>



Small Construction General Permit  
Facility Requirements

Page 8 of 30

**ACT5 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-1	<p><b>SWPPP CONTENT:</b></p> <p>Owner or Operator:</p> <p>The SWPPP shall identify the "owner or operator" as defined in ACT11 of this permit. The operator's name, complete mailing address and telephone number(s) shall be identified on the plan. [WPC-1]</p>
T-2	<p><b>Erosion and Sediment Controls:</b></p> <p>The owner or operator shall list and describe controls appropriate for the construction activities and the procedures for implementing such controls. Controls shall be designed to retain sediment onsite and should:</p> <ol style="list-style-type: none"><li>(1) Divert upslope water around disturbed areas</li><li>(2) Limit exposure of disturbed areas to the shortest time possible</li><li>(3) Disturb the smallest area possible</li><li>(4) Preserve existing vegetation where possible, especially trees</li><li>(5) Preserve vegetated buffer zones around any creek, drain, lake, pond or wetland</li><li>(6) Slow rainfall runoff velocities to prevent erosive flows</li><li>(7) Avoid disturbing sensitive areas such as:<ul style="list-style-type: none"><li>- Steep and/or unstable slopes</li><li>- Land upslope of surface waters</li><li>- Areas with erodible soils</li><li>- Existing drainage channels</li></ul></li><li>(8) Transport runoff down steep slopes through lined channels or piping</li><li>(9) Minimize the amount of cut and fill</li><li>(10) Re-vegetate disturbed areas as soon as possible</li><li>(11) Implement best management practices to mitigate adverse impacts from storm water runoff</li><li>(12) Remove sediment from storm water before it leaves the site by allowing runoff to pond in controlled areas to drop out sediment</li><li>(13) Filter runoff by using natural vegetation, brush barriers, silt fences, hay bales, etc. [WPC-1]</li></ol>

B-57

Small Construction General Permit  
Facility Requirements

Page 9 of 30

**ACT5 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-3	<p>At a minimum, the controls must be in accordance with the standards set forth in " Planning and Design Manual for the Control of Erosion, Sediment &amp; Stormwater," or other recognized manual of design as appropriate for Mississippi. The planning and design manual can be obtained by calling 601/961-5171 or may be found electronically at Mississippi State's educational web site at <a href="http://abe.msstate.edu/csd/p-dm/">http://abe.msstate.edu/csd/p-dm/</a>. In addition, Mississippi's "Storm Water Pollution Prevention Plan (SWPPP) Guidance Manual for Construction Activities" is available by calling 601/961-5171 or on the MDEQ website at <a href="http://www.deq.state.ms.us">www.deq.state.ms.us</a>. The erosion and sediment controls shall address the following minimum components.</p> <p>(1) Vegetative practices shall be designed to preserve existing vegetation where possible and re-vegetate disturbed areas as soon as practicable after grading or construction. Such practices may include surface roughening, temporary seeding, permanent seeding, mulching, sod stabilization, vegetative buffer strips, and protection of trees. When a disturbed area will be left undisturbed for 30 days or more, the appropriate temporary or permanent vegetative practices shall be implemented within 7 calendar days.</p> <p>(2) Structural practices shall divert flows from exposed soils, store flows or otherwise limit runoff from exposed areas. Such practices may include, but are not limited to, construction entrance/exit, silt fences, earth dikes, brush barriers, drainage swales, check dams, subsurface drains, pipe slope drains, level spreaders, drain inlet protection, drain outlet protection, detention/retention basins, sediment traps, temporary sediment basins or equivalent sediment controls. [WPC-1]</p>
T-4	<p>(3) Post-construction control measures should be installed to control pollutants in storm water after construction is complete. These controls include, but are not limited to, one or more of the following: on-site infiltration of runoff, flow attenuation using open vegetated swales, exfiltration trenches and natural depressions, constructed wetlands and retention/detention structures. Where needed, velocity dissipation devices shall be placed at detention or retention pond outfalls and along the outfall channel to provide for a non-erosive flow. [WPC-1]</p>
T-5	<p>Non-Storm Water Discharge Management:</p> <p>Except for flows from fire fighting activities, sources of non-storm water listed in ACT2, T-4 of this permit that are combined with storm water discharges associated with construction activity must be identified in the SWPPP. Non-storm water discharges should be eliminated or reduced to the extent feasible. The SWPPP must identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. [WPC-1]</p>

B-58

Small Construction Storm Water General Permit  
Facility Requirements

Page 10 of 30

**ACT5 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-6	<p>Housekeeping Practices:</p> <p>The owner or operator shall describe and list practices appropriate to prevent pollutants from entering storm water from construction sites due to poor housekeeping. The owner or operator shall:</p> <ul style="list-style-type: none"><li>(1) Designate areas for equipment maintenance and repair and concrete chute wash off;</li><li>(2) Provide waste receptacles at convenient locations;</li><li>(3) Provide regular collection of waste;</li><li>(4) Provide protected storage areas for chemicals, paints, solvents, fertilizers, and other potentially toxic materials;</li><li>(5) Provide adequately maintained sanitary facilities; and</li><li>(6) Provide secondary containment around on-site fuel tanks. [WPC-1]</li></ul>
T-7	<p>Prepare Scaled Site Map(s):</p> <p>The owner or operator shall prepare a scaled site map showing original and proposed contours (if practicable), drainage patterns, adjacent receiving water bodies, north arrow, all erosion &amp; sediment controls (vegetative and structural), any post-construction control measures, and location of housekeeping practices. If the construction project is linear (see Definitions in ACT11), a scaled site map is not required. However, standard diagrams (e.g., cross sections showing dimensions and labeled components) of erosion and sediment controls to be used must be included in the SWPPP. [WPC-1]</p>
T-8	<p>Implementation Sequence:</p> <p>The owner or operator shall prepare an orderly listing, which coordinates the timing of all major land-disturbing activities together with the necessary erosion and sedimentation control measures planned for the project. [WPC-1]</p>
T-9	<p>Implementation of Controls:</p> <p>The SWPPP shall require the owner or operator, in disturbing an area, to implement controls as needed to prevent erosion and adverse impacts to State waters. [WPC-1]</p>

B-59

Small Construction Storm Water General Permit  
Facility Requirements

**ACT5 (continued):**

Narrative Requirements:

Condition No.	Condition
T-10	<p>Maintenance and Weekly Inspections:</p> <p>The SWPPP shall describe procedures to maintain vegetation, erosion and sediment controls and other protective measures. Procedures shall provide that all erosion controls are inspected weekly for a minimum of four inspections per month (see ACT 6, S-4). [WPC-1]</p>
T-11	<p>EXAMPLE STORM WATER POLLUTION PREVENTION PLANS (SWPPPs):</p> <p>Example SWPPPs are included in the Mississippi Storm Water Pollution Prevention Plan Guidance Manual for Construction Activities. [WPC-1]</p>

**ACT6 (Small Construction) Implementation, Inspection and Reporting Requirements:**

**Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p><b>SWPPP IMPLEMENTATION REQUIREMENTS:</b></p> <p>The coverage recipient shall:</p> <ol style="list-style-type: none"><li>(1) Implement the SWPPP and retain a copy of the SWPPP at the permitted site or locally available. Failure to implement the SWPPP is a violation of permit requirements. A copy of the SWPPP must be made available to the MDEQ inspectors for review at the time of an on-site inspection.</li><li>(2) Ensure that appropriate Best Management Practices (BMPs) are in place upon commencement of construction.</li><li>(3) Amend the SWPPP if notified at any time by the Executive Director of the MDEQ that the SWPPP does not meet the minimum requirements. Owner or operator shall certify in writing to the Executive Director that the requested changes have been made. Unless otherwise provided, the requested changes shall be made within 15 days.</li><li>(4) Amend the SWPPP whenever there is a change in design, construction, operation, or maintenance which may potentially affect the discharge of pollutants to State waters; or the SWPPP proves to be ineffective in controlling storm water pollutants. If the SCNOI was required to be submitted to MDEQ, the amended SWPPP shall be submitted within 30 days of amendment. Proposed expansion to five (5) acres or greater requires the submittal of a Large Construction Notice of Intent (LCNOI).</li><li>(5) Install needed erosion controls even if they may be located in the way of subsequent activities, such as utility installation, grading or construction. It shall not be an acceptable defense that controls were not installed because subsequent activities would require their replacement or cause their destruction.</li><li>(6) Install additional and/or alternative erosion and sediment controls when existing controls prove to be ineffective in preventing sediment from leaving the site.</li><li>(7) Minimize off-site vehicle tracking of sediments. [WPC-1]</li></ol>

Small Construction General Permit  
Facility Requirements

Page 13 of 30

**ACT6 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-2	<p>SWPPP IMPLEMENTATION REQUIREMENTS (continued):</p> <p>(8) Comply with applicable State or local waste disposal, sanitary sewer or septic system regulations.</p> <p>(9) Maintain all erosion controls. Except for sediment basins, all accumulated sediment shall be removed from structural controls when sediment deposits reach one-third to one-half the height of the control. For sediment basins, accumulated sediment shall be removed when the capacity has been reduced by 50%. All removed sediment deposits shall be properly disposed. Non-functioning controls shall be repaired, replaced or supplemented with functional controls within 24 hours of discovery or as soon as field conditions allow.</p> <p>(10) Implement steps necessary to meet a specific wasteload allocation established subsequent to the beginning of construction. [WPC-1]</p>
S-3	<p>SWPPP COMPLIANCE WITH LOCAL STORM WATER ORDINANCES:</p> <p>(1) In addition to the requirements of this permit, the SWPPP shall be in compliance with all local storm water ordinances.</p> <p>(2) When storm water discharges into a Municipal Separate Storm Sewer System (MS4), the owner or operator must make the SWPPP available to the municipal authority upon request. [WPC-1]</p>
S-4	<p>INSPECTION REQUIREMENTS:</p> <p>Inspection of all erosion controls and other SWPPP requirements shall be performed during permit coverage using a copy of the form provided at the back of this permit. Inspections shall be performed as follows:</p> <p>(1) At least weekly for a minimum of four inspections per month;</p> <p>(2) As often as is necessary to ensure that appropriate erosion and sediment controls have been properly constructed and maintained and to determine if additional or alternative control measures are required. The MDEQ strongly recommends that coverage recipients perform a "walk through" inspection of the construction site before anticipated storm events. [WPC-1]</p>

B-62

Small Construction General Permit  
Facility Requirements

Page 14 of 30

**ACT6 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-5	<p><b>RELEASE REPORTING:</b></p> <p>Releases into the environment of hazardous substances, oil, and pollutants or contaminants, which pose a threat to applicable water quality standards or causes a film, sheen or discoloration of State waters, shall be reported to the:</p> <ul style="list-style-type: none"><li>- Mississippi Emergency Management Agency (601) 933-6362 or (800) 222-6362; or</li><li>- National Response Center (800) 424-8802. [WPC-1]</li></ul>
S-6	<p><b>NONCOMPLIANCE REPORTING:</b></p> <p>(1) Anticipated Noncompliance. The owner or operator shall give at least 10 days advance notice, if possible, before any planned noncompliance with permit requirements. Giving notice of planned or anticipated noncompliance does not immunize the owner or operator from enforcement for that noncompliance.</p> <p>(2) Unanticipated Noncompliance. The owner or operator shall notify the MDEQ orally within 24 hours from the time he or she becomes aware of unanticipated noncompliance. A written report shall be provided to the MDEQ within 5 working days of the time he or she becomes aware of the circumstances. The report shall describe the cause, the exact dates and times, steps taken or planned to reduce, eliminate, or prevent reoccurrence and, if the noncompliance has not ceased, the anticipated time for correction. [WPC-1]</p>

B-63

Small Construction General Permit  
Facility Requirements

Page 15 of 30

**ACT7 (Small Construction) Limitation Requirements:**

Limitation Requirements:

Condition No.	Parameter	Condition
L-1		<p>NON-NUMERIC LIMITATIONS:</p> <p>Storm water discharges shall be free from:</p> <p>(1) Debris, oil, scum, and other floating materials other than in trace amounts</p> <p>(2) Eroded soils and other materials that will settle to form objectionable deposits in receiving waters</p> <p>(3) Suspended solids, turbidity and color at levels inconsistent with the receiving waters</p> <p>(4) Chemicals in concentrations that would cause violation of State Water Quality Criteria in the receiving waters. [WPC-1]</p>

B-64



Small Construction Storm Water General Permit  
Facility Requirements

**ACT8 (Small Construction) Record Keeping:**

**Record-Keeping Requirements:**

Condition No.	Condition
R-1	<p><b>RETENTION OF RECORDS:</b></p> <p>All records, reports and information resulting from activities required by this permit shall be retained by the owner or operator, on-site if practicable, for a period of at least three years from the date construction was completed. [WPC-1]</p>
R-2	<p><b>DOCUMENTATION OF INSPECTIONS:</b></p> <p>All inspections required by ACT6, S-4 of this permit must be documented on the Inspection and Certification Form provided at end of this permit. The form must be certified according to the signatory requirements outlined in ACT10, T-4 and T-5 of this permit. Documentation must include the day and time the inspection was performed, who performed the inspection, any deficiencies noted, and corrective action needed. Documentation of all inspections must be kept with the SWPPP. Inspections must continue until such time that planned construction activities have been completed, land disturbing activities have ceased and disturbed areas have been stabilized with no significant erosion occurring. To satisfy this requirement for linear projects, inspections may be conducted at representative locations for portions of the project that have been completed and stabilized. [WPC-1]</p>

Small Construction General Permit  
Facility Requirements

Page 17 of 30

**ACT9 (Small Construction) Termination of Permit Coverage:**

**Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p><b>TERMINATION OF PERMIT REQUIREMENTS:</b></p> <p>(1) If a SCNOI has not been requested by the Permit Board (SCNOI not submitted to MDEQ). Upon successful completion of all permanent erosion and sediment controls, inspections and reporting requirements are no longer required. The owner or operator must record the date of completion of all permanent erosion and sediment controls on the final inspection report.</p> <p>(2) If a SCNOI has been requested by the Permit Board (SCNOI submitted to MDEQ). Upon successful completion of all permanent erosion and sediment controls for a small construction project a written notification of such shall be submitted to the MDEQ. Permit requirements remain in effect until such time the coverage recipient receives written notice of coverage termination from MDEQ. [WPC-1]</p>

B-66

Small Construction General Permit  
Facility Requirements

Page 18 of 30

**ACT10 (Small Construction) Standard Requirements Applicable to All Water Permits:**

**Narrative Requirements:**

Condition No.	Condition
T-1	<p><b>DUTY TO COMPLY:</b></p> <p>The coverage recipient must comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for coverage termination, revocation and reissuance, or modifications; or denial of a renewal application. [WPC-1]</p>
T-2	<p><b>DUTY TO MITIGATE:</b></p> <p>The owner or operator shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which is likely to adversely affect human health or the environment. [WPC-1]</p>
T-3	<p><b>DUTY TO PROVIDE INFORMATION:</b></p> <p>The owner or operator shall furnish to the Permit Board, within a reasonable time, any relevant information which the Permit Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The owner or operator shall also furnish to the Permit Board, upon request, copies of records required to be kept by this permit. [WPC-1]</p>

B-67

Small Construction General Permit  
Facility Requirements

**ACT10 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-4	<p><b>SIGNATORY REQUIREMENTS:</b></p> <p>All SCNOIs and Requests for Recoverage shall be signed as follows:</p> <p>(1) For a corporation by a responsible corporate officer. For this permit, a responsible corporate officer means:</p> <p>a) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or</p> <p>b) the manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;</p> <p>(2) For a partnership or sole proprietorship by a general partner or the proprietor, respectively; or</p> <p>(3) For a municipal, State, Federal, or other public agency by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: a) the chief executive officer of the agency, or b) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency. [WPC-1]</p>
T-5	<p><b>DULY AUTHORIZED REPRESENTATIVE:</b></p> <p>All reports required by this permit, and other information requested by the Permit Board shall be signed by a person described in ACT 10, T-4 above, or by a duly authorized representative of that person. A person is a duly authorized representative when:</p> <p>(1) The authorization is made in writing and submitted to the Permit Board by a person described in ACT 10, T-4 above.</p> <p>(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated activity, such as: manager, operator of a well or well field, superintendent, person of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may be either a specified individual or position). [WPC-1]</p>

Small Construction General Permit  
Facility Requirements

Page 20 of 30

**ACT10 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-6	<p><b>CHANGES IN AUTHORIZATION:</b></p> <p>If an authorization is no longer accurate because a different individual or position has permit responsibility, a new authorization satisfying the requirements of ACT 10, T-4 and T-5 must be submitted to the Permit Board prior to or together with any reports, information or applications signed by the representative. [WPC-1]</p>
T-7	<p><b>CERTIFICATION:</b></p> <p>Any person signing documents under this section shall make the following certification:</p> <p>"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." [WPC-1]</p>
T-8	<p><b>OIL AND HAZARDOUS SUBSTANCE LIABILITY:</b></p> <p>Nothing in this permit shall relieve the owner or operator from responsibilities, liabilities, or penalties under Section 311 of the CWA. [WPC-1]</p>
T-9	<p><b>PROPERTY RIGHTS:</b></p> <p>The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. [WPC-1]</p>
T-10	<p><b>SEVERABILITY:</b></p> <p>The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby. [WPC-1]</p>

B-69

Small Construction General Permit  
Facility Requirements

Page 21 of 30

**ACT10 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-11	<p><b>TRANSFERS:</b></p> <p>Coverage under this permit is not transferable to any person except after notice to and approval by the Permit Board. The Permit Board may require the coverage recipient to obtain another NPDES permit. Transfer of coverage requests shall be submitted to the Permit Board using the form provided at the end of this permit. [WPC-1]</p>
T-12	<p><b>PROPER OPERATION AND MAINTENANCE:</b></p> <p>The owner or operator shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the owner or operator to achieve compliance with the conditions of this permit, including the Storm Water Pollution Prevention Plan. Proper operation and maintenance includes adequate laboratory controls with appropriate quality assurance procedures and requires the operation of backup or auxiliary facilities when necessary to achieve compliance with permit conditions. [WPC-1]</p>
T-13	<p><b>BYPASS PROHIBITION:</b></p> <p>Bypass (see 40 CFR 122.41(m)) is prohibited and enforcement action may be taken against an owner or operator for a bypass, unless: a) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the owner or operator should, in the exercise of reasonable engineering judgment, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and c) The owner or operator submitted notices per ACT 10, T-17 and/or T-18. [WPC-1]</p>
T-14	<p><b>UPSET CONDITIONS:</b></p> <p>An upset (see 40 CFR 122.41(n)) constitutes an affirmative defense to an action brought for noncompliance with technology-based permit limitations if a coverage recipient shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that: 1) An upset occurred and the coverage recipient can identify the specific cause(s) of the upset, 2) The permitted facility was at the time being properly operated, 3) The coverage recipient submitted notices per ACT 10, T-17 and/or T-18 and 4) The coverage recipient took remedial measures as required under ACT 10, T-2. In any enforcement proceeding, the coverage recipient has the burden of proof that an upset occurred. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. [WPC-1]</p>

B-70

Small Construction General Permit  
Facility Requirements

Page 22 of 30

**ACT10 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-15	<p><b>INSPECTION AND ENTRY:</b></p> <p>The owner or operator shall allow the Permit Board staff or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:</p> <p>(1) enter upon the owner's or operator's premises where a regulated activity is located or conducted or where records must be kept under the conditions of this permit;</p> <p>(2) have access to and copy at reasonable times any records that must be kept under the conditions of this permit; and</p> <p>(3) inspect at reasonable times any facilities or equipment. [WPC-1]</p>
T-16	<p><b>PERMIT ACTIONS:</b></p> <p>This permit may be modified, revoked and reissued, or terminated for cause. A request by the owner or operator for permit or coverage modification, revocation and reissuance, or termination, or a certification of planned changes or anticipated noncompliance does not stay any permit condition. [WPC-1]</p>
T-17	<p><b>ANTICIPATED NONCOMPLIANCE:</b></p> <p>The owner or operator shall give at least 10 days advance notice, if possible, before any planned noncompliance with permit requirements. [WPC-1]</p>
T-18	<p><b>UNANTICIPATED NONCOMPLIANCE:</b></p> <p>The owner or operator shall notify the MDEQ orally within 24 hours from the time he or she becomes aware of unanticipated noncompliance. A written report shall be provided to the MDEQ within 5 working days of the time he or she becomes aware of the circumstances. The report shall describe the cause, the exact dates and times, steps taken or planned to reduce, eliminate, or prevent reoccurrence and, if the noncompliance has not ceased, the anticipated time for correction. [WPC-1]</p>

B-71

Small Construction General Permit  
Facility Requirements

Page 23 of 30

**ACT10 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-19	<p><b>REOPENER CLAUSE:</b></p> <p>If there is evidence indicating potential or realized impacts on water quality due to discharges covered by this permit, the owner or operator may be required to obtain individual permit or an alternative general permit in accordance with ACT 3, S-2 or the permit may be modified to include different limitations and/or requirements. [WPC-1]</p>
T-20	<p><b>PERMIT MODIFICATION:</b></p> <p>Permit modification or revocation will be conducted according to 40 CFR 122.62, 122.63, 122.64 and 124.5. [WPC-1]</p>
T-21	<p><b>CIVIL AND CRIMINAL LIABILITY:</b></p> <p>(1) Any person who violates a term, condition or schedule of compliance contained within this permit or the Mississippi Air and Water Pollution Control Law is subject to the actions defined by the Mississippi Air and Water Pollution Control Law.</p> <p>(2) Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the coverage recipient from civil or criminal penalties for noncompliance.</p> <p>(3) It shall not be the defense of the coverage recipient in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [WPC-1]</p>

B-72



Small Construction General Permit  
Facility Requirements

Page 24 of 30

**ACT11 (Small Construction) Definitions:**

**Narrative Requirements:**

Condition No.	Condition
T-1	BEST MANAGEMENT PRACTICES (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practice to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. [WPC-1]
T-2	CONSTRUCTION ACTIVITY as used in this permit, includes construction activity as defined in 40 CFR part 122.26(b)(14)(x). This includes a disturbance to the land that results in the change in topography, existing soil cover (both vegetative and non-vegetative), or the existing topography that may result in accelerated storm water runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. Examples of construction activity may include clearing, grading, filling and excavating. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site. [WPC-1]
T-3	CONTROL MEASURE as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the State. [WPC-1]
T-4	COMMENCEMENT OF CONSTRUCTION ACTIVITIES means the initial disturbance of soils associated with clearing, grading, or excavating activities or other construction-related activities. [WPC-1]
T-5	CLEAN WATER ACT (CWA) refers to the Federal Water Pollution Control Act, 33 U.S.C. section 1251 et seq. [WPC-1]
T-6	DISCHARGE OF STORM WATER ASSOCIATED WITH SMALL CONSTRUCTION ACTIVITY as used in this permit, refers to a discharge of pollutants in storm water runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavation), construction materials or equipment storage or maintenance (e.g., fill piles, borrow area, concrete truck washout, fueling), or other industrial storm water directly related to the construction process (e.g., concrete) are located. [WPC-1]
T-7	EXECUTIVE DIRECTOR means the Executive Director of the Department of Environmental Quality. [WPC-1]
T-8	FACILITY OR ACTIVITY means any NPDES "point source" or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program. [WPC-1]
T-9	FINAL STABILIZATION means all soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of at least 70% for the area has been established or equivalent measures have been employed. [WPC-1]

B-73

Small Construction General Permit  
Facility Requirements

**ACT11 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-10	LARGE CONSTRUCTION ACTIVITY includes clearing, grading, and excavating resulting in a land disturbance that will disturb equal to or greater than five (5) acres of land or will disturb less than five (5) acres of total land area but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than five (5) acres. Large construction activity is covered by the Large Construction General Permit. [WPC-1]
T-11	LARGER COMMON PLAN OF DEVELOPMENT OR SALE means a contiguous area where multiple separate and distinct construction activities are occurring under one plan. The plan in a common plan of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that construction activities may occur on a specific plot. [WPC-1]
T-12	LINEAR PROJECT means a land disturbing activity as conducted by an underground/overhead utility or highway department, including but not limited to any cable line or wire for the transmission of electrical energy; any conveyance pipeline for transportation of gaseous or liquid substance; any cable line or wire for communications; or any other energy resource transmission ROW or utility infrastructure, e.g., roads and highways. Activities include the construction and installation of these utilities within a corridor. Linear project activities also include the construction of access roads, staging areas, and borrow/spoil sites associated with the linear project. [WPC-1]
T-13	NPDES means the National Pollutant Discharge Elimination System, which is a program administered under the authority of the Clean Water Act that prohibits the discharge of pollutants into waters of the United States unless a special permit is issued. [WPC-1]
T-14	OWNER OR OPERATOR for the purpose of this permit and in the context of storm water associated with construction activity, means any party associated with a construction project that meets either of the following two criteria:  (1) The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or  (2) The party has day to day operational control of those activities at a project which are necessary to ensure compliance with a storm water pollution prevention plan for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with other permit conditions). This definition is provided to inform permittees of MDEQ's interpretation of how the regulatory definitions of "owner or operator" and "facility or activity" are applied to discharges of storm water associated with construction activity. [WPC-1]
T-15	PERMIT BOARD means the Mississippi Environmental Quality Permit Board established pursuant to Miss. Code Ann. 49-17-28. [WPC-1]
T-16	POLLUTANT is defined at 40 CFR 122.2. A partial listing from this definition includes: dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, sediment, silt, cellar dirt, and industrial or municipal waste. [WPC-1] B-74

Small Construction General Permit  
Facility Requirements

Page 26 of 30

**ACT11 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-17	SMALL CONSTRUCTION ACTIVITY is defined at 40 CFR 122.26(b)(15) and incorporated here by reference. A small construction activity includes clearing, grading, and excavating resulting in a land disturbance that will disturb equal to or greater than one (1) acre and less than five (5) acres of land or will disturb less than one (1) acre of total land area but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than one (1) acre and less than five (5) acres. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility. [WPC-1]
T-18	STATE WATERS means all waters within the jurisdiction of this State, including all streams, lakes, ponds, wetlands, impounding reservoirs, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, situated wholly or partly within or bordering upon the State, and such coastal waters as are within the jurisdiction of the State, except lakes, ponds, or other surface waters which are wholly landlocked and privately owned, and which are not regulated under the Federal Clean Water Act (33 U.S.C.1251 et seq.). [WPC-1]
T-19	STORM WATER means rainfall runoff, snowmelt runoff, and surface runoff. [WPC-1]
T-20	STORM WATER POLLUTION PREVENTION PLAN (SWPPP) means a plan that includes site map(s), an identification of construction/contractor activities that could cause pollutants in the storm water, and a description of measures or practices to control these pollutants. [WPC-1]
T-21	SUCCESSFUL COMPLETION OF ALL PERMANENT EROSION AND SEDIMENT CONTROLS means when land disturbing construction activities have been completed and disturbed areas have been stabilized with no significant erosion occurring. [WPC-1]
T-22	WPC-1 means the State of Mississippi's Wastewater Regulations for National Pollutant Discharge Elimination System (NPDES) Permits, Underground Injection Control (UIC) Permits, State Permits, Water Quality Based Effluent Limitations and Water Quality Certification. [WPC-1]

B-75

# Submit only upon request from MDEQ



## SMALL CONSTRUCTION NOTICE OF INTENT (SCNOI)

**GENERAL NPDES PERMIT MSR15** \_\_\_\_ (Number to be assigned by MDEQ if submitted)

Prior to the commencement of small construction activity (see Small Construction General Permit ACT11, T-17), the owner or operator of a small construction project must complete this form and develop a Storm Water Pollution Prevention Plan (SWPPP) as required by ACT5 of Mississippi's Small Construction General Permit. **This SCNOI and SWPPP shall be submitted to the Mississippi Department of Environmental Quality (MDEQ) only upon request from MDEQ; however, the SCNOI and SWPPP must be maintained at the permitted site or locally available in case inspector review is necessary.** Attachments with this SCNOI must include: a USGS quad map or copy showing site location (only if required to be submitted to MDEQ) and a Storm Water Pollution Prevention Plan (SWPPP). All questions must be answered – answer "NA" if the question is not applicable.

### PROJECT INFORMATION

**OWNER CONTACT PERSON:**

**OWNER COMPANY NAME:**

**OWNER STREET (P.O. BOX):**

**OWNER CITY:**

**STATE:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_

**OWNER PHONE # (INCLUDE AREA CODE):**

**OPERATOR (if different from owner) CONTACT PERSON:**

**OPERATOR COMPANY:**

**OPERATOR STREET (P.O. BOX):**

**OPERATOR CITY:**

**STATE:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_

**OPERATOR PHONE # (INCLUDE AREA CODE):**

**PROJECT NAME:** \_\_\_\_\_

**DESCRIPTION OF CONSTRUCTION ACTIVITY:** \_\_\_\_\_

**ACREAGE DISTURBED (to be covered by this permit, area must be less than five (5) acres):** \_\_\_\_\_

**PHYSICAL SITE ADDRESS (If not available, indicate the nearest named road. For linear projects, indicate the beginning of the project and identify all counties the project traverses.):**

**STREET:** \_\_\_\_\_

**CITY:** \_\_\_\_\_ **COUNTY:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_

**NEAREST NAMED RECEIVING STREAM:** \_\_\_\_\_

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.

**Signature<sup>1</sup>** \_\_\_\_\_

**Date Signed** \_\_\_\_\_

**Printed Name** \_\_\_\_\_

**Title** \_\_\_\_\_

<sup>1</sup>This application shall be signed according to the Small Construction General Permit, ACT10, T-4.

If requested, please submit this form to:

Chief, Environmental Permits Division  
MDEQ, Office of Pollution Control  
P.O. Box 2261  
Jackson, Mississippi 39225

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**INSPECTION AND CERTIFICATION FORM  
SMALL CONSTRUCTION GENERAL PERMIT**



**COVERAGE NUMBER, if SCNOI was submitted to MDEQ (MSR15 \_\_ \_\_ \_\_)**

**Results of the inspections required by ACT6, S-4 of this permit shall be recorded on this report form and kept with the SWPPP in accordance with the inspection documentation provisions of ACT8, R-2 of the this permit. Inspections shall be performed at least weekly for a minimum of four inspections per month.**

**The coverage number must be listed at the top of all Inspection and Certification Forms, if the Small Construction Notice of Intent (SCNOI) was submitted to MDEQ (no coverage number is issued if SCNOI was not submitted to MDEQ).**

**COVERAGE RECIPIENT INFORMATION**

**OPERATOR COMPANY NAME:** \_\_\_\_\_

**PROJECT NAME:** \_\_\_\_\_ **STARTUP DATE:** \_\_\_\_\_

**PROJECT STREET ADDRESS:** \_\_\_\_\_

**PROJECT CITY:** \_\_\_\_\_ **PROJECT COUNTY:** \_\_\_\_\_

**OPERATOR MAILING ADDRESS:** \_\_\_\_\_

**MAILING CITY:** \_\_\_\_\_ **STATE:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_

**CONTACT PERSON:** \_\_\_\_\_ **CONTACT PHONE NUMBER:** \_\_\_\_\_

**INSPECTION DOCUMENTATION**

<b>DATE (mo/day/yr)</b>	<b>TIME (hr:min AM/PM)</b>	<b>ANY DEFICIENCIES? (CHECK IF YES)</b>	<b>INSPECTOR(S)</b>
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	

Deficiencies Noted During any Inspection (give date(s); attach additional sheets if necessary): \_\_\_\_\_

Corrective Action Taken or Planned (give date(s); attach additional sheets if necessary): \_\_\_\_\_

Based upon this inspection which I or personnel under my direct supervision conducted, I certify that all erosion and sediment controls have been implemented and maintained, except for those deficiencies noted above, in accordance with the Storm Water Pollution Prevention Plan and sound engineering practices as required by the above referenced permit. I further certify that the SCNOI and SWPPP information is up to date.

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 gather and evaluate the information submitted. Based on my inquiry of the person or persons 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 fines and imprisonment for knowing violations.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

If requested, please submit this form to:

Chief, Environmental Compliance and Enforcement Division  
MDEQ, Office of Pollution Control  
P.O. Box 2261  
Jackson, Mississippi 39225

**B-78**

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# Transfer of Small Construction General Permit Coverage and/or Name Change

Instructions: For Ownership Change-Complete all Items on this page (except Item VIII) and reverse side.  
For Name Change Only-Complete Items I, II, V, VI, VII, VIII, and reverse side.

<p>Item I.</p> <p>Facility Name: _____</p> <p>Location: (Do Not Use P.O. Box)</p> <p style="padding-left: 40px;">Street: _____</p> <p style="padding-left: 40px;">City: _____ State: <u>MS</u> Zip: _____</p> <p>County: _____</p> <p>Telephone: (_____) _____</p>	<p>Item II.</p> <p>Responsible official after transfer or name change:</p> <p>Name: _____</p> <p>Title: _____</p> <p>Mailing Address:</p> <p style="padding-left: 40px;">Street/P.O. Box: _____</p> <p style="padding-left: 40px;">City: _____ State: _____ Zip: _____</p> <p>Telephone (_____) _____</p>
<p>Item III.</p> <p>Previous Permittee<sup>1</sup>: _____</p> <p>Mailing Address:</p> <p style="padding-left: 40px;">Street/P.O. Box: _____</p> <p style="padding-left: 40px;">City: _____ State: _____ Zip: _____</p> <p>Telephone: (_____) _____</p>	<p>Item IV.</p> <p>New Permittee<sup>1</sup>: _____</p> <p>Mailing Address:</p> <p style="padding-left: 40px;">Street/P.O. Box: _____</p> <p style="padding-left: 40px;">City: _____ State: _____ Zip: _____</p> <p>Telephone: (_____) _____</p>
<p>Item V.</p> <p>Industrial Activity      SIC Code: _____</p> <p>Brief Description: _____</p>	<p>Item VI.</p> <p>Will Facility Operations Change?    Yes _____    No _____</p> <p>If yes, the appropriate applications and permits may required modification prior to change.</p>
<p>Item VII.</p> <p>Will Facility Name Change?    Yes _____    No _____</p> <p>If Yes, Provide New Name for Permit Coverage.</p> <p>New Name: _____</p>	<p>Item VIII.</p> <p>Signature for Name Change</p> <p>Print Name: _____</p> <p>Authorized Signature<sup>2</sup>: _____</p> <p>Title: _____      Date: _____</p>
<p>Item IX.</p> <p style="text-align: center;"><b>We the undersigned transfer permit coverage MSR15 _____ (complete if known)</b></p> <p>From: _____</p> <p>To: _____      Acquisition Date: _____</p>	
<p><b>By signature below, the new permittee certifies that they are aware of the requirements of the Small Construction General Permit and agrees to accept responsibility and liability for permit compliance. The previous permittee by signature below is transferring permit coverage to the new permittee.</b></p>	
<p>_____</p> <p>Print New Permittee<sup>1</sup> Name</p> <p>_____</p> <p>New Authorized Signature<sup>2</sup></p> <p>_____      _____</p> <p>Title      Date</p>	<p>_____</p> <p>Print Previous Permittee<sup>1</sup> Name</p> <p>_____</p> <p>Previous Authorized Signature<sup>2</sup></p> <p>_____      _____</p> <p>Title      Date</p>
<p><sup>1</sup>A Permittee is a company or individual that is covered under the general permit.</p> <p><sup>2</sup><b>Authorized Signature must be owner or operator.</b></p>	



Item X. Storm Water

(Check One)

☐ The recipient certifies that they have received a copy of the SWPPP from the original owner.

☐ The recipient is developing a new SWPPP.

**If other environmental permits are involved please contact MDEQ at 601/961-5171 for the appropriate MDEQ transfer form or see MDEQ's web site at [www.deq.state.ms.us](http://www.deq.state.ms.us)**

**Submit to MDEQ at the following address only if an SCNOI has been submitted.  
If not submitted, you must keep this form with your records.**

**Chief, Environmental Permits Division  
MDEQ, Office of Pollution Control  
P.O. Box 2261  
Jackson, Mississippi 39225**



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



**LARGE CONSTRUCTION GENERAL PERMIT**  
**FOR LAND DISTURBING ACTIVITIES OF FIVE (5) OR MORE ACRES**

**THIS CERTIFIES THAT**

PROJECTS ISSUED A CERTIFICATE OF COVERAGE UNDER THIS PERMIT ARE GRANTED  
PERMISSION TO DISCHARGE STORM WATER FROM REGULATED CONSTRUCTION ACTIVITIES  
INTO STATE WATERS

in accordance with effluent limitations, inspection requirements and other conditions set forth in herein. This permit is issued in accordance with the provisions of the Mississippi Water Pollution Control Law (Section 49-17-1 et seq., Mississippi Code of 1972), and the regulations and standards adopted and promulgated thereunder, and under authority granted pursuant to Section 402(b) of the Federal Water Pollution Control Act.

**Mississippi Environmental Quality Permit Board**

  
\_\_\_\_\_  
Authorized Signature

**Mississippi Department of Environmental Quality**

Issued: January 11, 2011

Expires: December 31, 2015

Permit No. MSR10

AI 24066

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Large Construction Storm Water General Permit  
Table of Contents

ACT1 (Large Construction) Introduction:	
Narrative Requirements	
Introduction.....	1
ACT2 (Large Construction) Permit Applicability and Coverage:	
Narrative Requirements	
Permit Area.....	2
Eligibility .....	2
Allowable Non-Storm Water Discharges.....	2
Prohibited Non-Storm Water Discharges.....	3
This Permit Does Not Authorize (storm water discharges not eligible for coverage) .....	4
ACT3 (Large Construction) Obtaining Coverage:	
Submittal/Action Requirements	
Obtaining Authorization .....	5
Requiring an Individual Permit or Alternative General Permit .....	6
How to Obtain Recoverage Under the Reissued Permit.....	6
Commercial Development-Individual Lots and Parcels.....	7
Residential Subdivision-Individual Lots .....	7
Residential Subdivision-Expansions .....	7
Residential Subdivision-New Phases and New Owner .....	8
Applicability of Requirements for Individual Lots and Parcels in a Larger Common Plan of Development or Sale.....	8
ACT4 (Large Construction) Notice of Intent (LCNOI):	
Submittal/Action Requirements	
Deadlines for Notification.....	9
Required Submittals with the LCNOI.....	9
Additional Required Submittals May Include .....	9
Additional Notification .....	9
Modification Notification .....	10
Major Modification Notification.....	10
Narrative Requirements	
Where to Obtain LCNOI Forms.....	11
Where to Submit the LCNOI .....	11
Failure to Notify.....	11
ACT5 (Large Construction) Storm Water Pollution Prevention Plan (SWPPP) Requirements and Content:	
Narrative Requirements	
SWPPP Development .....	12
SWPPP Content .....	12
Erosion and Sediment Controls and Soil Stabilization Requirements.....	12
Vegetative Practices.....	14

Large Construction Storm Water General Permit  
Table of Contents

Structural Practices .....	15
Discharge into an Impaired Receiving Water .....	16
Description of Post Control Measures .....	16
Responsible Parties for Larger Common Plan of Development or Sale.....	16
Housekeeping Practices .....	16
Flocculant Application.....	17
Scaled Site Map .....	17
Implementation Sequence .....	17
Implementation of Controls .....	18
Maintenance and Weekly Inspections.....	18
Non-Storm Water Discharge Management .....	18
Final Stabilization .....	18
Example SWPPPs .....	19
ACT6 (Large Construction) Implementation and Inspection Requirements:	
Submittal/Action Requirements	
Implementation Requirements .....	20
Compliance with Local Storm Water Ordinances.....	21
Inspection Requirements.....	22
ACT7 (Large Construction) Storm Water Limitation Requirements:	
Limitation Requirements	
Non-Numeric Limitation Requirements.....	23
ACT8 (Large Construction) Application of Flocculants:	
Narrative Requirements	
Narrative Requirements .....	24
ACT9 (Large Construction) Optional Monitoring:	
Narrative Requirements	
Narrative Requirements .....	25
ACT10 (Large Construction) Record Keeping and Reporting Requirements:	
Record Keeping Requirements	
Retention of Records.....	29
Submittal/Action Requirements	
Suspension of Weekly Inspections and Monthly Record Keeping .....	29
ACT11 (Large Construction) Termination of Permit Coverage:	
Submittal/Action Requirements	
Submittal/Action Requirements .....	31

Large Construction Storm Water General Permit  
Table of Contents

ACT12 (Large Construction) Standard Requirements Applicable To All Water Permits

Narrative Requirements

Duty to Comply .....	32
Duty to Mitigate.....	32
Duty to Provide Information .....	32
Property Rights .....	32
Severability .....	32
Oil and Hazardous Substance Liability .....	32
Signatory Requirements .....	33
Duly Authorized Representative .....	34
Changes to Authorization.....	34
Certification .....	34
Proper Operation and Maintenance .....	35
Monitoring and Records .....	35
Bypass Prohibition .....	36
Upset Conditions.....	36
Inspection and Entry .....	37
Permit Actions .....	37
Noncompliance Reporting .....	37
Reopener Clause .....	38
Permit Modification .....	38
Transfers .....	38
Continuation of Expired General Permit .....	38
Falsifying Reports .....	39
Civil and Criminal Liability .....	39

ACT13 (Large Construction) Definitions: .....	40
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**ACT1 (LCGP) Introduction:**

**Narrative Requirements:**

Condition No.	Condition
T-1	The Large Construction General Permit (LCGP) authorizes storm water discharges from construction activities five (5) acres or greater or less than five (5) acres if part of a "larger common plan of development or sale" (see Definitions). Storm water discharges that enter waters of the State or storm water conveyance systems leading to waters of the State are subject to regulation and compliance with the conditions set forth in this permit. This permit also authorizes storm water discharges from any other construction activity designated by the Executive Director based on the potential for contribution to an excursion of a water quality standard or for significant contribution of pollutants to waters of the State. This permit replaces the previous Large Construction General Permit that expired on May 31, 2010. [WPC-1]



## ACT2 (LCGP) Permit Applicability and Coverage:

### Narrative Requirements:

Condition No.	Condition
T-1	<p><b>PERMIT AREA:</b></p> <p>The Large Construction General Permit covers all areas of the State of Mississippi. [WPC-1]</p>
T-2	<p><b>ELIGIBILITY:</b></p> <p>(1) Discharges composed entirely of storm water and allowable non-storm water discharges (see ACT5, T-14 for additional requirements) from construction activity, including clearing, grading, excavating and other land disturbing activities of five (5) or more acres or less than five (5) acres if part of a "larger common plan of development or sale" (see Definitions).</p> <p>(2) Allowable Non-Storm Water Discharges:</p> <p>(A) Discharges from actual fire-fighting activities</p> <p>(B) Fire hydrant flushing</p> <p>(C) Water used to control dust</p> <p>(D) Potable water sources including uncontaminated water line flushing</p> <p>(E) Routine external building wash down that does not use detergents</p> <p>(F) Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used</p> <p>(G) Uncontaminated air conditioning or compressor condensate</p> <p>(H) Uncontaminated ground water or spring water</p> <p>(I) Foundation or footing drains where flows are not contaminated with process materials such as solvents</p> <p>(J) Uncontaminated excavation dewatering</p> <p>(K) Landscape irrigation</p> <p>(L) Water used to wash vehicles, wheel wash water and other wash waters where detergents are not used. [WPC-1]</p>

**ACT2 (continued):****Narrative Requirements:**

Condition No.	Condition
T-3	<p data-bbox="222 581 516 605">ELIGIBILITY (continued):</p> <p data-bbox="222 638 701 662">(3) Prohibited Non-Storm Water Discharges:</p> <ul style="list-style-type: none"> <li data-bbox="222 699 1136 724">(A) Wastewater from washout of concrete (unless managed by an appropriate control)</li> <li data-bbox="222 727 1604 751">(B) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials</li> <li data-bbox="222 755 1205 779">(C) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance</li> <li data-bbox="222 782 877 807">(D) Soaps or solvents used in vehicle and equipment washing</li> <li data-bbox="222 810 915 834">(E) Wastewater from sanitary facilities, including portable toilets</li> </ul> <p data-bbox="222 878 1965 1114">(4) A project is eligible for coverage under this general permit for discharges of pollutants of concern to water bodies for which there is a Total Maximum Daily Load (TMDL) established or approved by the Environmental Protection Agency (EPA) if measures and controls are incorporated that are consistent with the assumptions and requirements of such TMDL. To be eligible for coverage under this general permit, the project must incorporate in the Storm Water Pollution Prevention Plan (SWPPP) and/or effluent limitation any conditions applicable to any discharge(s) necessary for consistency with the assumptions and requirements of such TMDL. If, after coverage issuance, a specific wasteload allocation is established that would apply to the project's discharge, the project must implement steps necessary to meet that allocation within six (6) months from the final TMDL approval date. MDEQ's approved TMDL list may be found at the link listed in paragraph (5) below. In addition, MDEQ's Planning &amp; Design Manual for the Control of Erosion, Sediment and Storm Water identifies specific controls that may be used to address consistency with any applicable TMDLs. The manual can be found at: <a href="http://www.deq.state.ms.us/MDEQ.nsf/page/epd_epdgeneral">http://www.deq.state.ms.us/MDEQ.nsf/page/epd_epdgeneral</a>.</p> <p data-bbox="222 1146 1944 1291">(5) A project is eligible for coverage under this general permit for discharges of storm water to impaired water bodies on MDEQ's 303(d) list, provided best management practices (BMPs) are employed that prohibit further impairment of the designated and/or existing beneficial uses in the receiving water body. To be eligible for coverage under this general permit, the owner/operator must indicate on the LCNOI that the project discharges to a 303(d) listed receiving water and incorporate appropriate BMPs in its SWPPP. MDEQ's 303(d) list of impaired water bodies may be found on MDEQ's website at: <a href="http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section">http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section</a>. [WPC-1]</p>

**ACT2 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-4	<p><b>THIS PERMIT DOES NOT AUTHORIZE:</b></p> <p>(1) Discharges which result in violation of State Water Quality Standards. If a discharge authorized under this permit is later determined to cause or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard, MDEQ will notify the regulated entity of such water quality violation(s) in writing and will provide the information used by MDEQ to make this determination. The regulated entity must take all necessary actions required to ensure future discharges do not cause or contribute to the violation of a water quality standard. If such violations remain or re-occur, then additional measures, such as the addition of Best Management Practices (BMPs) or the requirement to obtain an individual permit, may be required by the Permit Board. Compliance with this requirement does not preclude any enforcement activity as provided by the Clean Water Act for the underlying violation.</p> <p>(2) Activities that affect waters of the State, including wetlands, without obtaining the necessary U.S. Army Corps of Engineers (COE) approval. This may include a COE individual Section 404 permit or coverage under a COE nationwide or general permit. Appropriate documentation must be submitted with the Large Construction Notice of Intent (LCNOI). [WPC-1]</p>
T-5	<p>(3) Discharges or discharge-related activities that are likely to jeopardize the continued existence of any species that is listed as endangered or threatened under the Endangered Species Act (ESA) or result in the adverse modification or destruction of habitat that is designated as critical under the ESA. Coverage under this permit is available only if the regulated entity's storm water discharges, allowable non-storm water discharges, and discharge-related activities are not likely to jeopardize the continued existence of any species that is listed as endangered or threatened ("listed") under the ESA or result in the adverse modification or destruction of habitat that is designated as critical under the ESA ("critical habitat"). Submission of a signed LCNOI, or County Utility Authority approval, if applicable, will be deemed to constitute the regulated entity's certification of eligibility. [WPC-1]</p>

## ACT3 (LCGP) Obtaining Coverage:

### Submittal/Action Requirements:

Condition No.	Condition
S-1	<p><b>OBTAINING AUTHORIZATION:</b></p> <p>(1) Owners and/or operators (see Definitions) desiring coverage associated with large construction activity under this permit must submit a Large Construction Notice of Intent (LCNOI) and other required submittals in accordance with the requirements of this permit. For construction activities, the operator is typically the Prime Contractor. However, if the prime contractor does not meet the definition of operator, then the owner must apply. The owner may submit the LCNOI and later, prior to actual construction, the operator may submit the Prime Contractor Certification accepting responsibility for applicable permit conditions.</p> <p>The owner(s) of the property and the operator(s) associated with the regulated construction activity on the property have joint and severable responsibility for compliance with the permit. Notwithstanding any permit condition to the contrary, the coverage recipient and any person who causes pollution of waters of the state or places waste in a location where they are likely to cause pollution, shall remain responsible under applicable federal and state laws and regulations, and applicable permits.</p> <p>(2) Upon review of the LCNOI, the MDEQ staff may require additional information (including modification of the SWPPP, which could require the implementation of additional controls), recommend that coverage not be granted and/or that an alternate permit would be more appropriate. The MDEQ staff recommendations may be brought before the Mississippi Environmental Quality Permit Board (Permit Board) for review and consideration at a regularly scheduled meeting or at a special meeting at its discretion.</p> <p>(3) Coverage under this permit will not be granted until all other required MDEQ permits, certifications and approvals are satisfactorily addressed.</p> <p>(4) Owners or operators are authorized to discharge storm water associated with large construction activity under the terms and conditions of this permit only upon receipt of written notification of approval of coverage by the Permit Board staff. Discharge of storm water without written notification of coverage under this permit or issuance of an individual National Pollutant Discharge Elimination System (NPDES) Storm Water Permit is a violation of the Mississippi Air and Water Pollution Control Law 49-17-29(2)(b). [WPC-1]</p>

**ACT3 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-2	<p><b>REQUIRING AN INDIVIDUAL PERMIT OR ALTERNATIVE GENERAL PERMIT:</b></p> <p>(1) The Permit Board may require any coverage recipient to apply for and obtain either an individual or an alternative general NPDES permit. Any interested person may petition the Permit Board to take action under this paragraph. The Permit Board may require any coverage recipient to apply for an individual NPDES permit only if the owner or operator has been notified in writing. Such notice shall include reasons for this decision, an application form and a filing deadline. The Permit Board may grant additional time at its discretion, upon request. If a coverage recipient fails to submit a requested application in a timely manner, coverage under this permit will automatically terminate at the end of the day specified for application submittal.</p> <p>(2) Any coverage recipient may request to be excluded from permit coverage by applying for an individual permit or coverage under another general permit. The applicant shall submit an individual application (EPA Forms 1 and 2F along with the narrative requirements of 40 CFR 122.26(c)(1)(ii)) or the appropriate Notice of Intent.</p> <p>(3) Coverage under this permit is automatically terminated on the issuance date of the respective alternative individual permit or general permit coverage. When the request for an alternative individual permit or general permit coverage is denied, coverage under this permit continues unless terminated by the Permit Board. [WPC-1]</p>
S-3	<p><b>HOW TO OBTAIN RECOVERY UNDER THE REISSUED PERMIT:</b></p> <p>If reissuance of this permit does not occur before its expiration date, continued coverage under this permit will be allowed until the effective date of the reissued general permit coverage. Once the Large Construction General Permit is reissued, active coverage recipients will receive a Recovery Form with a Letter of Instruction. If a coverage recipient wishes to be covered by the reissued Large Construction General Permit, the Recovery Form must be completed and returned to the MDEQ in accordance with the provisions of the Letter of Instruction. Resubmittal of the Storm Water Pollution Prevention Plan (SWPPP) is not required if the SWPPP is on-site or locally available, current and adequately addresses the sources of pollution at the facility. Some SWPPP's may require amendment to meet the conditions of the reissued general permit (i.e., modification of sediment basin outfall design). [WPC-1]</p>

**ACT3 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-4	<p><b>COMMERCIAL DEVELOPMENT - INDIVIDUAL LOTS OR PARCELS:</b></p> <p>Individual lots or parcels within a commercial development that are part of the "larger common plan of development or sale" (see Definitions) are regulated regardless of size or owner. If the owner or developer obtains construction permit coverage for a development then sells lots or parcels within that development, permit coverage must continue on those areas under new ownership. The original coverage recipient is responsible for all construction activities until individual lots or parcels within the development are sold to others and the new owner submits a LCNOI and obtains coverage under Mississippi's Large Construction General Permit or applies for an individual permit. [WPC-1]</p>
S-5	<p><b>RESIDENTIAL SUBDIVISION - INDIVIDUAL LOTS:</b></p> <p>Individual lots within a residential subdivision that are part of the "larger common plan of development or sale" (see Definitions) are regulated regardless of size or ownership. If the owner or developer obtains construction permit coverage for a residential development, then sells individual lots within that development, permit coverage shall continue on those lots under new ownership. The original coverage recipient may retain responsibility for permit compliance, or the new owner (purchaser) or operator shall satisfy authorization requirements by:</p> <ol style="list-style-type: none"> <li>(1) Completing and submitting the MDEQ Registration Form (see Large Construction Forms Package) and developing and implementing a sediment and erosion control plan for the specific lot(s), or</li> <li>(2) Completing and submitting for approval from the MDEQ, a LCNOI and required documents, or</li> <li>(3) Applying for an individual storm water permit.</li> </ol> <p>The owner or developer (seller) is responsible for providing the new owner or operator (purchaser) with a copy of the MDEQ Registration Form and a copy of the Large Construction General Permit. These documents, as well as the individual application, may be found on MDEQ's website at <a href="http://www.deq.state.ms.us">www.deq.state.ms.us</a> or by calling 601-961-5171. [WPC-1]</p>
S-6	<p><b>RESIDENTIAL SUBDIVISION - EXPANSIONS:</b></p> <p>For subsequent phases, expansions and major modifications of subdivision development that are proposed but were not included in the original SWPPP, the coverage recipient shall submit to MDEQ the Major Modification Form (see Large Construction Forms Package). [WPC-1]</p>

**ACT3 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-7	<p>RESIDENTIAL SUBDIVISION - NEW PHASES AND NEW OWNER:</p> <p>If an individual, other than the original developer (coverage recipient), proposes construction of a new phase of an existing subdivision and the proposed phase was not included in the initial submittal of the LCNOI, the new owner or operator must apply for separate permit coverage. [WPC-1]</p>
S-8	<p>APPLICABILITY OF REQUIREMENTS FOR INDIVIDUAL LOTS AND PARCELS IN A LARGER COMMON PLAN OF DEVELOPMENT OR SALE:</p> <p>The original coverage recipient remains responsible for compliance with this general permit until a new owner or operator satisfies the requirements of S-4 and S-5 of this ACT. [WPC-1]</p>

**ACT4 (LCGP) Large Construction Notice of Intent (LCNOI):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p><b>DEADLINES FOR NOTIFICATION:</b></p> <p>Persons desiring coverage for a storm water discharge associated with construction activity under this general permit must submit a LCNOI Form with the required submittals. The LCNOI should be submitted at least 30 days prior to the commencement of construction activities. Discharge of storm water without written notification of coverage under this permit or issuance of an individual National Pollutant Discharge Elimination System (NPDES) Storm Water Permit is a violation of the Mississippi Air and Water Pollution Control Law 49-17-29(2)(b). [WPC-1]</p>
S-2	<p><b>REQUIRED SUBMITTALS WITH THE LCNOI:</b></p> <p>Submittals required with a completed LCNOI include a site-specific SWPPP associated with the construction activities, a United States Geological Survey (USGS) quad map, or photocopy, extending at least 1/2 mile beyond the facility property boundaries with the site location outlined or highlighted. [WPC-1]</p>
S-3	<p><b>ADDITIONAL SUBMITTALS MAY INCLUDE THE FOLLOWING:</b></p> <p>(1) Appropriate Section 404 documentation from U.S. Army Corps of Engineers,</p> <p>(2) Appropriate documentation concerning future disposal of sanitary sewage and sewage collection system construction,</p> <p>(3) Appropriate documentation from the MDEQ Office of Land &amp; Water concerning dam construction and low flow requirements, and/or</p> <p>(4) Approval from County Utility Authority in Hancock, Harrison, Jackson, Pearl River and Stone Counties in the form of a signed certification by the official responsible for the wastewater treatment facility that will serve the proposed project. [WPC-1]</p>
S-4	<p><b>ADDITIONAL NOTIFICATION:</b></p> <p>The covered owner or operator must notify the Permit Board at least 30 days before any planned changes of ownership or whenever there are any changes in information previously submitted in the LCNOI Form. [WPC-1]</p>



**ACT4 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-5	<p><b>MODIFICATION NOTIFICATION:</b></p> <p>The coverage recipient must notify the Permit Board at least 30 days before:</p> <ul style="list-style-type: none"> <li>(1) Any planned changes in project operations that may effect storm water discharges,</li> <li>(2) Any planned changes of ownership, or</li> <li>(3) Any changes in information previously submitted in the LCNOI. [WPC-1]</li> </ul>
S-6	<p><b>MAJOR MODIFICATION NOTIFICATION:</b></p> <p>(1) The following activities require the submittal of a Major Modification Form. This form can be found in the Large Construction Forms Package, which can be obtained from MDEQ at the address given in T-2 of this ACT or from the MDEQ website at <a href="http://www.deq.state.ms.us">www.deq.state.ms.us</a>.</p> <ul style="list-style-type: none"> <li>(A) SWPPP details have been developed and are ready for MDEQ review for subsequent phases of an existing, covered project.</li> <li>(B) Footprint identified in the original LCNOI is proposed to be enlarged (a modified SWPPP and an updated USGS topographic map must be submitted with the Major Modification Form).</li> </ul> <p>(2) Coverage recipients are authorized to implement the proposed modifications, under the conditions of the General Permit, only upon receipt of written notification of approval by the MDEQ.</p> <p>(3) Proposed changes may require termination of the General Permit coverage and/or application for an individual or alternative general permit. [WPC-1]</p>

**ACT4 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-1	<p><b>WHERE TO OBTAIN LCNOI FORMS:</b></p> <p>LCNOI Forms may be obtained from the MDEQ at the address shown below or by calling 601-961-5171. LCNOI Forms, as well as the general permit and guidance manual, may be found on the MDEQ web site at <a href="http://www.deq.state.ms.us">www.deq.state.ms.us</a>. Coverage under this permit will not be granted until all other required MDEQ permits, certifications and approvals are satisfactorily addressed. [WPC-1]</p>
T-2	<p><b>WHERE TO SUBMIT THE LCNOI:</b></p> <p>Complete and appropriately signed LCNOI Forms must be submitted to:</p> <p>Chief, Environmental Permits Division Mississippi Department of Environmental Quality Office of Pollution Control P.O. Box 2261 Jackson, Mississippi 39225</p> <p>For priority or overnight deliveries, the physical address is:</p> <p>515 East Amite Street Jackson, Mississippi 39201. [WPC-1]</p>
T-3	<p><b>FAILURE TO NOTIFY:</b></p> <p>Persons who discharge storm water associated with Large Construction activity to waters of the State without an NPDES permit are in violation of the Mississippi Air and Water Pollution Control Law 49-17-29(2)(b). [WPC-1]</p>

**ACT5 (LCGP) Storm Water Pollution Prevention Plan (SWPPP):**

**Narrative Requirements:**

Condition No.	Condition
T-1	<p><b>SWPPP DEVELOPMENT:</b></p> <p>A site-specific SWPPP shall be developed requiring the design, installation, implementation and maintenance of effective pollution prevention measures by each owner or operator subject to this permit. A SWPPP shall be prepared in accordance with sound engineering practices and shall identify potential sources of pollution, which may reasonably be expected to affect the quality of storm water discharges associated with construction activity. The SWPPP shall describe and ensure the implementation of specific best management practices for the project site, which will reduce pollutants in storm water discharges and assure compliance with the terms and conditions of this permit. [WPC-1]</p>
T-2	<p><b>SWPPP CONTENT:</b></p> <p><b>Erosion and Sediment Controls and Soil Stabilization Requirements:</b></p> <p>The SWPPP shall list and describe site-specific controls appropriate for the construction activities as well as the procedures for implementing such controls. Controls shall be designed to retain sediment on-site and to minimize the discharge of pollutants. If any of the below controls cannot be implemented on the project site, the SWPPP must include written justification as to why site-specific constraints and/or costs make the control(s) infeasible. At a minimum, such controls must be designed, installed and maintained to:</p> <ul style="list-style-type: none"> <li>(1) Control storm water volume and velocity within the site to minimize soil erosion;</li> <li>(2) Control storm water discharges, including both peak flow rates and total storm water volume, to minimize erosion at outlets and to minimize downstream channel and stream bank erosion;</li> <li>(3) Minimize the amount of soil exposed during construction activity;</li> <li>(4) Minimize the disturbance of steep slopes. [WPC-1]</li> </ul>

**ACT5 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-3	<p>SWPPP CONTENT (continued):</p> <p>(5) Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting storm water runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;</p> <p>(6) Provide and maintain natural buffers around surface waters, direct storm water to vegetated areas to increase sediment removal and maximize storm water infiltration, unless infeasible; and</p> <p>(7) Minimize soil compaction and, unless infeasible, preserve topsoil;</p> <p>(8) Direct storm water to vegetated areas, brush barriers, silt fences, hay bales, etc. to aid in the filtration, infiltration, velocity reduction and diffusion of the discharge;</p> <p>(9) Transport runoff down steep slopes through lined channels or piping;</p> <p>(10) Minimize the amount of cut and fill, and soil compaction; and</p> <p>(11) Minimize off-site vehicle tracking of sediments. [WPC-1]</p>

**ACT5 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-4	<p>The number and type of BMPs included in the SWPPP must reflect the specific conditions of the construction site. An effective SWPPP includes a combination of BMPs that are designed to work together. A combination of BMPs is listed below and must be included as minimum components of a SWPPP. These controls must be in accordance with the design standards set forth in the most current edition of the " Planning and Design Manual for the Control of Erosion, Sediment &amp; Storm Water" or other recognized manual of design.</p> <p>(1) Vegetative Practices shall be designed to preserve existing vegetation where feasible and initiate vegetative stabilization measures after land disturbing activities. Such practices may include, but not limited to, temporary seeding, permanent seeding, mulching, sod stabilization, vegetative buffer strips, tree protection and topsoil preservation.</p> <p>Soil stabilization-vegetative stabilization measures must be initiated whenever any clearing, grading, excavating or other land disturbing activities have temporarily or permanently ceased on any portion of the site and will not resume for a period of fourteen (14) days or more. The appropriate temporary or permanent vegetative practices shall be implemented with seven (7) calendar days.</p> <p>Specific BMPs that must be included, unless infeasible (see Definitions) are:</p> <p>(A) Buffer zones (see Definition) shall be maintained between land disturbing activities and perennial water bodies. A minimum 150-foot buffer zone is recommended.</p> <p>(B) Topsoil should be stockpiled and used in areas that will be re-vegetated. When final grade is reached it should be distributed to a minimum depth of 2 inches on 3:1 slopes and 4 inches on flatter slopes.</p> <p>(C) Heavy equipment use in areas to be re-vegetated should be avoided. If compaction cannot be avoided, the top 4 inches of the soil bed should be tilled before re-vegetation. Any necessary fertilizer or other soil amendments should be added during the tilling process.</p> <p>The SWPPP must contain written justification as to why any of these specific controls were not deemed feasible. [WPC-1]</p>

**ACT5 (continued):****Narrative Requirements:**

Condition No.	Condition
T-5	<p>(2) Structural practices shall divert flows from exposed soils, store flows or otherwise limit runoff from exposed areas. Such practices may include, but are not limited to, construction entrance/exit, silt fences, earth dikes, brush barriers, drainage swales, check dams, subsurface drains, pipe slope drains, level spreaders, drain inlet protection, outlet protection, detention/retention basins, sediment traps, temporary sediment basins or equivalent sediment controls.</p> <p>Specific practices that must be included, unless infeasible, are:</p> <p>(A) For drainage locations (a drainage point at boundary of land disturbing activity) that serve an area with ten (10) or more disturbed acres at one time, a temporary (or permanent) sediment basin providing at least 3600 cubic feet (133 cubic yards) of storage per acre drained shall be provided until final stabilization of the site. Sediment basins must be installed before major site grading and utilize outlet structures that withdraw water from the surface and that are designed for a minimum 2-year, 24-hour storm event. If flocculants are being introduced, sediment basins must be downstream of the point of introduction and include baffles to increase sediment removal efficiency and turbidity reduction.</p> <p>Due to the unique characteristics of linear projects, such as the lack of space within project rights of way and having multiple, distributed discharge points, sedimentation basins are not common practices. Therefore, MDEQ will not require the use of sedimentation basins for linear projects disturbing ten (10) or more acres at one time. Appropriate alternate structural practices, such as sediment traps and check dams, must be included in the SWPPP if sediment basins are deemed infeasible. [WPC-1]</p>
T-6	<p>(B) Steep Slopes (see Definition) that cannot be avoided must have, at a minimum, silt fences or equivalent sediment controls for all down slope boundaries (and for those side slope boundaries deemed appropriate by individual site conditions), unless a sediment basin providing storage for a calculated volume of runoff from a 2-year, 24-hour storm or 3,600 cubic feet of storage per acre drained is provided.</p> <p>(C) Construction entrances/exits shall be installed wherever traffic will be leaving a construction site and moving directly onto a paved public road.</p> <p>(D) Storm Drain Inlets-Inlets that could receive storm water from construction activities shall be protected by surrounding or covering with a filter material until final stabilization has been achieved. [WPC-1]</p>

**ACT5 (continued):****Narrative Requirements:**

Condition No.	Condition
T-7	<p>(E) Perimeter Controls-Natural areas shall be maintained and supplemented with silt fence and fiber rolls around project perimeter. If not feasible to maintain natural areas, a silt fence or similar controls, such as fiber rolls, are sufficient.</p> <p>(F) Phasing-Schedule or sequence construction activities so as to concentrate work in certain areas so as to minimize the amount of soil that is exposed at one time.</p> <p>The SWPPP must contain written justification as to why any of these specific controls were not deemed feasible. [WPC-1]</p>
T-8	<p>(3) Facilities discharging into impaired receiving waters (i.e., receiving stream segments which are listed on MDEQ's 303(d) List of Impaired Waters or segments for which a Total Daily Maximum Load (TMDL) has been approved) must identify the pollutant of concern(s) for the receiving stream in the SWPPP. If applicable, the SWPPP shall describe how the selected BMPs will ensure that discharges from the site will not cause or contribute to excursions of the water quality standards in the receiving stream.</p> <p>(4) A description of any post-construction control measures. Post-construction control measures should be installed, as necessary, to control pollutants in storm water after construction is complete. These controls include, but are not limited to, one or more of the following: on-site infiltration of runoff, flow attenuation using open vegetated swales, exfiltration trenches and natural depressions, constructed wetlands and retention/detention structures. Where needed, velocity dissipation devices shall be placed at detention or retention pond outfalls and along the outfall channel to provide for a non-erosive flow.</p> <p>(5) Proposed responsible parties (original coverage recipient or new owner or operator) for individual lots or out-parcels that are part of a larger common plan of development or sale. If permit responsibility is retained by the original coverage recipient, a narrative description of sediment and erosion controls for subdivision lots is acceptable. Out-parcels in commercial developments must be included in the scaled site map referenced below. [WPC-1]</p>
T-9	<p>Housekeeping Practices:</p> <p>The owner or operator shall design, install, implement and maintain practices appropriate to prevent pollutants from entering storm water from construction sites because of poor housekeeping. These practices must be listed in the SWPPP and located on the site map.</p> <p>The owner or operator shall designate and report in the SWPPP areas for equipment maintenance and repair and concrete chute wash off; provide waste receptacles and regular collection of waste; provide adequately maintained sanitary facilities; provide protected storage areas for chemicals, paints, solvents, fertilizers, pesticides, herbicides, detergents and other potentially toxic materials; and implement spill and leak prevention practices and response procedures if spills and leaks do occur; minimize the exposure of building materials, building products, construction wastes, trash and landscape materials. These areas and specific potential pollutants shall be addressed in the SWPPP and located on the scaled site map. [WPC-1]</p>

**B-103**

**ACT5 (continued):****Narrative Requirements:**

Condition No.	Condition
T-10	<p><b>Flocculant Application:</b></p> <p>Flocculants, meeting the criteria contained in ACT8 and used in accordance with manufacturer's instructions, may be incorporated as part of an overall storm water management system. If flocculant application is proposed, the SWPPP must list the proposed flocculants to be used, describe the method, frequency and location of introduction, and identify the location of BMPs where flocculated material will settle. [WPC-1]</p>
T-11	<p><b>Prepare Scaled Site Map(s):</b></p> <p>The owner or operator shall prepare a scaled site map showing:</p> <ol style="list-style-type: none"> <li>(1) Boundaries of property and proposed construction activities, noting any phasing of construction activities,</li> <li>(2) Original and proposed contours (if feasible), with steep slopes identified,</li> <li>(3) North arrow,</li> <li>(4) Drainage pattern arrows,</li> <li>(5) Location of sensitive areas, such as wetlands, perennial streams and adjacent receiving water bodies,</li> <li>(6) Location of any storm drain inlets,</li> <li>(7) All erosion and sediment controls (vegetative and structural),</li> <li>(8) Any post-construction control measures, and</li> <li>(9) Location of housekeeping practices.</li> </ol> <p>If flocculant application is proposed, the location(s) of the following items shall be marked and labeled on the site map.</p> <ol style="list-style-type: none"> <li>(1) Flocculant introduction point(s), and</li> <li>(2) BMPs where flocculated material will settle.</li> </ol> <p>If the construction project is a linear construction project (e.g., pipeline, highway, etc.), a scaled site map is not required, however standard diagrams (e.g., cross sections showing dimensions and labeled components) of erosion and sediment controls to be used must be submitted. [WPC-1]</p>
T-12	<p><b>Implementation Sequence:</b></p> <p>The SWPPP shall outline an implementation sequence (including any phasing of construction activities), which coordinates the timing of all major land-disturbing activities together with the necessary erosion and sedimentation control measures planned for the project. [WPC-1]</p>



**ACT5 (continued):****Narrative Requirements:**

Condition No.	Condition
T-13	<p>Implementation of Controls:</p> <p>The SWPPP shall require the owner or operator, in disturbing an area, to implement controls as needed to prevent erosion and adverse impacts to waters of the State. [WPC-1]</p>
T-14	<p>Maintenance and Weekly Inspections:</p> <p>The SWPPP shall describe procedures to maintain vegetation, erosion and sediment controls and other protective measures. Procedures shall provide that all controls are inspected weekly for a minimum of four inspections per month in accordance with ACT6, S-4. [WPC-1]</p>
T-15	<p>Non-Storm Water Discharge Management:</p> <p>The SWPPP must identify all allowable sources of non-storm water discharges listed in ACT2, T-2, except for flows from actual fire fighting activities, which are combined with storm water discharges associated with large construction activity. Non-storm water discharges should be eliminated or reduced to the extent feasible. Wash waters must be treated in a sediment basin or alternate control that provides equivalent or better treatment prior to discharge. The SWPPP must identify and ensure the implementation of appropriate Best Management Practices (BMPs) for the non-storm water component of the discharge.</p> <p>The Permit Board staff will review the above discharges on a case by case basis and may require the coverage recipient to apply for and obtain either an individual or an alternative general NPDES permit as provided in ACT3, S-2. [WPC-1]</p>
T-16	<p>Final Stabilization:</p> <p>The SWPPP shall describe procedures to achieve final stabilization (See Definitions) of all disturbed areas of the project site. [WPC-1]</p>

**ACT5 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-17	<p>Example Storm Water Pollution Prevention Plans (SWPPPs):</p> <p>Example SWPPPs are included in the Mississippi Storm Water Pollution Prevention Plan Guidance Manual for Construction Activities as well as the MDEQ Registration Form for Individual Residential Lots</p> <p>The Mississippi Storm Water Pollution Prevention Plan Guidance Manual for Construction Activities is also available online at: <a href="http://www.deq.state.ms.us/MDEQ.nsf/pdf/epd_conguidman/\$File/ConstructionGM.pdf">http://www.deq.state.ms.us/MDEQ.nsf/pdf/epd_conguidman/\$File/ConstructionGM.pdf</a></p> <p>The MDEQ Registration Form for Individual Residential Lots is in the Large Construction Forms Package, which is available online at: <a href="http://www.deq.state.ms.us/MDEQ.nsf/pdf/epd_Large_Construction_Forms_Package/\$File/LARGE_CONST_FORMS_PACKAGE.pdf">http://www.deq.state.ms.us/MDEQ.nsf/pdf/epd_Large_Construction_Forms_Package/\$File/LARGE_CONST_FORMS_PACKAGE.pdf</a></p> <p>US EPA also lists example SWPPPs on their website at: <a href="http://cfpub.epa.gov/npdes/stormwater/swppp.cfm#model">http://cfpub.epa.gov/npdes/stormwater/swppp.cfm#model</a>. [WPC-1]</p>

## ACT6 (LCGP) Implementation and Inspection Requirements:

### Submittal/Action Requirements:

Condition No.	Condition
S-1	<p><b>IMPLEMENTATION REQUIREMENTS:</b></p> <p>The coverage recipient shall:</p> <p>(1) Implement the site-specific SWPPP and retain a copy of the SWPPP at the permitted site. In cases where there is no office or shelter to maintain documents onsite, the SWPPP can be kept locally available (i.e., able to be produced within an hour of being requested by a state or local inspector). Failure to implement the SWPPP is a violation of permit requirements. A copy of the SWPPP must be made available to state or local inspectors for review at the time of an on-site inspection.</p> <p>(2) Implement the following pre-construction activities:</p> <p>(A) Mark off areas of "disturbance", "no disturbance" and "sensitive areas" (i.e., delineate and clearly flag or mark off areas such as steep slopes, highly erodible soils or other sensitive areas),</p> <p>(B) Preserve native topsoil on the site to the extent feasible, and</p> <p>(C) Limit construction stream crossings to the minimum necessary to provide access for the construction project.</p> <p>(3) Ensure that appropriate Best Management Practices (BMPs) are in place upon commencement of construction.</p> <p>(4) Amend the SWPPP if notified at any time by the Executive Director of the MDEQ that the SWPPP does not meet the minimum requirements. Coverage recipient shall certify in writing to the Executive Director that the requested changes have been made. Unless otherwise provided, the requested changes shall be made within fifteen (15) days.</p> <p>(5) Amend the SWPPP whenever there is a change in design, construction, operation, or maintenance which may potentially affect the discharge of pollutants to waters of the State; or the SWPPP proves to be ineffective in controlling storm water pollutants. The amended SWPPP shall be submitted within thirty (30) days of amendment. Coverage recipients shall submit to MDEQ the Major Modification Form (see Large Construction Forms Package) for subsequent phases, expansions and modifications of subdivision development that are proposed but were not included in the original SWPPP. [WPC-1]</p>

**ACT6 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-2	<p><b>IMPLEMENTATION REQUIREMENTS (continued):</b></p> <p>(6) Install needed erosion controls even if they may be located in the way of subsequent activities, such as utility installation, grading or construction. It shall not be an acceptable defense that controls were not installed because subsequent activities would require their replacement or cause their destruction.</p> <p>(7) Install additional and/or alternative erosion and sediment controls when existing controls prove to be ineffective in preventing sediment from leaving the site.</p> <p>(8) Comply with applicable State or local waste disposal, sanitary sewer or septic system regulations</p> <p>(9) Erosion and sediment controls shall be maintained at all times. Except for sediment basins, all accumulated sediment shall be removed from structural controls when sediment deposits reach one-third to one-half the height of the control. For sediment basins, accumulated sediment shall be removed when the capacity has been reduced by 50%. All removed sediment deposits shall be properly disposed. Non-functioning controls shall be repaired, replaced or supplemented with functional controls within twenty-four (24) hours of discovery or as soon as field conditions allow.</p> <p>(10) If, after coverage issuance, a specific wasteload allocation is established that would apply to the facility's discharge, the facility must implement steps necessary to meet that allocation. [WPC-1]</p>
S-3	<p><b>COMPLIANCE WITH LOCAL STORM WATER ORDINANCES:</b></p> <p>(1) The SWPPP shall be in compliance with all local storm water ordinances.</p> <p>(2) When storm water discharges into an MS4 (municipal separate storm sewer system), the owner or operator shall make the SWPPP available to the local authority and/or allow site access, upon request. [WPC-1]</p>

**ACT6 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-4	<p><b>INSPECTION REQUIREMENTS:</b></p> <p>Inspection of all receiving streams (if feasible), outfalls, erosion and sediment controls and other SWPPP requirements shall be performed during permit coverage using a copy of the form provided in the Large Construction Forms Package, and inspections shall be performed by qualified personnel (see Definitions):</p> <p>(1) At least weekly for a minimum of four inspections per month; and</p> <p>(2) As often as is necessary to ensure that appropriate erosion and sediment controls have been properly constructed and maintained and to determine if additional or alternative control measures are required.</p> <p>Before conducting the site inspection, the inspector should review Chapter 4, Inspector's Checklist and Troubleshooting Chart found in MDEQ's Field Manual for Erosion and Sediment Control on Construction Sites in Mississippi.</p> <p>MDEQ strongly recommends that coverage recipients perform a "walk through" inspection of the construction site before anticipated storm events to ensure controls are in place and will function properly. [WPC-1]</p>

**ACT7 (LCGP) Limitation Requirements:**

Limitation Requirements:

Condition No.	Parameter	Condition
L-1		<p>NON-NUMERIC LIMITATION REQUIREMENTS:</p> <p>Storm water discharges shall be free from:</p> <p>(1) Debris, oil, scum, and other floating materials other than in trace amounts,</p> <p>(2) Eroded soils and other materials that will settle to form objectionable deposits in receiving waters,</p> <p>(3) Suspended solids, turbidity and color at levels inconsistent with the receiving waters,</p> <p>(4) Chemicals in concentrations that would cause violation of State Water Quality Criteria in the receiving waters. [WPC-1]</p>

**ACT8 (LCGP) Application of Flocculants:**

**Narrative Requirements:**

Condition No.	Condition
T-1	<p>Coverage recipients may need to supplement conventional storm water management systems with flocculants to meet state water quality standards. Flocculants meeting the criteria listed in (1) and (2) below and used in accordance with manufacturer's instructions are approved by this general permit.</p> <p>Any flocculant application, which deviates from the criteria specified below, must receive written approval from MDEQ prior to being implemented. Requests for approval must be in writing and shall describe the deviation, explain the justification for the deviation and provide supporting documentation demonstrating that such deviation will achieve equivalent performance to the criteria listed below. Such requests may be submitted with the LCNOI or under separate cover to the address listed on the LCNOI.</p> <p>(1) Polymer flocculants for treating turbidity in construction site storm water discharges must meet the following minimum criteria.</p> <p>(A) Only anionic Polyacrylamide (PAM) polymer,</p> <p>(B) Polymer shall contain less than 0.05% free acrylamide,</p> <p>(C) Polymer shall be non-toxic to fish and other aquatic organisms, and</p> <p>(D) Polymer shall be selected for site specific soil conditions (i.e., jar test).</p> <p>(2) Systems utilizing polymer flocculants to treat turbidity from construction site storm water discharges must meet the following minimum criteria.</p> <p>(A) Polymer shall be introduced through turbulent mixing into the storm water upstream of sedimentation BMPs,</p> <p>(B) Sedimentation basin shall be constructed in accordance with the criteria specified in ACT5, T-5 (2)(A),</p> <p>(C) Polymer shall be applied in accordance with manufacturer's instructions, and</p> <p>(D) There shall be no discharge of un-dissolved polymer, clumps of polymer and/or unsettled flocculant material. [WPC-1]</p>

**ACT9 (LCGP) Optional Monitoring:****Narrative Requirements:**

Condition No.	Condition
T-1	<p>Monitoring under this general permit is strictly voluntary, the results of which will not be required to be documented and/or reported.</p> <p>At the time of the issuance of this general permit, the U.S. EPA had temporarily stayed the numeric effluent limit for construction storm water that was prescribed in the December 1, 2009 Effluent Limitation Guidelines and Standards for the Construction and Development Point Source Category Final Rule (ref. Federal Register, Vol. 74, No.229, pages 62996-63058). Accordingly, this general permit does not contain a numeric effluent limit for construction storm water discharges. The optional effluent monitoring provisions of this section are included as guidance to coverage recipients that may be interested in evaluating and optimizing the effectiveness of storm water BMPs in anticipation of a mandatory effluent limit being incorporated in the next general permit re-issuance (scheduled to occur in 2015).</p> <p>The following guidelines were developed based on the above referenced final rule and will likely be the basis of mandatory monitoring requirements of a subsequent general permit re-issuance in the event a final federal numeric effluent limit is promulgated by the expiration date of this general permit. [WPC-1]</p>
T-2	<p>(1) Monitor the turbidity of each storm water discharge from actively disturbed areas of the project site for each work day the discharge occurs. Actively disturbed areas are those portions of the project site that have undergone soil disturbing activities (i.e., clearing, grading, filling, excavating, etc.) and have not been stabilized.</p> <p>(A) Monitoring should be conducted for each point of storm water discharge from the project site. For the purpose of this permit, a discharge point means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which storm water and/or pollutants are, or may be, discharged.</p> <p>(B) Diffuse storm water, such as non-channelized flow that infiltrates into a vegetated area, and does not then discharge to surface waters, would not generally require monitoring.</p> <p>(2) Due to the unique characteristics of linear projects, portions may have suspended construction activity and have undergone temporary or final stabilization (see Definitions) while other portions of the same project may have active construction activities. Therefore, in recognition of these unique regulatory circumstances only those areas that have active construction activities will require numeric turbidity monitoring. Those areas that have been completed and stabilized will not require turbidity monitoring. [WPC-1]</p>



**ACT9 (continued):****Narrative Requirements:**

Condition No.	Condition
T-3	<p data-bbox="222 578 369 602">(4) Sampling:</p> <p data-bbox="222 638 1955 695">(A) A minimum of three (3) samples per work day, per discharge, should be used to calculate a daily average turbidity value. Samples should be collected so as to be representative of the nature of the discharge over its duration. For example,</p> <ul style="list-style-type: none"> <li data-bbox="222 727 1247 751">(i) Collect first sample within the first hour of discharge or within the first hour of the work day.</li> <li data-bbox="222 784 1115 808">(ii) Collect second sample in the middle of discharge or the middle of the work day.</li> <li data-bbox="222 841 1037 865">(iii) Collect last sample at the end of discharge or at the end of the work day.</li> <li data-bbox="222 898 1927 954">(iv) Continue sampling at the start of the next work day if there continues to be a discharge (until discharge ends or end of the work day). These data should be used to calculate a separate daily average.</li> </ul> <p data-bbox="222 987 1776 1011">(B) Monitoring samples should be collected at the nearest accessible point after final treatment, but prior to mixing with the receiving water body.</p> <ul style="list-style-type: none"> <li data-bbox="222 1044 1927 1190">(i) Due to the unique characteristics of linear projects, there may be multiple discharge points spaced over a wide geographic area. Therefore, MDEQ will allow representative discharge sampling. For example, representative sampling at certain discharge locations may be representative of the discharge characteristics of other locations within the same sub-watershed. For multiple outfalls that discharge substantially identical effluents, the owner or operator may sample one (or more) of the outfalls and report that data as representative of the other outfalls. At a minimum at least one discharge point per sub-watershed must be monitored and the same or similar controls must be implemented on the different discharge points.</li> <li data-bbox="222 1222 1304 1247">(ii) Representative sampling of non-linear projects may be allowed on a case-by-case basis. [WPC-1]</li> </ul>

**ACT9 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-4	<p>(C) Monitoring may be accomplished via portable turbidity meters or fixed automated sampling/meter stations.</p> <p>(i) Monitoring should be based on grab samples for portable meters.</p> <p>(ii) Automated samplers should be programmed to yield a minimum of three (3) representative readings per discharge, per day.</p> <p>(iii) Daily turbidity averages should be the average of all monitoring results collected on the day of discharge for the respective discharge point(s). For example, if there were five (5) turbidity readings in a given day, then the average turbidity for that day would be the average of all five (5) readings.</p> <p>(D) Grab samples should be collected according to the following methodology to ensure that each sample is representative of the flow conditions and other characteristics of the discharge.</p> <p>(i) Collect samples from the horizontal and vertical center of the storm water outfall channel(s) or other sources of concentrated flow.</p> <p>(ii) Avoid stirring the bottom sediments in the storm water channel in which samples are taken by not walking through the areas of storm water flow or disturbing the sediment with the sampling device.</p> <p>(iii) Hold sampling container so that the opening faces the upstream direction of the storm water channel in which samples are taken.</p> <p>(iv) Avoid overfilling sample container.</p> <p>(E) Monitoring should be conducted for any discharge that occurs during the normal working hours of the project site. [WPC-1]</p>

**ACT9 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-5	<p>(5) Turbidity Meters:</p> <p>(A) Turbidity meters should meet the following design criteria:</p> <p>(i) Accuracy within +/- 5% of measurement,</p> <p>(ii) Minimum upper range of 1000 NTU,</p> <p>(iii) Able to be calibrated by operator, and</p> <p>(iv) Operating temperature range be at least 32 to 122 degrees.</p> <p>(B) Turbidity meters should be operated, calibrated and maintained according to the meter manufacturer's instructions. [WPC-1]</p>

## ACT10 (LCGP) Record Keeping and Reporting Requirements:

### Record-Keeping Requirements:

Condition No.	Condition
R-1	<p><b>RETENTION OF RECORDS:</b></p> <p>All records, reports, forms and information resulting from activities required by this permit shall be retained for a period of at least three (3) years from the date that the document(s) was generated. [WPC-1]</p>

### Submittal/Action Requirements:

Condition No.	Condition
S-1	<p><b>SUSPENSION OF WEEKLY INSPECTIONS AND MONTHLY RECORD KEEPING:</b></p> <p>Coverage recipients under this general permit may suspend weekly inspection and monthly record keeping requirements, if the coverage recipient certifies that:</p> <ul style="list-style-type: none"> <li>(1) Land disturbing activities have temporarily ceased,</li> <li>(2) No further land disturbing activities are planned for a period of at least six (6) months,</li> <li>(3) Areas that have been disturbed meet the definition of "final stabilization" (see Definitions), with no active erosion, and</li> <li>(4) Vegetative cover has been established.</li> </ul> <p>Color photographs representative of the site must be submitted with the Inspection Suspension Form provided in the Large Construction Forms Package. The coverage recipient shall notify the MDEQ once construction activities are resumed and the weekly inspections shall commence immediately and as required in ACT6, S-4. The coverage recipient is still responsible for all permit conditions during the suspension period and nothing in this condition shall limit the rights of the MDEQ to take enforcement or other actions against the coverage recipient. [WPC-1]</p>

**ACT10 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-2	<p>The inspections described in ACT6, S-4 must be documented on copies of the Monthly Inspection Report and Certification Form provided in the Large Construction Forms Package and be kept with the SWPPP.</p> <p>Submittals of the MDEQ Registration Form for residential lots are required. It is the responsibility of both the owner or developer (seller) and the new owner or operator (purchaser) to maintain a copy of the MDEQ Registration Form. The new owner or operator must maintain a copy of the MDEQ Registration Form at the site. In cases where there is no office or shelter to maintain documents onsite, the Registration Form can be kept locally available (i.e., able to be produced within an hour of being requested by state or local inspectors. [WPC-1]</p>

**ACT11 (LCGP) Termination of Permit Coverage:**

**Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p>Within thirty (30) days of final stabilization (see Definition of Final Stabilization (1)) for a covered project, a completed Request for Termination (RFT) of Coverage form (provided in the Large Construction Forms Package) shall be submitted to the Permit Board. Upon receiving the completed RFT, the MDEQ staff will inspect the site. If no sediment and erosion control problems are identified and adequate permanent controls are established, the owner or operator will receive a termination letter. Coverage is not terminated until notified in writing by MDEQ. Failing to submit a RFT is a violation of permit conditions.</p> <p>The coverage recipient of a "larger common plan of development or sale" must submit a RFT within thirty (30) days after the following conditions are met:</p> <p>(1) Final stabilization (see Definition of Final Stabilization (2)) has been achieved on all portions of the site for which the coverage recipient is responsible, and</p> <p>(2) Other owner(s) or operator(s) have assumed control (by completing a LCNOI or MDEQ Registration Form) over all areas of the site that have not achieved final stabilization.</p> <p>The coverage recipient of a residential "larger common plan of development or sale" must submit a copy of the MDEQ Registration Form for each lot sold with the RFT.</p> <p>Residential lot owners or operators that have completed the MDEQ Registration Forms are not required to submit a RFT, unless specifically requested by the MDEQ staff. The lot permit coverage is considered terminated upon "successful completion of all permanent erosion and sediment controls" (see Definitions). [WPC-1]</p>

**ACT12 (LCGP) Standard Requirements Applicable To All Water Permits:**

**Narrative Requirements:**

Condition No.	Condition
T-1	<p><b>DUTY TO COMPLY:</b></p> <p>The coverage recipient must comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for coverage termination, revocation and reissuance, or modifications; or denial of a renewal application. [WPC-1]</p>
T-2	<p><b>DUTY TO MITIGATE:</b></p> <p>The owner or operator shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which is likely to adversely affect human health or the environment. [WPC-1]</p>
T-3	<p><b>DUTY TO PROVIDE INFORMATION:</b></p> <p>The owner or operator shall furnish to the Permit Board, within a reasonable time, any information that the Permit Board may request to determine compliance with this permit. [WPC-1]</p>
T-4	<p><b>PROPERTY RIGHTS:</b></p> <p>The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. [WPC-1]</p>
T-5	<p><b>SEVERABILITY:</b></p> <p>The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstances, is challenged or held invalid, the validity of the remaining permit provisions and/or portions thereof or their application to other persons or sets of circumstances, shall not be affected thereby. [WPC-1]</p>
T-6	<p><b>OIL AND HAZARDOUS SUBSTANCE LIABILITY:</b></p> <p>Nothing in this permit shall relieve the owner or operator from responsibilities, liabilities, or penalties under Section 311 of the CWA (33 U.S.C. Section 1321). [WPC-1]</p>

**ACT12 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-7	<p><b>SIGNATORY REQUIREMENTS:</b></p> <p>All LCNOIs and requests for recoverage shall be signed as follows:</p> <p>(1) For a corporation by a responsible corporate officer. For this permit, a responsible corporate officer means:</p> <p>(A) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or</p> <p>(B) The manager of one or more manufacturing, production or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;</p> <p>Note: MDEQ does not require specific assignments or delegations of authority to responsible corporate officers identified in paragraph (1)(A) above. The Department will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Permit Board to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under paragraph (1)(B) above rather than to specific individuals.</p> <p>(2) For a partnership or sole proprietorship by a general partner or the proprietor, respectively; or</p> <p>(3) For a municipal, State, Federal, or other public agency by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:</p> <p>(A) The chief executive officer of the agency, or</p> <p>(B) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency. [WPC-1]</p>



**ACT12 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-8	<p><b>DULY AUTHORIZED REPRESENTATIVE:</b></p> <p>All SWPPPs, reports required by this permit, certifications and other information requested by the Permit Board shall be signed by a person described in T-8 above, or by a duly authorized representative of that person. A person is a duly authorized representative when:</p> <p>(1) The authorization is made in writing and submitted to the Permit Board by a person described in T-8 above.</p> <p>(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated activity, such as: manager, operator of a well or well field, superintendent, person of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may be either a specified individual or position). [WPC-1]</p>
T-9	<p><b>CHANGES TO AUTHORIZATION:</b></p> <p>If an authorization is no longer accurate because a different individual or position has permit responsibility, a new authorization satisfying the requirements of T-8 and T-9 above, must be submitted to the Permit Board prior to or together with any reports, information or applications signed by the representative. [WPC-1]</p>
T-10	<p><b>CERTIFICATION:</b></p> <p>Any person signing documents under this section shall make the following certification:</p> <p>"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." [WPC-1]</p>

**ACT12 (continued):****Narrative Requirements:**

Condition No.	Condition
T-11	<p><b>PROPER OPERATION AND MAINTENANCE:</b></p> <p>The coverage recipient shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the coverage recipient to achieve compliance with the conditions of this permit including the Storm Water Pollution Prevention Plan. Proper operation and maintenance includes adequate laboratory controls with appropriate quality assurance procedures and requires the operation of backup or auxiliary facilities when necessary to achieve compliance with permit conditions. [WPC-1]</p>
T-12	<p><b>MONITORING AND RECORDS:</b></p> <p>(1) Monitoring. Samples and measurements shall be representative of the monitored activity and must be conducted according to test procedures approved under 40 CFR Part 136.</p> <p>(2) Retention of Records. The owner or operator shall retain records of all required monitoring information for a period of at least three years from the date of the measurement, report, or application. This information includes all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the Notice of Intent to be covered by this permit. This period may be extended by request of the Permit Board or its designee.</p> <p>(3) Record Contents. Records of monitoring information shall include:</p> <p>(A) The date, exact location, and time of sampling or measurements,</p> <p>(B) The initials or names of the individuals who performed the sampling or measurements,</p> <p>(C) The date(s) and time(s) analyses were performed,</p> <p>(D) The initials or names of the individuals who performed the analyses,</p> <p>(E) References and written procedures, when available, for the analytical techniques or methods used, and</p> <p>(F) The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results. [WPC-1]</p>

**ACT12 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-13	<p><b>BYPASS PROHIBITION:</b></p> <p>Bypass (see 40 CFR 122.41(m)) is prohibited and enforcement action may be taken against an coverage recipient for a bypass, unless: a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime (this condition is not satisfied if the coverage recipient should, in the exercise of reasonable engineering judgment, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance); and c) The owner or operator submitted notices per T-17 of this ACT. [WPC-1]</p>
T-14	<p><b>UPSET CONDITIONS:</b></p> <p>An upset (see 40 CFR 122.41(n)) constitutes an affirmative defense to an action brought for noncompliance with technology-based permit limitations if a coverage recipient shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that:</p> <ol style="list-style-type: none"> <li>(1) An upset occurred and the coverage recipient can identify the specific cause(s) of the upset,</li> <li>(2) The permitted facility was at the time of the upset being properly operated,</li> <li>(3) The coverage recipient submitted notices per T-17 of this ACT, and</li> <li>(4) The coverage recipient took remedial measures as required under T-2 of this ACT. In any enforcement proceeding, the coverage recipient has the burden of proof that an upset occurred. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance is initiated, will be considered a final administrative action subject to judicial review. [WPC-1]</li> </ol>

**ACT12 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-15	<p><b>INSPECTION AND ENTRY:</b></p> <p>The coverage recipient shall allow the Permit Board staff or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:</p> <p>(1) Enter upon the owner or operator's premises where a regulated activity is located or conducted or where records must be kept under the conditions of this permit;</p> <p>(2) Have access to and copy at reasonable times any records that must be kept under the conditions of this permit;</p> <p>(3) Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and</p> <p>(4) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location. [WPC-1]</p>
T-16	<p><b>PERMIT ACTIONS:</b></p> <p>This permit may be modified, revoked and reissued, or terminated for cause. A request by the coverage recipient for permit or coverage modification, revocation and reissuance, or termination, or a certification of planned changes or anticipated noncompliance does not stay any permit condition. [WPC-1]</p>
T-17	<p><b>NONCOMPLIANCE REPORTING:</b></p> <p>(1) Anticipated Noncompliance. The coverage recipient shall give at least ten (10) days advance notice, if possible, before any planned noncompliance with permit requirements. Giving notice of planned or anticipated noncompliance does not immunize the coverage recipient from enforcement action for that noncompliance.</p> <p>(2) Unanticipated Noncompliance. The coverage recipient shall notify the MDEQ orally within twenty-four (24) hours from the time he or she becomes aware of unanticipated noncompliance, which may endanger health or the environment. A written report shall be provided to the MDEQ within five (5) working days of the time he or she becomes aware of the circumstances leading to the unanticipated noncompliance. The report shall describe the cause, the exact dates and times, steps taken or planned to reduce, eliminate, or prevent reoccurrence and, if the noncompliance has not ceased, the anticipated time for correction. MDEQ may waive the written report on a case-by-case basis, if the oral report is received within 24 hours. [WPC-1]</p>

**B-124**

**ACT12 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-18	<p><b>REOPENER CLAUSE:</b></p> <p>If there is evidence indicating potential or realized impacts on water quality due to large construction activities covered by this permit, the coverage recipient may be required to obtain individual permit or an alternative general permit in accordance with ACT3, S-2 or the permit may be modified to include different limitations and/or requirements. [WPC-1]</p>
T-19	<p><b>PERMIT MODIFICATION:</b></p> <p>Permit modification or revocation will be conducted according to 40 CFR 122.62, 122.63, 122.64 and 124.5. [WPC-1]</p>
T-20	<p><b>TRANSFERS:</b></p> <p>Coverage under this permit is not transferable to any person except after notice to and approval by the Permit Board. The Permit Board may require the coverage recipient to obtain another NPDES permit as stated in ACT3, S-2. Transfer of coverage requests shall be submitted to the Permit Board using the form provided in the Large Construction Forms Package. [WPC-1]</p>
T-21	<p><b>CONTINUATION OF EXPIRED GENERAL PERMIT:</b></p> <p>If this permit is not reissued prior to the expiration date, it will be administratively continued and remain in force and effect. Permit coverage will remain until the earliest of:</p> <ol style="list-style-type: none"> <li>(1) Recoverage under the reissued general permit;</li> <li>(2) Submittal of a Request for Termination and receipt of written concurrence;</li> <li>(3) Issuance of an individual permit for the project's discharge; or</li> <li>(4) A formal permit decision by the Permit Board to not reissue the general permit, at which time the coverage recipient must seek coverage under an alternative general permit or an individual permit. [WPC-1]</li> </ol>

**ACT12 (continued):****Narrative Requirements:**

Condition No.	Condition
T-22	<p><b>FALSIFYING REPORTS:</b></p> <p>Any coverage recipient who falsifies any written report required by or in response to a permit condition shall be deemed to have violated a permit condition and shall be subject to the penalties provided for a violation of a permit condition pursuant to Section 49-17-43 of the Mississippi Water Pollution Control Law (Mississippi Code Ann. Sections 49-17-1 et seq.). [WPC-1]</p>
T-23	<p><b>CIVIL AND CRIMINAL LIABILITY:</b></p> <p>(1) Any person who violates a term, condition or schedule of compliance contained within this permit or the Mississippi Air and Water Pollution Control Law is subject to the actions defined by the Mississippi Air and Water Pollution Control Law.</p> <p>(2) Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the coverage recipient from civil or criminal penalties for noncompliance.</p> <p>(3) It shall not be the defense of the coverage recipient in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [WPC-1]</p>

**ACT13 (LCGP) Definitions:****Narrative Requirements:**

Condition No.	Condition
T-1	BEST MANAGEMENT PRACTICES (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. [WPC-1]
T-2	BUFFER ZONE, as used in this permit, means a strip of dense undisturbed perennial vegetation, either original or reestablished, that borders perennial streams and rivers, ponds and lakes and wetlands. Buffer zones are established for the purposes of slowing water runoff, enhancing water infiltration, and minimizing the risk of any potential nutrients or pollutants from leaving the upland area and reaching surface waters. Buffer zones are most effective when storm water runoff is flowing into and through the buffer zone as shallow sheet flow, rather than in concentrated form such as in channels, gullies, or wet weather conveyances. Therefore, it is critical that the design of any development include management practices, to the maximum extent practical, that will result in storm water runoff flowing into and through the buffer zone as shallow sheet flow. [WPC-1]
T-3	CFR means the Code of Federal Regulations. [WPC-1]
T-4	CLEAN WATER ACT (CWA) refers to the Federal Water Pollution Control Act, 33 U.S.C. section 1251 et seq. [WPC-1]
T-5	COMMENCEMENT OF CONSTRUCTION ACTIVITIES means the initial disturbance of soils associated with clearing, grading, or excavating activities or other construction-related activities. [WPC-1]
T-6	COMMISSION means the Mississippi Commission on Environmental Quality. [WPC-1]
T-7	COMPACTION means the process by which the soil grains are rearranged to decrease void space and bring the grains into closer contact with one another and thereby increase the weight of solid material per cubic foot. [WPC-1]
T-8	CONSTRUCTION ACTIVITY as used in this permit, includes construction activity as defined in 40 CFR part 122.26(b)(14)(x). This includes a disturbance to the land that results in the change in topography, existing soil cover (both vegetative and non-vegetative), or the existing topography that may result in accelerated storm water runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. Examples of construction activity may include clearing, grading, filling and excavating. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site. [WPC-1]
T-9	CONTROL MEASURE as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the United States. [WPC-1]

**ACT13 (continued):****Narrative Requirements:**

Condition No.	Condition
T-10	DAILY DISCHARGE means the "discharge of a pollutant" measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily average" is calculated as the average measurement of the discharge of the pollutant over the day. [WPC-1]
T-11	EXECUTIVE DIRECTOR means the Executive Director of the Department of Environmental Quality. [WPC-1]
T-12	FACILITY or ACTIVITY means any NPDES "point source" or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program. [WPC-1]
T-13	<p>FINAL STABILIZATION means that either:</p> <p>(1) All soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of at least 70% for the area has been established or equivalent measures (i.e., concrete or asphalt paving, rip rap, etc.) have been employed; or</p> <p>(2) For individual lots part of a larger common plan of development or sale in residential or commercial developments, that either:</p> <p>(A) The coverage recipient has completed final stabilization as specified in (1) above, or</p> <p>(B) The coverage recipient has established temporary stabilization before another property owner assumes operational control for the property AND the coverage recipient for the larger common plan of development has provided the appropriate Notice of Intent or Registration form, the appropriate Construction General Permit, and guidance documents to the new property owner and the new owner assumes control by completing the appropriate NOI or Registration Form. [WPC-1]</p>
T-14	GRAB SAMPLE is a sample that is taken from a wastestream on a one-time basis without consideration of the flow rate of the wastestream and without consideration of time. Samples should be collected from the center of the flow channel, where turbulence is at a maximum. [WPC-1]
T-15	INFEASIBLE means there is a site-specific constraint that makes a control technology impossible and/or not reasonable to implement, or that implementing the control would be cost-prohibitive. [WPC-1]



**ACT13 (continued):****Narrative Requirements:**

Condition No.	Condition
T-16	LARGE CONSTRUCTION ACTIVITY includes clearing, grading, and excavating resulting in a land disturbance that will disturb equal to or greater than five (5) acres of land or will disturb less than five (5) acres of total land area but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than five (5) acres. [WPC-1]
T-17	LARGER COMMON PLAN OF DEVELOPMENT OR SALE means a contiguous area where multiple separate and distinct construction activities are occurring under one plan. The plan in a common plan of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.), indicating that construction activities may occur on a specific plot. [WPC-1]
T-18	MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States, (ii) Designed or used for collecting or conveying storm water, (iii) Which is not a combined sewer, and (iv) Which is not part of a Publicly Owned Treatment Works (POTW). [WPC-1]
T-19	NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) means the regulations under the Clean Water Act which prohibits discharge of pollutants into waters of the United States unless a special permit is issued. [WPC-1]
T-20	NOI is an acronym for "Notice of Intent" to be covered by this permit and is the mechanism used to apply for coverage under a general permit. [WPC-1]
T-21	NORMAL WORKING HOURS, for the purpose of this permit, means the hours that personnel are typically working at the project site (e.g., daylight hours, Monday through Friday, except recognized holidays). [WPC-1]
T-22	NTUs is an acronym for Nephelometric Turbidity Units, which is the unit of measure for turbidity. [WPC-1]

**ACT13 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-23	<p>OWNER or OPERATOR for the purpose of this permit and in the context of storm water associated with construction activity, means any party associated with a construction project that meets either of the following two criteria:</p> <p>(1) The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or</p> <p>(2) The party has day to day operational control of those activities at a project which are necessary to ensure compliance with a storm water pollution prevention plan for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with other permit conditions). This definition is provided to inform coverage recipients of MDEQ's interpretation of how the regulatory definitions of "owner or operator" and "facility or activity" are applied to discharges of storm water associated with construction activity. [WPC-1]</p>
T-24	<p>PERMIT BOARD means the Mississippi Environmental Quality Permit Board established pursuant to Miss. Code Ann. 49-17-28. [WPC-1]</p>
T-25	<p>POLLUTANT is defined at 40 CFR 122.2. A partial listing from this definition includes: dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, sediment, silt, cellar dirt, and industrial or municipal waste. [WPC-1]</p>
T-26	<p>POLYMER FLOCCULANT, for the purpose of this permit, is a chemical that when added to storm water containing small suspended particles (e.g., fine silts and clays) causes the particles to stick together and fall out of suspension, reducing the overall turbidity of the storm water discharge. [WPC-1]</p>
T-27	<p>QUALIFIED PERSONNEL means a person knowledgeable in the principles and practice of erosion and sediment controls who possesses the skills to assess conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges from the construction activity. [WPC-1]</p>
T-28	<p>STATE LAW means The Mississippi Air and Water Pollution Control Law, specifically, Miss. Code Ann 49-17-1 through 49-17-43, and any subsequent amendments. [WPC-1]</p>
T-29	<p>STEEP SLOPES, as used in this permit, means slopes or grades steeper than (3:1). [WPC-1]</p>
T-30	<p>STORM WATER means rainfall runoff, snowmelt runoff, and surface runoff. [WPC-1]</p>
T-31	<p>STORM WATER ASSOCIATED WITH CONSTRUCTION ACTIVITY as used in this permit, refers to a discharge of pollutants in storm water from areas where soil disturbing activities (e.g., clearing, grading, or excavation), construction materials or equipment storage or maintenance (e.g., stock piles, borrow area, concrete truck chute wash down, fueling) are located. [WPC-1]</p>

B-130

**ACT13 (continued):****Narrative Requirements:**

Condition No.	Condition
T-32	STORM WATER POLLUTION PREVENTION PLAN (SWPPP) means a plan that includes site map(s), an identification of construction/contractor activities that could cause pollutants in the storm water, and a description of measures or practices to control these pollutants. [WPC-1]
T-33	SUBMITTED means the document is postmarked on or before the applicable deadline, except as otherwise specified. [WPC-1]
T-34	SUCCESSFUL COMPLETION OF ALL PERMANENT EROSION AND SEDIMENT CONTROLS means when land disturbing construction activities have been completed and disturbed areas have been stabilized with no significant erosion occurring. [WPC-1]
T-35	TEMPORARY STABILIZATION means practices such as seeding, mulching and erosion control blankets or mats that are used to stabilize exposed areas in which construction activity has been temporarily suspended. [WPC-1]
T-36	TOPSOIL means the top layer of undisturbed soil, consisting of a high percentage of organic matter, which is conducive to plant growth. [WPC-1]
T-37	TOTAL MAXIMUM DAILY LOAD (TMDL) means the maximum daily amount of a pollutant that can enter a water body so that the water body will meet and continue to meet state water quality standards. [WPC-1]
T-38	TURBIDITY is an expression of the optical property that causes light to be scattered and absorbed rather than transmitted with no change in direction of flux level through the sample caused by suspended and colloidal matter such as clay, silt, finely divided organic and inorganic matter and plankton and other microscopic organisms. [WPC-1]
T-39	TURBIDITY METERS as used in this permit, are hand held or in-line devices used to measure the turbidity level of storm water discharges. [WPC-1]
T-40	UPSET means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the coverage recipient. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. [WPC-1]
T-41	WATERS OF THE STATE means all waters within the jurisdiction of this State, including all streams, lakes, ponds, wetlands, impounding reservoirs, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, situated wholly or partly within or bordering upon the State, and such coastal waters as are within the jurisdiction of the State, except lakes, ponds, or other surface waters which are wholly landlocked and privately owned, and which are not regulated under the Federal Clean Water Act (33 U.S.C.1251 et seq.). [WPC-1]

**ACT13 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-42	WPC-1 means the State of Mississippi's Wastewater Regulations for National Pollutant Discharge Elimination System (NPDES) Permits, Underground Injection Control (UIC) Permits, State Permits, Water Quality Based Effluent Limitations and Water Quality Certifications. [WPC-1]



MISSISSIPPI DEPARTMENT OF  
ENVIRONMENTAL QUALITY

**MISSISSIPPI DEPARTMENT OF  
ENVIRONMENTAL QUALITY (MDEQ)  
Large Construction Storm Water General Permit  
NPDES Permit MSR10**

# **LARGE CONSTRUCTION FORMS PACKAGE**

- **LARGE CONSTRUCTION NOTICE OF INTENT (LCNOI) FORM..... 2**
- **PRIME CONTRACTOR CERTIFICATION FORM..... 6**
- **REGISTRATION FORM FOR RESIDENTIAL LOT COVERAGE..... 7**
- **SITE INSPECTION AND CERTIFICATION FORM..... 11**
- **MAJOR MODIFICATION FORM..... 12**
- **REQUEST FOR TRANSFER OF PERMIT, GENERAL PERMIT COVERAGE  
AND/OR NAME CHANGE ..... 13**
- **INSPECTION SUSPENSION FORM..... 15**
- **REQUEST FOR TERMINATION OF COVERAGE ..... 16**

**These standard forms are used to apply for permit coverage under the Large Construction Storm Water General Permit and for submittals and record keeping required by permit conditions after coverage has been granted. The forms are on our website at [www.deq.state.ms.us/MDEQ.nsf/page/epd\\_epdgeneral](http://www.deq.state.ms.us/MDEQ.nsf/page/epd_epdgeneral). Required information can be completed on screen, printed and signed.**

**Revised: 12/30/10**

**B-133**

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# LARGE CONSTRUCTION NOTICE OF INTENT (LCNOI) FOR COVERAGE UNDER THE LARGE CONSTRUCTION STORM WATER GENERAL NPDES PERMIT MSR10 \_\_\_\_ \_ (NUMBER TO BE ASSIGNED BY STATE)

## INSTRUCTIONS

The Large Construction Notice of Intent (LCNOI) is for coverage under the Large Construction General Permit for land disturbing activities of five (5) acres or greater; or for land disturbing activities, which are part of a larger common plan of development or sale that are initially less than five (5) acres but will ultimately disturb five (5) or more acres. Applicant must be the owner or operator. For construction activities, the operator is typically the prime contractor. The owner(s) of the property and the prime contractor associated with regulated construction activity on the property have joint and several responsibility for compliance with the Large Construction Storm Water General Permit MSR10.

Completed LCNOIs should be filed at least thirty (30) days prior to the commencement of construction. Discharge of storm water from large construction activities without written notification of coverage is a violation of state law.

Submittals with this LCNOI must include:

- A site-specific Storm Water Pollution Prevention Plan (SWPPP) developed in accordance with ACT5 of the General Permit
- A detailed site-specific scaled drawing showing the property layout and the features outlined in ACT5 of the General Permit
- A United States Geological Survey (USGS) quadrangle map or photocopy, extending at least one-half mile beyond the facility property boundaries with the site location and outfalls outlined or highlighted. The name of the quadrangle map must be shown on all copies. Quadrangle maps can be obtained from the MDEQ, Office of Geology at 601-961-5523.

Additional submittals may include the following, if applicable:

- Appropriate Section 404 documentation from U.S. Army Corps of Engineers
- Appropriate documentation concerning future disposal of sanitary sewage and sewage collection system construction
- Appropriate documentation from the MDEQ Office of Land & Water concerning dam construction and low flow requirements
- Approval from County Utility Authority in Hancock, Harrison, Jackson, Pearl River and Stone Counties

All QUESTIONS MUST BE ANSWERED (Answer "NA" if the question is not applicable)

APPLICANT IS THE: ☐ OWNER ☐ PRIME CONTRACTOR (Must check one or both)

## OWNER INFORMATION

OWNER CONTACT PERSON: \_\_\_\_\_

OWNER COMPANY NAME: \_\_\_\_\_

OWNER STREET OR P.O. BOX: \_\_\_\_\_

OWNER CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

OWNER PHONE # (INCLUDE AREA CODE): \_\_\_\_\_

## PRIME CONTRACTOR INFORMATION

PRIME CONTRACTOR CONTACT PERSON: \_\_\_\_\_

PRIME CONTRACTOR COMPANY: \_\_\_\_\_

PRIME CONTRACTOR STREET OR P.O. BOX: \_\_\_\_\_

PRIME CONTRACTOR CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PRIME CONTRACTOR PHONE # (INCLUDE AREA CODE): \_\_\_\_\_

B-135

## PROJECT INFORMATION

PROJECT NAME: \_\_\_\_\_

TOTAL ACREAGE THAT WILL BE DISTURBED <sup>1</sup>: \_\_\_\_\_

IS THIS PART OF A LARGER COMMON PLAN OF DEVELOPMENT? ☐ YES ☐ NO

IF YES, NAME OF LARGER COMMON PLAN OF DEVELOPMENT: \_\_\_\_\_

\_\_\_\_\_ AND PERMIT COVERAGE NUMBER: \_\_\_\_\_

DESCRIPTION OF CONSTRUCTION ACTIVITY: \_\_\_\_\_

PROPOSED DESCRIPTION OF PROPERTY USE AFTER CONSTRUCTION HAS BEEN COMPLETED (include standard industrial classification code (SIC) if known):

\_\_\_\_\_ SIC Code \_\_\_\_ \_

PHYSICAL SITE ADDRESS (If the physical address is not available indicate the nearest named road. For linear projects, indicate the beginning of the project and identify all counties the project traverses.)

STREET: \_\_\_\_\_

CITY: \_\_\_\_\_ COUNTY: \_\_\_\_\_ ZIP: \_\_\_\_\_

LATITUDE : \_\_\_\_ degrees \_\_\_\_ minutes \_\_\_\_ seconds LONGITUDE: \_\_\_\_ degrees \_\_\_\_ minutes \_\_\_\_ seconds

LAT & LONG DATA SOURCE (GPS (Please GPS Project Entrance/Start Point) or Map Interpolation): \_\_\_\_\_

NEAREST NAMED RECEIVING STREAM: \_\_\_\_\_

IS RECEIVING STREAM ON MISSISSIPPI'S 303(d) LIST OF IMPAIRED WATER BODIES? (The 303(d) list of impaired waters and TMDL stream segments may be found on MDEQ's web site: [http://www.deq.state.ms.us/MDEQ.nsf/page/TWB\\_Total\\_Maximum\\_Daily\\_Load\\_Section](http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section)) ☐ YES ☐ NO

HAS A TMDL BEEN ESTABLISHED FOR THE RECEIVING STREAM SEGMENT? ☐ YES ☐ NO

ARE THERE RECREATIONAL STREAMS, PRIVATE/PUBLIC PONDS OR LAKES WITHIN ½ MILE DOWNSTREAM OF PROJECT BOUNDARY THAT MAY BE IMPACTED BY THE CONSTRUCTION ACTIVITY? ☐ YES ☐ NO

EXISTING DATA DESCRIBING THE SOIL (for linear projects please describe in SWPPP): \_\_\_\_\_

WILL FLOCCULANTS BE USED TO TREAT TURBIDITY IN STORM WATER? ☐ YES ☐ NO

IF YES, INDICATE THE TYPE OF FLOCCULANT. ☐ ANIONIC POLYACRYLAMIDE (PAM)

☐ OTHER \_\_\_\_\_

IF YES, DOES THE SWPPP DESCRIBE THE METHOD OF INTRODUCTION, THE LOCATION OF INTRODUCTION AND THE LOCATION OF WHERE FLOCCULATED MATERIAL WILL SETTLE? ☐ YES ☐ NO

<sup>1</sup> Acreage for subdivision development includes areas disturbed by construction of roads, utilities and drainage. Additionally, a housesite of at least 10,000 ft<sup>2</sup> per lot (entire lot, if smaller) shall be included in calculating acreage disturbed.



## DOCUMENTATION OF COMPLIANCE WITH OTHER REGULATIONS/REQUIREMENTS

COVERAGE UNDER THIS PERMIT WILL NOT BE GRANTED UNTIL ALL OTHER REQUIRED  
MDEQ PERMITS AND APPROVALS ARE SATISFACTORILY ADDRESSED

IS LCNOI FOR A FACILITY THAT WILL REQUIRE OTHER PERMITS?

☐ YES

☐ NO

IF YES, CHECK ALL THAT APPLY:

☐ AIR

☐ HAZARDOUS WASTE

☐ PRETREATMENT

☐ WATER STATE OPERATING

☐ INDIVIDUAL NPDES

☐ OTHER: \_\_\_\_\_

IS THE PROJECT REROUTING, FILLING OR CROSSING A WATER CONVEYANCE  
OF ANY KIND? (If yes, contact the U.S. Army Corps of Engineers' Regulatory Branch for  
permitting requirements.)

☐ YES

☐ NO

IF THE PROJECT REQUIRES A CORPS OF ENGINEER SECTION 404 PERMIT, PROVIDE APPROPRIATE  
DOCUMENTATION THAT:

- The project 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

IS A LAKE REQUIRING THE CONSTRUCTION OF A DAM BEING PROPOSED?  
(If yes, provide appropriate approval documentation from MDEQ Office of Land and  
Water, Dam Safety.)

☐ YES

☐ NO

IF THE PROJECT IS A SUBDIVISION OR A COMMERCIAL DEVELOPMENT, HOW WILL SANITARY SEWAGE  
BE DISPOSED? Check one of the following and attach the pertinent documents.

- ☐ Existing Municipal or Commercial System. Please attach plans and specifications for the collection system and the associated "Information Regarding Proposed Wastewater Projects" form or approval from County Utility Authority in Hancock, Harrison, Jackson, Pearl River and Stone Counties. If the plans and specifications can not be provided at the time of LCNOI submittal, MDEQ will accept written acknowledgement from official(s) responsible for wastewater collection and treatment that the flows generated from the proposed project can and will be transported and treated properly. The letter must include the estimated flow.
- ☐ Collection and Treatment System will be Constructed. Please attach a copy of the cover of the NPDES discharge permit from MDEQ or indicate the date the application was submitted to MDEQ (Date: \_\_\_\_\_.)
- ☐ Individual Onsite Wastewater Disposal Systems for Subdivisions Less than 35 Lots. Please attach a copy of the Letter of General Acceptance from the Mississippi State Department of Health or certification from a registered professional engineer that the platted lots should support individual onsite wastewater disposal systems.
- ☐ Individual Onsite Wastewater Disposal Systems for Subdivisions Greater than 35 Lots. A determination of the feasibility of installing a central sewage collection and treatment system must be made by MDEQ. A copy of the response from MDEQ concerning the feasibility study must be attached. If a central collection and wastewater system is not feasible, then please attach a copy of the Letter of General Acceptance from the State Department of Health or certification from a registered professional engineer that the platted lots should support individual onsite wastewater disposal systems.

INDICATE ANY LOCAL STORM WATER ORDINANCE WITH WHICH THE PROJECT MUST COMPLY:

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.

\_\_\_\_\_  
Signature of Applicant<sup>1</sup> (owner or prime contractor)

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Printed Name<sup>1</sup>

\_\_\_\_\_  
Title

<sup>1</sup>This application shall be signed 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 principal executive officer, mayor, or ranking elected official.

Please submit the LCNOI form to:

Chief, Environmental Permits Division  
MS Department of Environmental Quality, Office of Pollution Control  
P.O. Box 2261  
Jackson, Mississippi 39225

# PRIME CONTRACTOR CERTIFICATION

## LARGE CONSTRUCTION GENERAL PERMIT

Coverage No. MSR10 \_\_\_\_\_ County \_\_\_\_\_

(Fill in your Certificate of Coverage Number and County)



MISSISSIPPI DEPARTMENT OF  
ENVIRONMENTAL QUALITY

By completing and submitting this form to MDEQ, the prime contractor is certifying that (1) they have operational control over the erosion and sediment control specifications (including the ability to make modifications to such specifications) or (2) they have day-to-day operational control of those activities at the site necessary to ensure compliance with the SWPPP and applicable permit conditions.

The owner(s) of the property and the prime contractor associated with regulated construction activity on the property have joint and several responsibility for compliance with the permit. Notwithstanding any permit condition to the contrary, the coverage recipient and any person who causes pollution of waters of the state or places waste in a location where they are likely to cause pollution of any waters of the state shall remain responsible under applicable federal and state laws and regulations and applicable permits.

### PRIME CONTRACTOR INFORMATION

PRIME CONTRACTOR CONTACT PERSON: \_\_\_\_\_ PHONE NUMBER: (\_\_\_\_) \_\_\_\_\_

PRIME CONTRACTOR COMPANY: \_\_\_\_\_

PRIME CONTRACTOR STREET (P.O. BOX): \_\_\_\_\_

PRIME CONTRACTOR CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

### OWNER INFORMATION

OWNER CONTACT PERSON: \_\_\_\_\_ PHONE NUMBER: (\_\_\_\_) \_\_\_\_\_

OWNER COMPANY NAME: \_\_\_\_\_

### PROJECT INFORMATION

PROJECT NAME: \_\_\_\_\_

DESCRIPTION OF CONSTRUCTION ACTIVITY: \_\_\_\_\_

PHYSICAL SITE ADDRESS (If the physical address is not available indicate the nearest named road. For linear projects, indicate the beginning of the project and identify all counties the project traverses.)

STREET: \_\_\_\_\_

CITY: \_\_\_\_\_ COUNTY: \_\_\_\_\_

I certify that I am the prime contractor for this project and will comply with all the requirements in the above referenced general NPDES permit. I further 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.

Prime Contractor Signature<sup>1</sup> \_\_\_\_\_

Date Signed \_\_\_\_\_

Printed Name<sup>1</sup> \_\_\_\_\_

Title \_\_\_\_\_

<sup>1</sup>This application shall be signed 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 principal executive officer, mayor, or ranking elected official.

This Prime Contractors Certification form shall be submitted to:

Chief, Environmental Permits Division  
MS Department of Environmental Quality, Office of Pollution Control  
P.O. Box 2261  
Jackson, Mississippi 39225

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Keep a Copy at the Construction Site and Also Submit this Page to:  
Chief, Environmental Permits Division  
MS Department of Environmental Quality, Office of Pollution Control  
P.O. Box 2261  
Jackson, Mississippi 39225-2261



## Registration Form for Residential Lot Coverage under Mississippi's Large Construction Storm Water General Permit INSTRUCTIONS

Coverage recipients for residential subdivision construction that do not retain responsibility for permit compliance for individual lots are to furnish this Registration to buyers of individual lots at the time of purchase. In addition, the attached Requirements for Individual Lots in Residential Subdivisions, the Site Inspection and Certification Form and the Large Construction Storm Water General Permit shall also be given to buyers of individual lots at the time of purchase. This form is providing notification to buyers of lots in residential developments, that being part of a "larger common plan of development or sale," coverage is required under Mississippi's Large Construction Storm Water General Permit. To comply with the permit, **the Registration Form must be submitted to MDEQ** at the address listed above and a Storm Water Pollution Prevention Plan (SWPPP) must be developed and implemented to reduce pollutants in storm water discharges during construction activity. **The SWPPP is not required to be submitted to MDEQ.** A copy of the SWPPP and Registration Form must be kept at the construction site or locally available (i.e., able to be produced within an hour of being requested by a state or local inspector). See the following attachments for information on SWPPP development. In addition, **a copy of the completed Registration Form(s) must be retained by the developer and submitted to the MDEQ when requesting termination of permit coverage.** If the buyer or homebuilder sells the lot before a house is built, they must provide this form to the new owner. All questions must be answered. Answer "NA" if the question is not applicable. For further information, contact MDEQ at 601/961-5171 or access our website address: [www.deq.state.ms.us/MDEQ.nsf/page/epd\\_epdgeneral](http://www.deq.state.ms.us/MDEQ.nsf/page/epd_epdgeneral).

**ORIGINAL COVERAGE RECIPIENT NAME:**

COMPANY NAME:

STREET OR P.O. BOX:

CITY: STATE: ZIP:

PHONE # (INCLUDE AREA CODE):

**BUYER / HOMEBUILDER:**

COMPANY NAME (IF APPROPRIATE):

STREET OR P.O. BOX:

CITY: STATE: ZIP:

BUYER PHONE # (INCLUDE AREA CODE):

RESIDENTIAL SUBDIVISION NAME: \_\_\_\_\_

LARGE CONSTRUCTION STORM WATER PERMIT COVERAGE NUMBER: **MSR10:** \_\_\_\_\_

LOT NUMBER(s) (attach an additional sheet if necessary): \_\_\_\_\_ LOT SIZE(s): \_\_\_\_\_

PHYSICAL SITE ADDRESS (IF NOT AVAILABLE INDICATE THE NEAREST NAMED ROAD):

STREET: \_\_\_\_\_

CITY: \_\_\_\_\_ COUNTY: \_\_\_\_\_ ZIP: \_\_\_\_\_

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 persons 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. As a buyer / homebuilder, I further certify that I have read and understand the terms and conditions of Mississippi's Large Construction Storm Water General Permit and that I am responsible for installing and maintaining the appropriate pollution control measures for the purchased lot(s) identified.

Original Coverage Recipient Signature<sup>1</sup>

Date Signed

Printed Name

Title

Buyer / Homebuilder Signature<sup>1</sup>

Date Signed

Printed Name

Title

<sup>1</sup>This application shall be signed according to ACT12, T-7 of the Large Construction General Permit.

B-141  
Revised: 12/30/10

## REQUIREMENTS FOR LOTS IN RESIDENTIAL SUBDIVISION WHICH ARE COVERED BY THE LARGE CONSTRUCTION STORM WATER GENERAL PERMIT

As a homebuilder on a lot that is part of a regulated subdivision, you are also regulated under the State's storm water regulations and are required to take steps to keep soil and sediment from leaving the lot. When rain falls on exposed soil it can wash away valuable topsoil. It also carries sediment, nutrients and other pollutants into streets, gutters and ditches, where it then travels to lakes, rivers, streams or wetlands. Polluted runoff can cause excessive growth of aquatic weeds and algae and reduce recreational opportunities such as swimming and fishing. Sediment laden runoff can also destroy fish habitat reducing productive fishing opportunities. In addition, sediment-laden runoff can also clog pipes, ditches, streams and basins resulting in increased flooding and maintenance cost. Therefore, the homebuilder is required to minimize off-site damage from soil erosion, sediment leaving the construction site, and poor "housekeeping" practices. This requirement must be accomplished by developing and implementing a Storm Water Pollution Prevention Plan (SWPPP). Some examples of individual lot SWPPPs are attached for your convenience. Sketch the controls on a copy of your site plan. Narrative notes on the site plan may also be used in addition to the erosion control symbols.

In developing and implementing the SWPPP, controls must be used from each control group (vegetative, structural, housekeeping) to prevent erosion and sediment and other pollutants from leaving the site. Commonly used controls include:

### Vegetative Controls

**Temporary vegetation** includes annual grasses that sprout quickly such as annual rye, browntop millet, oats, and winter wheat. These grow quickly with little care and can protect the soil from rainfall and act as a filter. They will not provide permanent cover. Permanent cover must be established as indicated below. When a disturbed area will be left undisturbed for fourteen (14) days or more, the appropriate temporary or permanent vegetative practices shall be implemented within seven (7) calendar days.

**Mulching** is the placement of hay grass, woodchips, straw, or synthetic material on the soil to provide temporary cover to protect the soil from rain. Mulching may be the only option during the winter when seeding or sodding is not possible. Mulch must stay in place to be effective. Netting, stakes or chemical binders are used to anchor some types of mulch. Be sure to reinstall washed-out mulch and anchor if necessary until permanent cover is established.

**Permanent stabilization** is the establishment of a permanent vegetative cover on disturbed areas using either sod, perennial seed, trees or shrubs. When a disturbed area will be left undisturbed for fourteen (14) days or more, the appropriate temporary or permanent vegetative practices shall be implemented within seven (7) calendar days. Silt fences, and other temporary measures must be removed following permanent stabilization.

**Vegetative buffer zones** are undisturbed or planted vegetated areas that are between construction activities and water bodies.

### Structural Controls

**Silt fences** are temporary sediment barriers made of filter fabric buried at the bottom, stretched, and supported by stakes. The silt fence slows runoff and allows it to puddle or pond, so soil and sediment can settle out before leaving the site. The bottom eight to twelve inches of fence must either be sliced in or buried in a trench about four to six inches deep by four to six inches wide. **Silt fences that are not buried are improperly installed. They have no useful function, are a waste of money, and may result in enforcement action.** Stakes must be on the downstream side of the fence and spaced about 3 feet apart. Silt fence must not be installed across streams, ditches, waterways, or other concentrated flow areas. Place fences on the contour or perpendicular to the slope of the hill so that water and sediment will pond behind the fence. **Turn ends uphill** to prevent water going around the end. Install on the downslope, downhill, downstream, or low side of your lot. Keep the fence/barrier in place until grass is established.

**Slope drains** are piping or lined channels that carry storm water downslope without erosion. A good example would be a downspout extender. Extenders may be used to protect temporarily stabilized areas from roof runoff. Extenders can direct water from roof gutters to paved or grassed areas. Remove extenders following permanent stabilization.

**Construction entrance/exits** are stone stabilized site entrances which reduce sediment tracked onto public roads. Apply gravel or crushed rock to the driveway area and restrict traffic to this one route. Use 3 to 6 inch gravel over a geotextile fabric. At the end of each day sweep or scrape up any soil tracked onto the street. Limit "standard" vehicle access (including workers' vehicles) to only streets and roads, keep vehicles off of future yard areas; limit tracking of mud onto streets by requiring any required vehicles to use designated access drives. Streets are conduits for storm water, it is important to keep mud and sediment off the streets.

**Stockpiles** of sand or soil should be covered with plastic or tarps at the end of each workday, or surrounded with silt fence or haybales. Do not locate a stockpile near a street, storm drain inlet, or ditch.

**Erosion control blankets or mats** are machine-produced mats of straw or other fibers held together with netting that provide temporary or permanent stabilization in critical areas, such as slopes or channels, so that vegetation may be established.

**Storm Drain Inlets** on the lot must be protected by surrounding or covering with a filter material until final stabilization has been achieved.

**Additional Controls:** The above controls are the more common practices used at small construction sites. There are a number of other controls, techniques and manufactured product available. A few examples include hydro seeding, diversion berms, silt dikes and fiber logs. Even something as simple as a tarp or plastic may provide temporary cover for small exposed areas. You may wish to contact an erosion and sediment control specialist, local building official, or MDEQ for further information. In addition, MDEQ has several guidance manuals that may be of assistance and the internet has abundant guidance on construction BMPs.

**Housekeeping Controls:** Pollutants that may enter storm water from construction sites because of poor housekeeping include oils, grease, paints, gasoline, solvents, litter, debris, and sanitary waste. Good housekeeping practices include:

- Frequent cleaning of trash and debris, providing waste receptacles at convenient locations and providing regular collection of waste;
- Directing concrete trucks to the subdivision's designated wash-off area(s) or back to the Ready-Mix facility;
- Providing protected storage areas for chemicals, paints, solvents, fertilizers, and other potentially toxic materials; and
- Providing adequately maintained sanitary facilities.

In addition, you should be aware that State air regulations prohibit the open burning of residential solid waste.

**Inspection Requirements.** Homebuilders shall inspect all erosion controls as often as is necessary, but no less than weekly, to ensure that appropriate erosion and sediment controls have been properly constructed and maintained to prevent erosion and sediment from leaving the site and determine if additional or alternative control measures are required. The inspection results shall be recorded on the Site Inspection and Certification Form contained in the Large Construction Forms Package. MDEQ strongly recommends that homebuilders perform a "walk through" inspection of the controls before anticipated storm events. It is a responsibility of the homebuilder to install additional and/or alternative erosion and sediment controls when existing controls prove to be ineffective in preventing sediment from leaving the site.

**Retention of Records.** All records, reports, forms and information resulting from activities required by this permit shall be retained for a period of at least three years from the date of the document origin.

**Duty to Comply.** Lot owners must comply with the applicable permit conditions. See Activities 3, 5, 6, 7, 10 and 11 in the Large Construction Storm Water General Permit for applicable conditions. Any noncompliance with the applicable permit conditions and aforementioned conditions including sediment leaving the lot constitutes a violation of the Mississippi Water Pollution Control Law and is grounds for enforcement action. It shall not be an acceptable defense that controls were not installed because subsequent activities would require their replacement or cause their destruction.





**LARGE CONSTRUCTION GENERAL PERMIT  
SITE INSPECTION AND CERTIFICATION FORM  
COVERAGE NUMBER (MSR10 \_ \_ \_ \_)**



**INSTRUCTIONS**

Results of construction storm water inspections required by ACT6 of this permit shall be recorded on this report form and kept with the Storm Water Pollution Prevention Plan (SWPPP) in accordance with the inspection documentation provisions of ACT10 of the this permit. Inspections shall be performed at least weekly for a minimum of four inspections per month. The coverage number must be listed at the top of all Inspection and Certification Forms.

**COVERAGE RECIPIENT INFORMATION**

OWNER/PRIME CONTRATOR NAME: \_\_\_\_\_  
PROJECT NAME: \_\_\_\_\_  
PROJECT STREET ADDRESS: \_\_\_\_\_  
PROJECT CITY: \_\_\_\_\_ PROJECT COUNTY: \_\_\_\_\_  
OWNER/PRIME CONTRACTOR MAILING ADDRESS: \_\_\_\_\_  
MAILING CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
CONTACT PERSON: \_\_\_\_\_ CONTACT PHONE NUMBER: (\_\_\_\_\_) \_\_\_\_\_

**INSPECTION DOCUMENTATION**

DATE (mo/day/yr)	TIME (hr:min AM/PM)	ANY DEFICIENCIES? (CHECK IF YES)	INSPECTOR(S)
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	

Deficiencies Noted During any Inspection (give date(s); attach additional sheets if necessary): \_\_\_\_\_

Corrective Action Taken or Planned (give date(s); attach additional sheets if necessary): \_\_\_\_\_

Based upon this inspection, which I or personnel under my direct supervision conducted, I certify that all erosion and sediment controls have been implemented and maintained, except for those deficiencies noted above, in accordance with the Storm Water Pollution Prevention Plan (SWPPP) and sound engineering practices as required by the above referenced permit. I further certify that the LCNOI and SWPPP information is up to date.

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 gather and evaluate the information submitted. Based on my inquiry of the person or persons 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 fines and imprisonment for knowing violations.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

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**MAJOR MODIFICATION FORM  
FOR LARGE CONSTRUCTION GENERAL PERMIT**  
Coverage No. MSR10 \_\_\_\_\_ County \_\_\_\_\_



**INSTRUCTIONS**

Coverage recipients shall notify the Mississippi Department of Environmental Quality at least 30 days in advance of the following activities (check all that apply). This form should be submitted with a modified Storm Water Pollution Prevention Plan (SWPPP), updated USGS topographic map, Corps of Engineers Section 404 documentation and wastewater collection and treatment information, as appropriate.

- ☐ SWPPP details have been developed and are ready for MDEQ review for subsequent phases of an existing, covered project.
- ☐ "Footprint" identified in the original LCNOI is proposed to be enlarged.

This form must be signed by the current coverage recipient under Mississippi's Large Construction General Permit. A different developer of new phases of existing subdivisions must apply for separate permit coverage through the submittal of a new complete LCNOI package. Coverage recipients are authorized to discharge storm water associated with proposed expansions of existing subdivisions or subsequent phases, under the conditions of the General Permit, only upon receipt of written notification of approval by MDEQ. All other modifications, such as changes of erosion and sediment controls used, must be in accordance with ACT6, S-1 (4) and (5) of the General Permit.

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

**COVERAGE RECIPIENT INFORMATION**

COVERAGE RECIPIENT CONTACT NAME: \_\_\_\_\_ TEL # (\_\_\_\_\_) \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_

STREET OR P.O. BOX: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

**PROJECT INFORMATION**

PROJECT NAME: \_\_\_\_\_

CITY: \_\_\_\_\_

ADDITIONAL ACREAGE TO BE DISTURBED: \_\_\_\_\_ TOTAL PROJECT ACREAGE: \_\_\_\_\_

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.

\_\_\_\_\_  
Signature (must be signed by coverage recipient)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

Please submit this form to:

Chief, Environmental Permits Division  
MS Department of Environmental Quality, Office of Pollution Control  
P.O. Box 2261  
Jackson, Mississippi 39225

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## Environmental Permits for Industrial Facilities

### Request for Transfer of Permit, General Permit Coverage and/or Name Change

Instructions: For Ownership Change-Complete all Items on Page 1 (except Item VIII) and Page 2 (reverse side).

For Name Change Only-Complete Items I, II, V, VI, VII, VIII, and Page 2 (reverse side).

Note-This form should be submitted to MDEQ when a transferal date is finalized but prior to the actual transfer.

<b>Item I.</b>  Facility Name: _____  Location: (Do Not Use P.O. Box)  Street: _____  City: _____ State: <u>MS</u> Zip: _____  County: _____  Telephone: (_____) _____	<b>Item II.</b>  Responsible official after transfer or name change:  Name: _____  Title: _____  Mailing Address: Street/P.O. Box: _____  City: _____ State: _____ Zip: _____  Telephone (_____) _____
<b>Item III.</b>  Previous Permittee <sup>1</sup> : _____  Mailing Address:  Street/P.O. Box: _____  City: _____ State: _____ Zip: _____  Telephone: (_____) _____	<b>Item IV.</b>  New Permittee <sup>1</sup> : _____  Mailing Address:  Street/P.O. Box: _____  City: _____ State: _____ Zip: _____  Telephone: (_____) _____
<b>Item V.</b> Industrial Activity      SIC Code: _____  Brief Description: _____	<b>Item VI.</b>  Will Facility Operations Change?    Yes _____ No _____  If yes, the appropriate applications and permits may require modification prior to change.
<b>Item VII.</b>  Will Facility Name Change?    Yes _____ No _____  If Yes, Provide New Name for Permit Coverage.  New Name: _____	<b>Item VIII.</b>  Signature for Name Change  Print Name: _____  Authorized Signature <sup>2</sup> : _____  Title: _____ Date: _____
<b>Item IX.</b> We the undersigned request transfer of permit(s) and/or permit coverage(s) listed on the backside of this form.  From: _____  To: _____ Acquisition Date: _____  By signature below, the recipient certifies that: 1) they are aware of the requirements of the permit(s), 2) the applicant can demonstrate to the Permit Board it has the financial resources and operational expertise and 3) agrees to accept responsibility and liability for the permit(s) listed on the back of this document. By signature below, the previous permittee is requesting that the permit(s) and/or permit coverage(s) be transferred to the recipient. The transfer of the permit(s) or permit coverage(s) will be by written notification from the Office of Pollution Control (OPC). The OPC may require submittal of information regarding financial capability and past compliance history of the recipient.	
_____ Print New Permittee <sup>1</sup> Name	_____ Print Previous Permittee <sup>1</sup> Name
_____ New Authorized Signature <sup>2</sup>	_____ Previous Authorized Signature <sup>2</sup>
_____ Title	_____ Title
_____ Date	_____ Date

**nt of Environmental Quality/Office of Pollution Control**  
**P.O. Box 2261**  
**Jackson, Mississippi 39225**  
**(601) 961-5171**

<p><b>Item X. Storm Water</b></p> <p>(Check One)</p> <p><input type="checkbox"/> A Storm Water Pollution Prevention Plan (SWPPP) is not required for the site.</p> <p><input type="checkbox"/> The recipient certifies that they have received a copy of the Office of Pollution Control approved SWPPP from the original owner.</p> <p><input type="checkbox"/> The recipient is submitting a new SWPPP, which is attached to this form.</p> <p><input type="checkbox"/> A copy of the SWPPP cannot be obtained from the original owner.</p>	<p><b>Item XI. Hazardous Waste ID Number</b></p> <p>EPA ID No. _____</p> <p>(Check One)</p> <p><input type="checkbox"/> An EPA Hazardous Waste ID Number is not required for the site.</p> <p><input type="checkbox"/> The site's EPA ID Number is listed above and a Notification of Regulated Waste Activity Form is attached.</p>
<b>Item XII. Permit(s) and/or Coverage(s) to be Transferred</b>	
<p>Permit Type: _____</p> <p>Permit/Coverage No.: _____</p> <p>Permit Issuance Date: _____</p> <p>Date of General Permit Coverage: _____</p> <p>Permit Expiration Date: _____</p>	<p>Permit Type: _____</p> <p>Permit/Coverage No.: _____</p> <p>Permit Issuance Date: _____</p> <p>Date of General Permit Coverage: _____</p> <p>Permit Expiration Date: _____</p>
<p>Permit Type: _____</p> <p>Permit/Coverage No.: _____</p> <p>Permit Issuance Date: _____</p> <p>Date of General Permit Coverage: _____</p> <p>Permit Expiration Date: _____</p>	<p>Permit Type: _____</p> <p>Permit/Coverage No.: _____</p> <p>Permit Issuance Date: _____</p> <p>Date of General Permit Coverage: _____</p> <p>Permit Expiration Date: _____</p>
<p>Permit Type: _____</p> <p>Permit/Coverage No.: _____</p> <p>Permit Issuance Date: _____</p> <p>Date of General Permit Coverage: _____</p> <p>Permit Expiration Date: _____</p>	<p>Permit Type: _____</p> <p>Permit/Coverage No.: _____</p> <p>Permit Issuance Date: _____</p> <p>Date of General Permit Coverage: _____</p> <p>Permit Expiration Date: _____</p>
<p>Permit Type: _____</p> <p>Permit/Coverage No.: _____</p> <p>Permit Issuance Date: _____</p> <p>Date of General Permit Coverage: _____</p> <p>Permit Expiration Date: _____</p>	<p><b>OTHER INFORMATION:</b></p>          <div style="text-align: right;"><b>B-150</b></div>

# INSPECTION SUSPENSION FORM

## UNDER LARGE CONSTRUCTION STORM WATER GENERAL NPDES PERMIT MSR10



MISSISSIPPI DEPARTMENT OF  
ENVIRONMENTAL QUALITY

### INSTRUCTIONS

Coverage recipients under Mississippi's Large Construction Storm Water General Permit may temporarily suspend required weekly inspections of erosion and sediment controls and monthly record keeping by submission of this form. Inspections may be suspended only when land disturbing activities have ceased, no further land disturbing activities are planned for a period of at least six (6) months, the site is stable with no active erosion, and vegetative cover has been established (see ACT10, S-1). The coverage recipient is responsible for all permit conditions during the suspension period and nothing in this condition shall limit the rights of MDEQ to take enforcement or other actions against the coverage recipient. Once land disturbing activities resume MDEQ must be notified and all inspections and record keeping required by the permit must also resume. Color photographs, representative of the construction site, must be submitted with this inspection form.

### COVERAGE RECIPIENT INFORMATION

COVERAGE RECIPIENT CONTACT PERSON: \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_

STREET OR P.O. BOX: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE # (INCLUDE AREA CODE): \_\_\_\_\_

### PROJECT INFORMATION

CONSTRUCTION STORM WATER GENERAL PERMIT COVERAGE NUMBER: **MSR10** \_ \_ \_ \_

PROJECT NAME: \_\_\_\_\_

CITY: \_\_\_\_\_ COUNTY: \_\_\_\_\_

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. **I further certify that: land disturbing activities have ceased, no further land disturbing activities are planned for a period of at least six (6) months, the site is stable with no active erosion, and vegetative cover has been established.**

\_\_\_\_\_  
Signature (must be signed by coverage recipient)

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

Please submit this form to:

Chief, Environmental Permits Division  
MS Department of Environmental Quality, Office of Pollution Control  
P.O. Box 2261  
Jackson, Mississippi 39225

B-151

Revised: 12/21/10

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# Request for Termination (RFT) of Coverage



**LARGE CONSTRUCTION GENERAL PERMIT**  
**Coverage No. MSR10** \_\_\_\_\_ **County** \_\_\_\_\_  
(Fill in your Certificate of Coverage Number and County)

**This form must be submitted within thirty (30) days of achieving final stabilization (see ACT13, T-13 of general permit). Failure to submit this form is a violation of permit conditions.**

**The signatory of this form must be the owner or operator (prime contractor) who is the current coverage recipient (rather than the project manager or environmental consultant).**

(Please Print or Type)

**Project Name:** \_\_\_\_\_

**Physical Site Street Address (if not available, indicate nearest named road):** \_\_\_\_\_

**City:** \_\_\_\_\_ **County:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Coverage Recipient Company Name:** \_\_\_\_\_

**Street Address / P.O. Box:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Coverage Recipient Contact Name and Position:** \_\_\_\_\_ **Tel. #: (\_\_\_\_) \_\_\_\_\_**

**Has another owner(s) or operator(s) assumed control over all areas of the site that have not reached final stabilization?**

**RESIDENTIAL SUBDIVISIONS:**

- ☐ **YES. A copy of the Registration Form for Residential Lot Coverage for each lot or out parcel that has been sold and a site map, indicating which lots have been sold, are attached.**
- ☐ **NO. Coverage may not be terminated until all areas have reached final stabilization.**

**COMMERCIAL DEVELOPMENT:**

- ☐ **YES. A copy of the site map, indicating which out-parcels have been sold, is attached.**
- ☐ **NO. Coverage may not be terminated until all areas have reached final stabilization.**

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 fines and imprisonment for knowing violations. I understand that by submitting this Request for Termination and receiving written confirmation, I will no longer be authorized to discharge storm water associated with construction activity under this general permit. Discharging pollutants associated with construction activity to waters of the State without proper permit coverage is a violation of state law. I also understand that the submittal of this Request for Termination does not release an owner or operator from liability for any violations of this permit or the Clean Water Act.

\_\_\_\_\_  
Authorized Name (Print)

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date Signed

<sup>1</sup>This application shall be signed according to the General Permit, ACT12, T-7 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 principal executive officer, mayor, or ranking elected official.

After signing please mail to: Chief, Environmental Permits Division  
MS Department of Environmental Quality, Office of Pollution Control  
P.O. Box 2261  
Jackson, Mississippi 39225

**B-153**

Revised: 12/21/10