

STATE OF MISSISSIPPI SOLID WASTE MANAGEMENT PERMIT

TO OPERATE A SOLID WASTE MANAGEMENT FACILITY IN
ACCORDANCE WITH THE REGULATIONS GOVERNING
SOLID WASTE MANAGEMENT

THIS CERTIFIES THAT

Clean Earth, Inc.

has been granted permission to operate a solid waste management facility

located at

89 Wesley Grant Road
Hattiesburg, MS 39401

in Section 20, Township 05N, Range 13W
of Forrest County

under the name of

Clean Earth Medical Waste Processing Facility

This permit is issued in accordance with the provisions of the Mississippi Code Annotated, and the regulations and guidelines adopted and promulgated thereunder.

MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD

DRAFT

AUTHORIZED SIGNATURE

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

Issued:

Permit No. SW0180050500

Expires:

CONDITIONS

A. EFFECT OF PERMIT

The permittee shall operate the solid waste management facility in accordance with the Mississippi Nonhazardous Solid Waste Management Regulations (11 Miss. Admin. Code Pt. 4, Ch. 1), applicable state and federal regulations, the approved application, and the conditions of this permit. Any changes, alterations, or modifications of the above referenced regulations which pertain to any condition of this permit shall supersede and replace the affected conditions of this permit. In such instances, the permittee shall comply with the altered condition(s) of the regulations.

B. PERMIT ACTIONS

This permit may be modified, revoked, and/or reissued for good cause or noncompliance with the terms and conditions of the permit. The filing of a request for a permit modification, reissuance, or termination or the notification of planned changes or anticipated noncompliance on the part of the permittee does not stay the applicability or enforceability of any permit condition.

C. SEVERABILITY

The provisions of the 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.

D. DUTIES AND REQUIREMENTS

1. **Duty to Comply.** The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Mississippi Code Annotated and regulations promulgated thereunder and is grounds for enforcement action; permit revocation, reissuance, or modification; or for denial of a permit renewal application.
2. **Duty to Reapply.** If the permittee wishes to continue an activity authorized by this permit after the expiration date of this permit, the permittee must submit a complete application for a new permit at least 180 before the expiration date of this permit.
3. **Duty to Mitigate.** The permittee shall take all reasonable steps to minimize, prevent, or correct any adverse impact on human health or the environment resulting from noncompliance with this permit.
4. **Proper Operation and Maintenance.** The permittee shall at all times properly operate and maintain all equipment and systems which are installed or used by the permittee to achieve compliance with the conditions of this permit and application as submitted

and approved by the Department of Environmental Quality (Department).

5. **Duty to Provide Information.** The permittee shall provide to the Department, within a reasonable time, any relevant information which the Department may request to determine whether cause exists for modifying, revoking, or reissuing this permit, or to determine compliance with this permit.
6. **Inspection and Entry.** The permittee shall allow an authorized representative of the Department upon the presentation of credentials and other documents as may be required by law to:
 - a. Enter the permittee's premises where a regulated activity is located or conducted, or where records must be kept under the conditions of this permit;
 - b. Have access to and copy at reasonable times any records that must be kept under the conditions of this permit;
 - c. Inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under this permit;
 - d. Sample or monitor at reasonable times for the purpose of assuring permit compliance.
7. **Property Rights.** It is the responsibility of the permittee to possess and maintain sufficient interest in or right to the use of the properties described in this permit, including the access route(s).

The issuance of this permit does not convey any property rights or interest in either real or personal property; nor does it authorize any injury to private property, invasion of personal rights, or impairment of previous contract rights; nor any infringement of Federal, State, or local laws or regulations outside the scope of the authority under which this permit is issued.
8. **Anticipated Noncompliance.** The permittee shall give written notice to the Department at least 30 days in advance of any planned changes in the permitted facility or activity which may result in noncompliance with the requirements of this permit or the Mississippi Nonhazardous Solid Waste Management Regulations.
9. **Modification of Permits.** Any proposed modification to the approved application or plan of operations resulting in an expansion of the facility or a significant change in the method of waste management must be approved by the Mississippi Environmental Quality Permit Board or the Board's Designee prior to implementation. Other proposed modification to the approved facility design or operations must be approved by the Department prior to implementation.
10. **Transfer of Permits.** This permit is not transferable to any person except after notice

to and approval of the Permit Board or the Board's Designee. The Permit Board may require modification of this permit or revocation and issuance of a new permit to change the name of the permittee and incorporate such other requirements as may be necessary.

11. Disclosure. The permittee shall submit an updated disclosure statement with an application for the reissuance or modification of this permit. If all information from the previously submitted disclosure statement is unchanged, a letter stating such may be submitted in lieu of an updated disclosure statement.
12. Signature Requirements. The permittee shall ensure that an application for the reissuance, modification, or transfer of this permit and all reports required by this permit or by state regulations shall be signed in accordance with Rule 1.2.G. of the Mississippi Nonhazardous Solid Waste Management Regulations.

E. SITE SPECIFIC OPERATING CONDITIONS

1. The permittee shall operate the facility in accordance with the approved plan of operations. The permittee shall submit any planned modifications to the plan of operation in writing to the Department for approval, prior to implementation of any changes.
2. The permittee shall ensure that the operation of the facility is consistent with the approved service area described in the Forrest County Solid Waste Management Plan. Solid waste generated outside the approved service area shall not be accepted.
3. The permittee is authorized to accept and process the following wastes in accordance with the approved plan of operation:
 - a. Infectious medical wastes – which include solid and liquid wastes that may contain pathogens with sufficient virulence and quantity such that exposure to the waste by a susceptible host has been proven to result in an infectious disease as defined by the Mississippi State Department of Health (15 Miss. Admin. Code Pt. 16, Subpart 1, Chapter 41, Subchapter 45) and/or the appropriate public health agency in the state of origin.
 - b. Medical wastes – which include those wastes generated in direct patient care or in diagnostic or research areas that is non-infectious but aesthetically repugnant if found in the environment.
 - c. Associated medical facility wastes – which include other small amounts of solid wastes derived indirectly from patient care, diagnostic, or research activities. Such wastes may include packaging and labeling wastes, empty containers, cardboard, scrap paper, and other similar wastes.

All wastes referenced in Conditions E.3. a.-c. of this permit will henceforth be

referred to as “authorized wastes”.

4. The permittee shall ensure that the acceptance of unauthorized waste at the facility is prohibited. Unauthorized waste includes any waste that is not listed above or otherwise approved. These unauthorized wastes include but are not limited to, the following:
 - a. Hazardous waste as defined by and subject to the Mississippi Hazardous Waste Management Regulations and Subtitle C of the Federal Resource Conservation and Recovery Act.
 - b. Pathological waste that consists of carcasses, tissues, fetuses, organs, and body parts that are removed during surgery or autopsy.
 - c. Wastes containing regulated quantities or concentrations of radionuclides or radioactivity.
5. The permittee shall ensure that waste processing and storage operations are limited to the approved areas defined by the application consisting of an enclosed building on approximately 3.77 acres of the property located in Section 20, Township 5 North, Range 13 West, Forrest County.
6. The permittee shall implement a program to ensure that incoming loads of authorized waste are appropriately labeled and containerized.
7. The permittee shall routinely process all authorized waste within 72 hours of delivery to the facility. If site operations dictate that temporary storage of untreated, infectious medical waste, medical wastes, or associated medical facility wastes is necessary beyond 72 hours, the wastes shall be stored in a secured, enclosed, and refrigerated structure at or below 38°F for not more than 90 days without specific approval of the Department of Health.
8. The permittee shall ensure that the waste treatment process attains a minimum temperature of 275 °F and the processing time be a minimum of 30 minutes. Pressure inside the rotoclave shall be maintained at approximately 100 psi during operation. If the temperature or pressure falls below 275 °F, at any time during the process, the process shall be restarted for the entire 30 minutes once the operating temperature exceeds 275 °F.
9. The permittee shall ensure that the authorized waste and processed waste storage activities are conducted in a manner consistent with the approved plan of operations and limited to the approved, covered areas defined in the submitted application.
 - a. The permittee shall ensure that the storage weight or volume of authorized waste does not exceed the facility’s approved storage capacity (46 tons). If the facility reaches authorized waste storage capacity, then all incoming wastes shall be diverted to other approved facilities until storage capacity is available, unless otherwise approved by the Department.

- b. The permittee shall ensure that the storage of processed waste does not exceed the facility's approved storage capacity (46 tons) and shall be compacted and stored in 33-Gallon disposable cardboard containers and 28/96-Gallon reusable plastic containers. The maximum number of containers stored shall not exceed the space of 360 96-Gallon containers unless otherwise approved by the Department. The permittee shall ensure that the storage of processed wastes maintains sanitary conditions and does not constitute a fire, safety, or health hazard or provide food or harborage for animals and vectors.
10. The permittee shall implement a Quality Assurance/Quality Control (QA/QC) program at the facility which minimally meets the requirements of the Mississippi State Department of Health Regulations (15 Miss. Admin. Code Pt. 16, Subpart 1) to assure adequate sterilization conditions. In addition, the QA/QC program will include the following provisions:
 - a. The indicating thermometer monitoring system shall be checked and recorded during each complete treatment cycle to ensure attainment of proper temperature and time requirements to achieve sterilization of the entire load.
 - b. Indicating thermometers shall be checked for calibration at least annually.
 - c. A biological indicator shall be placed at the center of a load processed under standard operating conditions at least monthly to confirm the attainment of adequate sterilization conditions. The biological indicator to be utilized is *Bacillus stearothermophilus* with a mean population of 1x10⁵ organisms per vial.
11. The permittee shall dispose of treated wastes at an approved permitted, municipal solid waste landfill or other equivalent disposal facility in accordance with the applicable state and federal solid waste requirements. Prior to changing the approved disposal facility, the permittee shall submit a written notice to the Department.
12. The permittee shall ensure that regulated pressure vessels are installed, maintained, and certified in accordance with the Mississippi Department of Health Boiler and Pressure Vessel Safety Act and Rules and Regulations.
13. The permittee shall provide a comprehensive maintenance check on all processing equipment at least annually to assure adequate treatment of wastes and to prevent potential downtime of the facility.
14. The permittee shall maintain adequate security and monitoring to prevent unauthorized access to the facility.
15. The permittee shall ensure that all working surfaces that come into contact with authorized waste be adequately cleaned and sterilized at the end of each operating day by exposure to an approved chemical sterilizer or other approved sterilization process.

16. The permittee shall ensure that any and all contaminated liquid at the facility resulting from the cleaning of the facility or the actual treatment activity shall be collected and properly disposed of through the City of Hattiesburg sewer system, unless an alternative water treatment facility is approved or otherwise determined necessary by the Department.
17. The permittee shall ensure that no contaminant shall be allowed to enter any waters of the State as a result of rainfall runoff or other discharge from the facility, which would cause a violation of any water quality standard established by the Department.
18. The permittee shall ensure that inadvertent litter inside and/or around the facility is collected and properly disposed of on a daily basis in order to maintain the property in a sanitary manner.
19. The permittee shall implement the fire prevention/protection plan described in the approved permit application to ensure the facility is operated in a manner that precludes the potential for fires. This plan shall include the prohibition of open burning of waste at the site. Should an accidental fire occur, the permittee shall take immediate action to extinguish the fire and shall notify the Department by the close of the Department's next business day.
20. The permittee shall ensure that all personnel are provided with appropriate personal protection equipment (PPE). PPE shall be required where a potential for exposure to infectious or injurious materials. PPE shall be replaced, repaired, cleaned, laundered, and/or disposed as needed by the permittee to maintain the safety and effectiveness of the PPE.
21. The permittee shall ensure that all employees involved in the handling and management of authorized waste shall receive thorough training as approved in the permit application.

F. RECORDKEEPING AND REPORTING REQUIREMENTS

1. The permittee shall complete a waste manifest for each load of authorized waste transported to the facility. The permittee shall retain one copy of the completed manifest and shall provide the transporter with at least one copy of the completed manifest. The Department shall have access to wastes manifests for review.
2. The permittee shall keep an accurate written daily record of deliveries of authorized waste to the facility including the following:
 - a. The name of the waste hauler;
 - b. The source of the waste;
 - c. The types of waste received;

- d. The weight of solid waste, measured in tons, received at the facility. Facilities that do not have access to weight scales shall convert to tons from cubic yards using conversion factors as developed or approved by the Department; and
- e. Other information associated with the management of solid waste at the facility as directed by the Department.

3. The permittee shall maintain records of routine maintenance, inspections and training. Such records shall be available for review by the Department upon request.
4. The permittee shall maintain a record of all written certifications from the Mississippi Department of Health Boiler and Pressure Vessel Safety Act and Rules and Regulations. A copy of the initial certification for each vessel shall be provided to MDEQ within 30 days of receipt and copies of any renewal certifications shall be maintained and available for review by MDEQ upon request.
5. The permittee shall submit an annual summary report to the Department by February 28 for the preceding calendar year. At a minimum, the report shall include the following:
 - a. the total amount of authorized waste received and treated at the facility during the calendar year, in units of tons;
 - b. the source of wastes listed by county of origin with a clear indication of wastes originating from out-of-state counties and/or parishes;
 - c. a summary of QA/QC test results for the sterilization equipment and/or treated authorized wastes in the reporting year;
 - d. an updated disclosure statement for the permittee or contract operator (if applicable). If all information from the previously submitted disclosure statement is unchanged, a letter stating such may be included in lieu of an updated disclosure statement;
 - e. a copy of any updated or renewed permits, licenses, or certifications obtained in the calendar year required by the Mississippi Department of Health, the USDA or other state or federal agencies to operate this facility; and
 - f. other information associated with the management of solid waste at the facility as directed by the Department.

G. CLOSURE AND OTHER REQUIREMENTS

1. At least 60 days prior to the closure of this facility, a written closure plan describing the steps necessary to remove and properly dispose of all waste and to close and deactivate the facility shall be submitted to the Department.