MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY
Mining and Reclamation Division
P. O. Box 2279
Jackson, Mississippi 39225-2279
(601) 961-5515

NOTICE OF EXEMPT OPERATION

This form shall be filed with the Office of Geology, Mining and Reclamation Division **only** for operations affecting **4** acres or less *and* **greater** than **1320** feet from another mine. **NOTE**: Local, county, federal or other state agencies may also require permits before mining can be done on your site. This is *your* responsibility.

Name of applicant/operator: Ken Faulkner KLF Farms LLC
Mailing address: 545 Westwind Drive
Brandon, MS 39042
Telephone number: 601-824-1860

Do you have any **other** exempt mining operations on file? [X] yes [ ] no
Do you plan to file for a **permit** and expand this site later? [ ] yes [X] no

LOCATION

SE 1/4 of SW 1/4 of Section 20, Township 4N Range 4E County Rankin

Include a map or aerial photo marked with site location with this form.

Name of land owner: Ken Faulkner KLF Farms LLC
Mailing address: 545 Westwind Drive
Brandon, MS 39042
Telephone number 601-824-1860

Date operation to begin 11 01-2026 Date operation to end (estimated) 06-01-2028
Material to be mined Dirt Number of acres to be mined 3 (A)*
Total acres to be affected by operation (mine, roads, storage, etc.) 0.9 (B)*
Is operation **closer** than 1,320 feet (1/4 mile) to another mine? [X] no [ ] yes*

***If items A or B exceed 4 acres or you answered YES above, you need to apply for a MINING PERMIT.**

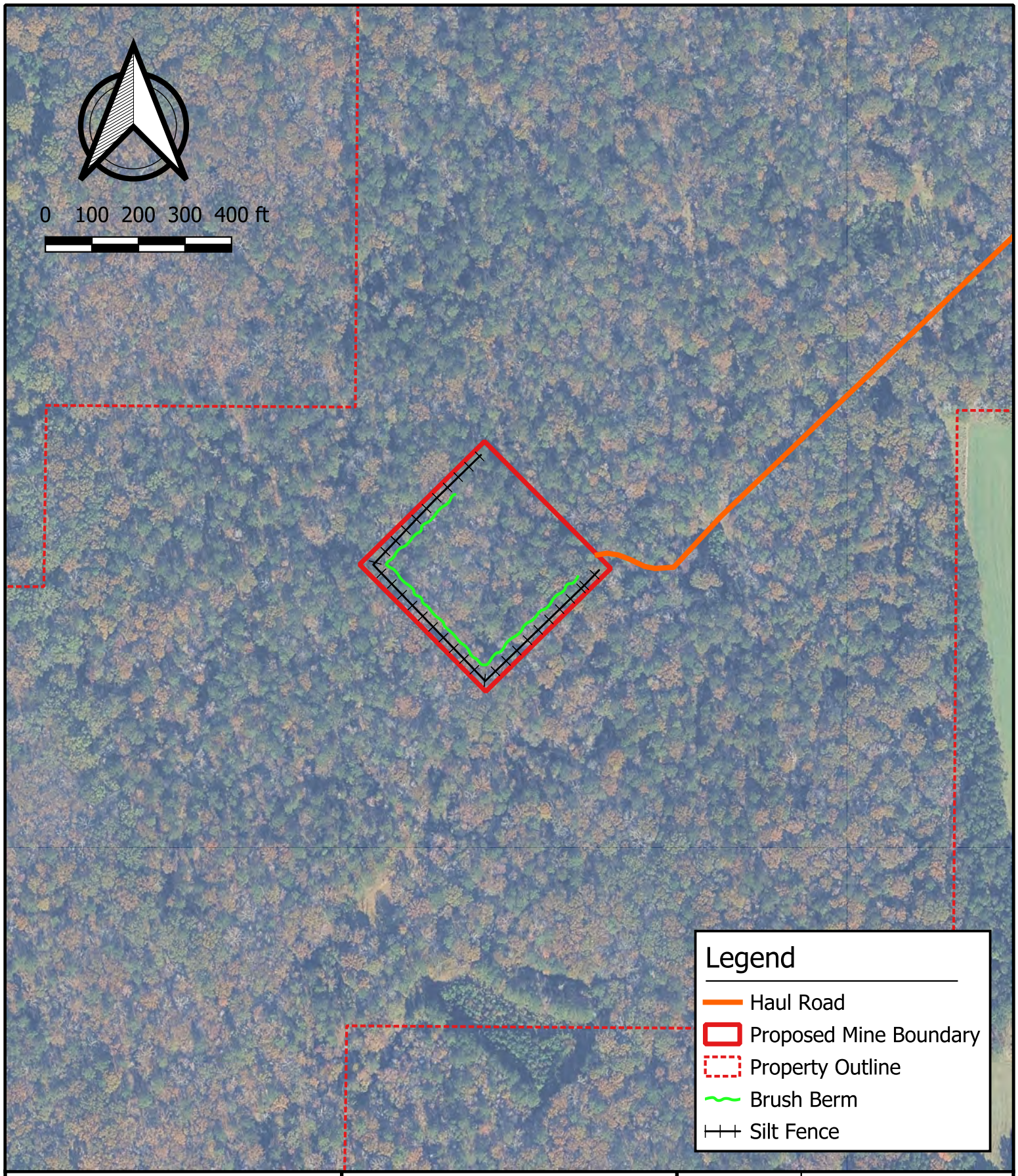
Applicant/operator: Ken Faulkner By Ken L. Faulkner
Signature

Date: October 9, 2026 Position Owner

For Office of Geology use only

Date: _____ By _____
Division Director
Mining and Reclamation Division

Form MRD- 9 rev. 08/05



FC&E Engineering, LLC
917 Marquette Road
Brandon, Mississippi
www.fce-engineering.com

KLF Farms, LLC
Borrow Pit SCSWPPP
Brandon, Mississippi 39042

Drawing #:	Figure 4		
Drawing Name:	Proposed BMPs		
Project:	4ac Exempt Mine SCSWPPP		
Map Source:	Google Maps		
Date Drawn:	10/9/2026	Drawn By:	TM

AI 91669

Rec'd via email:
10/09/2026

MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

MINING NOTICE OF INTENT (MNOI)
FOR COVERAGE UNDER
MINING STORM WATER, DEWATERING AND NO DISCHARGE
GENERAL PERMIT MSR32 _3126_ __ __
(Number to be assigned by State)

File at least 30 days prior to the commencement of mining; 15 days if a Storm Water Pollution Prevention Plan (SWPPP) is already on file and mine dewatering is not proposed. Lateral expansion of an existing mine that has general permit coverage requires the submittal of the Major Modification Form, not a new MNOI. However, modification of the existing SWPPP to include the expansion is required. Discharge of storm water or impounded water associated with mining or the operation of a wastewater recirculation system with no discharge without written notification of coverage from MDEQ is a violation of State Law.

If the company seeking coverage is a corporation, a limited liability company, a partnership, or a business trust, attach proof of its registration with the Mississippi Secretary of State and/or its Certificate of Good Standing. This registration or Certificate of Good Standing must be dated within twelve (12) months of the date of the submittal of this coverage form. Coverage will be issued in the company name as it is registered with the Mississippi Secretary of State.

Please indicate the activities to be covered by this MNOI (check all that apply).

- [x] **Storm Water Discharges Associated with Mining**
- [ ] **Mine Dewatering**
- [ ] **Wastewater Recirculation System with No Discharge**

The appropriate section of the MNOI must be completed if the applicant proposes to discharge storm water, discharge impounded mine water (dewatering) and/or operate a wastewater recirculation system with no discharge.

A site-specific Storm Water Pollution Prevention Plan (SWPPP) developed in accordance with ACT5 of the General Permit and a United States Geological Survey (USGS) quadrangle map or photocopy, indicating the site location and outfalls must be included with the MNOI submittal. 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 (check all that apply).

- [ ] **Section 404 Documentation**
- [x] **Notice of Exempt Operations Form**
- [ ] **Dam/Reservoir Safety Permit or Written Authorization**

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

-

MSR32 3126

(NUMBER TO BE ASSIGNED BY STATE)

APPLICANT IS THE: ☑ **OWNER** ☑ **OPERATOR**

OWNER CONTACT INFORMATION

OWNER CONTACT PERSON: KEN FAULKNER

OWNER COMPANY LEGAL NAME: KLF FARMS LLC

OWNER STREET OR P. O. BOX: 545 WESTWIND DR.

OWNER CITY: BRANDON **STATE:** MS **ZIP:** 39042

OWNER PHONE #: (601) 824-1860 **OWNER EMAIL:** kfaulkner@fce-engineering.com

OPERATOR CONTACT INFORMATION

OPERATOR CONTACT PERSON: SAME AS ABOVE

OPERATOR COMPANY LEGAL NAME: _____

OPERATOR STREET OR P. O. BOX: _____

OPERATOR CITY: _____ **STATE:** _____ **ZIP:** _____

OPERATOR PHONE #: (_____)_____ **OPERATOR EMAIL:** _____

MINE INFORMATION

MINE NAME: HWY 18 MINE

MINE SITE ADDRESS (If the physical address is not available, please indicate nearest named road.)

Street: HWY 18

City: BRANDON **State:** MS **County:** RANKIN **Zip:** 39042

SE /4 OF SW /4 OF SECTION 20, TOWNSHIP 4N, RANGE 4E

MINE SITE TRIBAL LAND ID (N/A If not applicable): N/A

ATTACH A USGS QUAD MAP, EXTENDING ½ MILE BEYOND FACILITY, OUTLINING THE MINE BOUNDARIES
(Maps can be obtained from the Mississippi Office of Geology. For information call 601-961-5523).

LATITUDE: 32 **degrees** 10 **minutes** 43.98 **seconds** **LONGITUDE:** 89 **degrees** 55 **minutes** 4.08 **seconds**

LAT & LONG DATA SOURCE (GPS (*Please GPS Entrance Gate*) or Map Interpolation): Google Earth

TOTAL ACREAGE: 4 **MATERIAL TO BE MINED:** DIRT

WILL HYDRAULIC DREDGING BE USED? ☐ **YES** ☑ **NO**

WASHING OF SAND/GRAVEL? ☐ **YES** ☑ **NO**

ESTIMATED START DATE: 2028-12-01 (YYYY-MM-DD) **ESTIMATED END DATE:** 2027-11-01 (YYYY-MM-DD)

SIC CODE 1794 **NAICS CODE** 238910

RECEIVING STREAM INFORMATION

NEAREST NAMED RECEIVING STREAM: TRIBUTARY OF DABBS CREEK

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 of MDEQ's website: http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section**)** ☐ **YES** ☑ **NO**

HAS A TMDL BEEN ESTABLISED FOR THE RECEIVING STREAM SEGMENT? ☐ **YES** ☑ **NO**

COMPLETE IF STORM WATER DISCHARGE IS PROPOSED

ATTACH A STORM WATER POLLUTION PREVENTION PLAN (SEE PERMIT FOR REQUIREMENTS)

IDENTIFY THE ASSOCIATION OR GENERIC SWPPP ON FILE AT MDEQ: SWPPP attached

COMPLETE IF WASTEWATER RECIRCULATION SYSTEM WITH NO DISCHARGE IS PROPOSED

DISTANCE BETWEEN RECIRCULATION POND(S) AND PROPERTY LINE: _____ **(FT)**
(MUST BE AT LEAST 150 FEET)

NUMBER OF RECIRCULATION POND(S): _____

STORAGE CAPACITY OF EACH RECIRCULATION POND(S): _____ **(FT^3)**

COMPLETE IF MINE DEWATERING IS PROPOSED

ESTIMATED DEWATERING VOLUME: _____ **(GAL/DAY)**

NAME AND ADDRESS OF THE RECIPIENT OF THE DISCHARGE MONITORING REPORTS (DMRs), IF DIFFERENT FROM SIGNATORY:_____

DOCUMENTATION OF COMPLIANCE WITH OTHER REGULATIONS/REQUIREMENTS

Coverage under this general permit will not be granted until all other required MDEQ permits and approvals are addressed.

WILL THE CONSTRUCTION OR OPERATION OF THIS MINE INVOLVE THE RE-ROUTING, FILLING OR CROSSING OF A WATER CONVEYANCE OF ANY KIND? ☐ YES ☑ NO

If yes, contact the U.S. Army Corps of Engineers' Regulatory Branch for permitting requirements. If the mine requires a Corps of Engineers Section 404 permit, provide appropriate documentation with this MNOI that:

- **The mine 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.**

LIST ANY NPDES PERMIT NO(s)._____ **GEOLOGY APPLICATION/PERMIT NO.** 4 acre exempt

LIST OTHER GEOLOGY PERMIT NUMBERS THAT APPLY TO COVERAGE AREA _____

IS THE MINE LESS THAN 4 ACRES AND GREATER THAN 1320 FEET FROM ANOTHER MINE?

☑ **YES** **A "Notice of Exempt Operations" Form must be included with the MNOI or proof of prior submission, if previously submitted to the Office of Geology.**

☐ **NO** **A "Notice of Intent to Mine Class I or Class II Materials" Form must be filed before coverage will be granted under the Mining General Permit. For information on Office of Geology requirements, call 601-961-5515.**

LIST ANY LOCAL STORM WATER ORDINANCES WITH WHICH THE OPERATIONS MUST COMPLY AND SUBMIT ANY ASSOCIATED APPROVAL DOCUMENTATION. _____

IF IMPOUNDMENTS WILL BE CONSTRUCTED ABOVE NATURAL SURFACE ELEVATIONS, INDICATE WHICH, IF ANY, OF THE FOLLOWING APPLY.

☐ **The impoundment will be constructed with a peripheral dam or levee 8 feet or greater in height, measured from the lowest elevation of its toe.**

☐ **The impoundment will have a maximum storage volume greater than 25 acre-feet.**

☐ **The impoundment will impound a watercourse with a continuous flow.**

☐ **The impoundment has the potential to threaten downstream lives or man-made structures.**

If <u>any</u> of the impoundments meet any of the above criteria, the applicant will be required to obtain written authorization from MDEQ, Dam Safety Division before coverage will be granted under the Mining General Permit.

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.

Ken L. Faulkner — 10/9/2026

Authorized Signature[1] — **Date**

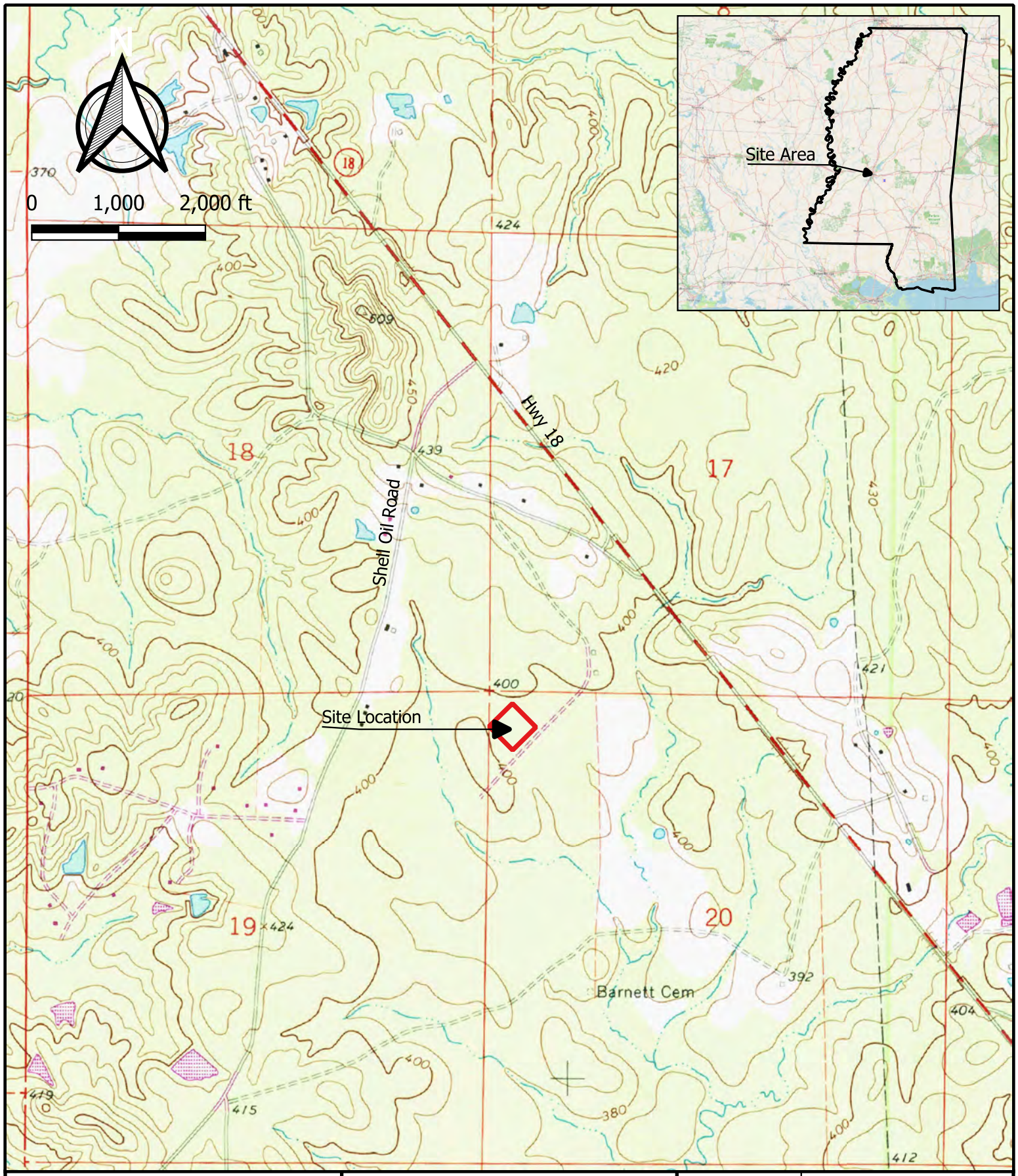
Ken Faulkner KLF Farms, LLC — Owner

Printed Name — **Title**

[1]This application shall be signed according to the General Permit, Act 15, T-4 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 either a principal executive officer, the mayor, or ranking elected official.**
- **Duly Authorized Representative**

Please submit this form to: **Chief, Environmental Permits Division**
MDEQ, Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225



FC&E Engineering, LLC
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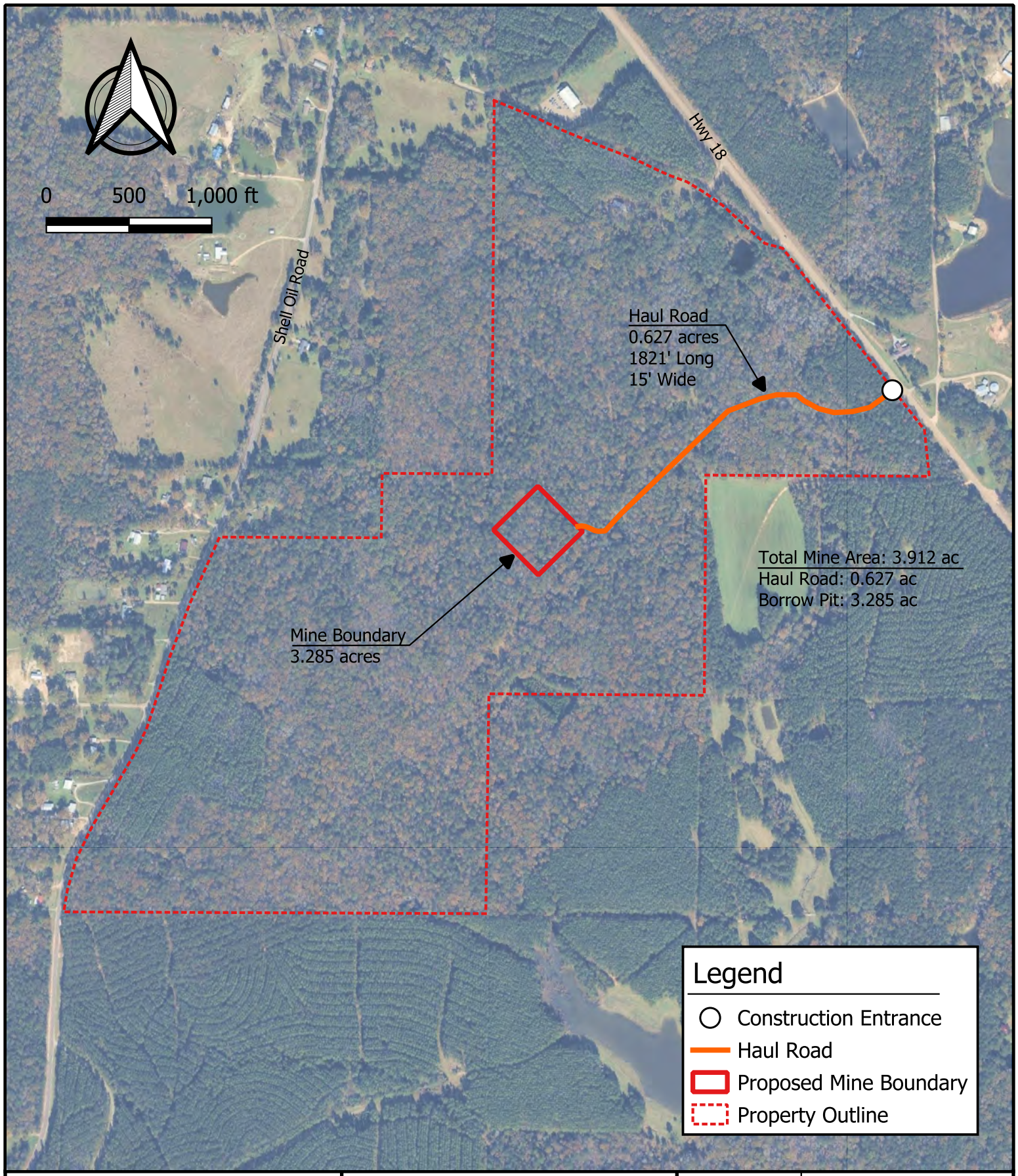
KLF Farms, LLC
Borrow Pit SCSWPPP
Brandon, Mississippi 39042

Drawing #:	Figure 1		
Drawing Name:	Site Location Map		
Project:	4ac Exempt Mine SCSWPPP		
Map Source:	Google Earth		
Date Drawn:	10/9/2026	Drawn By:	TM



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Brandon, Mississippi 39042

Drawing #:	Figure 2		
Drawing Name:	Aerial Map		
Project:	4ac Exempt Mine SCSWPPP		
Map Source:	Google Earth		
Date Drawn:	08/18/2026	Drawn By:	TM

SMALL CONSTRUCTION STORM WATER POLLUTION PREVENTION PLAN (SCSWPPP)

KLF Farms

KLF Farms, LLC
Highway 18
Brandon, Mississippi 39042

August 2026

Prepared for:

KLF Farms, LLC
545 Westwind Dr.
Brandon, Mississippi 39042

Prepared by:

FC&E Engineering, LLC
917 Marquette Road
Brandon, MS 39042
601-824-1860

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APPENDIX D: MISSISSIPPI SWPPP GUIDANCE MANUAL FOR CONSTRUCTION ACTIVITIES

About This Plan

This Small Construction Storm Water Pollution Prevention Plan (SCSWPPP) was prepared by FC&E Engineering, LLC (FC&E) to help your facility comply with the Mississippi General Storm Water Permit for Small Construction Activities issued in 2019 by the Mississippi Department of Environmental Quality (MDEQ). The permit requires you to prepare a SCSWPPP. This Plan has been prepared with the intent of meeting the SCSWPPP requirements.

The intent of the Plan is to minimize storm water pollution from your facility during construction activities associated with the modification to your production facility. The Plan specifies the procedures your staff will follow and the engineering controls your facility will implement to prevent or minimize storm water from coming in contact with potential pollutants, or to contain storm water that does come in contact with potential pollutants. Your permit requires that you comply with this Plan. Items that need your immediate attention include:

1. You are covered under the MSR15 State Storm Water Small Construction General Permit issued by the MDEQ. The completed Small Construction Notice of Intent (CNOI) and this SCSWPPP are to be kept on site and utilized by you and your contractor to ensure that storm water leaving the site is uncontaminated. A copy of the permit and the CNOI are included in **Appendix A**. The MSR15 permit is currently expired, however facilities are to operate under the 5/20/2019 permit until MDEQ reissues the MSR15 permit. If MDEQ reissues the MSR15 permit during construction, the facility will need to comply with the reissued permit and possibly update this SWPPP.

2. Section 7.0 of this Plan describes the Weekly Site Inspections that must be conducted by the Pollution Prevention Team or their designee (See Page 3). This section also describes the required information to be included on the inspection form. **Worksheet 4** contains the required Inspection and Certification form for Small Construction Activity requiring erosion and sediment controls. Completed inspections using **Worksheet 4** should be stored in accessible files onsite or in **Appendix B** of this plan.

3. Based on the results of each inspection, the control measures and practices will be revised (if appropriate) immediately following the inspection or prior to additional construction activity taking place. In addition, if the inspection report lists changes at the facility that have a significant effect on the potential for the discharge of pollutants to surface waters, the CSWPPP will be amended

4. A copy of Mississippi's CSWPPP Guidance Manual for Construction Activities is included in **Appendix D** for reference and use. Specific BMPs referenced herein are based on the guidelines of this manual.

SITE INFORMATION

Name and Address of the Site:

KLF Farms, LLC

Highway 18

Brandon, MS 39042 Telephone No.: (601) 259-5217

Facility Contact: Ken Faulkner (Owner)

County: Rankin Latitude: 32.1806750° Longitude: 89.9121444°

Drainage Basin: Unnamed Tributary of Dabbs Creek

Name and Address of the Owner/Operator:

Ken Faulkner

545 Westwind Dr.

Brandon, Mississippi 39042 Telephone No.: (601) 259-5217

CERTIFICATION

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.

Name: Ken Faulkner

Signature: _____

Title: Owner

Certification Date: _____

Pollution Prevention Team

Name: Tyler McIntyre, P.E.
Phone: work: 601-665-2662
Responsibilities: Mr. McIntyre is responsible for storm water pollution prevention activities at the facility. His role as leader of the Pollution Prevention Team includes the following responsibilities.

(a) Updating the SCSWPPP as required

(b) Ensuring that storm water pollution prevention is included in employee training classes

(c) Supervising spill and leak cleanup

(d) Supervising facility and procedural changes identified to minimize pollutant exposure to storm water

(e) Communicating with regulatory agencies as needed

(f) Performing or designating weekly site inspections

(g) Determining when final stabilization is accomplished, when temporary erosion controls can be removed, and inspections can be stopped.

Name: Ken Faulkner, P.E.
Phone: 601-259-5217
Responsibilities: Is the responsible official for the facility. He is responsible for supporting the storm water management team by providing adequate resources to complete the activities and programs identified in the CSWPPP. He is also required to sign legal certifications as identified in the CSWPPP

1.0 SITE DESCRIPTION/MAP

The property is located at lat: 32.1806750° long: 89.9121444° on Highway 18 across from Twin Acre Ln in Brandon, Mississippi. The property consists of natural terrain and vegetation as it is an undisturbed area. This property occupies 4.0 acres of land. There will be one entrance to the property for all vehicles to use.

The proposed use of this area is to be used as a borrow pit. See **Figures 1-4** for drawings of site location, existing site detail, proposed construction detail.

1.1 Facility Drainage

At present any storm water falling on the proposed project area will drain as sheet flow East offsite. The proposed grading plan for the project area plans to utilize berms and silt fence alleviate westward sheet from offsite and contain stormwater within the project boundaries.

The Site Location Map, presented as **Figure 1**, shows the property boundaries and surrounding areas. **Figure 2** presents the Aerial Map displaying the property boundary of the site over an aerial. **Figures 3 & 4** show the existing site with stormwater flow paths and site with proposed construction overlay along with stormwater BMPs. **Figures 5-7** shows erosion controls specific to the construction project as detailed in this SCSWPPP.

2.0 INVENTORY OF EXPOSED MATERIALS

Disturbed silt and soil from construction activity will be stored in a manner to minimize stormwater contamination.

3.0 SIGNIFICANT SPILLS AND LEAKS

No fuel or reportable liquids are stored on site.

4.0 NON-STORM WATER DISCHARGES

The construction project described in the CNOI and this SCSWPPP do not involve or foresee any non-storm water discharges.

5.0 SAMPLING DATA

No monitoring is required as described in Section 10.0, Monitoring and Reporting Requirements.

6.0 BEST MANAGEMENT PRACTICES

Best management practices (BMPs) are measures taken at the facility to prevent or mitigate water pollution from sources other than the manufacturing or treatment process. BMPs are broad ranging and may include processes, procedures, human actions, or construction. BMPs are aimed at

preventing spills and similar environmental incidents by stressing the importance of management and employee awareness of potential spill situations.

The following subsections describe BMPs that are to be included in the facility's SCSWPPP. See **Figure 4** for the location of BMPs such as silt fence, check dams, and inlet protection. **Figures 5-7** provide details on BMP installation. These BMPs follow the guidelines described in the guidance document included in **Appendix D**.

6.1 Good Housekeeping Measures and Controls

Good housekeeping practices are designed to maintain a clean and orderly work environment. Pollutants that may enter storm water from construction sites because of poor housekeeping may include, but are not limited to oils, grease, paints, gasoline, solvents, litter, debris, and sanitary waste. On this property, the following types of good housekeeping measures are implemented in an effort to prevent pollutants from entering storm water discharges.

Operation and Maintenance

- Garbage and waste materials are regularly picked up and properly disposed of.
- All spillage is promptly removed. Where it is impractical to constantly remove spillage, spillage is contained in the immediate area temporarily until further removal can take place.
- Sanitary facilities are adequately maintained to minimize the chance of accidental release.
- Portable facilities are to be regularly serviced and pumped as specified by the portable facility provider.
- Equipment is routinely inspected to make sure it is in working order and no leaks are occurring.
- The importance of spill cleanup procedures is communicated to employees.

Material Storage Practices

- As appropriate, containers are stored on pallets to prevent corrosion.
-

Material Inventory Procedures

- Containers are labeled with the name of the material, expiration date, and health hazards, as required.

Employee Participation

- Information on best management practices is discussed during employee training sessions.
- Good housekeeping measures are discussed at employee meetings.

6.2 Preventive Maintenance and Inspection

The facility's preventive maintenance and inspection program includes:

- Timely inspections and maintenance of storm water management devices.
    - Proper maintenance of facility equipment and systems.

6.3 Spill Prevention and Response Procedures

The Spill Prevention Control and Countermeasures (SPCC) Plan requirements of 40 CFR 112 are not expected to be applicable to this construction project. Only limited amounts of oil and/or chemical products are anticipated to be stored onsite during construction. This will be reevaluated if the contractors plan to bring oil (diesel, lube oil, gasoline, etc) tanks (55 gal or greater) onsite and where aggregate total of these tanks exceeds 1,320 gallons.

Additional preventative measures utilized by the site are: 1) proper labeling of drums containing used oil and ensuring that stored drums are kept inside buildings and away from potential accidental tippage situations 2) maintaining accurate labels and inventory of chemical materials, solvents, paints, lubricants etc. 3) storage of solvents and flammable materials in a proper and safe manner, 4) only use containers compatible with the chemical stored and environment it is placed, and 5) have spill kits available onsite.

In the event of a spill, employees are instructed to make every effort to safely contain the release, notify the Spill Coordinator (see page 3 of this document for name and contact information), and prevent any release from leaving the facility site. It will be the Spill Coordinator's responsibility to determine if the spill needs to be reported to the regulatory authorities.

Response Contractor for Assistance in Spill Clean up and Remediation
E3 – 844-333-0939

Environmental Consultant for Regulatory and Spill Cleanup Assistance
FC&E Engineering 601-824-1860 Office
Richard Harrell 601-668-0900 Cell
Charles Cook 601-506-0582 Cell

6.3.1 Likely Releases and In-place Preventative Controls

Spills and releases are most likely to result from potential equipment failure or operator error. This section summarizes potential causes of releases and associated in-place preventative controls.

1. Operator error during loading/unloading or refueling operations. Potential errors include overfilling, not disconnecting lines prior to vehicle departure, drain valves left open, or fill valves left open allowing precipitation to enter and cause tank overflow.

2. Piping, pressure fittings, tank ruptures, or other forms of equipment failure. The rate and quantity of a release would depend on the location of the rupture. Release rate could be assumed to be the total volume of the tank associated with the piping or fittings being released in a 15-minute timeframe. The release to the environment would be at that rate, but the quantity would be the total volume minus the secondary containment volume. To minimize the potential for a significant release, regular inspections and maintenance are performed with noted problems addressed in a timely manner by repair, replacement, or equipment taken out of service.

3. Puncture of tank or associated piping by heavy equipment. Operators of equipment and vehicles are well trained in operating large equipment on the site. Rate and quantity to be released would be the same as that discussed in item 2. Additionally, tanks and piping are highly visible by size, signage, flagging, or protective paint color. In the event of night traffic, sufficient lighting is provided to make tanks and piping visible.

4. Small drips, leaks and spills from lines or valves. Release rates would be negligible and are not likely to produce significant quantities or environmental impacts. To minimize release, equipment is inspected regularly, repaired in a timely manner when a problem is discovered, and corrective action implemented with released material promptly cleaned up. In general, this type of release presents a very low risk of potential impact.

6.4 Employee Training

New employees or contractors receive initial training in storm water pollution prevention before they begin their work assignments at the construction site. Thereafter, training is provided and storm water pollution prevention discussed as needed at the safety meetings that employees or contractors attend.

Topics discussed and names of attendees are stored with personnel files.

The training program addresses three major areas:

- Spill prevention and response
- Good housekeeping
- Materials management practices

A brief description of each topic covered as part of the training program is outlined below.

Spill Prevention and Response

- Employees are trained on inspection of tanks, storage locations (away from property lines drainageways, and congested traffic areas) and filling/transfer methods.

- Employees are trained on response methods to minimize a spill leaving the site and cleanup methods. Spill kits

- Employees are trained on notifications to be made during a spill event and agency reporting requirements.

Good Housekeeping

- Employees are instructed to perform regular vacuuming or sweeping in their work areas to prevent storm water from becoming contaminated with waste materials.

- Employees are instructed to promptly clean up spilled materials to prevent storm water from becoming contaminated.

- Where appropriate, employees are provided instructions on the proper methods to secure drums and other containers. Those working near containers/drums are also instructed to routinely check the integrity of the containers to make sure there are no leaks.

Materials Management Practices

- Employees are instructed to maintain materials in an organized manner.

- Proper and safe handling procedures are discussed with employees who are responsible for handling any toxic and hazardous substances.

6.5 Sediment and Erosion Control

During the construction phase, site grading and dirt work will take place, presenting the opportunity for storm water to be impacted by sediment runoff unless measures are incorporated and implemented to ensure proper sediment control is in place. The nature of the planned operations of the site after the construction does not involve activities that could potentially disturb the soil in a negative way. However, during the construction phase and in the event that soil is disturbed at the site creating a potential for erosion, the following measures will be taken to reduce the amount of soil erosion at the site:

- When necessary preserve topsoil in stockpiles to have for future use in construction areas to 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. While not in use, install silt fence around stockpiles.

- Soil stabilization-vegetative stabilization measures such as grass, trees, shrubs, bark, mulch, or straw 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 initiated the next business day.

- Install and maintain BMPs of any areas disturbed where sediment poses a threat to travel during rain events. Refer to **Figure 4** for locations of site BMPs and **Figure 5-7** for detailed plans of site BMPs.

- Install Silt fence on the downstream side of disturbed areas with sheet flow drainage

- Minimize the amount of cut and fill, and soil compaction.

- Minimize off-site vehicle tracking of sediments. Vehicles leaving the construction site shall not track excess sediment onto public roads. Install construction egress pad and/or cleanout tires prior to driving onto public roads. Contractor shall sweep sediment that has been tracked onto public roads.

- Contractor shall be responsible for removal of sediment or other pollutants that have accumulated in or near any sediment control measures, storm water conveyance channels, storm drain inlets, or water course conveyance within the construction site.

6.6 Management of Runoff

Storm water runoff at this site is managed by several practices including:

- Routine inspection of any fuel and tanks temporarily brought onsite for refueling, and prompt cleanup and repair as needed.

- Soil stabilization-vegetative stabilization measures such as grass, trees, shrubs, bark, mulch, or straw 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 initiated the next business days.

- Implementation of structural control practices along the disturbed areas and drainage ditches such as:

    - Silt fences
    - Checkdams
    - Discharge concrete mixer truck washout into an area that will minimize discharges (curbed area or soak into ground) and/or discharge through a filtering structure

6.7 Buffer Zones

A minimum 50 foot vegetated buffer zone will be maintained near waters of the state, which include streams, creeks, and wetlands, or additional erosion and sediment controls which in combination achieves the sediment load reduction equivalent to a 50-foot undisturbed natural buffer will be installed. A 50' buffer will be maintained at all locations except for the point of tie into drainage ditch that will be protected with check dams, silt fence, and vegetative practices. The streambed and wetlands area will not be disturbed. Wetlands are located in the south west corner of the site, however construction will not impact wetlands and buffer requirements of this permit (ACT 5 T-2 Item 6) and Corps of Engineer will be met.

7.0 WEEKLY SITE INSPECTIONS AND EVALUATIONS

Best Management Practices (BMPs) must be in place prior to construction. As needed, additional BMPs must be put in place as construction progresses. Qualified personnel will conduct a weekly site inspection for a minimum of four inspections per month:

1. Confirm the accuracy of the description of potential pollutant sources contained in the SCSWPPP.

2. Determine the effectiveness of the Plan and its BMPs for preventing storm water pollution due to construction activity.

3. Assess compliance with the terms and conditions of the storm water small construction general permit and if necessary, implement new BMPs that will protect storm water runoff from polluting nearby streams.

The weekly site inspections are to be conducted by the Contractor or his designee. During the evaluation, material handling and storage areas, construction activity, and other potential sources of pollution will be visually inspected for evidence of actual or potential pollutant discharges to the drainage system. Erosion controls and structural storm water management devices also will be inspected to ensure that each is operating correctly. **Worksheet 4** is provided to assist in the weekly inspections.

The results of each inspection will be documented on the form provided as **Worksheet 4** and signed by an authorized company official or duly authorized representative. The report will describe:

- Date and time of the inspection; and
- Whether any deficiencies were noted. If deficiencies were noted, then list the corrective action taken.

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. The inspection reports will be retained on site for at least 3 years

after the date that the construction activity was completed. Weekly inspection reports are to be stored in accessible company files or in **Appendix B** of this plan.

Based on the results of each inspection, the description of potential pollutant sources and measures and controls will be revised (if appropriate) immediately following the inspection or prior to additional construction activity taking place. In addition, if the inspection report lists changes at the facility that have a significant effect on the potential for the discharge of pollutants to surface waters, the SCSWPPP will be amended.

8.0 RECORDKEEPING AND REPORTING

A recordkeeping system has been set up at the facility for documenting spills, leaks, and other discharges, including discharges of hazardous substances in reportable quantities. The records contain the following information:

- Date and time of the incident
- Duration of the spill/leak/discharge
- Cause of the spill/leak/discharge
- Response procedures implemented
- Persons notified
- Environmental problems associated with the spill/leak/discharge

A separate recordkeeping system has been established to document inspection and maintenance activities.

Records of spills and leaks are recorded using **Worksheet 3** and stored in accessible company files or in **Appendix C** of this plan. Records of weekly inspections are kept in in accessible company files or **Appendix B** of this plan. All records associated with this SCSWPPP shall be retained for at least 3 years after the completion of the construction activity.

9.0 SPECIAL REQUIREMENTS

9.1 Section 313 Special Requirements

The property does not have Section 313 chemicals that are exposed to storm water.

9.2 Salt Piles

The property does not have a salt pile.

9.3 Discharges to Large or Medium Separate Storm Water Systems

The property does not discharge to a municipal separate storm water system.

9.4 Coal Piles

The property does not have a coal pile.

9.5 Sanitary Waste

No sanitary waste disposal will be required on site.

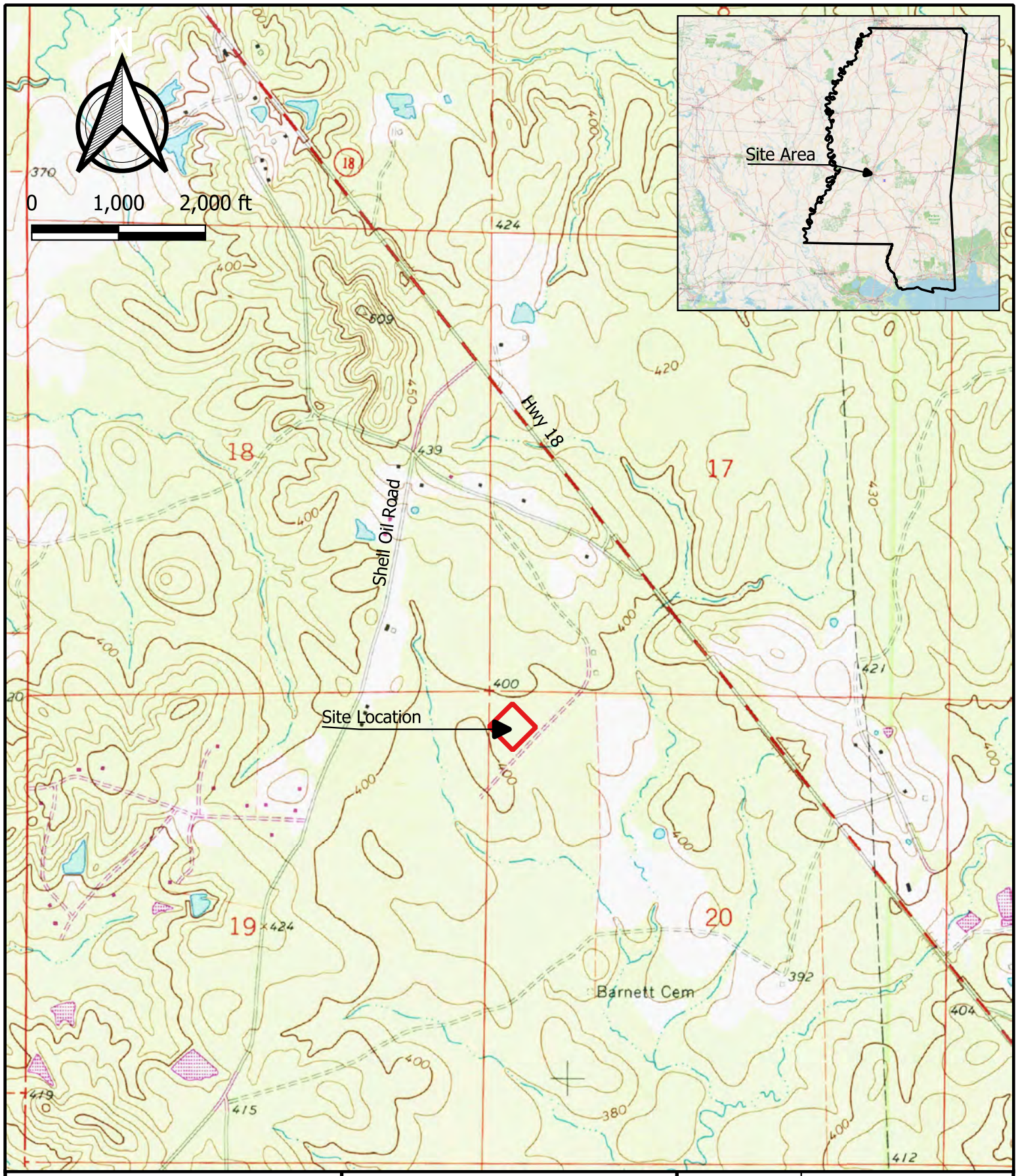
10.0 MONITORING AND REPORTING REQUIREMENTS

No monitoring and reporting are required for this property. Monitoring requirements will be re-evaluated if the material storage locations or facility drainage patterns are substantially altered.

11.0 SECURITY

The property has security staff and surveillance video of the facility 24 hours a day.

Figures 1 - 4



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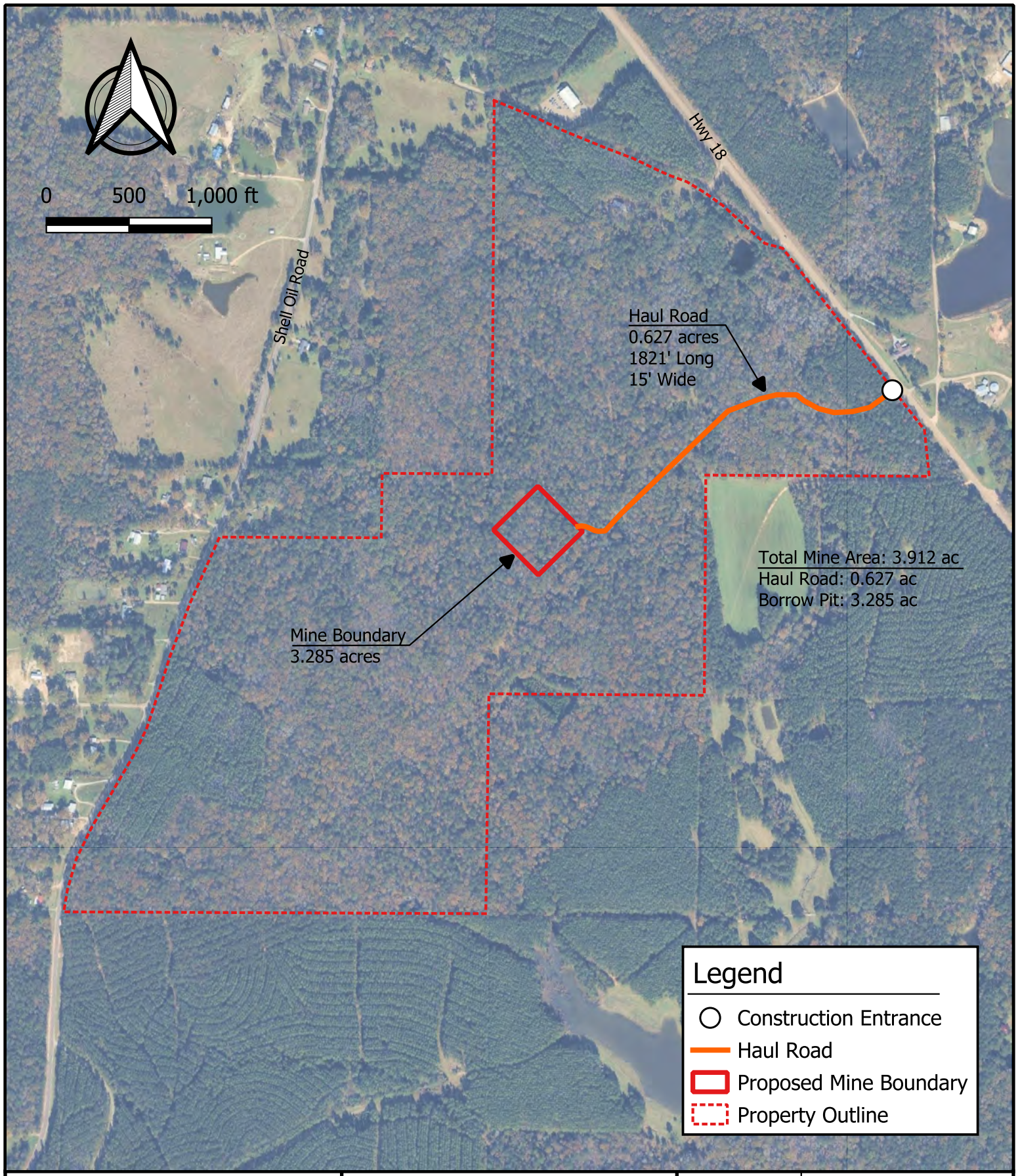
Brandon, Mississippi
www.fce-engineering.com

KLF Farms, LLC
Borrow Pit SCSWPPP
Brandon, Mississippi 39042

Drawing #:	Figure 1		
Drawing Name:	Site Location Map		
Project:	4ac Exempt Mine SCSWPPP		
Map Source:	Google Earth		
Date Drawn:	10/9/2026	Drawn By:	TM



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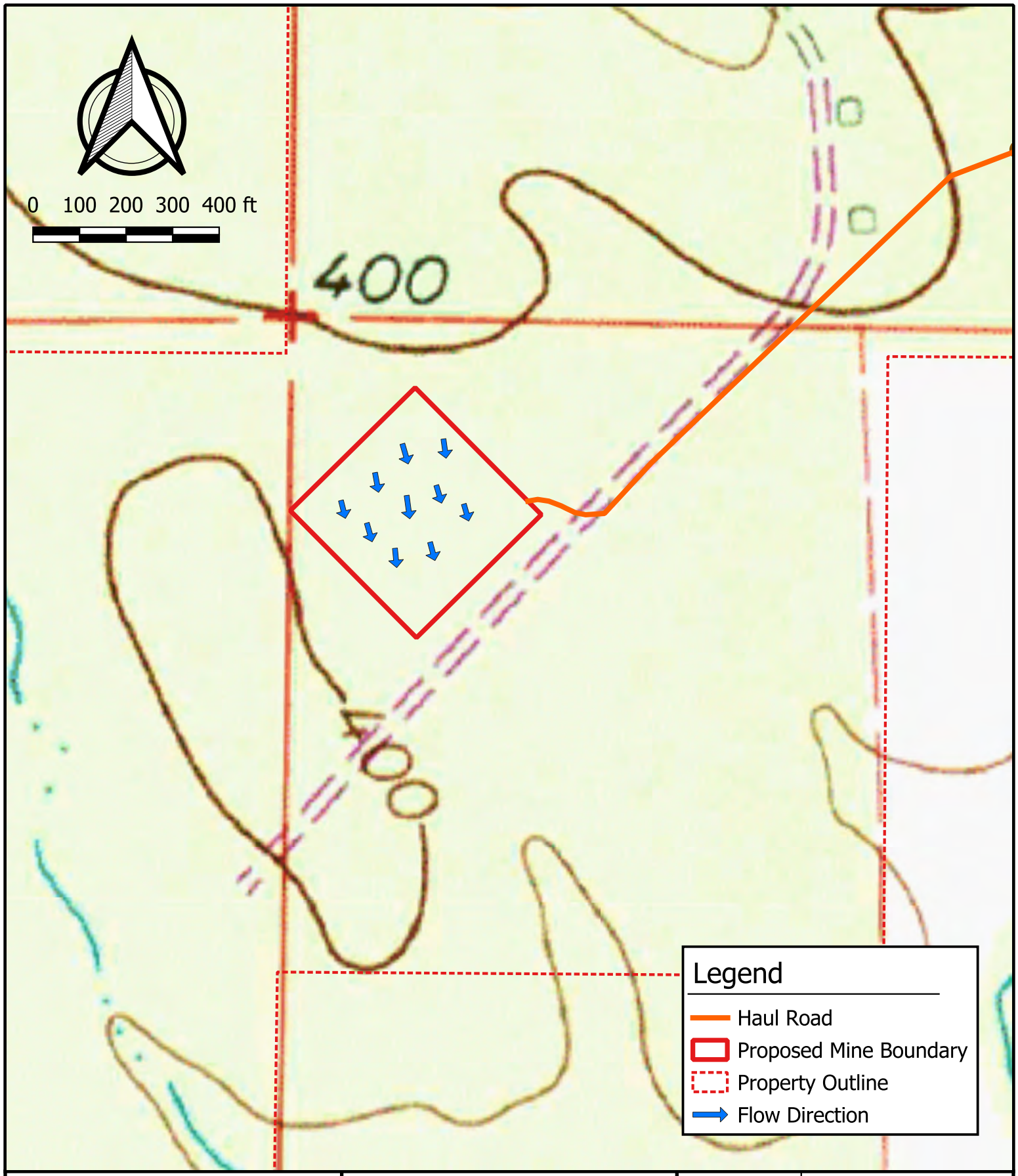
Drawing #:	Figure 2		
Drawing Name:	Aerial Map		
Project:	4ac Exempt Mine SCSWPPP		
Map Source:	Google Earth		
Date Drawn:	08/18/2026	Drawn By:	TM



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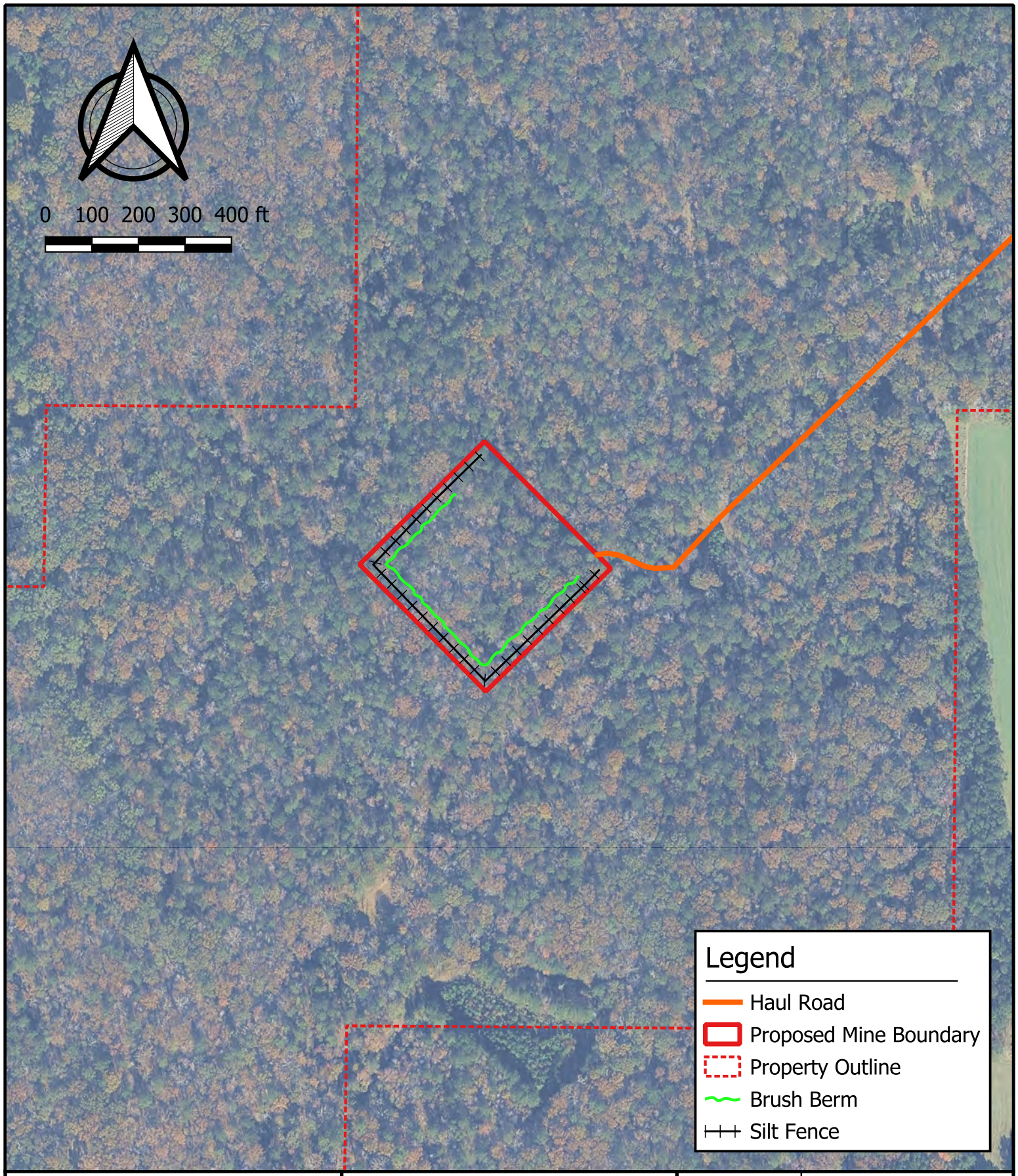
Drawing #:	Figure 3		
Drawing Name:	Existing Conditions		
Project:	4ac Exempt Mine SCSWPPP		
Map Source:	USGS		
Date Drawn:	08/18/2026	Drawn By:	TM



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Borrow Pit SCSWPPP
Brandon, Mississippi 39042

Drawing #:	Figure 4		
Drawing Name:	Proposed BMPs		
Project:	4ac Exempt Mine SCSWPPP		
Map Source:	Google Maps		
Date Drawn:	10/9/2026	Drawn By:	TM

Worksheet 1: Materials Exposed to Storm water

Worksheet 1
Materials Exposed to Storm water

Material: Silt and soil from site ground work.
Purpose: Clearing of site to construct building expansion.
Location: Northwest portion of the property
Quantity Used: Varies **Produced:** N/A
Stored: N/A
Quantity Exposed to Storm water in Past 3 Years: N/A
Past Significant Spill or Leak Exposed to Storm water: No
If "Yes", Describe:
Method of Storage or Disposal: N/A
Description of Material Management Practice: Best management practices used for clearing, site work and construction. Silt fences used to stabilize soil prone to erosion and around areas where runoff could infiltrate stormwater flow paths. Inlet protection used to protect storm drains from receiving sediment runoff. Stabilize and revegetate disturbed areas as soon as possible.

Material: Heavy equipment (tractors, track hoes, trenchers, etc.)
Purpose: Clearing and grading of site, construction, and paving activities.
Location: Throughout the construction area.
Quantity Used: Equipment used as needed **Produced:** N/A
Stored: On-site and used as needed
Quantity Exposed to Storm water in Past 3 Years: Equipment is exposed.
Past Significant Spill or Leak Exposed to Storm water: No
If "Yes", Describe:
Method of Storage or Disposal: N/A
Description of Material Management Practice: Heavy equipment is inspected routinely to check for leaking hoses or other areas of potential oil or fuel leaks. Equipment is maintained in a manner to minimize the contamination of storm water. Required periodic preventive maintenance is performed on all heavy equipment.

Material: Building materials (steel, riprap, Geotech fiber, concrete, etc.)
Purpose: Construction of building and structures and BMP management.
Location: Throughout the construction area.
Quantity Used: Materials used as needed **Produced:** N/A
Stored: On-site and used as needed
Quantity Exposed to Storm water in Past 3 Years: Equipment is exposed.
Past Significant Spill or Leak Exposed to Storm water: No
If "Yes", Describe:
Method of Storage or Disposal: N/A
Description of Material Management Practice: Materials are to be stored and maintained in a manner that adheres to the good housekeeping recommendations detailed in Section 6.1.

Worksheet 2: Summary of Materials Exposed to Storm water

Worksheet 2: Summary of Materials Exposed to Storm water

Source	Location	313 Apply?	Current BMPs
Site field work, clearing, construction of building expansion	Around perimeter	No	Routine inspections, proper site BMPs, prompt cleanup of spills, silt fences, inlet protection, and vegetation as needed to prevent erosion and runoff
Heavy equipment (tractors, track hoes, trenchers, etc.)	Near haul road entrance to mine	No	Routine inspections, proper site BMPs, prompt cleanup of spills.

Worksheet 3: List of Significant Spills and Leaks

Worksheet 3: List of Significant Spills and Leaks

	Completed by: Title: Date:

Directions: Record below all significant spills and significant leaks of toxic or hazardous pollutants that have occurred at the facility in the 3 years prior to the effective date of the permit.

Definitions: Significant spills include, but are not limited to, releases of oil that cause a sheen on waters of the United States (offsite ponds, creeks, rivers, etc.)

Date (m/d/y)	Check One or Both		Location (as indicated on site map)	Description				Response Procedure		Preventive Measures Taken
	Spill	Leak		Type of Material	Quantity (Estimate)	Source	Reason	Amount of Material Recovered	Is Material Still Exposed to Storm water? (Yes or No)	

Worksheet 4: Weekly Inspection Checklist

Worksheet 4: Weekly Inspection Checklist

Facility: The Lumber Manufactory		Date:	Time:			Page 1 of 2
Inspector:			Signature:			
Item No.	Item		N/A	Y	N	Comments/Resolution of Problems
PETROLEUM PRODUCT AND CHEMICAL STORAGE TANKS						
TS-1	Are tanks free of excess rust or other signs of compromised tank integrity?					
TS-2	Are all pumps, valves, hoses, piping, etc., intact and operating properly?					
TS-3	Are all pumps and valves closed and/or locked when not in use?					
TS-4	Is the secondary containment system free of cracks, holes, or other breaches?					
TS-5	Are containment release valves closed and operating properly?					
TS-6	Are storm water releases from the containment being properly documented?					
TS-7	Is water in the containment (mark N/A if no water) free of any sheen?					
TS-8	Are adequate supplies of spill response materials and equipment readily available?					
TS-9	Are fueling/chemical transfer areas free of waste materials and spills?					
DRUM STORAGE AREAS						
DS-1	Are drums stored on pallets or racks above the ground surface?					
DS-2	Are all drums within a secondary containment system?					
DS-3	Are drums and containers properly labeled as to the contents?					
DS-4	Are drums intact? If not, describe any leakage.					
DS-5	Are drums stacked or stored according to manufacturers' recommendations?					
DS-6	Are drums closed/sealed when not in use?					
DS-7	If secondary containment is provided, is the secondary containment system free of cracks, holes, or other breaches?					
DS-8	If secondary containment is provided, are containment release valves closed and operating properly?					
DS-9	If secondary containment is provided, are storm water releases from the containment being properly documented?					
DS-10	Is storm water (mark N/A if no water) free of any sheen?					
HOUSEKEEPING PRACTICES						
HK-1	Are waste receptacles/dumpsters kept in an orderly fashion and emptied as needed?					
HK-2	Are sanitary facilities properly maintained?					
HK-3	Are stored materials prevented from reaching inlets, pipes, ditches, or ponds?					

Worksheet 4: Weekly Inspection Checklist (Continued)

The Lumber Manufactory	Inspector Initials:	Date:			Page 2 of 2
Item No.	Item	N/A	Y	N	Comments/Resolution of Problems
	EROSION-PRONE AREAS				
ER-1	Are drainage pathways at the site free of evidence of soil erosion?				
ER-2	Are ditches and ponds onsite free of significant depths of sediment?				
ER-3	If sediment controls (for example, silt fences, rock rip rap, seeding, hay bales, etc.) are used onsite (check N/A if not), are they in good shape and operating properly?				
ER-4	Does all sediment remain onsite? If not, explain what erosion control measures could help prevent it from leaving the site.				
ER-5	Are structural practices such as silt fence, straw bale barrier, slope breaks, etc. in place? If not, indicate need.				
ER-6	Are any in need of revegetating? Consider need for mulching, permanent seeding, tillage, fertilizer, etc.				
	STORM WATER CONTROLS				
SW-1	Are inlets, pipes, ditches, and ponds (check N/A if none) free of excess sediment?				
SW-2	Are inlets, pipes, ditches, and ponds (check N/A if none) free of debris, raw materials, waste materials, oil sheen, and other possible contaminants?				
SW-3	If outfalls leaving property are flowing during dry weather (check N/A if none are flowing), is flow due to permitted non-storm water discharge? If not, describe source of flow (for example, groundwater, unpermitted non-storm water discharge, etc.).				
SW-4	Are haybales, silt fences, sediment traps, or screens over inlets and culverts in place as appropriate, and are they performing as designed?				
SW-5	Are public roads free of sediment from trucks/equipment tracking sediment onto them?				
Comments:					

Appendix A: State Storm Water Small Construction Notice of Intent & General Permit

Submit only upon request from MDEQ

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

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: Ken Faulkner

OWNER COMPANY NAME: KLF Farms, LLC

OWNER STREET (P.O. BOX): 545 Westwind Dr.

OWNER CITY: Brandon

STATE: Mississippi **ZIP:** 39042

OWNER PHONE # (INCLUDE AREA CODE):

OPERATOR (if different from owner) CONTACT PERSON: Same as Owner

OPERATOR COMPANY:

OPERATOR STREET (P.O. BOX):

OPERATOR CITY:

STATE: **ZIP:**

OPERATORPHONE # (INCLUDE AREA CODE):

PROJECT NAME: Dirt excavation for building expansion

DESCRIPTIONOF CONSTRUCTION ACTIVITY: Surface Mining

ACREAGE DISTURBED (to be covered by this permit, area must be less than five (5) acres): 4.0

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: Hwy 18 (Across from Twin Acre Ln)

CITY: Brandon **COUNTY:** Rankin **ZIP:** 39042

NEAREST NAMED RECEIVING STREAM: Unnamed Tributary

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[1] **Date Signed**

Printed Name **Title**

[1]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

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

SMALL CONSTRUCTION STORM WATER GENERAL PERMIT

FOR LAND DISTURBING ACTIVIES OF ONE (1) to LESS THAN FIVE (5) ACRES

TO DISCHARGE STORM WATER AND ALLOWABLE NON-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 AND/OR ALLOWABLE NON-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

Krystal Rudolph

Authorized Signature

Mississippi Department of Environmental Quality

Issued: MAY 2 0 2019

Expires: APR 3 0 2024

Permit No. MSR15

AI 35524

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ACT1 (Small Construction) Introduction:

Narrative Requirements:

Condition No.	Condition
T-1	INTRODUCTION: 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 of less than 5 acres. Construction activities and construction activities part of a "larger common plan of development or sale" disturbing five acres or greater are regulated under the Large Construction General Permit. 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. Upon issuance by the Permit Board on Environmental Quality, this permit will replace the previous Small Construction General Permit which expired on March 31, 2018. 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, the maintenance of existing ditches, channels, or other similar storm water conveyances, as well as routine grading of existing dirt roads, asphalt overlays of existing roads, re-clearing of vegetation in a right-of-way, and other similar maintenance activities).

ACT2 (Small Construction) Permit Applicability and Coverage:

Narrative Requirements:

Condition No.	Condition
T-1	PERMIT AREA: The Small Construction General Permit covers all areas of the State of Mississippi. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-2	COVERED DISCHARGES: (1) Discharges composed entirely of stormwater and allowable non-stormwater identified in T-5 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 designated as small construction activities under the National Pollutant Discharge Elimination System (NPDES) stormwater program and are covered under this permit. Small construction activities disturbing less than one (1) acre are designated if: (A) 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 (B) 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.] (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 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 three (3) months from the final TMDL approval date. MDEQ's approved TMDL list may be found at the link listed in paragraph (3) below. In addition, “Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas (Three Volumes)” identifies specific controls that may be used to address consistency with any applicable TMDLs. The manual can be found at our website, https://www.mdeq.ms.gov/water/surface-water/nonpoint-source-pollution-program/erosion-and-sediment-control-manual/

ACT2 (continued):

Narrative Requirements:

Condition No.	Condition
T-3	(3) 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 SCNOI 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, www.mdeq.ms.gov
T-4	ALLOWABLE NON-STORM WATER DISCHARGES: Owner or operators are authorized for the following non-storm water discharges. Except for flows from firefighting 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. A. Discharges from fire-fighting activities B. Fire hydrant flushings C. Water used to control dust D. Potable water sources including water line flushings E. Routine external building wash down that does not use detergents F. Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless totally removed) and where detergents are not used G. Uncontaminated air conditioning or compressor condensate H. Uncontaminated ground water or spring water I. Foundation or footing drains where flows are not contaminated with process materials such as solvents J. Landscape irrigation K. Water used to wash vehicles, wheel wash water, and other wash waters where detergents are not used. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-5	PROHIBITED NON-STORM WATER DISCHARGES: A. Wastewater from washout of concrete (unless managed by an appropriate control) B. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials C. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance D. Soaps or solvents used in vehicle and equipment washing E. Wastewater from sanitary facilities, including portable toilets F. Dewatering activities, including discharges from dewatering of trenches and excavations unless managed by BMPs. [11 Miss. Admin. Code Pt. 6, Ch. 1.].

ACT2 (continued):

Narrative Requirements:

Condition No.	Condition
T-6	THIS PERMIT DOES NOT AUTHORIZE: (1) Discharges associated with construction activity that disturb five (5) or more acres that are covered under the Large Construction General Permit or that have been covered under an individual permit in accordance with ACT3, S-2 of this permit. (2) 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) will contact the owner or operator. The Permit Board may determine 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. (3) 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 will 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. (4) Activities that will affect waters of the state, 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.] (5) Discharges that originate from the site after construction activities have been completed and the site has undergone final stabilization. (6) Discharges of hazardous substances or oil resulting from an on-site spill. (7) 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 SCNOI, or County Utility Authority approval, if applicable, will be deemed to constitute the regulated entity's certification of eligibility. [40 CFR 122.49]

ACT3 (Small Construction) Obtaining Coverage:

Submittal/Action Requirements:

Condition No.	Condition
S-1	HOW TO OBTAIN AUTHORIZATION: (1) If a Small Construction Notice of Intent (SCNOI) has not been requested by the Permit Board (SCNOI not submitted to MDEQ), 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)). (2) If a Small Construction Notice of Intent (SCNOI) has been requested by the Permit Board (SCNOI submitted to MDEQ). 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. Beginning December 21, 2020, applicants must submit the NOI electronically as required by 40 CFR 127.16 when requested by the Permit Board. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
S-2	REQUIRING AN INDIVIDUAL PERMIT: 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT4 (Small Construction) Small Construction Notice of Intent:

Submittal/Action Requirements:

Condition No.	Condition
S-1	SMALL CONSTRUCTION NOTICE OF INTENT (SCNOI): 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. 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. The SCNOI shall be signed in accordance with the provisions of ACT11, T-4 of this permit. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT4 (continued):

Narrative Requirements:

Condition No.	Condition
T-1	WHERE TO SUBMIT THE SMALL CONSTRUCTION NOTICE OF INTENT (SCNOI), IF REQUESTED: If requested, complete and appropriately signed SCNOI forms must be submitted to: Chief, Environmental Permits Division MS Dept. of Environmental Quality, Office of Pollution Control P.O. Box 2261 Jackson, Mississippi 39225. [11 Miss. Admin. Code Pt. 6, Ch. 1.] For priority or overnight deliveries, the physical address is: 515 East Amite Street Jackson, Mississippi 39201 Beginning December 21, 2020, applicants must submit the NOI electronically as required by 40 CFR 127.16 when requested by the Permit Board. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

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

Submittal/Action Requirements:

Condition No.	Condition
S-1	SWPPP DEVELOPMENT: 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. (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 or MS4 inspectors for review at the time of an on-site inspection. (2) BMPs shall be in place upon commencement of construction. (3) The Executive Director of MDEQ or designee will notify the owner or operator whenever he/she becomes aware 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. (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 affect the discharge of pollutants to waters of the state. (5) The owner or operator shall amend the SWPPP and implement the necessary changes within 15 days 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.

ACT5 (continued):

Narrative Requirements:

Condition No.	Condition
T-1	SWPPP CONTENT: Owner or Operator: The SWPPP shall identify the "owner or operator" as defined in ACT12 of this permit. The operator's name, complete mailing address, email address, and telephone number(s) shall be identified on the plan. [11 Miss. Admin. Code Pt. 6, Ch. 1.] Erosion and Sediment Controls and Soil Stabilization Requirements: 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: (1) Control storm water volume and velocity within the site to minimize soil erosion; (2) Control storm water discharges, including both peak flow rates and total storm water volume, to minimize channel and stream bank erosion and scour in the immediate vicinity of discharge points; (3) Minimize the amount of soil exposed during construction activity; (4) Minimize the disturbance of steep slopes.

ACT5 (continued):

Narrative Requirements:

Condition No.	Condition
T-2	SWPPP CONTENT (continued): (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; (6) Provide and maintain a 50-foot undisturbed natural buffer around waters of the United States; or provide and maintain an undisturbed natural buffer that is less than 50 feet and is supplemented by additional erosion and sediment controls which in combination achieves the sediment load reduction equivalent to a 50-foot undisturbed natural buffer. Direct storm water to vegetated areas and maximize storm water infiltration to reduce pollutant discharges, unless infeasible; (7) Minimize soil compaction and, unless infeasible, preserve topsoil; (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; (9) Transport runoff down steep slopes through lined channels or piping; (10) Minimize the amount of cut and fill, and soil compaction; and (11) Minimize off-site vehicle tracking of sediments. At a minimum, the controls must be in accordance with the standards set forth in the most current edition of the “Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas (Three Volumes),” or other recognized manuals of design as appropriate for Mississippi. The planning and design manual can be obtained by calling 601/961-5171 or may be found electronically on the MDEQ website, https://www.mdeq.ms.gov/water/surface-water/nonpoint-source-pollution-program/erosion-and-sediment-control-manual/.

Narrative Requirements:

Condition No.	Condition
T-3	SWPPP CONTENT (continued):

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.

(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 are not limited to, temporary seeding, permanent seeding, mulching, sod stabilization, vegetative buffer strips, tree protection and topsoil preservation.

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 immediately. For the purpose of this permit, “immediately” is interpreted to mean no later than the next work day.

The following specific practices must be included, unless infeasible (see Definitions). If any of the following practices are deemed infeasible, written justification must be included in the SWPPP.

(A) Buffer zones (see Definitions) shall be maintained between land disturbing activities and water bodies.

(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.

(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.

(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. If a sedimentation basin is used, must be installed before initial 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.

Narrative Requirements:

Condition No.	Condition
T-3	SWPPP CONTENT (continued): The following specific practices must be included, unless infeasible (see Definitions). If any of the following practices are deemed infeasible, written justification must be included in the SWPPP. (A) Steep Slopes (see Definitions) 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. (B) Construction entrances/exits (see Definitions) shall be installed wherever traffic will be leaving a construction site and moving directly onto a paved public road. (C) 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. (D) 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. (E) 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.

Narrative Requirements:

Condition No.	Condition
T-4	SWPPP CONTENT (continued): (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 exceedance of the water quality standards in the receiving stream. (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. (5) Proposed responsible parties (original coverage recipient or new owner or operator) shall be identified 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.

Narrative Requirements:

Condition No.	Condition
T-5	Housekeeping Practices: 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. 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. The owner or operator shall provide a description of procedures for: (A) Sweeping or removal of sediment and other debris that has been tracked from the site or deposited from the site onto streets and other paved surfaces; (B) Removal of sediment or other pollutants that have accumulated in or near any sediment control measures, storm water conveyance channels, storm drain inlets, or water course conveyance within the construction site, and; (C) Removal of accumulated sediment that has been trapped by sediment control measures at the site, in accordance with applicable maintenance requirements covered under this permit. The owner or operator shall also provide a description of the procedures for handling and disposing of wastes generated at the site, including, but not limited to, clearing and demolition debris, sediment removed from the site, construction and domestic waste, hazardous or toxic waste, and sanitary waste. [11 Miss. Admin. Code Pt. 6, R. 1]

Narrative Requirements:

Condition No.	Condition
T-6	Prepare Scaled Site Map(s): If the construction project is a linear construction project (e.g., pipeline, road, 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-7	The owner or operator of a non-linear construction project shall prepare a scaled site map showing: (1) Boundaries of property and proposed construction activities, noting any phasing of construction activities, (2) Original and proposed contours (if feasible), with steep slopes (see Definitions) identified, (3) North arrow, (4) Drainage pattern arrows and storm water outfalls, (5) Location of sensitive areas, such as wetlands, perennial streams and adjacent receiving water bodies, (6) Natural buffer zones (7) Location of any storm drain inlets and any receiving MS4, (8) All erosion and sediment controls (vegetative and structural), (9) Any post-construction control measures, and (10) Location of housekeeping practices.

Narrative Requirements:

Condition No.	Condition
T-8	Implementation Sequence: 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.
T-9	Implementation of Controls: 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

Narrative Requirements:

Condition No.	Condition
T-10	Maintenance and Weekly Inspections: The SWPPP shall describe procedures to maintain vegetation, erosion and sediment controls and other protective measures. Procedures shall provide that all controls and outfalls/discharge points are inspected weekly for a minimum of four inspections per month in accordance with ACT6, S-4. Any poorly functioning erosion controls or sediment controls, non-compliant discharges, or any other deficiencies observed during the inspections required under this permit shall be corrected as soon as possible, but not to exceed 24 hours of the inspection unless prevented by unsafe weather conditions as documented on the inspection form. In the event of an unanticipated breach of a sediment basin/pond temporary containment measures shall be taken within 24 hours after the inspection. Permanent corrective measures shall be implemented within five (5) days of the inspection; however, if permanent corrective measures cannot be implemented within the timeframes provided herein the owner or operator shall contact MDEQ. [11 Miss. Admin. Code Pt. 6, R. 1]
T-11	Non-Storm Water Discharge Management: The SWPPP must identify all allowable sources of non-storm water discharges listed in ACT2, T-5, except for flows from actual firefighting 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.
T-12	Final Stabilization: The SWPPP shall describe procedures to achieve final stabilization (See Definitions) of all disturbed areas of the project site.
T-13	Example Storm Water Pollution Prevention Plans (SWPPPs): 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. The Mississippi Storm Water Pollution Prevention Plan Guidance Manual for Construction Activities is also available online at our website, https://www.mdeq.ms.gov/water/surface-water/nonpoint-source-pollution-program/erosion-and-sediment-control-manual/ US EPA also lists example SWPPPs on their website at: https://www.epa.gov/npdes/developing-stormwater-pollution-prevention-plan-swppp

Submittal/Action Requirements:

Condition No.	Condition
S-1	SWPPP IMPLEMENTATION REQUIREMENTS: The coverage recipient shall: (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. (2) Implement the following pre-construction activities: (A) Mark off areas of "disturbance", "no disturbance" (i.e. buffer zone), and "sensitive areas" (i.e., delineate and clearly flag or mark off areas such as steep slopes, wetlands, perennial streams and adjacent water bodies, or other sensitive areas), (B) Preserve native topsoil on the site to the extent feasible, and (C) Limit construction stream crossings to the minimum necessary to provide access for the construction project. (3) Ensure that appropriate Best Management Practices (BMPs) are in place upon commencement of construction. (4) 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. (5) 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.

Submittal/Action Requirements:

Condition No.	Condition
S-2	SWPPP IMPLEMENTATION REQUIREMENTS (continued): (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. (7) Install additional and/or alternative erosion and sediment controls when existing controls prove to be ineffective in preventing sediment from leaving the site. (8) Comply with applicable State or local waste disposal, sanitary sewer or septic system regulations. (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. (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.
S-3	SWPPP COMPLIANCE WITH LOCAL STORM WATER ORDINANCES: (1) In addition to the requirements of this permit, the SWPPP shall be in compliance with all local storm water ordinances. (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.

Submittal/Action Requirements:

Condition No.	Condition
S-4	INSPECTION REQUIREMENTS: 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 general permit by qualified personnel (see Definitions). (1) after rain events that produce a discharge and at least weekly for a minimum of four inspections per month; and (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. 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, available online at our website, https://www.mdeq.ms.gov/permits/environmental-permits-division/types-of-general-permits/ MDEQ strongly recommends that coverage recipients perform a "walk through" inspection of the construction site daily to ensure controls are in place and will function properly. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

Limitation Requirements:

Condition No.	Parameter	Condition
L-1		NON-NUMERIC LIMITATIONS: Storm water discharges shall be free from: (1) Debris, oil, scum, and other floating materials other than in trace amounts, (2) Eroded soils and other materials that will settle to form objectionable deposits in receiving waters, (3) Suspended solids, turbidity and color at levels inconsistent with the receiving waters, 4) Chemicals in concentrations that would cause violation of State Water Quality Criteria in the receiving waters. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT8 (Small Construction) Record Keeping:

Record-Keeping Requirements:

Condition No.	Condition
R-1	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 (3) years from the date that the document(s) was generated. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
R-2	DOCUMENTATION OF INSPECTIONS: 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 ACT11, T-4, T-5 and T-6 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.

ACT9 (Small Construction) Termination of Permit Coverage:

Submittal/Action Requirements:

Condition No.	Condition
S-1	TERMINATION OF PERMIT REQUIREMENTS: (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. (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.

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

Narrative Requirements:

Condition No.	Condition
T-1	DUTY TO COMPLY: 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-2	DUTY TO MITIGATE: 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-3	DUTY TO PROVIDE INFORMATION: 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.

ACT10 (continued):

Narrative Requirements:

Condition No.	Condition
T-4	SIGNATORY REQUIREMENTS: All SCNOIs and Requests for Recoverage shall be signed as follows: (1) For a corporation by a responsible corporate officer. For this permit, a responsible corporate officer means: (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 (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; 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. (2) For a partnership or sole proprietorship by a general partner or the proprietor, respectively; or. [11 Miss. Admin. Code Pt. 6, Ch. 1.] (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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT10 (continued):

Narrative Requirements:

Condition No.	Condition
T-5	DULY AUTHORIZED REPRESENTATIVE: All SWPPPs, reports required by this permit, certifications and other information requested by the Permit Board shall be signed by a person described in ACT 11, T-4 above, or by a duly authorized representative of that person. A person is a duly authorized representative when: (1) The authorization is made in writing and submitted to the Permit Board by a person described in ACT 11, T-4 above. (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).
T-6	CHANGES IN AUTHORIZATION: If an authorization is no longer accurate because a different individual or position has permit responsibility, a new authorization satisfying the requirements of ACT 11 T-4, T-5 and T-6 must be submitted to the Permit Board prior to or together with any reports, information or applications signed by the representative. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-7	CERTIFICATION: Any person signing documents under this section shall make the following certification: "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." [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-8	OIL AND HAZARDOUS SUBSTANCE LIABILITY: Nothing in this permit shall relieve the owner or operator from responsibilities, liabilities, or penalties under Section 311 of the CWA.
T-9	PROPERTY RIGHTS: 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.

ACT10 (continued):

Narrative Requirements:

Condition No.	Condition
T-10	SEVERABILITY: 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.
T-11	TRANSFERS: 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.
T-12	PROPER OPERATION AND MAINTENANCE: 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-13	BYPASS PROHIBITION: 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 11, T-17 and/or T-18.

ACT10 (continued):

Narrative Requirements:

Condition No.	Condition
T-14	UPSET CONDITIONS: An upset is an exceptional incident in which there is unintentional and temporary noncompliance. 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 11, T-17 and/or T-18 and 4) The coverage recipient took remedial measures as required under ACT 11, 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.
T-15	RELEASE REPORTING: 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: - Mississippi Emergency Management Agency (601) 933-6362 or (800) 222-6362; or - National Response Center (800) 424-8802. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-16	NONCOMPLIANCE REPORTING: (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. (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 five (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.

ACT10 (continued):

Narrative Requirements:

Condition No.	Condition
T-17	INSPECTION AND ENTRY: 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: (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; (2) have access to and copy at reasonable times any records that must be kept under the conditions of this permit; and (3) inspect at reasonable times any facilities or equipment. (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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-18	PERMIT ACTIONS: 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-19	REOPENER CLAUSE: If there is evidence indicating potential or realized impacts on water quality due to construction activities covered by this permit, the owner or operator may be required to obtain an 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-20	PERMIT MODIFICATION: Permit modification or revocation will be conducted according to 40 CFR 122.62, 122.63, 122.64 and 124.5. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT10 (continued):

Narrative Requirements:

Condition No.	Condition
T-21	CIVIL AND CRIMINAL LIABILITY: (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. (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. (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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

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. [11 Miss. Admin. Code Pt. 6, Ch. 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, lakes, wetlands, etc. 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.
T-3	CFR means the Code of Federal Regulations.
T-4	COMMENCEMENT OF CONSTRUCTION ACTIVITIES means the initial disturbance of soils associated with clearing, grading, grubbing, or excavating activities or other construction-related activities. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-5	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.
T-6	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, grubbing, 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-7	CONSTRUCTION ENTRANCE/EXIT is a stone-base pad designed to provide a buffer area where mud-and caked-soil can be removed from the tires of vehicles to avoid transporting it onto public roads. This practice applies anywhere traffic will be leaving a mining site and moving directly onto a paved public road or street.
T-8	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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-9	CLEAN WATER ACT (CWA) refers to the Federal Water Pollution Control Act, 33 U.S.C. section 1251 et seq.

ACT11 (continued):

Narrative Requirements:

Condition No.	Condition
T-10	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.
T-11	EXECUTIVE DIRECTOR means the Executive Director of the Department of Environmental Quality. [11 Miss. Admin. Code Pt. 6, Ch. 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-13	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.
T-14	HIGHLY ERODIBLE SOILS can be identified in the State of Mississippi's County Soil Surveys developed by the National Resources Conservation Service (NRCS).
T-15	INFEASIBLE means not technologically possible, or not economically practicable, and achievable in light of best industry practices.
T-16	LARGE CONSTRUCTION ACTIVITY includes clearing, grading, grubbing, 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. [11 Miss. Admin. Code Pt. 6, Ch. 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT11 (continued):

Narrative Requirements:

Condition No.	Condition
T-18	LINEAR PROJECT includes the construction of roads, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area. [11 Miss. Admin. Code Pt. 6, R. 1]
T-19	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).
T-20	NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-21	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 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-22	PERMIT BOARD means the Mississippi Environmental Quality Permit Board established pursuant to Miss. Code Ann. 49-17-28.
T-23	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.

ACT11 (continued):

Narrative Requirements:

Condition No.	Condition
T-24	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.
T-25	SCNOI is an acronym for Small Construction Notice of Intent. A Notice of Intent is the mechanism used to apply for coverage under a general permit.
T-26	SMALL CONSTRUCTION ACTIVITY is defined at 40 CFR 122.26(b)(15) and incorporated here by reference. A small construction activity includes clearing, grading, grubbing, 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-27	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. [11 Miss. Admin. Code Pt. 6, R. 1].
T-28	STEEP SLOPES, as used in this permit, means slopes or grades steeper than (3:1).
T-29	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, grubbing, or excavation), construction materials or equipment storage or maintenance (e.g., stock piles, borrow area, concrete truck chute wash down, fueling) are located.
T-30	STORM WATER means rainfall runoff, snowmelt runoff, and surface runoff. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-31	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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-32	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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT11 (continued):

Narrative Requirements:

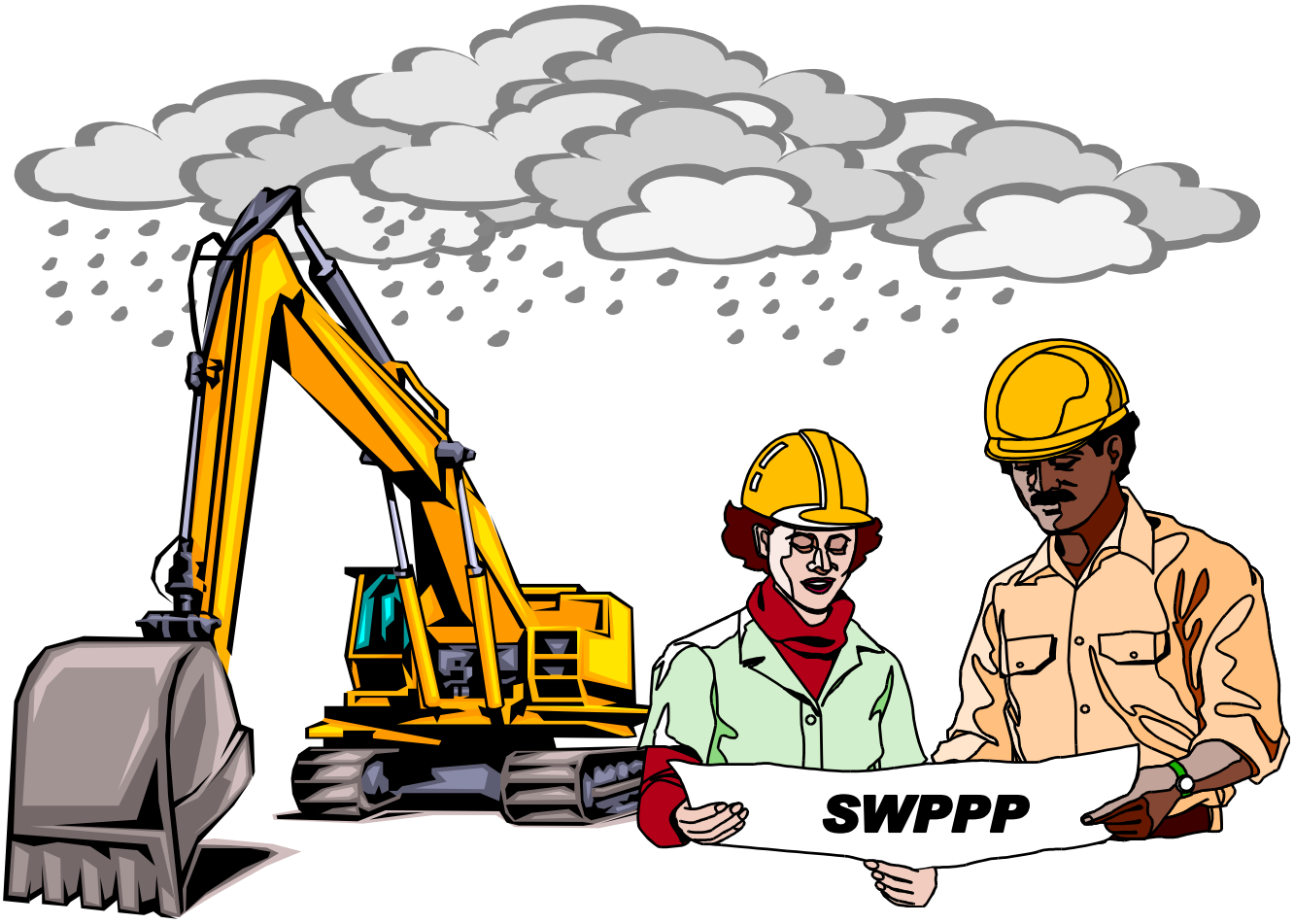
Condition No.	Condition
T-33	TEMPORARY STABILIZATION means practices such as seeding, mulching and erosion control blankets or mats that are used to stabilize exposed areas in which construction activity has been temporarily suspended. [11 Miss. Admin. Code Pt. 6, R. 1]
T-34	TOPSOIL means the top layer of undisturbed soil, consisting of a high percentage of organic matter, which is conducive to plant growth.
T-35	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.
T-36	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.
T-37	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. [11 Miss. Admin. Code Pt. 6, R. 1]
T-38	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.).
T-39	11 Miss. Admin. Code Pt. 6, Ch. 1. means the Mississippi Commission on Environmental Quality National Pollutant Discharge Elimination System (NPDES) Permits, Underground Injection Control (UIC) Permits, State Permits, Water Quality Based Effluent Limitations and Water Quality Certification.

Appendix B: Records of Weekly and Other Inspections

Appendix C: Records of Significant Spills and Leaks

Appendix D: Mississippi SWPPP Guidance Manual For Construction Activities

MISSISSIPPI STORM WATER POLLUTION PREVENTION PLAN (SWPPP) **GUIDANCE MANUAL** FOR CONSTRUCTION ACTIVITIES



General Permits Branch
Office of Pollution Control
Mississippi Department of Environmental Quality
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December 2016

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This manual is primarily derived from Chapters 2, 3 and 4 of EPA's "Storm Water Management for Construction Activities, Developing Pollution Prevention Plans and Best Management Practices," September 1992, and Chapters 3, 4 and 5 of The Mississippi Department of Environmental Quality, Mississippi Soil & Water Conservation Commission and USDA Soil Conservation Service's Planning & Design Manual for the Control of Erosion, Sediment & Stormwater," April 1994. It was originally edited by Mississippi Office of Pollution Control staff Kenneth LaFleur and Louis Lavallee, and most recently by Jim Morris and Dmitriy Asanov, who thank those who reviewed and commented on the draft. See our web site for more Storm Water information at www.deq.state.ms.us.

INTRODUCTION

This document is a guide for developing a **Storm Water Pollution Prevention Plan (SWPPP)** for the Mississippi Department of Environmental Quality (MDEQ) as required in the State of Mississippi's Large and Small Construction Storm Water General NPDES Permits. The Large Construction General Permit (MSR10) authorizes storm water discharges from land disturbing activities of five (5) acres or greater; or for land disturbing activities that are part of a larger common plan of development or sale that will disturb five (5) or more acres. The Small Construction General Permit (MSR15) authorizes storm water discharges from land disturbing activities of one (1) acre to less than five (5) acres; or for land disturbing activities less than one (1) acre that are part of a larger common plan of development or sale that will disturb one (1) to less than five (5) acres. These permits must be consulted for complete requirements. For a more thorough description of erosion and sediment controls, see the most recent edition of the **"Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas (Three Volumes),"** which may be accessed electronically at:
http://deq.state.ms.us/MDEQ.nsf/page/NPS_PlanningandDesignManual2ndEd_Vol1?OpenDocument

This document is organized according to the six parts of SWPPP planning and implementation:

- **PART I** **Collect Site Information**
- **PART II** **Choose Controls**
- **PART III** **Prepare SWPPP**
- **PART IV** **Apply for Permit Coverage**
- **PART V** **Implement Controls**
- **PART VI** **Stabilize Site & Terminate Coverage**

When developing a SWPPP, always consider the following items:

- **Divert** upslope water around disturbed areas.
- **Control** storm water volume and velocity within the site
- **Disturb** the smallest area possible. Remember, by disturbing large areas that have high erosion potential, the cost of erosion and sediment controls will greatly increase.
- **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.
- **Preserve** existing vegetation where possible, especially trees.
- **Provide and maintain** natural buffers around surface waters.
- **Avoid** disturbing sensitive areas such as:
  - Steep and/or unstable slopes
  - Land upslope of surface waters
  - Areas with erodible soils
  - Existing drainage channels
- **Limit** exposure of disturbed areas to the shortest time possible by revegetating disturbed areas as soon as possible.
- **Minimize** the amount of cut and fill, and soil compaction.
- **Transport runoff** down steep slopes through lined channels or piping.
- **Remove sediment from storm water before it leaves the site** by allowing runoff to pond in controlled areas to drop out sediment. Filter runoff by using natural vegetation, brush barriers, silt fences or hay bales.
- **Minimize** off-site vehicle tracking of sediments.

PART I

COLLECT SITE INFORMATION

- **Existing soils information** - *Are the soils susceptible to erosion?* For information see the Natural Resources Conservation Service (NRCS) soil surveys or call the State Conservationist through the State Office in Jackson at **(601) 965-5196** or **5205**. The NRCS is the former Soil Conservation Service.

- **Receiving water(s)** - Identify any lakes, streams, ponds or wetlands that may receive site runoff. If sensitive water bodies are downstream (for example: wild and scenic rivers, recreational streams, natural aquatic sites, private ponds and lakes or receiving streams listed on the Impaired Water Bodies 303(d) list or segments for which a Total Daily Maximum Load (TMDL) has been approved) extra erosion controls will be needed. A discussion of the Impaired Water Bodies follows. For assistance in locating adjacent or downstream waterbodies, see the appropriate USGS Quad map(s), a photocopy of which must be submitted along with the SWPPP. To obtain USGS Quad maps contact the Mississippi Office of Geology at **(601) 961-5523**.

- **List of Impaired Water bodies** - Mississippi's waters are used for public water supply, shell fish harvesting, recreation, and fishing & aquatic life support. The MDEQ assesses State waters every two years to determine if their uses are supported. A water body is said to be impaired when its use is partially or non-supportive. Construction sites, whose receiving streams that are on the list of impaired waters due to siltation, suspended solids, sediment, turbidity or habitat alterations, require additional erosion and sediment controls. These additional controls are intended to ensure that sediment will not further impact those impaired waters. Impaired waters are issued TMDLs, which represent the amounts of pollutants that can enter a water body so that the water body will meet and continue to meet state water quality standards. A list of water bodies with established TMDLs and an updated list of Section 303(d) streams can be accessed at http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section?OpenDocument . For more information concerning 303(d) listed streams, please contact the Water Quality Assessment Branch of the MDEQ at **(601) 961-5171**.

- **U. S. Army Corps of Engineers** - If your project is rerouting, filling or crossing a water conveyance of any kind, you should contact the U. S. Army Corps of Engineers, Regulatory Branch in your area for possible permitting requirements. For information call the Vicksburg Corps District at **(601) 631-7071** or the Mobile Corps District at **251-690-2658.**

- **Calculating total acreage disturbed** – Total acreage disturbed includes the total area disturbed over the course of the project. For subdivisions, this includes roads, utilities, drainage and home sites. A minimum of 10,000 ft^2 per home site or the entire lot, if smaller, shall be included. Acreage may be determined by dividing square footage by 43,560, as demonstrated in the following example:

  Convert 54,450 ft^2 to acres *(square footage is obtained by multiplying the length of the disturbed area by the width of the disturbed area)*

  Divide 54,450 ft^2 by 43,560 ft^2 per acre:

  54,450 ft^2 ÷ 43,560 ft^2/acre = 1.25 acres
  (Small construction coverage would be required for 1.25 acres of disturbance)

- **Determine drainage areas** - For each point where concentrated flow will leave the site, the drainage area should be determined. Drainage areas are portions of the site where runoff will flow in one particular direction or to a particular discharge point. This will help you select and design the appropriate sediment controls. The USGS Quad map(s) may be useful in determining drainage areas.

PART II

CHOOSE CONTROLS

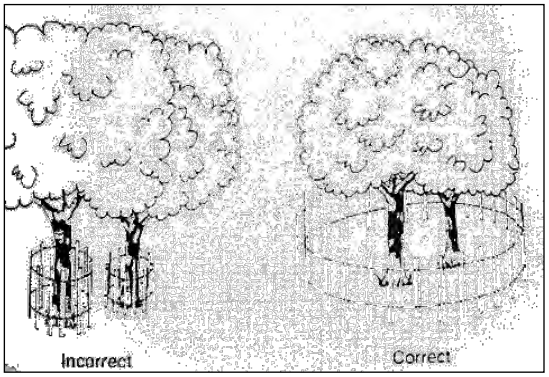
Select vegetative and structural controls; housekeeping practices; post-construction/storm water management measures & controls to be used prior to, during and after land disturbing activities. The SWPPP must include a description of the measures and controls that will be used throughout the construction project. Incorporate any municipal, county or other required controls into your SWPPP.

1. **Vegetative controls** are an inexpensive and effective way to protect soil from raindrop impact, a major erosion force. It also decreases erosion due to flowing water by reducing its velocity. Roots from vegetation hold the soil in place and increase infiltration**. Topsoil should be added where existing soils are not suitable for adequate vegetative growth.** Please indicate if soil amendments are to be used.

   - **Vegetative buffer zones** are undisturbed or planted vegetated areas that surround a development, land disturbance activity or that border an intermittent stream or permanent water body. Buffer zones aid in sediment filtration and removal. If possible, construction site runoff should be spread out over entire buffer zone length. A minimum 15-foot wide buffer zone is recommended. A minimum 150-foot buffer zone is recommended adjacent to perennial streams and water bodies.

   - **Sod stabilization,** the most effective vegetative practice available, involves establishing long-term stands of grass with sod on exposed surfaces. Properly installed and maintained sodding can be more than 99 percent effective in reducing erosion.

   - **Protection of trees** involves preserving and protecting selected trees that exist on the site prior to development. Mature trees provide extensive canopy and root systems that hold soil in place. It is important to provide tree protection to the tree drip line rather than only around the perimeter of the trunk. Shade trees also keep soils from drying rapidly and becoming susceptible to erosion, in addition to increasing property value.



   - **Tillage, with lime and fertilizer,** may be important before seeding. The Cooperative Extension Service local agent can analyze soil for lime and fertilizer needs.

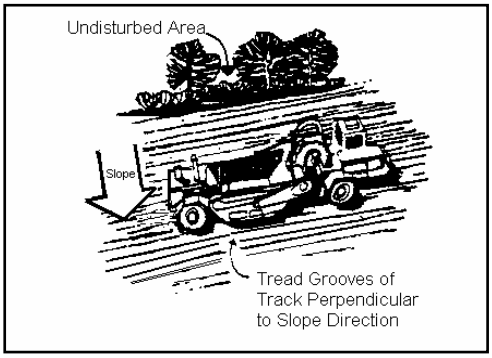
   - **Temporary seeding** is the planting of fast-growing annual grasses to hold the soil in areas that will not be disturbed again for 14 or more days. The appropriate temporary vegetative practices must be implemented immediately. For long term protection (greater than one year), permanent seeding should be initiated. The seeding chart on page 7 lists annuals that may be used. Mulching helps ensure seed growth and is essential when slopes are steep, weather is hot or dry and soil conditions are poor.

   - **Permanent seeding** is the use of perennial grass (with trees & shrubs) to stabilize the soil. The appropriate permanent vegetative practices must be implemented immediately. The seeding chart on page 7 lists perennials that may be used. Vegetation is often not fully established until one (1) year from planting. Inspect, repair and re-seed as needed, evaluating choice of seed and quantities of lime and fertilizer. Use temporary seeding if the time of year is not appropriate for permanent seeding**. Sodding may be needed in highly erodible areas.**

- **Mulching** is the placement of hay, grass, wood chips, straw, or synthetic material on the soil. Mulch holds moisture, dampens temperature extremes and retards erosion on steep slopes during seed establishment. Soils that cannot be seeded due to the season should be mulched to provide temporary protection.

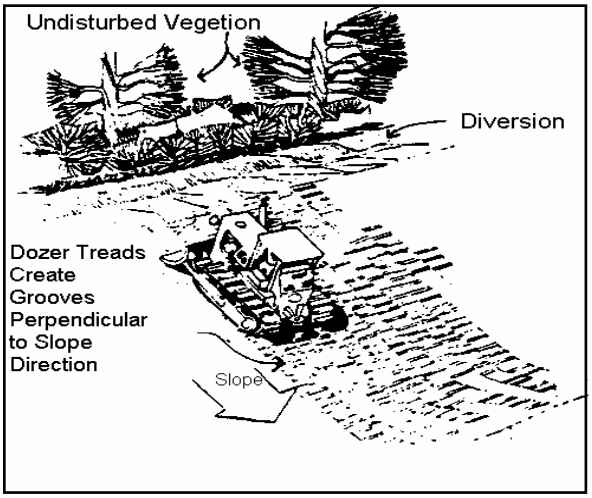
- **Erosion & sediment control blankets** are machine-produced mats of straw or other fibers held together with netting that provide temporary or permanent stabilization in critical areas, such as slopes or channels, so that vegetation may be established. On slopes shallower than 2:1, blankets should be laid perpendicular to the direction of flow. However, on steep slopes (> 3:1) and in areas of concentrated flows (ditches, swales, storm water conveyance channels), blankets should be laid in parallel to the direction of flow. Blankets should be anchored in a six (6) inch trench and should overlap by three (3) inches if strips are laid side by side.

- **Surface roughening** involves using heavy equipment to create grooves on bare soil in a perpendicular direction across the slope. Roughening loosens compacted soils in order to reduce runoff velocity and erosion while aiding in seed growth. Roughened slopes should be immediately seeded and mulched.



- Slopes that will be mowed should be grooved with shallow grooves 1 to 3 inches deep and no further apart than 10 to 12 inches.

- Cut slopes that will not be mowed can either be step grading, the horizontal portion of each step must be longer than the vertical portion and should be sloped into the vertical portion. Individual vertical cuts should be no higher than 24 inches or 36 inches if the material is rocky.



SEEDING CHART FOR THE STATE OF MISSISSIPPI

***For a more comprehensive vegetation schedule, see "Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas (Three Volumes)"**

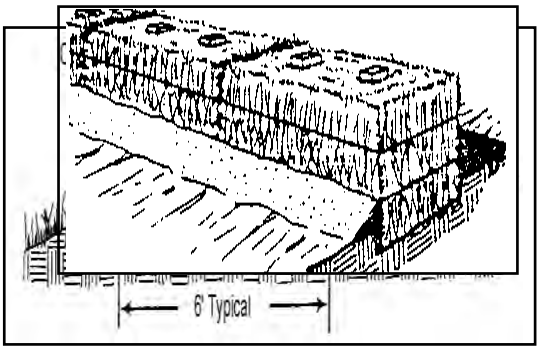
SPECIES	SEEDING RATE/ ACRE	PLANTING TIME	DESIRED pH RANGE	FERTILIZATION RATE/ACRE	METHOD OF ESTABLISH-MENT	ZONE OF ADAPT-ABILITY	NATIVE/ INTRODUCED
Common Bermuda	15 lbs. alone 10 lbs. mix-ture	3/1 - 7/15 9/1 - 11/30	6.0 - 7.0	600 lbs. 13-13-13	seed or sod	All	Introduced *Potential for Invasiveness
Bahia	40 lbs. alone 30 lbs. mixture	3/1 - 7/15 9/1 - 11/30	6.0 - 7.0	600 lbs. 13-13-13	seed	Central & South	Introduced
Fescue	40 lbs. alone 30 lbs. mix-ture	9/1- 11/30	6.0 - 7.0	600 lbs. 13-13-13	seed	North & Central	Native
Saint Augustine	--	3/1 - 7/15	6.0 - 7.0	600 lbs. 13-13-13	sod only	Central & South	Native
Centipede	4 lbs. alone 2.5 lbs. mix	3/1 - 7/15	6.0 - 7.0	600 lbs. 13-13-13	seed or sod	All	Introduced
Carpet Grass	15 lbs. alone 10 lbs. mix-ture	3/1 - 7/15	6.0 - 7.0	600 lbs. 13-13-13	seed or sod	All	Native
Zoysia Grass	--	3/1 - 7/15	6.0 - 7.0	600 lbs. 13-13-13	sod only	All	Introduced
Creeping Red Fescue	30 lbs. alone 22.5 lbs. mix	9/1 - 11/30	6.0 - 7.0	600 lbs. 13-13-13	seed	All	Native
Weeping Lovegrass	10 lbs. alone 5 lbs. mix	3/1 - 7/15	6.0 - 7.0	600 lbs. 13-13-13	seed	All	Introduced
Sericea Lespedeza	40 lbs.	3/1 - 7/15 9/1 - 11/30	6.0 - 7.0	400 lbs. 6-24-24	seed	All	Introduced
***Wheat**	90 lbs. alone	9/1 - 11/30	6.0 - 7.0	600 lbs. 13-13-13	seed	All	Native
***Ryegrass**	30 lbs.	9/1 - 11/30	6.0 - 7.0	600 lbs. 13-13-13	seed	All	Native
***White Clover**	5 lbs.	9/1 - 11/30	6.0 - 7.0	400 lbs. 6-24-24	seed	All	Introduced
***Crimson Clover**	15 lbs.	9/1 - 11/30	6.0 - 7.0	400 lbs. 6-24-24	seed	All	Introduced
***Hairy Vetch**	30 lbs.	9/1 - 11/30	6.0 - 7.0	400 lbs. 6-24-24	seed	All	Introduced
***Browntop Millet**	40 lbs. alone 15 lbs. mix	4/1 - 8/30	6.0 - 7.0	600 lbs. 13-13-13	seed	All	Introduced

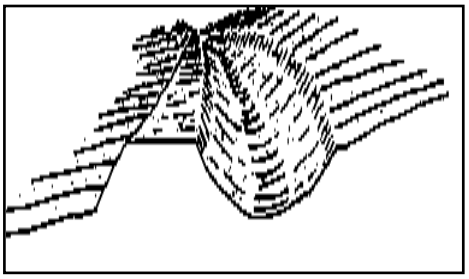
*Note on Annuals. For permanent seeding, annuals can only be used in a mixture with perennials.

North-north of Hwy. 82
Central- south of Hwy. 82 & north of Hwy. 84
South- south of Hwy. 84

2. **Structural Controls** divert flows away from disturbed areas, reduce runoff velocities, filter out sediment and remove sediment by ponding. Temporary structures are installed before and during construction. After removing temporary storm water controls the area should be vegetated. Permanent structures remain after construction.

- **Diversion** ridges or channels of stabilized soil can divert off-site runoff from disturbed areas or sediment-laden runoff into sediment basins. If diversions will remain in place more than 30 days they should be covered with temporary or permanent vegetation. Diversions must have enough grade to assure drainage, but not enough

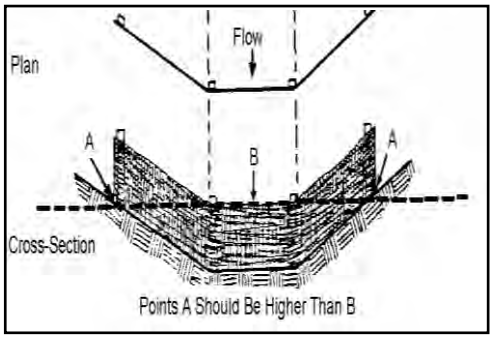




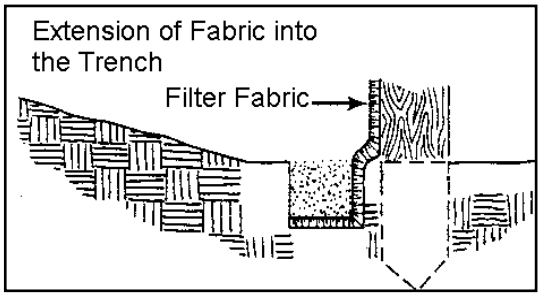
to cause erosion within the channel. Allow sufficient room around diversions to accommodate machine regrading, if needed. The maximum allowable drainage area is five acres.

- **Silt fences** are used below small disturbed areas to capture sediment from sheet flow. Eight inches of fence should be buried in a trench about four inches deep and four inches wide. **Silt fences that are not buried are improperly installed, have no useful function, are a waste of money, and could result in substantial fines.** The maximum slope length behind a fence is 100 feet with maximum gradient two horizontal to one vertical (2:1). Under no circumstances should silt fences be installed across flowing streams. They may be placed in minor swales or ditch lines where the maximum contributing drainage area is no more than two acres. The fence must be maintained and the sediment removed when deposits reach one-half the fence height. After the fence is no longer needed, the area should be graded, seeded and mulched.

Install fence steel fence posts or 4 inch diameter wooden posts that are five 5 feet in length. Posts should be installed starting at the center of the lowest point of the fence line and be driven 12 inches into the ground. Allow 6 inch overlap at joints. Machines that install silt fences are also acceptable methods of installation.

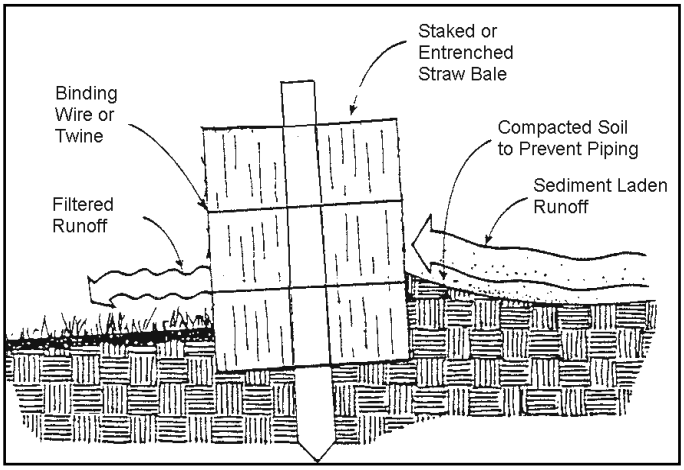


- **Straw bale barriers** are also used on small disturbed areas to capture sediment from sheet flow. The drainage area must be restricted to 1/8 acre per 100 feet of barrier. Maximum gradient behind the barrier is three horizontal to one vertical (3:1). The barrier must be located so that

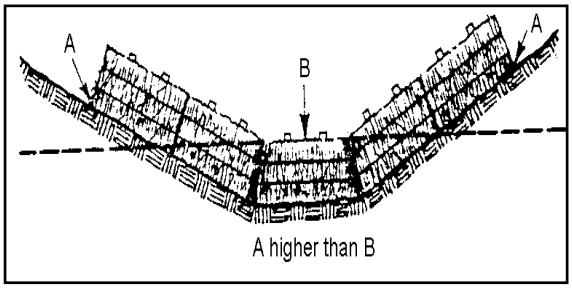


the water depth does not exceed one foot at any point. Straw bales, with bindings oriented around the sides, shall be entrenched a minimum of four inches and anchored with two stakes driven toward the previously laid bale. **Straw bales that are not buried are improperly installed, have no useful function, are a waste of money, and could result in substantial fines.**

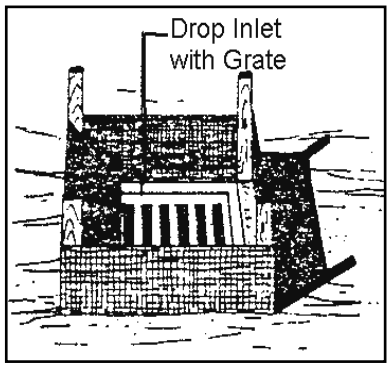
- Bales should be placed so that the ends are tightly abutting each other. Bales should be staked down using 1" x 2" wood stakes or rebar. Use two (2) stakes per pale and angle the first stake towards the previously laid bale. Stakes should be long enough to go through the bale and into the ground a minimum of 12 inches.

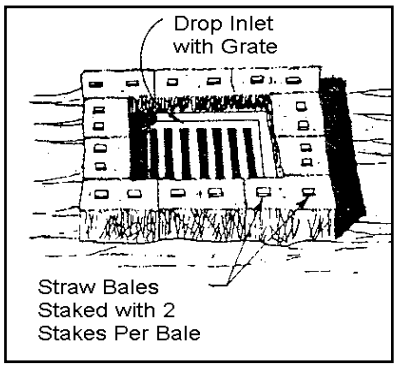


- Gaps between bales shall be wedged with straw. Loose straw scattered immediately uphill increases barrier efficiency. **Under no circumstances should straw bale barriers be constructed in live streams.** For minor dry swales, the end bale bottoms shall be higher than the middle bale top to assure runoff will not flow around the barrier. Repair damaged bales, end runs and undercutting. Remove sediment when it reaches one-half (1/2) barrier height. When upslope areas are stabilized, remove bales and grade, seed and mulch barrier line.

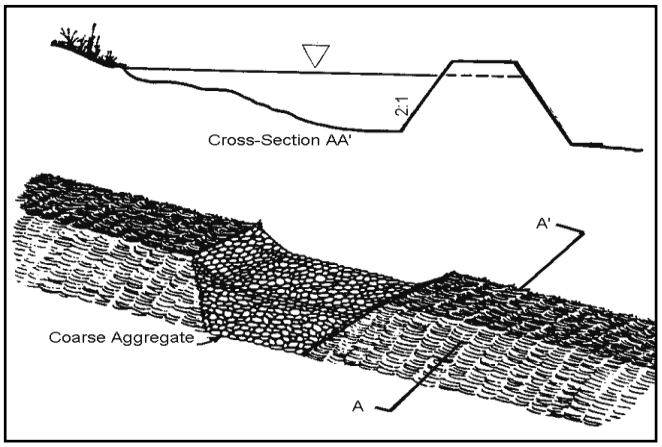


- **Storm drain inlet protection** is a sediment filter (aggregate, silt fence, straw bales, or manufactured filter) or an excavated sediment trap around a storm drain inlet. Storm sewers installed before their drainage area is stabilized can convey large amounts of sediment to streams. Straw bale and silt fence inlet protection are used for drainage areas of <u>less than one (1) acre</u> and slopes no greater than five percent (5%).





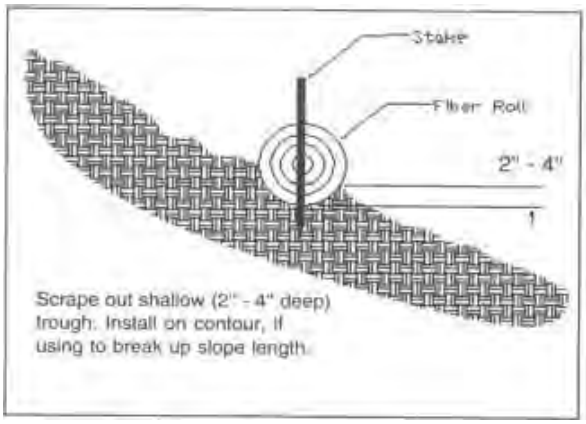
- **Sediment basins** allow sediment to settle out. Sediment basins are made by diking, excavating or a combination of the two. The "Erosion Control, Sediment Control and Stormwater Management" manual recommends a basin capacity of 134 yd^3 per acre drainage area. Because of typical basin shapes and embankment side slope requirements of 2:1 or flatter, the capacity of the basin may be estimated by using the trapezoidal rule approximation of 40% x height x surface area. Sediment should be removed when the volume has been reduced to 67yd^3 per acre drainage area. The length should be twice the width, with maximum surface area and outlet as far from the inlet as possible. If using a dike, it must be well compacted and vegetated, with an outlet pipe or coarse aggregate spillway. Install basins prior to construction but not in flowing streams and not in intermittent drains without a Corps of Engineers Permit. Use diversions to direct drainage to basins. Mississippi's Large Construction Storm Water General Permit requires that a sediment basin be installed in any drainage location where more than 10 acres in the upstream basin are disturbed at one time. See planning and design manual for basin design details.



- **Flocculants** may be used in order to treat turbidity in construction site storm water discharges and incorporated as a 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. Flocculants must meet the criteria contained in ACT8 of the Large Construction General Permit and

implemented in accordance with the manufacturer's instructions.

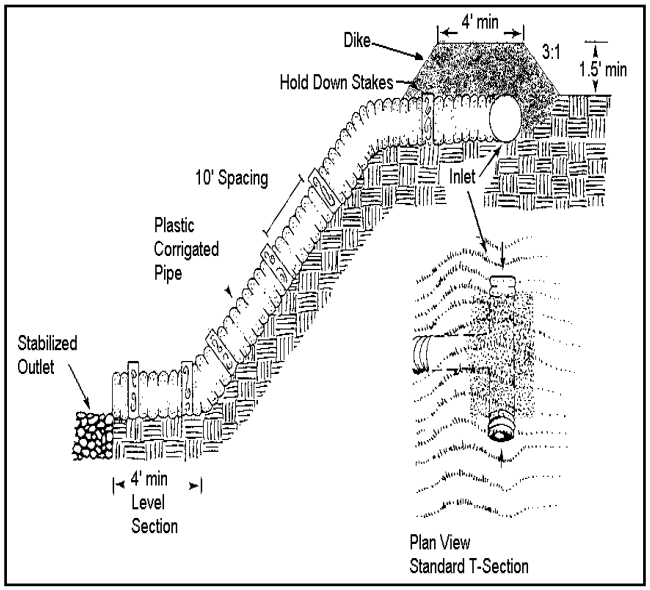
- **Fiber logs (also known as wattles)** are rolls made of straw or coconut fiber placed inside plastic netting. Wattles can be good for reducing slope length on steep slopes, for very low gradient sites that are small, or for preventing sediment from leaving small stockpiles. A shallow depression is scraped out where the fiber log is staked down. Wattles can be used to protect a stockpile on a hard surface where no digging can take place, in which case the fiber log is laid on the surface ensuring that all ends are abutting tightly and fastened to each other. Sandbags or concrete blocks are used on the outside to prevent movement.



- **Slope drains** are piping or lined channels carrying storm water downslope without erosion. Runoff is directed to the drain by earthen diversion with a minimum height of 18 inches. At the inlet, the diversion and inlet cover must be six (6) inches higher than the top of the piping. The diversion and especially the inlet cover must be well compacted. Install piping hold-downs at 10-foot intervals and line the outlet area with riprap or other material to prevent scour and undermining. The maximum drainage area per drain should be five (5) acres. Permanent slope drains would be subsurface or paved flumes.

SIZE OF SLOPE DRAIN
Maximum Drainage Piping Diameter

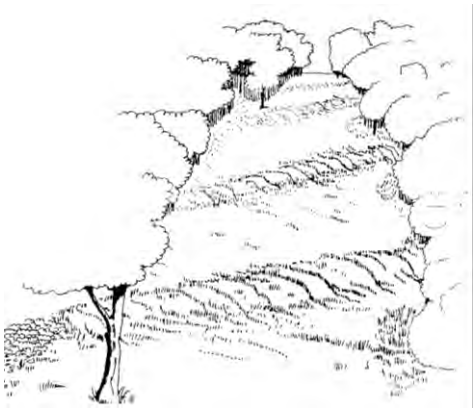
Area (Acres)	(Inches)
0.5	12
.75	15
1.5	18
2.5	21
3.5	24
5.0	30



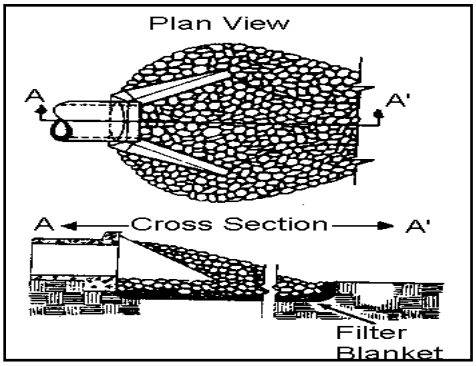
- **Slope breaks**, diversions or benches, are used to reduce the slope length of a cut or fill to minimize rill erosion and prevent gullying. Drainage area should be less than one (1) acre.

Slope Breaks

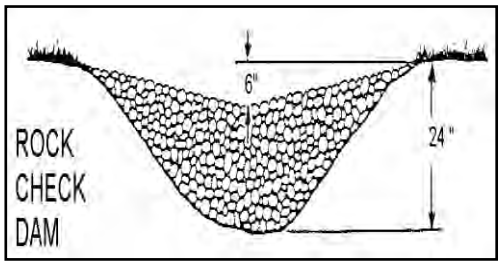
Slopes	Spacing (ft)
Steep Slopes	
2:1	20
3:1	35
4:1	45
Gradual Slopes	
15 - 25%	50
10 - 15%	80
6 - 10%	125
3 - 6%	200
<3%	300

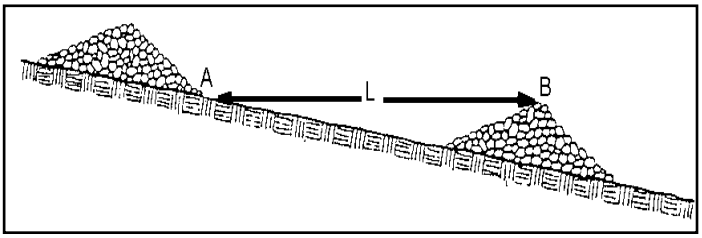


- **Riprap outlet protection** is placed at the outlet end of culverts or channels to reduce the depth, velocity and energy of water so that the flow will not erode the receiving downstream reach.

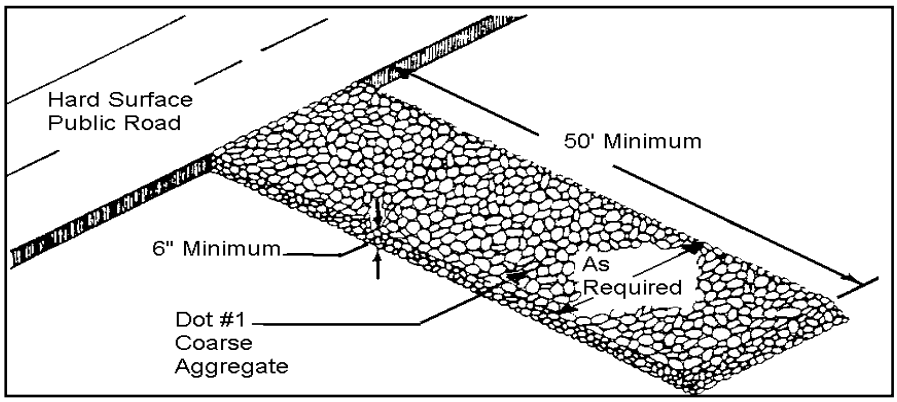


- **Check dams** are small dams constructed across swales or drainage ditches to reduce flow velocity and erosion. The purpose of a check dam is to prevent erosion of the swale or drainage ditch. They are not used in streams. Check dams can be constructed of stone, straw bales, or logs, with a maximum height of two (2) feet. **The check dam center must be at least six (6) inches lower than the outer edges to prevent erosion around the edges.** The maximum spacing between dams should be such that the toe of the upstream dam is at the same elevation as the top of the downstream dam. Sediment will accumulate and should be removed from behind the check dams when it reaches one half the dam height. Erosion around dam edges should be corrected immediately, ensuring that the dam center is six (6) inches lower than the edges. In grass-lined ditches, grass must be established prior to dam removal. The dam site should be seeded and mulched or sodded, as needed. The use of check dams should be limited to small open channels that drain 10 acres or less.

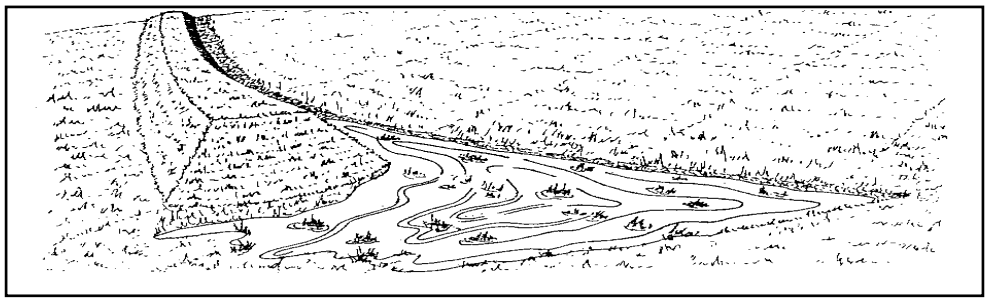




- **Construction entrance/exits** are stone stabilized site entrances which reduce sediment transferred onto public roads. Aggregate should be at least six (6) inches thick and 50 feet long. Tire washing may also be needed.



- **Level spreaders** are diversion outlets allowing the flow to disperse uniformly over surrounding vegetated areas. Spreaders should be constructed on undisturbed soil with downstream areas having established vegetation. Used to divert upslope waters around disturbed areas.



3. **Controls for individual lots in subdivisions and commercial developments.** The Large Construction Storm Water General Permit specifies that individual lots within residential and commercial developments, "that are part of a larger common plan of development or sale" are regulated regardless of size or owner. Therefore, requirements have been established for commercial and residential lots regarding storm water pollution prevention for lots and parcels that are sold by the original coverage recipient.

   Commercial development: The original coverage recipient responsible for all construction activities until individual lots or parcels within the development are sold to others and the new owner submits a Large Construction Notice of Intent, SWPPP and obtains coverage. For commercial development, a SWPPP must be developed and submitted along with the LCNOI.

   Residential Subdivision: The original coverage recipient is responsible for construction activities until the new owner or operator submits the Registration Form for Residential Lot Coverage and develops and implements a sediment and erosion control plan, submits a LCNOI and required documents, or applies for an individual storm water permit. Homebuilders are required to minimize off-site damage from soil erosion, sediment leaving the construction site, and poor "housekeeping" practices. Examples of individual lot sediment and erosion control plans 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 plan, controls must be used from each control group (vegetative, structural, housekeeping) to prevent erosion and sediment and other pollutants from leaving the site.

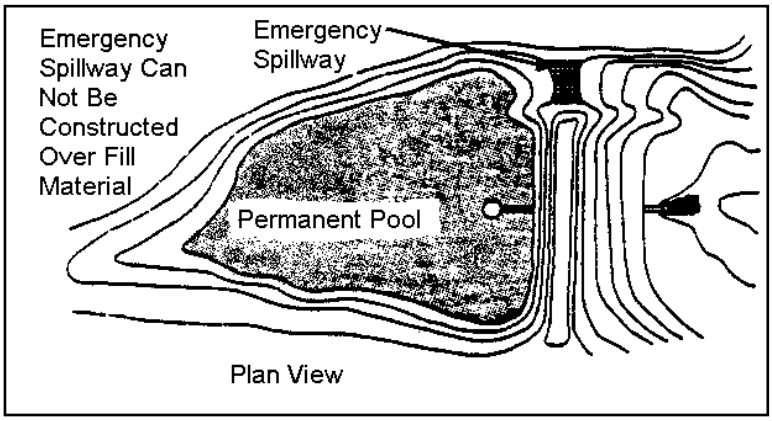
4. **Housekeeping Practices.** Pollutants that may enter storm water from construction sites because of poor housekeeping may include, but are not limited to oils, grease, paints, gasoline, solvents, litter, debris, and sanitary waste.

   The SWPPP should:

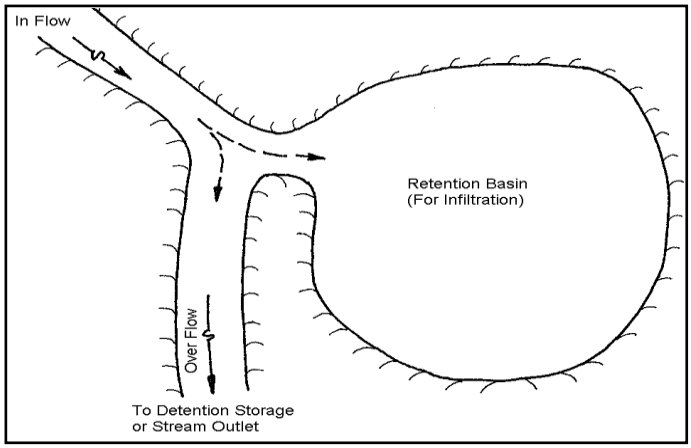
   - designate areas for equipment maintenance and repair;
   - designate areas for equipment wash off (i.e., concrete chute wash off);
   - provide waste receptacles at convenient locations and provide regular collection of waste;
   - provide adequately maintained sanitary facilities;
   - provide protected storage areas for chemicals, paints, solvents, fertilizers, and other potentially toxic materials;
   - implement spill and leak prevention practices and response procedures if spills and leaks do occur; and
   - minimize the exposure of building materials, building products, construction wastes, trash and landscape materials.

5. **Post - Construction/Storm Water Management Measures**. The Storm Water Construction General Permits require that the SWPPP describe any measures that will be installed and implemented to control pollutants in storm water after construction is complete. These controls include, but are not limited to, one or more of the following:

- **Detention ponds** detain runoff in a basin for a limited time releasing it slowly, allowing sediment to drop out.



- **Retention Ponds** provides complete onsite storage and treatment of a specific volume of storm water runoff by using infiltration and evaporation. The specific volume is typically the first inch or half inch of storm water runoff containing the first flush of pollutants.



- **Constructed wetlands** are modified natural or constructed shallow basins for treatment of waters by wetland vegetation. Constructed wetlands are operated wet. They can achieve a high removal rate of sediments, BOD, organic nutrients and metals. They can also create wildlife habitat, recreation, and landscape amenities as well as corresponding higher property values.

- **Vegetated swales and natural depressions** are grass-lined, filtering sediments from the runoff and preventing erosion. Vegetated swales should have side slopes of 4:1 or flatter.

- **Velocity dissipation devices** prevent erosion from high runoff velocity, such as **riprap** placed at the discharge point.

- **Exfiltration trenches** are a feasible option where soils are permeable and the water table is well below the surface. Exfiltration trenches retain storm water for release into the soil. Storm water runoff is temporarily stored in perforated pipe or coarse aggregate and allowed to infiltrate the trench walls and, to some extent, trench bottoms. Trenches require regular maintenance to prevent clogs.

PART III

PREPARE SWPPP

1. **Write a Description of Controls**. Once you have finished selecting the vegetative and structural controls, list each control you plan to implement. There are specific controls in the construction permits that must be implemented unless infeasible.

2. **Prepare a scaled site map** showing:

   - Boundaries of property and proposed construction activities, noting any phasing of construction activities,
   - Original and proposed contours (if feasible), with steep slopes identified
   - North arrow
   - Drainage pattern arrows
   - Location of sensitive areas, such as wetlands, perennial streams and adjacent receiving water bodies, (if the receiving waterbody is not depicted on the map, the name and direction shall be listed in text form on the map)
   - Location of any storm drain inlets and any receiving MS4
   - All erosion and sediment controls (vegetative and structural)
   - Any post-construction control measures, and
   - Location of housekeeping practices

   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.

3. **Implementation Sequence.** Indicate the order in which activities will take place. When work is discontinued for 14 days or more in a disturbed area or completed, appropriate vegetative and structural practices must be initiated immediately. Several general implementation principles are:

   - **Install** downslope and perimeter controls <u>before</u> other site work. Build sediment basins <u>before</u> major site grading.
   - **Divert** upslope water around area before major site grading.
   - **Do not disturb** an area until it is necessary.
   - **Time** construction activities to limit impact from seasonal weather.
   - **Cover or stabilize** disturbed areas as soon as possible.
   - **Do not remove** temporary controls until <u>after</u> site stabilization.

4. **Inspection and Maintenance Schedules**. A description of an inspection and maintenance schedule for all disturbed areas, material storage areas, and erosion and sediment controls that were identified as part of the plan shall be included in the SWPPP. Non-functioning controls shall be repaired, replaced or supplemented with functional controls within 24 hours of discovery or as soon as field conditions allow. During permit coverage all erosion controls must be inspected at least once per week for a minimum of four (4) inspections per month and as often as necessary to ensure that appropriate erosion and sediment controls have been properly constructed and maintained and 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. Controls must be in good operating condition until the area they protect has been completely stabilized and the construction activity is complete. The SWPPP must also identify all allowable source of non-storm water discharges listed in ACT2, T-2 of the Large Construction Storm Water General Permit, except for flows from actual fire fighting activities, which are combined with storm water discharges associated with large construction activity. The inspection

information must be recorded on the forms developed and provided by the MDEQ. These forms are available on the General Permits Branch page found at: http://www.deq.state.ms.us/MDEQ.nsf/page/epd_epdgeneral?OpenDocument

PART IV

APPLY FOR PERMIT COVERAGE

The MDEQ now has two different storm water general permits that cover construction activities in Mississippi. Construction activities that disturb one acre to less than five acres require coverage under the Small Construction General Permit. The requirements of the Small Construction General Permit are similar to the Large Construction General Permit. However, there is one fundamental difference. **The Small Construction General Permit has no submittals to the MDEQ unless specifically requested**. The owner or operator must complete the Small Construction Notice of Intent (SCNOI) and keep the form on the project site or locally available. In addition, the owner or operator must develop and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must also be kept at the project site or locally available.

For projects that are considered large construction activities, the owner or operator must submit a Large Construction Notice of Intent (**LCNOI**) to the Office of Pollution Control (OPC) along with the **SWPPP** and the **USGS Quad Map** (or copy). The LCNOI summarizes information about you, your site, the prime contractor, and receiving water(s). The LCNOI is due at least 30 days prior to the commencement of construction. An **authorized representative**, as described in the general permit, must sign the LCNOI. If the owner signs the LCNOI and will not serve as the prime contractor, the prime contractor should sign and submit the Prime Contractors Certification form provided in the LCNOI prior to actual construction.

Operators of construction sites should keep in mind that local governments (cities, towns, counties) often have their own requirements for construction sites. Compliance with local requirements does not mean compliance with state requirements or vice versa. Forms may be found on our website at:
http://www.deq.state.ms.us/MDEQ.nsf/page/epd_epdgeneral?OpenDocument

PART V

IMPLEMENT CONTROLS

Erosion and sediment controls shall be constructed and the stabilization measures shall be applied in the order that was indicated in the implementation sequence. It is important that appropriate construction workers are aware of the SWPPP and have ready access to it. The owner or prime contractor must **inspect and maintain** controls, recording damages or deficiencies and corrective measures, and **complete monthly inspection reports** using the form provided by the MDEQ. Problems should be corrected within 24 hours or as soon as practicable after an inspection. Changes to correct deficiencies in the SWPPP should also be made as soon as practicable after the inspection. The SWPPP must accurately reflect the site and construction and be corrected if it does not.

PART VI

STABILIZE SITE & TERMINATE COVERAGE

Upon successful completion of all permanent erosion and sediment controls for a Large Construction project, the Office of Pollution Control must be notified by submission of a Request for Termination of Coverage (RFT) form. The RFT form must be fully completed by both the owner and operator and include original signatures by both parties. The RFT form is provided in the Storm Water Large Construction General Permit. If the entire RFT form is fully completed and the MDEQ on site inspection does not show any problems, a letter will be sent to the coverage recipient stating the permit has been terminated. At this point, the permittees are relieved of their responsibility. Failure to submit the RFT is a permit violation and subject to enforcement action.

SAMPLE STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

Site Information

The construction of two commercial buildings and associated pavements will disturb 7.2 acres. Three-fourths of this site has a medium erosion hazard. The remainder of the site has 10 to 20 percent slopes that are highly erodible. An intermittent drain on the north end of the property drains the site to "Any-Name" Creek. "Any-Name" Creek stream is not on the 303(d) list for siltation, turbidity or habitat alterations, therefore additional controls that are warranted for a site discharging to listed receiving streams are not required.

Controls

Vegetative Controls: A 15-foot undisturbed vegetative buffer zone will be maintained around the perimeter of the site. Existing trees will be preserved where possible. All diversions will be seeded (permanent seeding) within seven calendar days of construction. Topsoil will be stockpiled for use in landscaping. Grass-lined waterways will be constructed and lined with temporary straw-net liners and will be constructed around both buildings. All 3:1 cut slopes will be roughened by disking prior to seeding. The slope on the south side of the intermittent stream will be sodded with Bermuda grass. Any disturbed areas that will be left undisturbed for 14 or more days will be seeded (temporary seeding) immediately. After final grading, all disturbed areas will be seeded (permanent seeding) immediately.

Structural Controls: A sediment basin with a surface discharge will be constructed at the end of the existing intermittent drainage to the north (drainage area: 4.8 acres). A sediment basin will be constructed at the southwest corner of the property where runoff leaves the property. Storm water will be directed to these basins with the assistance of diversions and grassed waterways. Upslope waters will be diverted around disturbed areas. A level spreader will serve as the outlet for the diversion southeast of the buildings. All cut slopes will be at or below a 3:1 grade. A construction entrance will be built and any accumulation of mud on vehicle tires will be washed, if needed, during muddy conditions. Inlet protection (silt fences) will be installed at all storm drain inlets. A silt fence will be constructed around the stockpile. The eroding natural drainage way on the north end of the site will be lined with rip rap (which is covered by a Nationwide Permit # 13 – *an individual 404 Permit is not required because the activity is less than 500 linear feet and has less than 1 cubic yard of rip rap per linear foot - no notification of Corps required.*). Riprap will be placed at all culvert outlet aprons. A sediment pit will be excavated for concrete trucks to wash the mixer chutes and a memo will be sent to the concrete supplier to use a minimum amount of water. Drivers will be instructed to return any materials to the concrete batch plant and complete final washing procedures at that location.

Housekeeping Practices. All equipment maintenance and repair will be done offsite. Trash cans will be placed at convenient locations throughout the site. The main trash collection bin will be located on the northeast corner of the site and will be picked up weekly by the city. Paints, solvents, fertilizers, or any other potentially toxic materials will not be stored onsite. Portable sanitary facilities will be provided for construction workers. There is a marked and designated area for concrete truck wash off.

Post Construction/Storm Water Management Measures: The temporary sediment basin will be converted to a detention basin after construction. Riprap will be placed at concentrated storm water discharge points to prevent erosion from high runoff velocities.

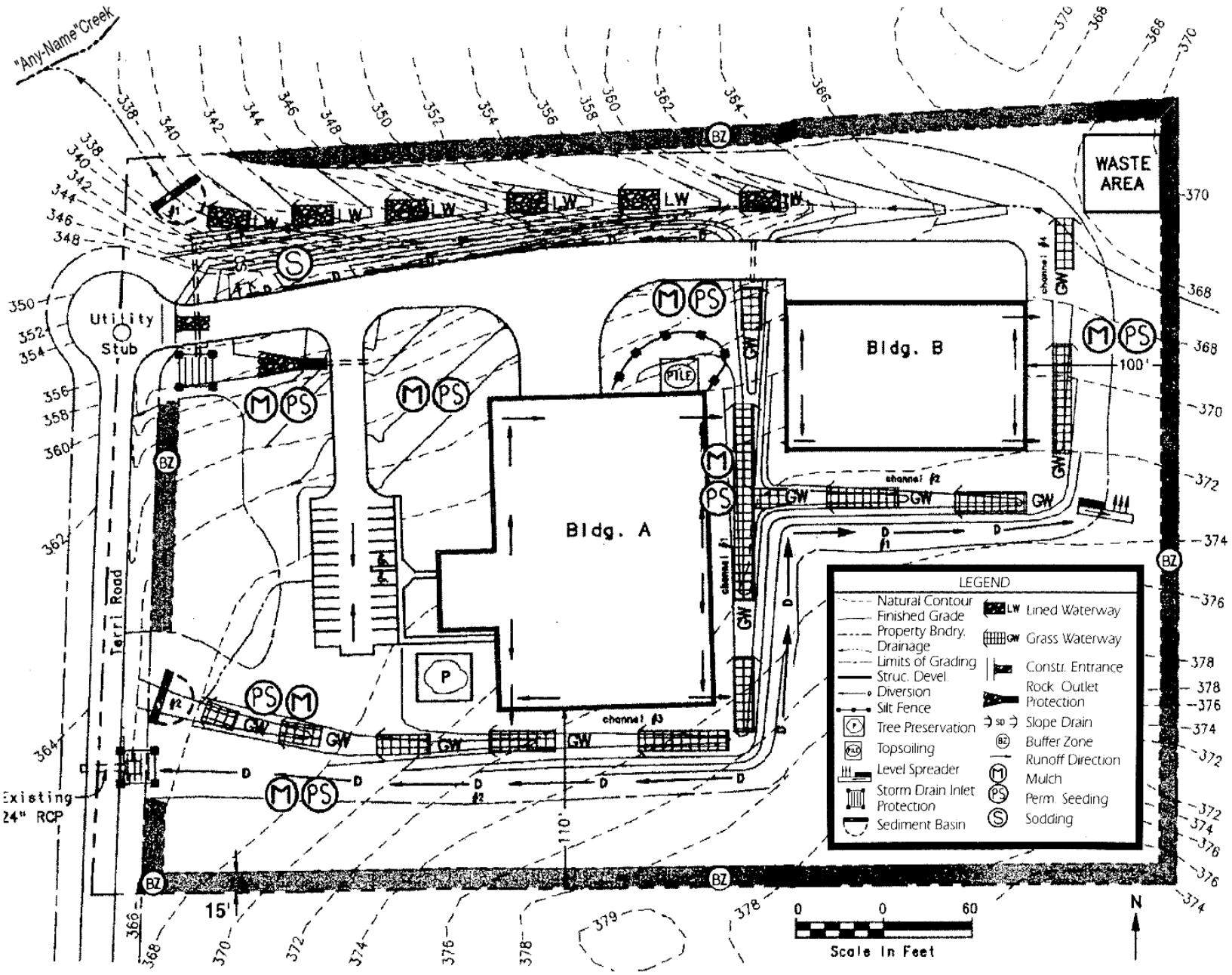
Implementation Sequence

1) build construction entrance/exit. 2) install sediment basin with needed riprap. 3) contour and riprap intermittent drainage way to the north. 4) rough grade site, construct diversions and drainage ways, stockpile topsoil and install silt fence around stockpile, install culverts with inlet/outlet protection (silt fence), level spreader and riprap. 5) plant needed temporary vegetation on disturbed areas. 6) construct buildings and parking lots. 7) finish slopes around buildings, roughen slopes and vegetate. 8) after site is stabilized, remove all temporary measures, vegetating these areas, and convert sediment basin to a detention basin.

Maintenance Plan

Check all disturbed areas, erosion and sediment controls after each significant rainfall but not less than once per week. Make needed repairs within 24 hours. Remove sediment from the basin, inlet protection devices and silt fences when accumulated sediment has reached 50 percent capacity. Replace non-functional silt fence. Maintain all vegetated areas to provide proper ground cover - reseed, fertilize, and mulch as needed.

SAMPLE SITE MAP



COMMON PLAN OF DEVELOPMENT OR SALE SWPPP REQUIREMENTS FOR INDIVIDUAL LOTS IN A RESIDENTIAL SUBDIVISION

When rain falls on exposed soil it can wash away valuable topsoil. It also carries soil, 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 soon as possible. When a disturbed area will be left undisturbed for fourteen days or more, the appropriate temporary or permanent vegetative practices shall be implemented immediately.

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 required as soon as possible. Silt fences, and other temporary measures must be removed following permanent stabilization. Establishing a permanent vegetative cover on disturbed areas using either sod, perennial seed, trees or shrubs is required. When a disturbed area will be left undisturbed for thirty days or more, the appropriate temporary or permanent vegetative practices shall be implemented within seven calendar days.

Vegetative buffer zones are undisturbed or planted vegetated areas that are between construction activities and water bodies, street, drainage ditch, etc. A 15-foot wide buffer is recommended.

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 (8-12) inches of fence must either be sliced in or buried in a trench about four to six (4-6) 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 three (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.

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.

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.

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.

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, inlet protection devices, 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.

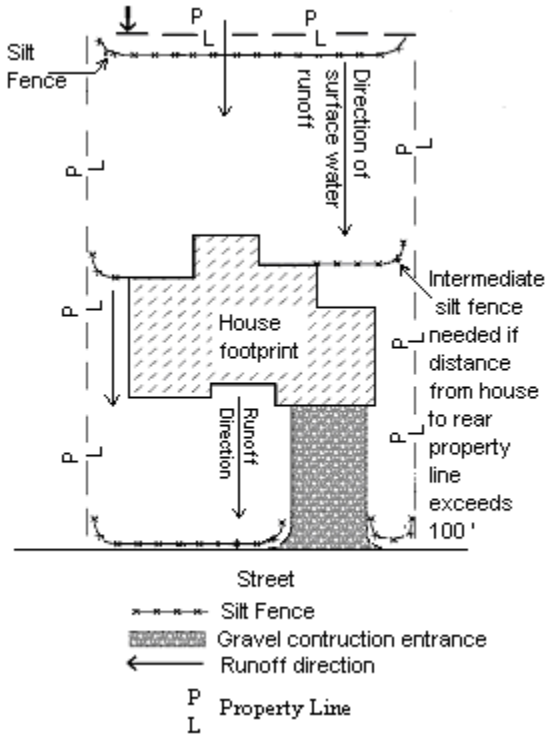
Housekeeping Controls

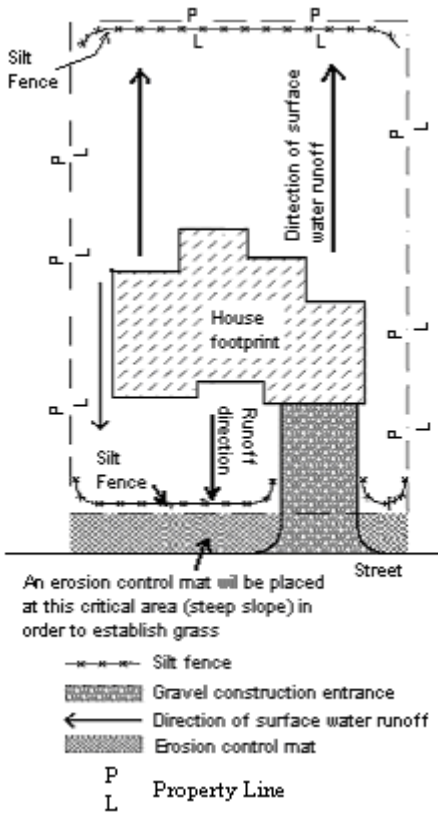
Pollutants that may enter storm water from construction sites because of poor housekeeping include oils, grease, paints, gasoline, solvents, litter, debris, and sanitary waste. Good housekeeping practices include:

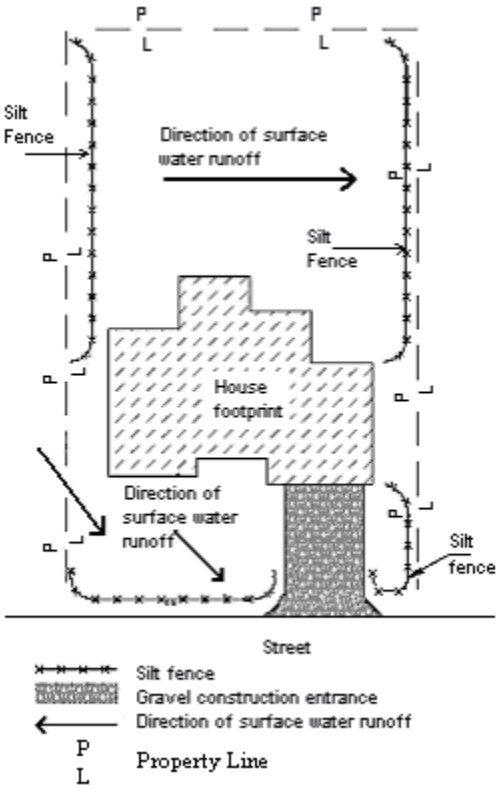
- Minimize the exposure of building materials, building products, construction wastes, trash and landscape materials
- Frequent cleaning of trash and debris, providing waste receptacles at convenient locations and providing regular collection of waste;
- Directing concrete trucks to the subdivision's 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.

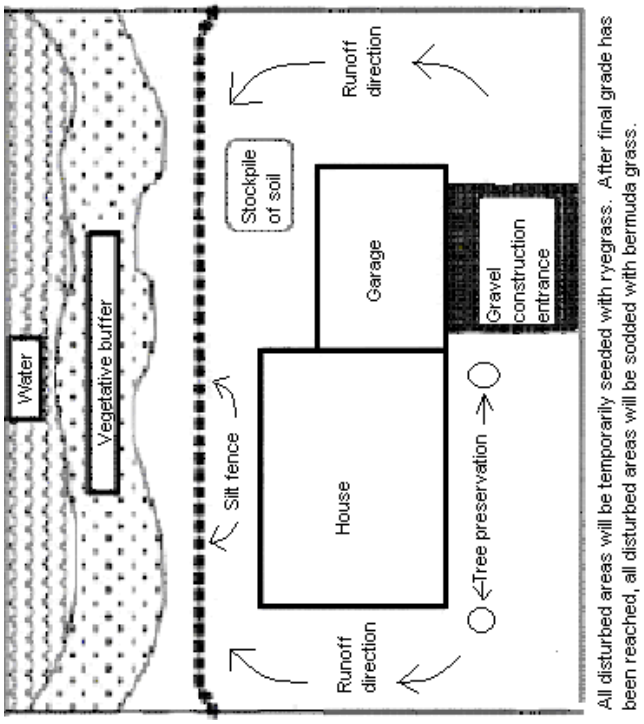
In addition, you should be aware that State air regulations prohibit the open burning of residential solid waste.

EXAMPLE INDIVIDUAL LOT SITE MAPS









Worksheet 1 - Checklist Sheet for Erosion and Sediment Controls

To aid in choosing all needed controls, check off practices to be used. Describe in SWPPP and show locations on site map.

STRUCTURAL PRACTICES

☐ Check Dam

☐ Diversion

☐ Level Spreader

☐ Slope Drains

☐ Sediment Basin

☐ Slope Breaks

☐ Construction Entrance/Exit

☐ Storm Drain Inlet Protection

☐ Lined Waterway

☐ Rip-Rap Outlet Protection

☐ Silt Fence

☐ Straw Bale Barrier

☐ Other Controls _____

VEGETATIVE PRACTICES

☐ Mulching

☐ Protection of Trees

☐ Sod Stabilization

☐ Tree Preservation

☐ Vegetative Buffer Strips

☐ Permanent Seeding

☐ Surface Roughening

☐ Temporary Seeding

☐ Tillage, with Lime and Fertilizer

☐ Other Controls_____

CONTROLS FOR INDIVIDUAL LOTS IN SUBDIVISIONS

☐ Subdivision Covenants

☐ Local Ordinance

☐ Lot Purchase Contract

☐ Architectural Review Requirements

☐ Other Controls_____

HOUSEKEEPING PRACTICES

☐ Areas for maintenance and repair

☐ Waste receptacles

☐ Storage for toxic materials

☐ Sanitary facilities

☐ Concrete Washout Areas

☐ Other Controls_____

POST CONSTRUCTION CONTROL MEASURES

☐ Detention Basin

☐ Retention Pond

☐ Wetlands

☐ Velocity Dissipation Devices

☐ Vegetated Swales and Natural Depressions

☐ Other Controls_____

FREQUENTLY ASKED QUESTIONS

Q. Are there any fees associated with CNOI applications or permit coverage?

A. No. The MDEQ general permits do not require a fee at this time.

Q. What should I do if my general permit coverage expires and my project has not been completed?

A. If the permit is reissued or replaced with a new one before the current one expires, you will need to comply with whatever conditions the new permit requires in order to transition coverage from the old permit. This usually includes submitting a re-coverage form that will be sent to you along with a letter of instruction and a copy of the reissued general permit. The MDEQ will contact you when a new is permit issued. You do not need to do anything until you are contacted.

Q. What is a SWPPP?

A. This acronym stands for Storm Water Pollution Prevention Plan. For construction activities, it is a plan which describes appropriate practices which will reduce erosion and mitigate sediment from leaving the construction site - an erosion and sediment control plan. See page 16 for instructions on preparing a SWPPP.

Q. Where can I get assistance?

A. If you do not have the expertise - hire an engineer or consultant who has knowledge of erosion and sediment control. Private land owners may go to the Natural Resource Conservation Service (NRCS).

Q. How do I terminate a project?

A.1. Within 30 days of final stabilization 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. The MDEQ staff will inspect the site, and if no erosion or sediment control problems are identified and adequate permanent controls are established, the owner or operator will receive a letter of termination from the MDEQ.

A.2. The coverage recipient of a "larger common plan of development or sale" must submit a RFT within 30 days after the following conditions are met:

(1) Final stabilization has been achieved on all portions of the site for which the coverage recipient is responsible, and

(2) Other owners or operators have assumed control over all areas of the site that have not achieved final stabilization.

A.3. 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.

A.4. Residential lot owners or operators that have completed the MDEQ Registration Form 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.

Q. What is the threshold of land disturbance that will require me to obtain storm water permit coverage?

A.1. Projects that are considered to be Large Construction are: land disturbing activities of five (5) acres or greater; or for land disturbing activities that are part of a larger common plan of development or sale that will disturb five (5) or more acres.

A.2. Projects that are considered to be Small Construction are: land disturbing activities of one (1) acre to less than five (5) acres; or for land disturbing activities less than one (1) acre that are part of a larger common plan of development or sale that will disturb one (1) to less than five (5) acres.

Q. What is meant by a "larger common plan of development or sale?"

A. A "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.

Q. For projects such as a 100-mile pipeline project, what location should be provided on the CNOI?

A. The beginning of a linear construction project should be used as the location and all counties that the project traverses should be listed on the MDED's CNOI Form.

Q. Is clearing of lands specifically for agricultural purposes regulated construction activity (40 CFR 122.26(b)(14)(x)) under the storm water program?

A. No. Although the clearing of land may be greater than five acres, any amount of clearing for agricultural purposes is not considered an industrial activity under the storm water regulations. Section 402(l)(1) of the 1987 Water Quality Act exempts agricultural storm water discharges from NPDES permitting requirements including storm water permitting. This exemption only applies, however, if the clearing of land is solely for agricultural purposes. For example, the clearing of land for the purpose of building a retail store would be the beginning of construction activity and require permitting.

Q. If a construction activity that disturbs less than one acre occurs at a regulated industrial activity currently covered by the State's industrial storm water permit, does the regulated industry have to modify its pollution prevention plan to include controls for the area of construction?

A. Yes. Regulated industrial activities covered by Mississippi's storm water industrial general permits must revise their pollution prevention plan to address all new sources of pollution and runoff including those from construction activities disturbing less than one acre, that occurred on the site of the regulated industry. If the disturbance is one (1) acres or greater then the facility should submit an NOI for coverage under the State's construction storm water general permit.

Q. For a construction activity that uses off site "borrow pits" for excavation of fill material or sand and gravel, should the number of disturbed acres at the borrow pit be added to the number of acres at the construction site to determine the total number of disturbed acres?

A. No, off site borrow pits are not considered part of the on site construction activity. If a borrow pit is specifically used for the removal of materials such as sand, gravel, and clay, the pit is considered

a mine and is classified under SIC code 14. Such sites would be regulated as industrial activity as defined at 40 CFR 122.26(b)(14)(iii).

Q. Who must apply for permit coverage for construction activities?

A. Under the Mississippi storm water program, the owner or operator of a regulated activity or discharge must apply for storm water permit coverage. The operator of a construction activity is the party or parties that either individually or taken together meet the following two criteria: (1) they have operational control over the site specifications (including the ability to make modifications in specifications); or (2) they have the day-to-day operational control of those activities at the site necessary to ensure compliance with plan requirements and permit conditions. Usually the owner of the project initially files the CNOI and the contractor would complete and submit the "prime contractor form" when selected.

Q. Who is responsible for permit compliance?

A. The owner and the operator have joint and severable liability for permit compliance.

Q. Does construction activity encompass repaving of roads?

A. Repaving is not regulated under the large construction storm water general permit unless five or more acres of underlying and/or surrounding soil is cleared, graded or excavated as part of the repaving operation.

Q. Does construction activity encompass routine road maintenance?

A. No. 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.

Q. Would building demolition constitute a land disturbing activity and require a storm water construction permit application?

A. The definition of land disturbing activity includes but is not limited to clearing, grading and excavation. At a demolition site, disturbed areas might include where building materials, demolition equipment, or disturbed soil are situated, which may alter the surface of the land. Therefore, demolition activities that disturb five or more acres of land would be subject to storm water construction permit application requirements.

Q. Do storm water construction general permits authorize non-storm water discharges?

A. The following non-storm water discharges are authorized: discharges from fire-fighting activities, fire hydrant flushing, water used to control dust, potable water including uncontaminated water line flushing, 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 all spilled material has been 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, water used to wash vehicles, wheel wash water and other wash waters where detergents are not use. However, they must be included in the SWPPP and addressed by the appropriate BMP.