



April 1, 2026

Mr. Jaricus Whitlock, P.E.
Air Division Chief
Office of Pollution Control
Mississippi Department of Environmental Quality
515 East Amite Street
Jackson, MS 39201

Re: Falcon Contracting Company, Inc. Hot Mix Asphalt Plant
Hot Mix Asphalt General Permit Notice of Intent
Large Construction Storm Water General Permit Notice of Intent
Columbus, Lowndes County, MS

Dear Mr. Whitlock:

FC&E Engineering, LLC is submitting this correspondence and enclosed submission on behalf of Falcon Contracting Company, Inc. to obtain coverage under the Hot Mix Asphalt General Permit MSR70 (HMAGP), for a new Hot Mix Asphalt Plant to be located in an existing industrial park at 2193 Highway 45 South, Columbus, MS. Land disturbing activities to occur during the construction phase of the Hot Mix Asphalt Plant will exceed five (5) acres, therefore, a Large Construction Notice of Intent (LCNOI) for obtaining coverage under the Large Construction Storm Water General Permit MSR10 is also enclosed.

Please find enclosed a site-specific Large Construction Storm Water Pollution Prevention Plan (LCSWPPP) developed in accordance with ACT5 of the Large Construction Storm Water General Permit. A detailed site-specific scaled drawing of the property layout and a United States Geological Survey (USGS) quadrangle map of the plant location have been included with the LCSWPPP per the requirements of the LCNOI.

Per the requirements for coverage as listed in S-1 of ACT2 of the HMAGP, enclosed with this submission is a Storm Water Pollution Prevention Plan (SWPPP) developed in accordance with ACT4 of the HMAGP to accompany the Hot Mix Asphalt Notice of Intent (HMANOI). A USGS topographic map and detailed site drawing of the property layout have been included with the SWPPP. A Certificate of Good Standing from the Mississippi Secretary of State is included as an Appendix to the SWPPP. Proof of contiguous landowner notifications has been completed in accordance with S-2 of ACT2 using the Contiguous Landowner Notification (CLN) Form, with a copy of the certificate of CLN mailings enclosed as an Appendix to the SWPPP. A one-time public notice is scheduled to be published in the local newspaper, The Dispatch, on April 14, 2026 in accordance with the public participation requirements of S-3 of ACT2 of the HMAGP for applicants seeking initial coverage under this permit. Final proof of publication will be submitted to the MDEQ as an addendum to the HMANOI after notice publication.

Falcon Contracting Company, Inc.
Hot Mix Asphalt General Permit Notice of Intent
April 1, 2026

All plant air emission sources are designed to be operated in accordance with the requirements of ACT3 of the HMAGP. Falcon Contracting Company, Inc. Hot Mix Asphalt Plant will operate as a drum mix asphalt plant with emissions from the drum dryer mixer being controlled by a baghouse at all times during asphalt production. Particulate emissions from the lime silo will be controlled by an integrated baghouse installed at the top of the silo. The drum dryer will be limited to the combustion of natural gas. No rock or recycled asphalt pavement crushers, stationary emergency engines, or gasoline dispensing operations are planned to be installed on-site. Falcon Contracting Company, Inc. will at all times, to the extent practicable, maintain and operate the Hot Mix Asphalt Plant, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.

Falcon Contracting Company, Inc. is committed to maintaining full compliance with applicable environmental regulations and will ensure that all storm water and environmental requirements are met for the proposed Hot Mix Asphalt Plant. Any unforeseen issues that may arise will be addressed promptly and in accordance with permit conditions and regulatory requirements.

If you have any questions, please feel free to contact Will Swedenburg of Falcon Contracting Company, Inc. at (662) 327-2053 or myself at (601) 850-7188.

Sincerely,

Jake Rucker

Jake Rucker, P.E.
FC&E Engineering, LLC

Enclosure(s)



HOT MIX ASPHALT NOTICE OF INTENT FORM



COVERAGE NO.: MSR70 _ _ _ _

(Coverage number is located at the bottom left corner of your previous Certificate of Coverage.
Leave blank if applying for new coverage.)

COVERAGE ACTION REQUESTED

New Recoverage Modification*

**If submitting a modification, include the Change Request Form available at www.mdeq.ms.gov/hmagp.*

FACILITY INFORMATION

Company Name: _____ **Facility Name:** _____

Contact Name: _____ **Contact Title:** _____

Contact Phone: _____ **Contact Email:** _____

Physical Site Address: **Street:** _____

City: _____ **State:** _____ **Zip:** _____

Mailing Address: **Street:** _____

City: _____ **State:** _____ **Zip:** _____

GPS Coordinates at Plant Entrance

GPS Coordinates (Degrees/Minutes/Seconds): **Latitude:** _____ **Longitude:** _____

Collection Method (e.g., GPS, Google Earth, etc.): _____

ASPHALT PLANT INFORMATION

Type of Asphalt Plant: Batch Drum **Maximum Asphalt Production Rate:** _____ tons/hr
(Maximum production rate should be based on the manufacturer's maximum rated plant capacity, on an hourly basis.)

Manufactured Date of Asphalt Plant: _____ **Date plant was last relocated:** _____
(If a New Plant, enter "N/A" for manufactured date, date of last relocation, date of testing, etc.)

Date of Most Recent Particulate Matter (PM) Stack Test on Asphalt Plant: _____

Is the Asphalt Plant currently at the site? YES NO **If No, what date was it removed?** _____ N/A

Asphalt Dryer Rated Capacity: _____ MMBtu/hr

Dryer Fuels Used: Natural Gas LPG Fuel Oil On-Spec Used Oil Bio-derived Liquid
(Mark all applicable fuels which may be burned.)

ROCK / RECYCLED ASPHALT PAVEMENT (RAP) CRUSHER INFORMATION

Do you own or operate a rock or RAP crusher at the site? YES NO
(If YES, complete the remainder of this section. If only a third party will own/operate a rock/RAP crusher at your site, mark NO. The third party is responsible for obtaining any necessary air permits to operate the rock crusher.)

Will crushed material be provided to a plant other than the co-located HMA plant? YES NO

ROCK / RECYCLED ASPHALT PAVEMENT (RAP) CRUSHER INFORMATION (continued)

Crusher Type & Rated Cumulative Capacity: Fixed: _____ tons/hr Portable: _____ tons/hr
Date Rock/RAP Crusher Manufactured: _____
Date of modification/reconstruction of Rock/RAP Crusher: _____ N/A
Is Rock/RAP Crusher controlled by a baghouse or fabric filter? YES NO
Date of most recent Particulate Matter (PM) stack test on Rock/RAP Crusher: _____ or N/A
Date of most recent Opacity (Method 9) Evaluation on Crusher and Transfer Points: _____ or N/A

OTHER AIR EMISSION SOURCES

Will you operate stationary emergency engines or "nonroad engines" subject to ACT3 Condition L-7 or L-8 of the HMAGP? YES NO *(If YES, complete the section below for each engine)*
(Note that stationary non-emergency engines are not allowed under this General Permit.)
Number of emergency engines: _____ **Number of nonroad engines:** _____
Type: Stationary Nonroad **Fuel:** _____ **hp** **Mfd. Date:** _____
Type: Stationary Nonroad **Fuel:** _____ **hp** **Mfd. Date:** _____
Type: Stationary Nonroad **Fuel:** _____ **hp** **Mfd. Date:** _____
Will you operate a "gasoline dispensing facility" (see ACT6 of HMAGP for definition)? YES NO

STORMWATER FROM INDUSTRIAL AND CONSTRUCTION ACTIVITIES

Nearest named waterbody which stormwater leaving the site will enter: _____
Is a copy of the SWPPP attached? YES NO **If no, last Revision Date:** _____
(A copy of the SWPPP must be attached for a New HMA plant.)
If the SWPPP is based on the Industry Generic SWPPP, is it the most recent copy? YES NO N/A
Does the SWPPP meet the requirements of ACT4 of the HMAGP? YES NO
(If NO, an amended SWPPP must be submitted before the NOI can be processed.)
Are construction activities (e.g., clearing, grading, etc.) required or ongoing at the site? YES NO
If YES, does the total acreage of the construction activities equal or exceed 5.0 acres? YES NO

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

I further certify that the project continues as described in the original notice of intent. Also, I certify that I understand when coverage is terminated I am no longer authorized to emit regulated air emissions and discharge wastewater or storm water associated with industrial activity under this general permit. I understand that discharging pollutants associated with industrial activity to waters of the state without NPDES coverage is in violation of state law.

will swedenburg
Authorized Signature (shall be signed according to ACT5, T-5 of the GP) **Date Signed** _____

Printed Name **Title** **Phone**

Address **Email**

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

Falcon Contracting Company, Inc.
Hot Mix Asphalt Plant
Columbus, Mississippi 39701

March 2026

Prepared for:

Falcon Contracting Company, Inc.

1500 Moss Street
Columbus, Mississippi 39701

Prepared by:

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



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ABOUT THIS PLAN

This Storm Water Pollution Prevention Plan (SWPPP) was prepared for use by Falcon Contracting Company – Hot Mix Asphalt Plant to comply with the Hot Mix Asphalt General Permit (MSR70) issued in 2022 and modified in 2023 by the Mississippi Department of Environmental Quality (MDEQ). The permit requires you to prepare a site wide comprehensive SWPPP for the subject facility. This Plan should be adequate for the facility and meet the SWPPP requirements of the State of Mississippi Hot Mix Asphalt General Permit.

The intent of the Plan is to minimize storm water pollution from your 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 implement and comply with this Plan. Items that need your immediate attention include:

1. A Responsible Official must sign Worksheet 5 (NON-STORM WATER DISCHARGE EVALUATION AND CERTIFICATION) after the form has been completed.
2. You will be covered under the State Hot Mix Asphalt General Permit to be issued by MDEQ. Upon issuance, you should include a copy of the permit in Appendix A. This SWPPP has been written in consideration of the requirements of the general permit.
3. Section 6.2 of this Plan describes the Comprehensive Site Compliance Evaluation that must be conducted yearly by the Facility Operator (or someone designated by the Facility Operator). This section also describes the brief report that must be prepared yearly.
4. As required by Condition T-4 (Item 3 on Page 26 of 43) of MSR70, if notified at any time by the MDEQ that the SWPPP does not meet the minimum requirements, amend the SWPPP and certify in writing that the requested changes have been made. Unless otherwise provided, the coverage recipient shall have 30 days to make the requested changes.
5. As required by Condition T-4 (Item 4 on Page 26 of 43) of MSR70, you must amend the SWPPP whenever there is a change in design, construction, operation, or maintenance, which may increase the discharge of pollutants to waters of the State or the SWPPP proves to be ineffective in controlling storm water pollutants. The coverage recipient shall submit it to the MDEQ within 30 days of amendment.
6. Each time the Plan is amended or updated, the date of the latest revision should be included on the cover page. Revisions to the SWPPP should be submitted in accordance with Paragraphs 4 and 5 to the MDEQ at the following address:

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

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: Will Swedenburg
Signature: *will swedenburg*
Title: President
Certification Date: 3/31/26

POLLUTION PREVENTION TEAM

Name: Facility Operator (See Appendix C for current name)
Phone: See Appendix C
Responsibilities: Facility Operator 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 SWPPP as required
- (b) Performing monthly and annual inspections of the facility
- (c) Ensuring that storm water pollution prevention is included in employee training classes
- (d) Assisting / supervising spill and leak cleanup
- (e) Supervising facility and procedural changes identified to minimize pollutant exposure to storm water
- (f) Communicating with regulatory agencies as needed

Name: Facility Operator (See Appendix C for current name)
Phone: See Appendix C
Responsibilities: Facility Operator is considered the Site Manager in the event that **Construction Activities** involving 1 or more acres is performed. See section 5.5.

Name: Facility Operator (See Appendix C for current name)
Phone: See Appendix C
Responsibilities: Facility Operator is considered the Spill Control Coordinator for **Spill Response, Notifications, and Training**. See section 5.3.

Title: Owner
Phone: See Appendix C
Responsibilities: Owner is the responsible duly authorized representative 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 SWPPP. He or an officer of the company is required to sign all reports required by the permit and other information requested by the permit board.

1.0 SITE DESCRIPTION/MAP

Falcon Contracting Company will operate a 300 tons per hour hot mix asphalt plant. The property for the proposed plant is located in Columbus, Mississippi (Lowndes County). The property consists of approximately 12.7 acres located at latitude: 33° 27' 16" N longitude: 88° 30' 3" W. The facility includes storage and stockpiling of raw aggregates, reclaimed asphalt pavement (RAP), lime, and other additives. Operations also involve the loading, unloading, and conveyance of raw materials to feed bins and conveyors, production of asphalt through a counterflow drum plant with baghouse dust collection, storage of liquid asphalt cement (AC) in aboveground tanks with secondary containment, and truck loadout and dispatch of finished asphalt mix. The site also will include areas for equipment fueling, operation, and maintenance. Property surrounding east side of the site is bordered by a railway and beyond by an intermittent section of Four Mile Creek, north of the site is bordered by Burkhalter Rigging, Inc., south of the site is a residential property, and west of the site is bordered by highway US-45. The primary Standard Industrial Classification (SIC) Code is 2951. Maps showing the site location on a topographic map and a site layout drawing are included in **Figures 1 and 2**.

The physical address for the Plant is:

2193 Highway 45 South
Columbus, MS 39701

All correspondence concerning all facility operations should be sent to Falcon Contracting Company office at:

1500 Moss Street
Columbus, MS 39701

1.1 Facility Drainage

The approximate western one-third (approximately 5 acres) of the property will sheet flow towards the west, while the approximate two-thirds (approximately 8 acres) of the property on the east will sheet flow to the east.

Discharges from the site primarily flow to the east into an existing pond that will serve as a sediment basin. The sediment basin will be designed to discharge at Outfall 001 in the event of an overflow that would flow to the west into an unnamed tributary to Motley Slough. A portion of the property on the east will sheet flow to the east to Four Mile Creek. Motley Slough and Four Mile Creek are not listed on MDEQ's 2024 303(d) list of impaired water bodies.

The Site Location Map and Aerial Map, presented as **Figures 1 and 2**, are a topographical map and aerial map, respectively, of the site and its boundaries, and surrounding areas. The Site Stormwater Map, which illustrates the existing surface flow directions and flow pathways throughout the entire site, is presented as Figure 3.

1.2 Storage Capacity

Information on the quantity and type of material being released is crucial for quick and effective response action to be provided. Based on the current company plans for site use, this facility has several potential sources of storm water contamination that, if mismanaged, could cause storm water contamination. These items include; diesel fuel, oil, reclaimed asphalt paving (RAP), asphalt cement (AC), lime, and sediment runoff from aggregate material. Thus, a description of the storage capacity of various potential onsite substances is provided in **Worksheet 1, "Chemical Storage Tanks and Reportable Quantity (RQ)"**. The list may be used as a reference to determine reportable quantities in the event of a spill.

1.3 Potential Releases and Prevention Controls

1.3.1 Hazardous Substances

The HMA plant will use and store asphalt cement (AC) on-site. AC will be situated on a concrete pad surrounded by concrete containment walls. See **Worksheet 1** for a list of potential section 313 chemicals or other potentially harmful chemicals. Releases of these listed chemicals must be monitored to prevent migration into storm water and causing environmental damage. **Worksheet 2, "Materials Exposed to Storm Water"** provides a narrative description of materials exposed to storm water. The locations of these potential pollutant sources are shown on **Figure 3, "Site Stormwater Map"**.

Potential for solid and hazardous waste generation onsite exists; however, with proper management of the facility, the potential is greatly minimized. A solid waste management company periodically removes dumpsters of trash.

If asphalt materials are released directly into the adjacent waterway, adverse environmental impacts could occur in the receiving stream. Therefore, it is very important that materials management practices are monitored each day.

1.3.2 Petroleum Products

Diesel fuel is to be stored onsite in an above ground storage tank for fueling onsite equipment. Maintenance oils such as hydraulic oil and motor oil are stored inside of the maintenance shop.

Extreme care must be taken if the transfer of fuel takes place. The equipment should be parked as close to the tank as possible when unloading fuel to minimize the length of hose exposed. Unloading should follow NFPA, API, or other standard procedures to minimize the possibility of fire or explosion. The removal of any spilled fuel from the site will be carried out under the supervision of the Spill Control Coordinator.

1.3.3 Transformer Oil

In the event of a transformer rupture the local power company will be notified and measures will be taken to prevent migration of any spilled transformer oil.

1.3.4 General Oil & Chemical Handling

Periodic inspections by facility personnel will help ensure that petroleum products are stored properly and that any leaks discovered are cleaned up promptly. Additional measures utilized by facility personnel are: (1) proper storage and disposal of oil or spill residue and (2) proper labeling of drums containing used oil cleanup materials and ensuring that stored drums are covered or kept inside buildings.

2.0 INVENTORY OF EXPOSED MATERIALS

Worksheet 2 provides a narrative description of materials exposed to storm water directly related to the outfall identified on **Figure 3**. The locations of these potential pollutant sources, approximate drainage patterns, and the materials exposed to storm water have been identified on the site layout drawing, **Figure 3 “Site Stormwater Map”**.

3.0 SIGNIFICANT SPILLS AND LEAKS

Spills and leaks in quantities of one gallon or greater of chemical or petroleum substances with reportable quantities that occur at the facility during a calendar month shall be documented monthly using **Worksheet 4** and handled in accordance with Section 5.3 of this plan. Additionally, if no significant spills or leaks have occurred during a calendar month, a monthly notation shall be made indicating that no significant spills or leaks have occurred in **Worksheet 4**.

4.0 NON-STORM WATER DISCHARGES

Provided they do not cause or contribute to a violation of water quality standards, the following are considered allowable non-storm water discharges:

- Discharges from actual fire-fighting activities;
- Fire hydrant flushings;
- Water used to control dust;
- Potable water sources including uncontaminated water line flushings;
- Routine external building wash down that does not use detergents;
- Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where surface waters are not impacted by pollutants associated with industrial activities and hazardous cleaning products;
- 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;

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Falcon Contracting Company – Hot Mix Asphalt Plant

- Uncontaminated excavation dewatering;
- Landscape irrigation; and
- Waters used to wash vehicles where surface waters are not impacted by pollutants associated with industrial activities and hazardous cleaning products.

The above non-storm water discharges should be eliminated or reduced to the extent feasible and controlled with an appropriate BMP.

As part of the plan, certification must be included that all storm water outfalls have been tested or evaluated for the presence of non-allowable, non-storm water discharges. This must be evaluated and certified at least every five (5) years. The certification shall include:

- Dates;
- Observation points; and
- Results

To check for non-storm water discharges, one of several dry weather tests may be used, including:

- 1) Visual inspection
- 2) Plant schematic review
- 3) Dye testing

Visual inspections are to be made by facility personnel in dry weather. This includes walking around the property looking for flow that cannot be attributed to retained storm water, and tracing flow, if any, to its source. **Worksheet 5**, “Non-Storm Water Discharge Evaluation and Certification” is provided for facility personnel to effectively document inspection results.

A review of the plant schematic drawings or sewer map may reveal other sources of storm water pollution where, in the past, cross connections have been made between process or non-process wastewater and storm drains. If so, the cross connections must be disconnected or either an NPDES wastewater permit application must be prepared and submitted to the MDEQ for approval of the discharge.

Another form of testing is to inject dye into the process or sanitary wastewater system and then check the storm water discharge points for discoloration.

5.0 BEST MANAGEMENT PRACTICES

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

The following subsections describe BMPs that may be included in the facility's SWPPP. Site Specific BMPs are included in this section and in **Worksheet 3**.

5.1 Good Housekeeping Measures and Controls

Good housekeeping practices are designed to maintain a clean and orderly work environment. At this facility, the following types of good housekeeping measures are implemented in an effort to prevent pollutants from entering storm water discharges.

Operation and Maintenance

- Floors and ground surfaces are kept clean by using brooms, rakes, and shovels.
- Waste receptacles are provided at convenient locations. Garbage and waste materials are regularly picked up and properly disposed of. Waste receptacles located outside must be covered.
- 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.
- 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

SWPPP Plan
Falcon Contracting Company – Hot Mix Asphalt Plant

- Adequate aisle space is provided to facilitate material transfer and easy access for inspections.
- The diesel tank and any other materials that may be brought onsite will be stored away from direct traffic routes to prevent accidental spills.
- As appropriate, containers are stored on pallets to prevent corrosion.

Material Inventory Procedures

- Records of products onsite are maintained at the onsite office. SDS are maintained onsite in the office.

Employee Participation

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

5.2 Preventative 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.

5.3 Spill Prevention and Response Procedures

In the event of a spill of petroleum products or chemical substances, employees are instructed to make every effort to contain the release, notify the Facility Operator, and prevent any release from migrating and leaving the site. It will be the Facility Operator's responsibility to determine if the spill needs to be reported to the regulatory authorities.

EMERGENCY TELEPHONE NUMBERS AND ADDRESSES:

Call FIRST: MS Emergency Management Agency
#1 MEMA Drive
Pearl, Mississippi 39208
Telephone: 1-800-222-6362 (601-933-6362)

Then Call: National Response Center U.S. Coast Guard
400 Seventh Street S.W. Washington, D.C. 20590
Telephone: 1 (800) 424-8802

POTENTIAL CLEAN-UP CONTRACTOR

Enhanced Environmental & Emergency Services, Inc.
(844) 333-0939

5.3.1 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 causing tank overflow. Specific procedures have been developed to minimize this potential including periodic inspections, locking valves when not in use, and on-the-job training in correct loading and unloading procedures.
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. The 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 release 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 facility. 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. 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 if caught and repaired early.

5.4 Employee Training

New employees receive initial training in storm water pollution prevention before they begin their work assignments. Thereafter, training is provided and storm water pollution prevention discussed as needed at the periodic safety meetings that employees attend as part of their refresher training provided annually. The employee's name, date of training, contents of training, and the employee's signature acknowledging that training was received must be documented on **Worksheet 9** (or comparable form) of this plan and stored in an accessible location.

Topics discussed and names of attendees are stored with personnel files and onsite with the SWPPP documentation.

The training program shall at a minimum address, but not be limited to, the following elements:

- Permit conditions and limitations for each applicable activity (i.e., air emissions, industrial storm water, construction storm water)
- Operation, maintenance and inspection of air emission control equipment and storm water treatment processes
- Procedures for responding to upset conditions of air emission control equipment and storm water treatment processes
- SWPPP goals and plan components related to industrial storm water and/or construction storm water, including:
 - Housekeeping and pollution prevention requirements
 - Spill prevention and response procedures
 - Identification and elimination of non-allowable, non-storm water discharges
 - Installation, maintenance and inspection of erosion and sediment controls for construction activities

SWPPP Plan

Falcon Contracting Company – Hot Mix Asphalt Plant

- Installation, maintenance and inspection of Best Management Practices (BMPs) for industrial storm water and/or post-construction storm water;
- Procedures for monitoring compliance with non-numeric and numeric limitations prescribed in the permit;
- Recordkeeping, reporting and record retention requirements (includes understanding the records filing system and being able to produce the required permit documentation during an MDEQ on-site inspection);
- Release reporting and non-compliance notification requirements.

5.5 Sediment and Erosion Control (if construction activity will disturb one (1) or more acres, then see Section 5.5.1)

If ground areas less than one acre are disturbed the following procedures will be implemented:

- Vegetate or re-vegetate disturbed soil as soon as possible after disturbance with common vegetative covers such as grass, trees, shrubs, bark, mulch, or straw.
- Implement structural control practices along the site perimeter that eventually drain to the identified outfalls:
 - Filter (silt) fences
 - Straw bale barriers
 - Brush barriers
 - Sediment traps

5.5.1 Construction Activities requiring a BMP plan

If construction involving the disturbance of one (1) or more acres will occur, a Best Management Practices (BMP) Plan or a modified CSWPPP must be written in accordance with MDEQs Small Construction (1 to 5 acres) or Large Construction (>5 acres) Stormwater Permit. If 5 acres or more of ground disturbance is expected, the CSWPPP, site map, and forms developed, must be submitted to MDEQ for approval prior to beginning construction, and implemented during construction until the construction area has reached final stabilization.

5.6 Management of Storm Water Runoff

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

Baseline BMPs

- Channels and ditches (installed to divert offsite storm water from entering site)
- Storm drainage system installed throughout the plant area to collect and direct flow to detention basin and then oil water separator prior to discharge.
- Designated containment area for AC storage tanks, associated piping, and loading connections, including appropriately sized secondary containment for AC storage tanks.
- Routine inspection of all the facility, material storage areas, AC containment area, and maintenance and fueling areas.
- Inspection of runoff from the site.

Worksheet 3 provides a summary of existing and proposed BMPs as well as a schedule for improvements for the facility.

5.7 Site Specific BMPs

The following recommendations are offered for consideration for operational purposes at the HMA Plant:

- 1) Inspect runoff from the facility and add hay-wattles or silt fences as needed.
- 2) Minimize or berm the surface area of aggregate and RAP storage areas.
- 3) Provide secondary containment for AC as appropriate.
- 4) Never leave pump unattended when fueling.
- 5) Maintain spill control materials near storage tanks.
- 6) Watering of roads and raw material storage areas for dust suppression.
- 7) Sweeping of paved roads as needed.
- 8) Minimize engine idling time.
- 9) Practice good housekeeping and promptly remove waste material from site.
- 10) Design traffic flow around the plant and operations sitting relative to drainage patterns and wastewater collection locations.

Note: BMPs listed above should be included in **Worksheet 3** “Existing and Proposed BMPs” and updated as necessary to provide effective management of surface sediment from water discharges or air emissions from operations. If BMPs are not effective, additional BMPs should be evaluated, selected and implemented until such time that surface sediments are controlled.

6.0 COMPREHENSIVE SITE COMPLIANCE EVALUATION

See Sections 6.1 and 6.2 for a schedule of inspections and submittal requirements.

6.1 Monthly Site Inspections

The Facility Operator or his/her designee shall perform visual site inspections of all areas of the facility where industrial materials or activities are exposed to storm water on a monthly basis. If feasible, the inspections should be conducted during or after storm events. As part of the inspection, storm water discharging from each storm water outfall should be collected in a clean, clear jar and examined in a well-lit area. Should any of the objectionable characteristics such as color, lack of clarity, floating solids, settled solids, suspended solids, foam, odor and oil sheens be observed, coverage recipient shall investigate upstream from the sample location to identify the potential sources of pollution and implement corrective action. **Worksheet 6** is provided to assist inspectors and should be completed during each monthly inspection and filed onsite for a minimum of three years. The results of all inspections and associated corrective actions must be documented on the Annual Comprehensive Site Inspection and SWPPP Evaluation Report Form as instructed in Section 6.2 below.

Monthly inspection of air sources shall be performed monthly during silo loading activities to check for visible emissions. **Worksheet 8** is provided to assist inspectors and should be completed monthly.

6.2 Annual Comprehensive Site Inspection and SWPPP Evaluation

Qualified personnel will conduct a comprehensive site inspection to:

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

2. Determine the effectiveness of the Plan.
3. Assess compliance with the terms and conditions of the storm water component of the multi-media general permit.

The comprehensive site compliance evaluation is conducted once a year by the Facility Operator or his/her designee. During the evaluation, material handling and storage areas 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 7** is provided to assist in the annual inspection.

The results of each inspection will be documented in a report signed by a company officer or duly authorized representative. The report will describe:

- Scope of the inspection
- Personnel making the inspection
- Date(s) of the inspection
- Major observations relating to the implementation of the SWPPP

Based on the results of each inspection, the description of potential pollutant sources and measures and controls will be revised (if appropriate) within 30 days after the date of the inspection. Changes in the measures or controls will be implemented timely in accordance with Condition T-4 of the Hot Mix Asphalt General Permit MSR70 found in **Appendix A**. 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 SWPPP will be amended.

7.0 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 4** and stored in **Appendix B**. Records of other discharges exposed to storm water, inspections, and maintenance activities are retained in the SWPPP for at least 3 years from the date of the record.

8.0 SPECIAL REQUIREMENTS

8.1 Section 313 Special Requirements

Please refer to **Worksheet 1** for a list of any Section 313 chemicals that are onsite. Any Section 313 chemicals onsite will be stored inside secondary containment structures and inspected as part of the monthly site inspections. Stored Section 313 chemicals will be stored to prevent offsite migration.

8.2 Salt Piles

This facility does not have a salt pile.

8.3 Discharges to Large or Medium Municipal Separate Storm Water Systems

No storm water runoff is discharged to a MS4.

8.4 Coal Piles

This facility does not have a coal pile.

9.0 MONITORING AND SAMPLING REQUIREMENTS

No monitoring or sampling of storm water is required for this facility other than the visual jar test inspection referred to in Section 6.1. Monitoring requirements will be re-evaluated if a release of section 313 chemical occurs, or if the material storage locations or facility drainage patterns are substantially altered.

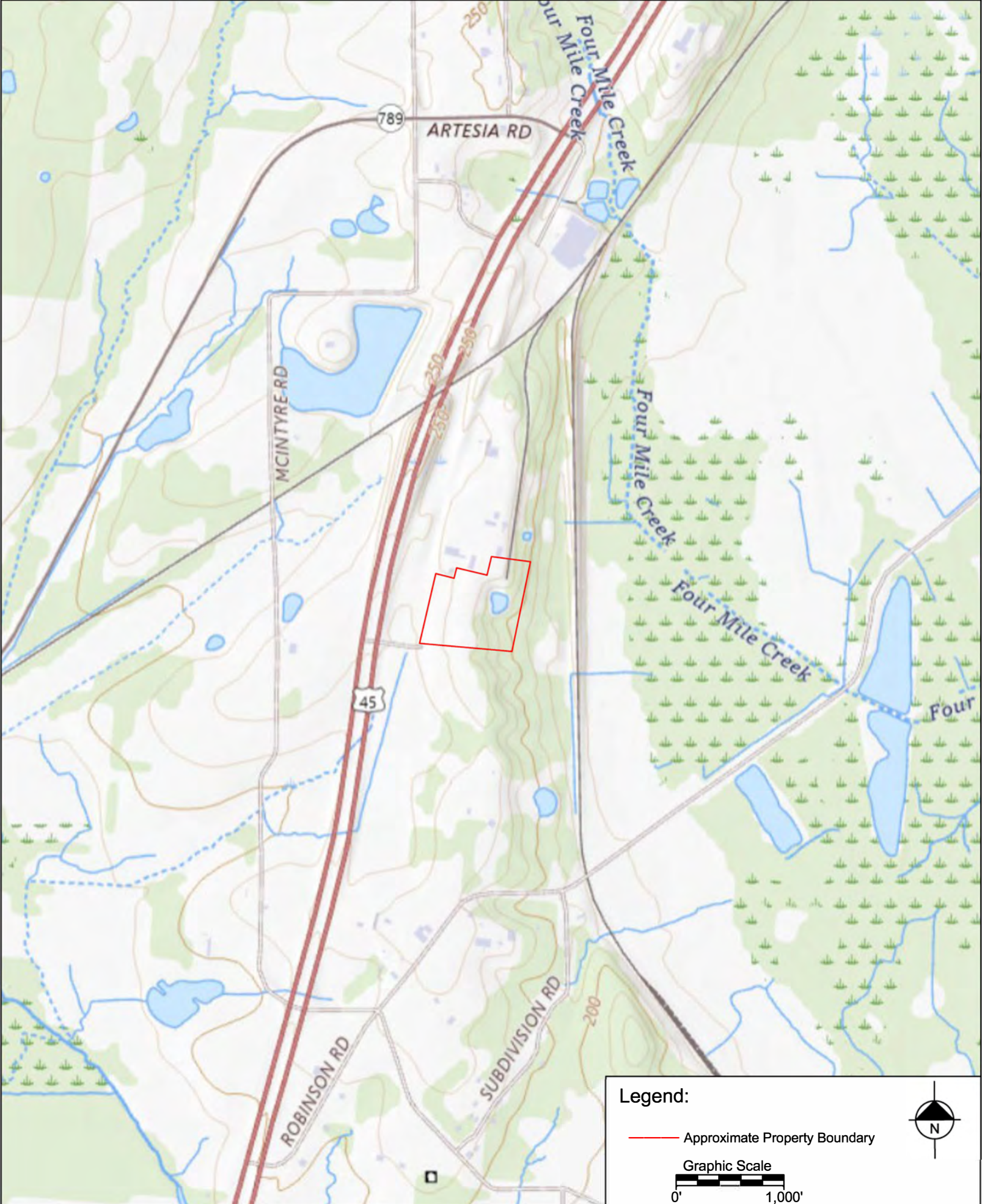
10.0 SECURITY

Security is an important consideration to prevent a spill or release from accidental or unknowing entry or from vandalism. Therefore, to protect the facility, several security measures have been taken. These measures include:

- 1) Access to the facility will be restricted by a gate. The gate is locked when the site is unattended preventing unauthorized vehicle entry.

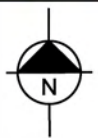
- 2) Appropriate security lighting will be utilized at the site to deter trespassers.

Figures



Legend:

— Approximate Property Boundary

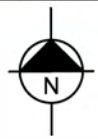




Legend:

— Approximate Property Boundary


0 500
Scale in Feet






Legend:

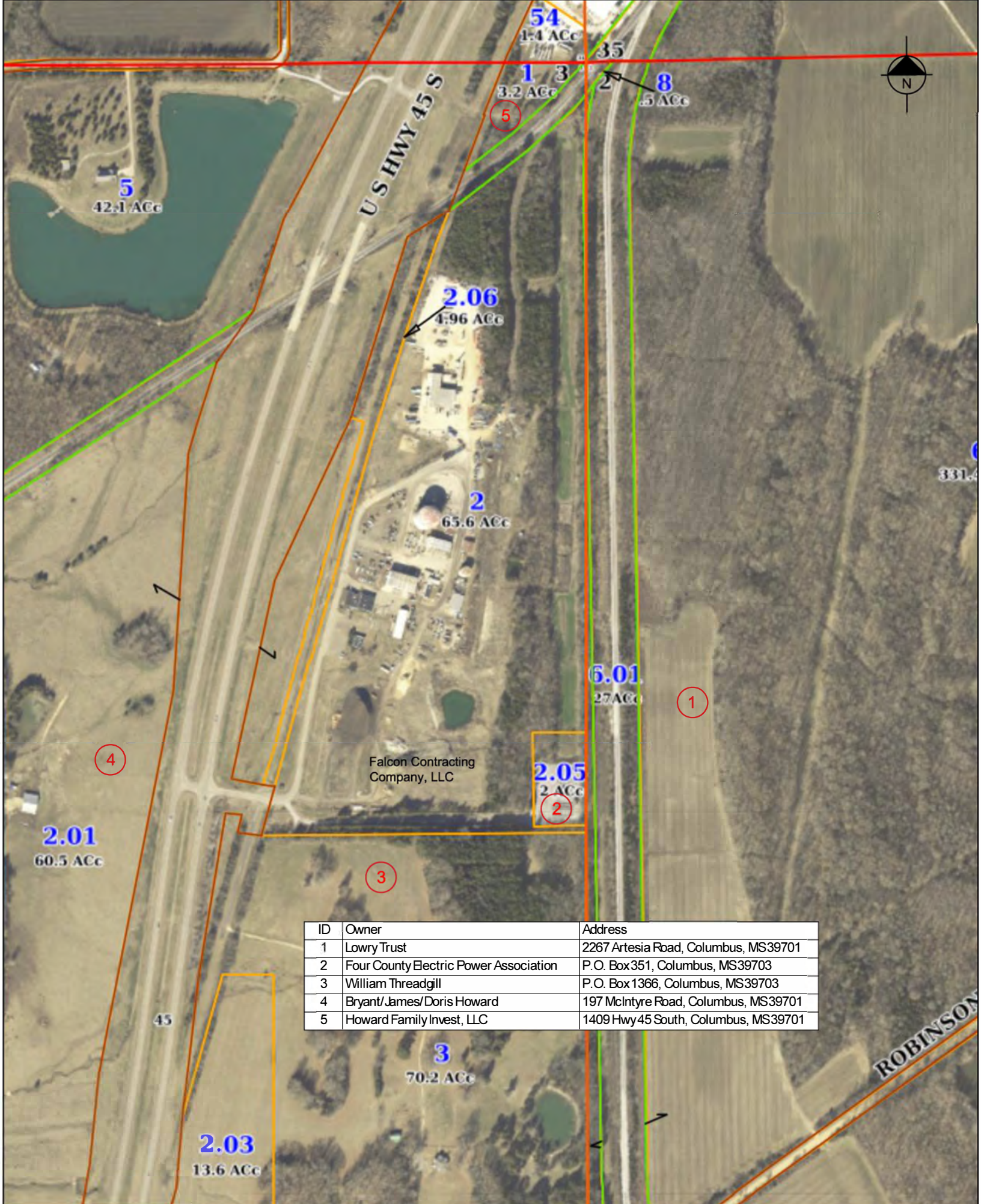
- Approximate Property Boundary
- Elevation Contours
- Silt Fencing





Scale in Feet





ID	Owner	Address
1	Lowry Trust	2267 Artesia Road, Columbus, MS39701
2	Four County Electric Power Association	P.O. Box 351, Columbus, MS39703
3	William Threadgill	P.O. Box 1366, Columbus, MS39703
4	Bryant/James/Doris Howard	197 McIntyre Road, Columbus, MS39701
5	Howard Family Invest, LLC	1409 Hwy 45 South, Columbus, MS39701

Worksheet 1: Chemical Storage Containers and Reportable Quantity

*SWPPP Plan
Falcon Contracting Company – Hot Mix Asphalt Plant*

WORKSHEET 1: CHEMICAL STORAGE CONTAINERS AND RQ								<i>1 of 1</i>
Tank ID	Material/Purpose	Capacity of Container	Secondary Containment Provided?	Likelihood of contact with storm water? If yes, describe reason.	Past Significant Spill or Leaks?		RQ (lbs)	Section 313 Chemical
					Yes	No		Yes/No
ABOVEGROUND STORAGE TANKS								If yes, then identify chemical
1	Liquid Asphalt (AC) - Heated Tanks/ Asphalt Production	(2) 30,000 gal tanks	Concrete Secondary Containment Structure	Container located outside, spilled/leaked material could possibly contact storm water		x	See Note 1	No
2	Liquid Asphalt (AC) - Calibration Tank/ Asphalt Production	TBD	Concrete Secondary Containment Structure	Container located outside, spilled/leaked material could possibly contact storm water		x	See Note 1	No
3	Diesel Fuel / Equipment and Truck Fuel	TBD	Double walled Tank	Container located outside, spilled/leaked material could possibly contact storm water		x	See Note 1	No
4	Maintenance Oils / Equipment Maintenance	TBD	TBD	Container located outside, spilled/leaked material could possibly contact storm water		x	See Note 1	No
5	Lime / Asphalt Production	(3) 300 ton storage silos	No local containment. Spills or dust accumulation to be cleaned promptly	Container located outside, spilled/leaked material could possibly contact storm water		x	N/A	No

Note 1: Per the SPCC regulations of 40 CFR 112, any amount of petroleum that causes a sheen or sludge on waters of the US, or on adjoining shorelines, etc. is a reportable quantity (RQ).

Worksheet 2: Summary of Materials Exposed to Storm Water

WORKSHEET 2: MATERIALS EXPOSED TO STORM WATER
<p>Material: Diesel</p> <p>Purpose: Equipment Fuel Location: Onsite. Quantity Produced: NA Quantity Stored: <u>TBD</u> Quantity Exposed to Storm water in Past 3 Years: None Past Significant Spill or Leak Exposed to Storm water in Past 3 Years? <u>No</u> If “Yes”, Describe: Method of Storage: Above Ground Storage Tank (Metal) Method of Disposal: If spilled, materials disposed according to Federal and State Regulations. Description of Material Management Practice: Inventory is kept to a minimum to minimize storm water exposure. Valves and hoses inspected periodically. Any spills promptly cleaned up.</p>
<p>Material: Recycled Asphalt Pavement (RAP)</p> <p>Purpose: Asphalt Production Location: Onsite. Quantity Produced: NA. Quantity Stored: <u>Varies</u> Quantity Exposed to Storm water in Past 3 Years: None Past Significant Spill or Leak Exposed to Storm water in Past 3 Years? <u>No</u> If “Yes”, Describe: N/A. Method of Storage: Stock piles Method of Disposal: Used in asphalt production. Description of Material Management Practice: Piles are kept orderly and away from property lines.</p>
<p>Material: Aggregates</p> <p>Purpose: Asphalt Production Location: Onsite. Quantity Produced: NA Quantity Stored: <u>Varies</u> Quantity Exposed to Storm water in Past 3 Years: None Past Significant Spill or Leak Exposed to Storm water in Past 3 Years? <u>No</u> If “Yes”, Describe: Method of Storage: Stock piles Method of Disposal: Used in asphalt production. Description of Material Management Practice: Piles are kept orderly and away from property lines.</p>

WORKSHEET 2 (cont.): MATERIALS EXPOSED TO STORM WATER
Material: Liquid asphalt (AC)
Purpose: Asphalt Production Location: Onsite. Quantity Produced: NA. Quantity Stored: (2) 30,000 Gallon Tanks Quantity Exposed to Storm water in Past 3 Years: None Past Significant Spill or Leak Exposed to Storm water in Past 3 Years? <u>No</u> If “Yes”, Describe: N/A. Method of Storage: Above Ground Storage Tanks (Metal) Method of Disposal: Used in asphalt production.
Description of Material Management Practice: Ensure tank contents do not enter storm water pathways. Valves and hoses inspected periodically. Any spills promptly cleaned up. Secondary Containment.
Material: Lime
Purpose: Asphalt Production Location: Onsite. Quantity Produced: NA. Quantity Stored: 900 tons Quantity Exposed to Storm water in Past 3 Years: None Past Significant Spill or Leak Exposed to Storm water in Past 3 Years? No If “Yes”, Describe: N/A. Method of Storage: Storage Silo Method of Disposal: Used in asphalt production. Description of Material Management Practice: Ensure silo contents do not enter storm water pathways. Routine inspections of baghouse operation. Any spills promptly cleaned up.

Worksheet 3: Existing and Proposed BMPs

SWPPP Plan
Falcon Contracting Company – Hot Mix Asphalt Plant

WORKSHEET 3: EXISTING AND PROPOSED BMPs

Instructions: List all identified actual and potential petroleum/storm water pollution sources and describes existing management practices and proposed BMPs with implementation schedule.

Potential Pollution Sources	Existing BMPs	Proposed BMPs	Implementation Schedule
1) Diesel / Maintenance Oils	Not applicable	<ul style="list-style-type: none"> - Routine inspections and prompt cleanup of spills. - Train appropriate employees on proper loading and unloading procedures -Maintain spill control materials near storage tanks -Double-walled diesel tank. -Maintenance oils stored in covered area. 	Upon completion of construction
2) AC Tanks	Not applicable	<ul style="list-style-type: none"> - Routine inspections, prompt cleanup of spills. - Train appropriate employees on proper loading and unloading procedures. -Concrete Secondary Containment for AC storage area 	Upon completion of construction
3) Aggregate/RAP Storage Piles	Not applicable	<ul style="list-style-type: none"> -Minimize surface area of aggregate piles -Maintain an adequate buffer from property lines to prevent offsite runoff 	Upon completion of construction
4) Lime Silo	Not applicable	<ul style="list-style-type: none"> - Routine inspections, prompt cleanup of spills. - Baghouse dust control - Train appropriate employees on proper loading and unloading procedures. 	Upon completion of construction
5) Site Yard	Not applicable	<ul style="list-style-type: none"> -Sprinkle roads for dust suppression -Grade yard appropriately -Practice good housekeeping -Design traffic flow around operations relative to drainage and water collection locations -Detention Pond -Oil/water separator 	Upon completion of construction

Worksheet 4: List of Significant Spills and Leaks



MONTHLY SPILL & LEAK LOG

HOT MIX ASPHALT GENERAL PERMIT (HMAGP)



Facility Name: Falcon Contracting Company, Inc.

Month: _____

Coverage Number: MSR70 _____

Year: _____

Instructions: A list of spills and leaks of toxic or hazardous pollutants that have occurred at the facility shall be documented on the Monthly Spill and Leak Log Sheet provided by MDEQ at www.mdeq.ms.gov/hmagp. A separate form shall be completed for each month that the facility is covered under this general permit. If no spills have occurred, the form shall be completed by checking the first box and signing at the bottom, as indicated. Coverage recipients may use an alternate form to record this information, as long as it includes all of the information in this form and is updated monthly. The completed monthly forms shall be filed on-site with the SWPPP and made available to MDEQ personnel for inspection upon request. [2022 HMAGP ACT4 T-2(4)]

No spills have occurred this month.

Date of Spill	Material Spilled	Quantity Spilled (specify units)	Area of Spill	Did spill result in a discharge? (Yes/No)	Injury / Property Damage? (Yes/No)	Person(s) involved in cleanup	Date reported to MDEQ (if significant)

Corrective Actions(s) Taken: _____

Date of Spill	Material Spilled	Quantity Spilled (specify units)	Area of Spill	Did spill result in a discharge? (Yes/No)	Injury / Property Damage? (Yes/No)	Person(s) involved in cleanup	Date reported to MDEQ (if significant)

Corrective Actions(s) Taken: _____

Date of Spill	Material Spilled	Quantity Spilled (specify units)	Area of Spill	Did spill result in a discharge? (Yes/No)	Injury / Property Damage? (Yes/No)	Person(s) involved in cleanup	Date reported to MDEQ (if significant)

Corrective Actions(s) Taken: _____

"I certify under penalty of law that this report is true, accurate, and complete, to the best of my knowledge and belief."

Inspector Name: _____ Inspector Signature: _____ Date: _____

If requested, submit signed form to 401/Storm Water Branch Manager, ECED, MDEQ, PO Box 2261, Jackson, MS 39225

Last Revised: 9/12/2022

**Worksheet 5: Non Storm Water Discharge Assessment and
Certifications**

Worksheet 5: NON-STORM WATER DISCHARGE EVALUATION AND CERTIFICATION					
Date of Test or Evaluation	Outfall No. Observed <small>(as indicated on the site map)</small>	Method Used to Test or Evaluate Discharge	Describe Results from Test for the Presence of Non-Storm water Discharge	Identify Potential Significant Sources	Name of Person Who Conducted the Test or Evaluation
Certification: I, <u>JW McCurdy</u> , certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons 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.					
A. Name & Official Title Will Swedenburg, President			B. Area Code and Telephone No. (662) 327-2053		
C. Signature			D. Date Signed		

Worksheet 6: Monthly Inspection Checklist



MONTHLY STORM WATER INSPECTION FORM

HOT MIX ASPHALT GENERAL PERMIT (HMAGP)

Facility Name: Falcon Contracting Company, Inc. **Coverage Number:** MSR70 **Date:** _____

Instructions: Conduct a monthly inspection of all industrial activities exposed to storm water and the storm water outfalls. Inspect each area/equipment noted below for indications of potential storm water contamination or failure of best management practices required by the SWPPP, recording any issues and corrective action taken. Such inspection should be conducted during or immediately following a rain event producing runoff, if possible. Also, for any monthly inspection performed during or after a rain event, collect storm water runoff from each outfall in a clean, clear jar and examine it in a well-lit area. Should any objectionable characteristics described below be observed, the coverage recipient shall investigate upstream from the sample location to identify the potential sources of pollution and implement corrective action(s). [2022 HMAGP ACT4, T-6]

Was the inspection conducted during or following a rain event resulting in runoff?	Yes	No	If yes, were samples collected for visual examination?	Yes	No	N/A
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Areas/Equipment Inspected	Issues Noted?			Describe any issues noted and corrective action taken.
	Yes	No	N/A	
Equipment Fueling/Maintenance Areas				
Tanks, Silos, Hoppers and Dust Collection				
Truck Loading Area				
Outdoor Storage Piles				
Spill Kits Available and Stocked				
General Site-Wide Housekeeping				
Other:				

JAR TEST (continue on next page for more than one outfall)

Outfall Number / Location of Sample:	Outfall 001	Time:	
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Parameter	Parameter Description	Yes	No	If yes, provide a description and any corrective action taken.
Color	Is the water sample colored?			
Clarity	Is the water sample <u>NOT</u> clear and transparent?			
Floating Solids	Are there solids floating at the top of the sample?			
Settled Solids	Are there solids settled out in the bottom of the sample?			
Suspended Solids	Are there solids suspended in the water column of the sample?			
Foam	Is there foam forming at the top of the sample?			
Odor	Does the sample have an odor?			
Oil Sheen	Does the sample have an oil sheen?			

"I certify under penalty of law that this report is true, accurate, and complete to the best of my knowledge and belief."

Inspector Name (printed)	Inspector's Signature	Date
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Worksheet 7: Annual Evaluation/Certification Form



MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

Annual SWPPP Evaluation Form for Calendar Year _____ HOT MIX ASPHALT GENERAL PERMIT (HMAGP)



MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

COVERAGE NUMBER MSR70____

Instructions: The SWPPP must be evaluated annually, by December 31st, to ensure the effectiveness of the best management practices (BMPs) specified in the SWPPP. The annual evaluation shall be filed on-site with the SWPPP and made available to MDEQ personnel for inspection upon request. [2022 HMAGP ACT4, T-7]

Company/Facility Name: Falcon Contracting Company, Inc. Person evaluating SWPPP:

SWPPP Components and Description of Potential Pollutant Sources [ACT 4, Condition T-2]

YES	NO	
		Identifies industrial activities exposed to storm water. [T-2(1)]
		Describes materials and pollutants associated with the activities above. [T-2(2) & (3)]
		Identifies spill and leaks of toxic or hazardous pollutants. [T-2(4)]
		Identifies pollutants of concern and summarizes storm water sampling data. [T-2(5)]
		Includes a detailed scaled site map and a topographical map. [T-2(6) & (7)]
		Identifies pollutants likely present and a reasonable potential for containment. [T-2(8)]

SWPPP Components and Description of Storm Water Management Controls [ACT 4, Condition T-3]

		Identifies position(s) responsible for developing, implementing, maintain, and revising SWPPP. [T-3(1)]
		Lists materials handled, assesses and identifies risk of potential pollution, and specifies necessary controls. [T-3(2)]
		Identifies areas with a high potential for soil erosion and prevention measures. [T-3(3)]
		Identifies a preventive maintenance program. [T-3(4)]
		Identifies good housekeeping practices. [T-3(5)]
		Identifies potential spill areas, their drainage points, and procedures for cleaning spills. [T-3(6)]
		Identifies personnel training responsible for implementing and/or complying with the SWPPP. [T-3(7)]
		Certifies storm water testing every 5 years, when feasible, for non-allowed, non-storm water discharges. [T-3(8)]
		Identifies areas to be inspected monthly for objectionable characteristics. [T-3(9)]
		Identifies allowable non-storm water discharges and appropriate BMPs for the non-storm water. [T-3(10)]
		Provides management of storm water volume through its diversion, infiltration, storage, or re-use. [T-3(11)]

SWPPP Certification and Signature

<input type="checkbox"/>	<i>The SWPPP is on-site, current, adequately addresses the sources of pollution at the facility, is fully compliant with the terms and conditions of the HMAGP and effectively controls storm water pollutants. If no, the SWPPP shall be amended and submitted to MDEQ within 30 days of amendment. [Condition T-4(4), ACT4]</i>
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I certify under penalty of law that this document was 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.

Authorized Signature of Responsible Official*

Date

Printed Name

Title

* A responsible official must meet the requirements of 2022 HMAGP, ACT 5, Condition T-5

Worksheet 8: Monthly Air Monitoring Form



MONTHLY AIR MONITORING FORM HOT MIX ASPHALT GENERAL PERMIT (HMAGP)



COVERAGE NUMBER:	MSR70 ___ ___ ___	CALENDAR YEAR:	
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HOT MIX ASPHALT SILO FILTERS

his form, or equivalent, should be used to demonstrate compliance with ACT 3, Conditions L-5(5)(c) and S-1(6) and shall be submitted annually by January 31st.

Company Name: <u>Falcon Contracting Company, Inc.</u>	Facility Name: <u>Falcon Contracting Company, Inc.</u>
Facility Street Address: <u>2193 Highway 45 South</u>	City: <u>Columbus</u> County: <u>Lowndes</u>
Contact Person: _____	Phone No.: _____ Email: _____

SILO ID (e.g., Lime Silo #1): Lime Silo

INSPECTOR (full name)	DATE (mm/dd/yy)	TIME (hh:mm AM/PM)	OBSERVATION DURING TRUCK UNLOADING?		VISIBLE EMISSIONS OBSERVED?		CORRECTIVE ACTION TAKEN?		Describe corrective action taken to restore to no visible emissions.
			YES	NO	YES	NO	YES	NO	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



MONTHLY AIR MONITORING FORM

HOT MIX ASPHALT GENERAL PERMIT (HMAGP)



COVERAGE NUMBER:	MSR70__ __ __ __	CALENDAR YEAR:	
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HOT MIX ASPHALT DRYER BAGHOUSE

This form, or equivalent, should be used to demonstrate compliance with ACT 3, Conditions L-5(5)(b) and (d) and S-1(6) and shall be submitted annually by January 31st.

Company Name: <u>Falcon Contracting Company, Inc.</u>	Facility Name: <u>Falcon Contracting Company, Inc.</u>
Facility Street Address: <u>2193 Highway 45 South</u>	City: <u>Columbus</u> County: <u>Lowndes</u>
Contact Person: _____	Phone No.: _____ Email: _____

INSPECTOR (full name)	DATE (mm/dd/yy)	TIME (hh:mm AM/PM)	VISIBLE EMISSIONS OBSERVED?		METHOD 9 OPACITY CONDUCTED?		CORRECTIVE ACTION TAKEN?		Include results of Method 9 Opacity Test and attach to report or describe corrective action taken to restore to no visible emissions.	Pressure Drop across baghouse (include units of measurement)
			YES	NO	YES	NO	YES	NO		

Worksheet 9: Annual Air Operating Form



MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

ANNUAL AIR OPERATING FORM HOT MIX ASPHALT GENERAL PERMIT (HMAGP)



MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

RECORDS FOR CALENDAR YEAR _____

COVERAGE NUMBER MSR70 _____

Instructions: This form, or equivalent, shall be used to demonstrate compliance with ACT 3, Conditions L-3. Asphalt production must be recorded on a monthly basis. If you operate a rock/RAP crusher on site that provides crushed material to an off-site plant, you must record the monthly amount of material crushed. Otherwise, mark "NO" and leave the columns blank. If you burn liquid fuel in any given month, check the appropriate month and include the total fuel burned for the month. To demonstrate compliance with the HMAGP, the monthly totals must be summed for each month (even if "0"). The 12-month total must be calculated using the current month and available data from the previous 11 months. For new sources, a 12-month total should be calculated 12 months after startup. This form shall be submitted with the annual report required in ACT 3, Condition S-1(6), and a copy shall be maintained at least five years after completion or for the duration of facility operations, whichever is shorter.

Company Name: Falcon Contracting Company, Inc. Facility Name: Falcon Contracting Company, Inc.

Facility Street Address: _____ City: _____ County: Lowndes

Contact Person: _____ Phone No.: _____ Email: _____

	<input type="radio"/> Drum Mix <input type="radio"/> Batch Mix		Does Rock Crusher Supply Off-Site Source(s)? <input type="radio"/> YES <input type="radio"/> NO		Check and complete if Liquid Fuels are burned in the dryer for any given month		
	Monthly Production (Tons)	12-Month Rolling Total (Tons/Year)	Monthly Production (Tons)	12-Month Rolling Total (Tons/Year)		Liquid fuel usage (Gallons)	12-Month Rolling Total (Gallons/Year)
January					<input type="checkbox"/>		
February					<input type="checkbox"/>		
March					<input type="checkbox"/>		
April					<input type="checkbox"/>		
May					<input type="checkbox"/>		
June					<input type="checkbox"/>		
July					<input type="checkbox"/>		
August					<input type="checkbox"/>		
September					<input type="checkbox"/>		
October					<input type="checkbox"/>		
November					<input type="checkbox"/>		
December					<input type="checkbox"/>		

Based on my inquiry of the person or persons responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete.

Authorized Signature of Responsible Official

Date

Printed Name

Title

**A responsible official must be a corporate officer or facility manager delegated authorization to sign documents.*

Worksheet 10: Employee Training Log



PERSONNEL TRAINING FORM

HOT MIX ASPHALT GENERAL PERMIT



Facility Name: Falcon Contracting Company, Inc.

Coverage Number: MSR70

Instructions: Personnel responsible for implementing and/or complying with the requirements of the HMAGP shall receive initial and periodic refresher training. Training shall be provided within twelve (12) months of issuance or reissuance of HMAGP coverage and prior to performing responsibilities under the coverage. Refresher training shall be provided annually. The trainee(s) and trainer shall sign and date this form. The completed form shall be filed on-site with the SWPPP and made available to MDEQ personnel for inspection upon request. [2022 HMAGP ACT5, T-15]

Describe the contents of the training or attach the training to this form and indicate "Attached."

Trainer Name (printed)	Trainer Signature	Date
Trainee Name (printed)	Trainee Signature	Date

If requested, submit form to 401/Stormwater Branch Manager, ECED, MDEQ, PO Box 2261, Jackson, MS 39225

Appendix A: State Multimedia Hot Mix Asphalt General Permit



**State of Mississippi
Mississippi Department of Environmental Quality (MDEQ)**



HOT MIX ASPHALT GENERAL PERMIT (HMAGP)

THIS CERTIFIES

Facilities issued a certificate of permit coverage under this permit are granted permission to:

- Construct/Operate air emissions equipment to comply with the emission limitations, monitoring requirements, and other conditions set forth herein and
- Discharge storm water associated with industrial activities into state waters in accordance with the National Pollutant Discharge Elimination System (NPDES) and the effluent limitations, inspection requirements and other conditions set forth in herein.

This permit is issued in accordance with the provisions of the Mississippi Air and 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: October 24, 2022

Expires: September 30, 2027

Modified: September 27, 2023

Permit No. MSR70

Agency Interest # 38087

Hot Mix Asphalt General Permit

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ACT1 (HMAGP - General) Permit Applicability and Authorization:

T-1 PERMIT AREA:

The HMAGP covers all areas of the State of Mississippi. [11 Miss. Admin. Code Pt. 2, Ch. 2. ; 11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-2 ELIGIBILITY AND AUTHORIZATION:

- (1) This permit covers all new and existing hot mix asphalt facilities in the State of Mississippi which fall under Standard Industrial Classification (SIC) Code 2951 – Asphalt Paving Mixtures and Blocks.
- (2) This permit authorizes coverage recipients to construct and operate air emissions equipment and to discharge storm water in accordance with limitations, monitoring requirements, and other conditions set forth in this permit for the following emissions and/or discharges:
 - (a) Air emissions associated with the construction and operation of significant minor and synthetic minor hot mix asphalt facilities that are equipped with a baghouse (or other devices approved by MDEQ) for control of air emissions from the dryer/mixer.
 - (b) Air emissions from rock crushers and/or recycled asphalt pavement (RAP) crushers co-located with the hot mix asphalt facilities.
 - (c) Storm water associated with industrial activity (i.e., facility operation).
- (3) A facility is eligible for coverage under this general permit for discharges of pollutants of concern to water bodies for which there is an EPA-approved Total Maximum Daily Load (TMDL) if measures and controls are incorporated that are consistent with the assumptions and requirements of such TMDL. To be eligible for coverage under this general permit, the facility must incorporate 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 a specific wasteload allocation is established that would apply to the facility's discharge subsequent to coverage issuance, the facility must implement steps necessary to meet that allocation.
- (4) A facility is eligible for coverage under this general permit for discharges of pollutants of concern 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. No discharge will be allowed if the pollutant that is proposed to be discharged will cause or contribute to an existing impairment of a Section 303(d) listed water.

ACT1 (HMAGP - General) Permit Applicability and Authorization (continued):

- (5) Allowable non-storm water discharges (listed below) provided they do not cause or contribute to a violation of water quality standards.
- (a) Discharges from actual fire-fighting activities
 - (b) Fire hydrant flushings
 - (c) Water used to control dust
 - (d) Potable water sources including uncontaminated 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 all spilled material has been removed) and where surface waters are not impacted by pollutants associated with industrial activities and hazardous cleaning products
 - (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) Uncontaminated excavation dewatering
 - (k) Landscape irrigation
 - (l) Waters used to wash vehicles where surface waters are not impacted by pollutants associated with industrial activities and hazardous cleaning products

The above non-storm water discharges should be eliminated or reduced to the extent feasible. The Permit Board staff will review the above discharges on a case by case basis and may require the coverage recipient to apply for and obtain either an individual or an alternative general NPDES permit.

[11 Miss. Admin. Code Pt. 2, Ch. 2.; 11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-3

OBTAINING AUTHORIZATION:

- (1) Owners and/or operators desiring coverage associated with hot mix asphalt activity under this permit must submit a Hot Mix Asphalt Notice of Intent (HMANOI) and other required submittals in accordance with the requirements of this permit.
- (2) Upon review of a complete HMANOI, MDEQ staff may recommend that coverage not be granted and/or that an alternate permit would be more appropriate. The MDEQ staff recommendations may be brought before the Mississippi Environmental Quality Permit Board (Permit Board) for review and consideration at a regularly scheduled meeting or at a special meeting at its discretion.
- (3) Coverage under this permit will not be granted until all other required MDEQ permits, certifications and approvals are satisfactorily addressed.

ACT1 (HMAGP - General) Permit Applicability and Authorization (continued):

- (4) Owners and/or operators are authorized to emit regulated air emissions and discharge storm water under the terms and conditions of this permit only upon receipt of written notification of approval of coverage by the Permit Board staff. Emissions or discharges without written notification of coverage under this permit or issuance of the respective air and National Pollutant Discharge Elimination System (NPDES) permits constitute a violation of the Mississippi Air and Water Pollution Control Law (Miss. Code Ann. Section 49-17-29(2)(b)).

[11 Miss. Admin. Code Pt. 2, Ch. 2.; 11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-4 THIS PERMIT DOES NOT AUTHORIZE:

- (1) New or existing hot mix asphalt facilities using one or more **stationary** Internal Combustion Engines (ICE) for the purpose of providing power to the asphalt manufacturing process (other than temporary electric power outages). A **nonroad** ICE, as defined in ACT6, that is used to provide power to the asphalt manufacturing process is not considered a stationary ICE and must meet the requirements of ACT3, Condition L-8 to be eligible for coverage under this general permit. Facilities with any stationary, non-emergency engine(s) used to power the asphalt manufacturing process are not eligible for coverage under this general permit and will be required to submit an application(s) for the appropriate individual permit(s) as described in ACT2. [11 Miss. Admin. Code Pt. 2, Ch. 2.]
- (2) Discharges of wastewater, other than those allowed under ACT1, Condition T-2(5), or discharges of storm water from industrial activities which result in violation of State Water Quality Standards. If a discharge authorized under this permit is later determined to cause or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard, MDEQ will notify the regulated entity of such water quality violation(s) in writing and will provide the information used by MDEQ to make this determination. The regulated entity must take all necessary actions required to ensure future discharges do not cause or contribute to the violation of a water quality standard. If such violations remain or re-occur, then additional measures, such as the addition of BMPs or the requirement to obtain an individual permit, may be required by the Permit Board. Compliance with this requirement does not preclude any enforcement activity as provided by the Clean Water Act for the underlying violation. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- (3) Activities that 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. Appropriate documentation must be submitted with the HMANOI. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- (4) Discharges or discharge-related activities that are likely to jeopardize the continued existence of any species that is listed as endangered or threatened under the Endangered Species Act (ESA) or result in the adverse modification or destruction of habitat that is designated as critical under the ESA. Coverage under this permit is available only if the regulated entity's storm water discharges, allowable non-storm water discharges, and discharge-related activities are not likely to jeopardize the continued existence of any species that is listed as endangered or threatened ("listed") under the ESA or result in the adverse modification or destruction of habitat that is designated as critical under the ESA ("critical habitat"). Submission of a signed NOI will be deemed to constitute the regulated entity's certification of eligibility. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT1 (HMAGP - General) Permit Applicability and Authorization (continued):

- (5) Activities which directly and adversely affect properties listed or eligible for listing in the National Register of Historic Places, unless the regulated entity is in compliance with requirements of the National Historic Preservation Act and has coordinated any necessary activities to avoid or minimize such direct and adverse impacts with the appropriate State Historic Preservation Officer. Submission of a signed NOI will be deemed to constitute the regulated entity's certification of eligibility. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- (6) New or existing hot mix asphalt facilities with stationary emission sources not identified herein which may cause the facility's potential-to-emit to exceed the Prevention of Significant Deterioration (PSD) or Title V major source thresholds. [11 Miss. Admin. Code Pt. 2, Ch. 2.]

ACT2 (HMAGP - General) Obtaining Coverage, Recoverage, and Requesting Termination:**S-1 OBTAINING COVERAGE:**

Persons desiring coverage under this general permit shall submit the following:

- (1) HMANOI Submittal - Submit a HMANOI Form at least thirty (30) days prior to the commencement of the regulated activity. The HMANOI Form is available online at <https://www.mdeq.ms.gov/hmagp/>, or it can be obtained from the MDEQ office at the address given in ACT2, Condition T-1, or by calling 601-961-5171.
- (2) A United States Geological Survey (USGS) topographic map, extending at least one-half mile beyond the facility property boundaries with the site location and outfalls outlined or highlighted.
- (3) A detailed site drawing showing the property layout and indicating the adjoining property including buildings, houses, etc. with all appropriate distances labeled and measured to the nearest residential, recreational or light commercial area. The distance shall be from the emission point, including any raw material storage piles, to the boundary of the residential, recreational or light commercial area.
- (4) Storm Water Pollution Prevention Plan (SWPPP), developed in accordance with ACT4 of this permit.
- (5) Proof of contiguous landowner notification (CLN) and proof of publication in a newspaper, in accordance with ACT2, Conditions S-2 and S-3.

[11 Miss. Admin. Code Pt. 2, Ch. 2.; 11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT2 (HMAGP - General) Obtaining Coverage, Recoverage, and Requesting Termination (continued):**S-2 CONTIGUOUS LANDOWNER NOTIFICATION:**

An applicant for a new facility or an existing facility proposing a major modification (as defined in ACT6, Condition T-15) must send notification using the Contiguous Landowner Notification Form, which is available online at <https://www.mdeq.ms.gov/hmagp>, to contiguous landowners of the facility via certified-return receipt requested (CRRR) mail. The applicant must submit copies of the signed CRRR receipts which the applicant received or copies of the certificate of mailings, a copy of the land tax records map obtained from the tax assessor office that identifies all contiguous landowners, and a completed copy of the notification form with the applicant's HMANOI or Change Request Form. Failure to notify the contiguous landowners may result in denial or revocation of coverage. Contiguous landowner notification is not required for an existing facility that is not proposing a major modification.

The applicant, in giving this notification to contiguous landowners:

- (1) Must use the most recent tax assessor records, in the county of the proposed project, to identify the names and addresses of the contiguous landowners. The applicant must mail the Contiguous Landowner Notification Form to these names and addresses.
- (2) Is not required to inquire or investigate further than the most recent tax assessor records to determine the names and addresses of the contiguous landowners.
- (3) Is not required to send any additional notifications to contiguous landowners as long as the applicant follows the above procedures.

If the applicant does not receive all of the signed CRRR receipts within 30 days from the contiguous landowner notification postmark date, the Permit Board may issue coverage under the general permit without further delay.

Contiguous landowners who receive certified notifications must submit written comments, if any, to the Mississippi Department of Environmental Quality within 30 days after the postmark date of the certified notification or by the end of the 30-day public comment period as described in ACT2, Condition S-3, whichever is later.

[11 Miss. Admin. Code Pt. 2, Ch. 2.; 11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT2 (HMAGP - General) Obtaining Coverage, Recoverage, and Requesting Termination (continued):**S-3 PUBLIC PARTICIPATION REQUIREMENTS:**

Applicants seeking initial coverage under this permit or existing coverage recipients proposing a major modification (as defined in ACT6, Condition T-15) shall provide a 30-day period for public comment. These facilities shall have a public notice published once in a daily or weekly newspaper of local distribution. The proof of the newspaper publishing the public notice must be submitted prior to issuance or modification of coverage under the HMAGP. An example of the public notice is available online at <https://www.mdeq.ms.gov/hmagp>. [11 Miss. Admin. Code Pt. 2, R. 2.4.G. and 2.4.H.]

S-4 OBTAINING RECOVERY:

Once the HMAGP is reissued, the MDEQ will provide a Letter of Instruction to active coverage recipients outlining the process for obtaining coverage under the reissued permit. Failure to comply with the provisions of the Letter of Instruction may constitute a violation of the conditions of this permit. Unless specifically requested to do so, resubmittal of the SWPPP is not required if the SWPPP is on-site, current, adequately addresses the sources of pollution at the facility, and is fully compliant with the terms and conditions of the reissued permit. Also, for a facility seeking Recovery that is not specifically listed in Appendix A of this permit, the facility must comply with the public participation requirements of ACT2 Condition S-3. MDEQ reserves the right to require any facility seeking Recovery comply with the public participation requirements of ACT2 Condition S-3.

If the permit is not reissued prior to the expiration date, continued coverage under this permit will be allowed in accordance with ACT5, Condition T-26. [11 Miss. Admin. Code Pt. 2, Ch. 2.; 11 Miss. Admin. Code Pt. 6, Ch. 1.]

S-5 FACILITY EXPANSION AND/OR MODIFICATION NOTIFICATION:

The coverage recipient must notify the Permit Board at least 30 days before undertaking any of the following changes listed below by completing and submitting the Change Request Form. The form shall be submitted according to ACT2, Condition T-1.

- (1) Any planned changes in facility operations that may affect air emissions and/or storm water discharges,
- (2) Any change meeting the definition of a “major modification” in ACT6,
- (3) Removal of the hot mix asphalt plant and/or RAP crusher,
- (4) Any planned changes of ownership, or
- (5) Any changes in information previously submitted in the HMANOI or Recovery Form.

[11 Miss. Admin. Code Pt. 2, Ch. 2.; 11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT2 (HMAGP - General) Obtaining Coverage, Recoverage, and Requesting Termination (continued):**S-6 REQUIRING AN INDIVIDUAL PERMIT OR ALTERNATIVE GENERAL PERMIT:**

- (1) The Permit Board may require any applicant or coverage recipient to apply for and obtain either an individual NPDES or an alternative general NPDES permit and an individual Air Permit to Construct and/or Air State Permit to Operate. Any interested person may petition the Permit Board to take action under this paragraph. The Permit Board may require any coverage recipient to apply for an individual NPDES and/or Air permit only if the coverage recipient has been notified in writing. Such notice shall include reasons for the Permit Board's decision, an application form and a filing deadline. The Permit Board may grant additional time at its discretion, upon request. If a coverage recipient fails to submit a requested application in a timely manner, coverage under this permit will automatically terminate at the end of the day specified for application submittal.
- (2) Any applicant or coverage recipient may request to be excluded from permit coverage by applying for an individual permit or coverage under another general permit. The applicant or coverage recipient shall submit the appropriate MDEQ forms for the permits required to construct and/or operate the HMA plant.
- (3) Coverage under this permit is automatically terminated upon issuance of all the alternative individual and/or general permits required by Condition S-6(1) of ACT2. When the request for an alternative individual and/or general permit is denied, coverage under this permit continues unless terminated by the Permit Board. [11 Miss. Admin. Code Pt. 2, Ch. 2.; 11 Miss. Admin. Code Pt. 6, Ch. 1.]

S-7 CLOSURE AND TERMINATION REQUIREMENTS:

Should the coverage recipient decide to permanently cease its hot mix asphalt activities and/or abandon the premises upon which it operates, a Closure Plan and a Notice of Termination (NOT) Form shall be submitted to the MDEQ no later than 90 days prior to doing so. The NOT Form is available online at <https://www.mdeq.ms.gov/hmagp>. The Closure Plan shall address how and when all treatment units, industrial machinery, material handling equipment, manufactured products, by-products, raw materials, stored chemicals, and solid and liquid waste and residues will be managed so that no potential environmental hazard will be present upon closure. [11 Miss. Admin. Code Pt. 2, Ch. 2.; 11 Miss. Admin. Code Pt. 6, Ch. 1.]

S-8 REMOVAL OF HOT MIX ASPHALT PLANT:

Should the coverage recipient remove the hot mix asphalt plant and all associated air emissions equipment from the permitted site but not seek to close the site and terminate coverage in accordance with Condition S-7 of ACT2, the coverage recipient shall notify MDEQ according to Condition S-5 of ACT2. The coverage recipient shall continue to comply with the requirements of the HMAGP with exception of those requirements in ACT3. [11 Miss. Admin. Code Pt. 2, Ch. 2; 11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT2 (HMAGP - General) Obtaining Coverage, Recoverage, and Requesting Termination (continued):**T-1 WHERE TO SUBMIT THE HMANOI, RECOVERAGE, NOT, AND CHANGE REQUEST FORMS:**

Complete and appropriately signed HMANOI, Recoverage, NOT, and Change Request Forms must be submitted to:

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

In addition to mailing paper forms, electronic submittals are also recommended. HMANOI and Recoverage Forms can be submitted electronically at the following link: https://www.mdeq.ms.gov/permits/environmental-permits-division/applications-forms/noi_esubmittals/. After December 20, 2025, these forms must be submitted by the coverage recipient electronically as instructed by the MDEQ. [11 Miss. Admin. Code Pt. 2, Ch. 2.; 11 Miss. Admin. Code Pt. 6, Ch. 1.; 40 CFR Part 122.26(g)(1)(iii); 40 CFR Part 122.28(b)(2); 40 CFR Part 122.64(c)]

T-2 FAILURE TO NOTIFY:

Persons who emit air contaminants or discharge storm water to waters of the State associated with the construction and/or operation of a hot mix asphalt plant without the respective permits are in violation of the Mississippi Air and Water Pollution Control Law (Miss. Code Ann. Section 49-17-29(2)(b)). [11 Miss. Admin. Code Pt. 2, Ch. 2.; 11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT3 (HMAGP - General) Air Emissions Requirements:**L-1 AIR STATIONARY SOURCE DESIGNATION**

A hot mix asphalt plant operating in accordance with the requirements of this permit shall be considered both a moderate stationary source, with respect to the Prevention of Significant Deterioration (PSD) regulations, and a synthetic minor operating source. Hot mix asphalt facilities are also designated as significant minor sources under 11 Miss. Admin. Code Pt. 2, Ch.2. These terms are further defined in 11 Miss. Admin. Code Pt. 2, R. 2.1.C. [11 Miss. Admin. Code Pt. 2, Ch. 2.]

L-2 SITING CRITERIA REQUIRMENTS:

- (1) All air emissions sources at a new or existing hot mix asphalt plant shall be at least 600 feet from the nearest residential area, recreational area, or light commercial area (as defined in ACT6). Air emissions sources includes both point sources and fugitive sources, such as raw material piles.
- (2) The applicant must provide a detailed site drawing showing the property layout and adjoining property, including buildings, houses, etc., with all appropriate distances labeled and measured to the nearest residential, recreational, or light commercial area. The distance shall be from the emission source to the boundary (or property line) of the residential, recreational, or light commercial area. This site map must extend a minimum of a half mile radius from the site for rural areas and 1,500 feet for urban and suburban areas. It may be used as the site map for the SWPPP provided the site map meets the SWPPP requirements listed in ACT4.
- (3) Where buffer zone requirements cannot be met, the Permit Board will consider requests for exceptions to, or variances from, this requirement upon the applicant's submittal of sufficient proof that affected property owners within the subject buffer zone have submitted notarized letters of no objection for the proposed project. If such notarized letters cannot be secured and/or there are letters of objection, the facility shall submit an appropriate individual permit application form.

[11 Miss. Admin. Code Pt. 2, R. 2.2.B(14)(c).; 11 Miss. Admin. Code Pt. 2, R. 2.2.B(14)(f).]

L-3 OPERATIONAL LIMITATIONS:

Owners and operators of sources covered by this general permit shall comply with the following operational limits and fuel usage requirements to ensure potential emissions of regulated air pollutants are below the Title V major source thresholds.

- (1) The HMA dryer/mixer shall be controlled by a baghouse at all times when asphalt is being manufactured.
- (2) Batch mix plants shall not produce more than 360,000 tons of asphalt during any consecutive 12-month rolling period.
- (3) Drum mix plants shall not produce more than 500,000 tons of asphalt during any consecutive 12-month rolling period.

ACT3 (HMAGP - General) Air Emissions Requirements (continued):

- (4) For rock crushers or recycled asphalt pavement (RAP) crushers co-located with an HMA plant and used to provide crushed material to the co-located plant as well as one or more off-site HMA plants, the permittee shall not crush more than 600,000 tons of material during any consecutive 12-month rolling period.
- (5) Fuel combustion in the dryer shall be limited to the following fuels: liquid petroleum gas (LPG), natural gas, fuel oil, liquid bio-derived fuel, and on-specification used oil.
- (6) Liquid fuels shall be limited to 1,000,000 gallons per year during any consecutive 12-month rolling period and shall not have a sulfur content greater than 1.0 percent by weight.
- (7) Facilities shall not combust used oil as fuel for the dryer unless it has been recycled and meets the used oil specifications in 40 CFR 279.11. Liquid bio-derived fuel shall also meet the specifications of 40 CFR 279.11. The used oil specifications of 40 CFR 279.11 consist of the allowable levels provided in (a) through (f) below:
 - (a) Arsenic \leq 5 ppm;
 - (b) Cadmium \leq 2 ppm;
 - (c) Chromium \leq 10 ppm;
 - (d) Lead \leq 100 ppm;
 - (e) Flash point \geq 100 degrees Fahrenheit; and
 - (f) Total halogens \leq 1,000 ppm.

[11 Miss. Admin. Code Pt. 2, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

L-4

NON-NUMERIC LIMITATIONS:

- (1) At all times, including periods of startup, shutdown, and malfunction, the coverage recipient shall, to the extent practicable, maintain and operate the hot mix asphalt plant, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the MDEQ which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. [11 Miss. Admin. Code Pt. 2, Ch. 2.; 40 CFR 60.11(d), Subpart A]
- (2) Dust from fugitive emissions on plant facility property shall be kept to a minimum. Dust from the movement of heavy trucks over unpaved or dusty surfaces in and around the plant facility must be controlled by good maintenance, wetting, or application of approved non-hazardous, commercially available dust suppression agents. Oil shall not be used on in-plant roads to minimize dust. [11 Miss. Admin. Code Pt. 2, Ch. 1.]

ACT3 (HMAGP - General) Air Emissions Requirements (continued):

- (3) The necessary facilities shall be constructed so that solids removed in the course of control of air emissions can be disposed of in a manner such as to prevent the solids from becoming windborne and to prevent the materials from entering State waters without the proper environmental permits. [Miss. Code Ann. 49-17-29]
- (4) The air pollution control facilities shall be constructed such that diversion from or bypass of collection and control facilities is not needed except as provided for in 11 Miss. Admin. Code Pt. 2, R. 1.10., "Air Emission Regulations for the Prevention, Abatement, and Control of Air Contaminants." [11 Miss. Admin. Code Pt. 2, R. 1.10.]
- (5) The construction of the stationary source shall be performed in such a manner as to reduce fugitive dust emissions from construction activities to a minimum. [11 Miss. Code Pt. 2, R. 2.5.A(4).]

L-5

HOT MIX ASPHALT PLANT LIMITATIONS, MONITORING, AND TESTING:

- (1) The hot mix asphalt plant is subject to the following requirements (regardless of applicability to 40 CFR Part 60, Subpart I):
 - (a) Particulate matter emissions shall not exceed 0.04 grains/dscf (dry standard cubic feet) from the hot mix asphalt plant;
 - (b) Opacity shall be less than 20% from the hot mix asphalt plant, except during periods of startup, shutdown, and malfunction.[11 Miss. Admin. Code Pt. 2 Ch. 2.; 40 CFR 60.92, Subpart I; 40 CFR 60.11(c)]
- (2) Hot Mix Asphalt Plants that commenced construction or modification after June 11, 1973, are subject to 40 CFR Part 60, Subpart I, and the applicable requirements of 40 CFR Part 60, Subpart A. [40 CFR 60.90, Subpart I]
- (3) The hot mix asphalt plant lime silo(s) (if present) and fly ash silo(s) (if present) shall be equipped with a baghouse or fabric filter for control of air emissions. [11 Miss. Admin. Code Pt. 2, Ch. 2.]
- (4) In the event of a malfunction and/or failure of the pollution control equipment, the coverage recipient shall cease operation of the hot mix asphalt plant until such time as repairs are made and the proper efficiency of the pollution control equipment is restored. The coverage recipient shall have readily available access to equipment sufficient to repair and/or overhaul the pollution control equipment. [11 Miss. Admin. Code Pt. 2, Ch. 2.]
- (5) For the pollution control equipment used to control emissions from the hot mix asphalt plant, including pollution control equipment on the dryer and any silo(s), the coverage recipient shall comply with the following requirements:
 - (a) Regular inspections and any required maintenance shall be performed each month or more often, if necessary, to maintain proper operation of the pollution control equipment.

ACT3 (HMAGP - General) Air Emissions Requirements (continued):

- (b) At least monthly, a check for any leaks and visible emissions of dust from the pollution control equipment on the asphalt dryer shall be performed while asphalt is being produced. If visible emissions are observed, other than during periods of startup, shutdown, or malfunction, the coverage recipient shall immediately cease production and take corrective measures to eliminate leaks and/or eliminate visible emissions prior to restarting production, or the coverage recipient shall immediately conduct a visible emissions evaluation to determine opacity according to EPA Method 9 (40 CFR Part 60, Appendix A). The Method 9 observations shall be conducted by a certified Method 9 observer and shall consist of one (1) six-minute average observation.
- (c) At least monthly, a check for any leaks and visible emissions of dust from the pollution control equipment for the lime silo(s) (if present) and fly ash silo(s) (if present) shall be performed while lime or fly ash is being unloaded to the respective silo. If leaks or abnormal amounts of visible dust are noted, the coverage recipient shall immediately take corrective measures to eliminate leaks and eliminate and/or reduce visible dust to normal levels. (For example, corrective measures may include but are not limited to replacing bags/filters or slowing material transfer rates.)
- (d) The coverage recipient shall install monitoring devices for measuring the pressure drop across the baghouse used to control asphalt dryer emissions. The pressure drop shall be recorded at least monthly, while asphalt is being produced, and compared to the pressure drop range recommended by the baghouse manufacturer or determined using the operating history of the facility.
- (e) The monthly inspections, monthly visible emissions checks (including the results of any Method 9 visible emissions evaluations conducted), and monthly pressure drop readings (including the recommended pressure drop range), as well as any maintenance conducted and corrective measures taken, shall be recorded on the Monthly Air Monitoring Form provided by the MDEQ, or equivalent form prepared by the coverage recipient. With regards to any Method 9 visible emissions evaluations conducted, a Visible Emissions Evaluation Form (available from EPA online) shall be completed and maintained on-site for each opacity determination. These forms must be made available for review upon request by MDEQ personnel.

[11 Miss. Admin. Code Pt. 2, Ch. 2.]

- (6) To demonstrate compliance with the emission limitations in ACT3, Condition L-5(1), the coverage recipient shall conduct performance testing for particulate matter in accordance with EPA Methods 1-5 (40 CFR Part 60, Appendix A) at the frequency specified below. The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf). In conjunction with the particulate matter performance test, the coverage recipient shall perform a visible emissions evaluation to determine opacity according to EPA Method 9 (40 CFR Part 60, Appendix A) and the procedures in 40 CFR 60.11. The minimum total time of Method 9 observations shall be three (3) hours (i.e., 30 six-minute averages). If visibility or other conditions prevent the opacity observations from being performed concurrently with the performance testing, the permittee shall reschedule the opacity observations as soon after the performance testing as possible, but no later than thirty (30) days thereafter, and shall notify MDEQ of the rescheduled date. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existed during the stack test. During the performance test, the facility shall be operated at a rate representative of normal operating conditions.

ACT3 (HMAGP - General) Air Emissions Requirements (continued):

- (a) For new asphalt plants, the coverage recipient shall conduct performance testing within 60 days after achieving the maximum production rate at which the facility will operate, but no later than 180 days after startup, and every five (5) years thereafter.
- (b) For existing asphalt plants that have not conducted a performance test within four (4) years of the date coverage is issued under this HMAGP, the permittee shall conduct a performance test within one (1) year of issuance of coverage and every five (5) years thereafter.
- (c) For all other asphalt plants, recurring performance testing shall be conducted within five (5) years of the previous performance test.
- (d) If an asphalt plant is relocated to a different site, the coverage recipient shall conduct performance testing within 60 days after achieving the maximum production rate at which the facility will operate, but no later than 180 days of startup and every five (5) years thereafter.
- (e) If the asphalt plant is not operational within the timeframe required for a performance test in paragraphs (b) through (d) above, such that a performance test cannot be conducted, the coverage recipient shall notify the Air II, Environmental Compliance & Enforcement Division in writing of the delay in testing and shall conduct the required testing within 60 days of commencing operation of the asphalt plant.

[11 Miss. Admin. Code Pt. 2 Ch. 2.; 40 CFR 60.93, Subpart I]

L-6 ROCK CRUSHER AND RAP CRUSHER LIMITATIONS, MONITORING, AND TESTING:

- (1) Any rock crusher or RAP crusher owned or operated by the coverage recipient and constructed, reconstructed, or modified after August 31, 1983, that is (1) a fixed plant (as defined in 40 CFR 60.671) with a crushing capacity exceeding 25 tons per hour or (2) a portable plant (as defined in 40 CFR 60.671) with a crushing capacity exceeding 150 tons per hour shall comply with the requirements of paragraphs (a) or (b) below, as applicable. Rock crushers and RAP crushers are considered part of a nonmetallic mineral processing plant and shall include the following affected equipment up to, but not including, the first storage silo or bin: each crusher, grinding mill, screening operation, bucket elevator, and belt conveyor.
 - (a) Affected equipment that commenced construction, modification, or reconstruction after August 31, 1983, but before April 22, 2008, must meet the following limits, as applicable:
 - (i) 0.05 g/dscm (0.022 gr/dscf) particulate matter (filterable) and 7% opacity for any crusher if using a capture system. The opacity limit only applies to capture systems equipped with a dry control device (i.e., not a wet scrubber).

ACT3 (HMAGP - General) Air Emissions Requirements (continued):

- (ii) 10% opacity from fugitive emissions from transfer points on belt conveyors or from any other affected facility (i.e., screens and belt conveyors associated with the crusher).
 - (iii) 15% opacity from a crusher that does not use a capture system.
 - (iv) 7% opacity for any baghouse controlling emissions from an individual, enclosed storage bin.
- (b) Affected equipment that commenced construction, modification, or reconstruction on or after April 22, 2008 must meet the following limits, as applicable:
- (i) 0.032 g/dscm (0.014 gr/dscf) particulate matter (filterable) for any crusher if using a capture system.
 - (ii) 7% opacity from fugitive emissions from transfer points on belt conveyors or from any other affected facility (i.e., screens and belt conveyors associated with the crusher).
 - (iii) 12% opacity from a crusher that does not use a capture system.
 - (iv) 7% opacity for any baghouse controlling emissions from an individual, enclosed storage bin.

[40 CFR 60.672 and Tables 2 and 3, Subpart OOO]

- (2) For any portable rock or RAP crusher brought on-site that is owned and operated by an entity other than the coverage recipient, the owner and/or operator of the portable rock or RAP crusher shall be responsible for obtaining any necessary permit to construct and operate the portable rock or RAP crusher, as required by 11 Miss. Admin. Code Pt. 2, Ch. 2. [11 Miss. Admin. Code Pt. 2, Ch. 2.]
- (3) If the rock crusher is subject to Condition L-6(1)(b) and uses a baghouse to control emissions, the coverage recipient must conduct quarterly 30-minute visible emissions inspections using EPA Method 22 (40 CFR Part 60, Appendix A-7). The Method 22 test shall be conducted while the baghouse is operating. The test is successful if no visible emissions are observed. If any visible emissions are observed, the owner or operator of the affected facility must initiate corrective action within 24 hours to return the baghouse to normal operation. The coverage recipient must record each Method 22 test, including the date and any corrective actions taken, in a logbook in written or electronic format. The coverage recipient must keep the logbook onsite and make hard or electronic copies of the logbook available to the MDEQ upon request. [40 CFR 60.674(c) and 60.676(b)(1), Subpart OOO]

ACT3 (HMAGP - General) Air Emissions Requirements (continued):

- (4) If the rock crusher is subject to Condition L-6(1)(a)(i) or L-6(1)(b)(i), the coverage recipient shall determine initial compliance with the PM standards by conducting a performance test within 60 days of achieving the maximum production rate at which the rock crusher will operate but no later than 180 days after initial startup, and five (5) years from the previous performance test thereafter. If upon receipt of coverage under the HMAGP more than four (4) years has passed since the previous performance test, the permittee shall conduct a subsequent performance test within one (1) year of issuance of coverage. If the rock crusher is not operated within the first year of coverage under the HMAGP or within five (5) years of the previous test, such that a performance test cannot be conducted, the coverage recipient shall notify the Air II, Environmental Compliance & Enforcement Division in writing of the delay in testing and shall conduct the required testing within 60 days of commencing operation of the rock crusher. The permittee shall conduct the performance test according to the procedures in 40 CFR 60.675(a) and (b). [11 Miss. Admin. Code Pt. 2, Ch. 2.; 40 CFR 60.675(a) and (b), Subpart OOO]
- (5) For all other applicable opacity standards in Condition L-6(1), the coverage recipient shall determine initial compliance with the PM standards by conducting a performance test within 60 days of achieving the maximum production rate at which the rock crusher will operate but no later than 180 days after initial startup, and five (5) years from the previous performance test thereafter. If upon receipt of coverage under the HMAGP more than five (5) years as passed since the previous performance test, the permittee shall conduct a subsequent performance test within one (1) year of issuance of coverage. If the rock crusher or ancillary equipment applicable to an opacity standard is not operated within the first year of coverage under the HMAGP or within five (5) years of the previous test, such that a performance test cannot be conducted, the coverage recipient shall notify the Air II, Environmental Compliance & Enforcement Division in writing of the delay in testing and shall conduct the required testing within 60 days of commencing operation of the affected equipment. The permittee shall conduct the performance test according to the procedures of EPA Method 9 in 40 CFR Part 60, Appendix A-4 and the procedures of 40 CFR 60.11, with the following additions:
- (a) The minimum distance between the observer and the emission source shall be 15 feet.
 - (b) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun, as specified in Method 9, must be followed.
 - (c) For baghouses controlling enclosed storage bins, the duration of the Method 9 observations shall be one (1) hour (ten 6-minute average). This duration may be reduced to not less than 30 minutes if the baghouse(s) controls a storage bin that operates for less than one (1) hour at a time.
 - (d) For fugitive emissions sources, the duration of the Method 9 observations must be 30 minutes (five 6-minute averages). Compliance must be based on the average of the five 6-minute averages.
 - (e) The coverage recipient may reduce the 30-day advance notification of a performance test to a 7-day advance notice.

[11 Miss. Admin. Code Pt. 2 Ch. 2.; 40 CFR 60.675(a), (c), and (g), Subpart OOO]

ACT3 (HMAGP - General) Air Emissions Requirements (continued):

- (6) MDEQ reserves the right to require additional performance testing if: (1) MDEQ determines that opacity of any emission source is greater than 40% during any inspection, or (2) MDEQ determines through an inspection or records review that the coverage recipient has not complied with requirements of the applicable standard or test procedures. If MDEQ requires additional performance testing, the facility will have 60 days to schedule and complete the test. [11 Miss. Admin. Code Pt. 2 Ch. 2.]

L-7 EMERGENCY STATIONARY INTERNAL COMUSTION ENGINE REQUIREMENTS:

- (1) The coverage recipient shall comply with all applicable federal regulations noted below pertaining to any emergency stationary internal combustion engine (ICE) located at the facility. Emergency stationary ICE are specifically defined in the applicable federal regulation(s).
- (a) New Source Performance Standard (NSPS) 40 CFR 60, Subpart IIII – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.
 - (b) New Source Performance Standard (NSPS) 40 CFR 60, Subpart JJJJ – Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.
 - (c) National Emission Standards for Hazardous Air Pollutants (NESHAP) 40 CFR 63, Subpart ZZZZ – NESHAP for Stationary Reciprocating Internal Combustion Engines.

[11 Miss. Admin. Code Pt. 2, Ch. 1 and Ch. 8.]

- (2) In accordance with the applicable federal regulation(s), there is no time limit on the use of emergency stationary ICE operated during emergency situations. However, the coverage recipient shall not operate emergency stationary ICE more than 100 hours per calendar year in non-emergency situations, which may include maintenance checks and readiness testing. As part of this 100 hours of non-emergency operation, the coverage recipient may operate the emergency stationary ICE for up to 50 hours per calendar year in non-emergency situations, as specified in the applicable federal regulation(s). [40 CFR 60.4211(f), Subpart IIII; 40 CFR 60.4243(d), Subpart JJJJ; 40 CFR 63.6640(f), Subpart ZZZZ]
- (3) All emergency stationary ICE must be equipped with a non-resettable hour meter prior to startup. For each emergency stationary ICE, the coverage recipient shall maintain a record of the hours of operation of the engine for each calendar year, whether operation was for emergency or non-emergency purposes, and the reason for operation. [40 CFR 60.4209(a) and 60.4214(b), Subpart IIII; 40 CFR 60.4237 and 60.4245(b), Subpart JJJJ; 40 CFR 63.6625(f) and 63.6655(f), Subpart ZZZZ]
- (4) Diesel fuel combusted in any stationary internal combustion engine shall meet the requirements of 40 CFR 1090.305 – Ultra Low-Sulfur Diesel (ULSD) Standards. [40 CFR 60.4207(b), Subpart IIII; 40 CFR 63.6604, Subpart ZZZZ]

ACT3 (HMAGP - General) Air Emissions Requirements (continued):

- (5) For emergency stationary ICE subject to 40 CFR 63, Subpart ZZZZ, the coverage recipient shall change oil and filter every 500 hours of operation or annually, whichever comes first. The coverage recipient shall inspect the air cleaner for compression ignition engines and spark plugs for spark ignition engines every 1,000 hours of operation or annually, whichever comes first, and replace as necessary. The coverage recipient shall inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. [40 CFR 63.6603(a) and Table 2d, Subpart ZZZZ]
- (6) For emergency stationary ICE subject to 40 CFR 60, Subpart IIII or Subpart JJJJ, the coverage recipient shall comply by purchasing an engine certified by the manufacturer to meet the applicable emission standards of Subpart IIII or JJJJ, respectively. Documentation of engine certification shall be maintained on-site or off-site, if readily available for MDEQ review upon request (i.e., within 24 hours of the request). [40 CFR 60.4211(c), Subpart IIII; 40 CFR 60.4243(a), Subpart JJJJ]
- (7) For emergency stationary ICE, the coverage recipient shall operate and maintain the stationary ICE according to the manufacturer's emission-related written instructions, change only those emission-related settings that are permitted by the manufacturer, and keep a record of all maintenance conducted. The coverage recipient shall also comply with any applicable requirements in 40 CFR 89, 94, and/or 1068, as they apply. [11 Miss. Admin. Code Pt. 2, Ch. 2.; 40 CFR 60.4211(a), Subpart IIII; 40 CFR 60.4243(a)(1), Subpart JJJJ; 40 CFR 63.6640(a) and Table 6, Subpart ZZZZ]

L-8 NONROAD INTERNAL COMBUSTION ENGINE REQUIREMENTS:

Except as provided for in ACT3, Condition L-7, for each nonroad ICE, as defined in ACT6, that is used to provide power to the asphalt manufacturing process, the coverage recipient shall maintain a record of the engine specifications (i.e. make, model, fuel type, rated power, and manufactured date), the date the engine is brought on-site, and the date the engine is removed from the site. Such engines shall not remain at a permitted site for more than twelve (12) consecutive months. Any engine (or engines) that replaces an engine at the site that is intended to perform the same or similar function as the engine replaced must be included in the time period of both engines in calculating the consecutive time period. [11 Miss. Admin. Code Pt. 2 Ch. 2.]

L-9 GASOLINE DISPENSING OPERATION REQUIREMENTS:

If the coverage recipient operates a gasoline dispensing facility, as defined in ACT6, the coverage recipient shall comply with the following requirements:

- (1) The coverage recipient shall limit the monthly throughput of gasoline to less than 10,000 gallons.
- (2) The coverage recipient must, at all times, operate and maintain the affected source in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the MDEQ which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.11115(a), Subpart CCCCCC]

ACT3 (HMAGP - General) Air Emissions Requirements (continued):

- (3) The coverage recipient shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken shall include, but are not limited to, the following:
- (a) Minimize gasoline spills;
 - (b) Clean up spills as expeditiously as practicable;
 - (c) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use; and
 - (d) Minimize gasoline sent to an open waste collection system that collects and transports gasoline to reclamation and recycling devices, such as oil/water separators, if applicable.
 - (e) Portable gasoline containers that meet the requirements of 40 CFR part 59, subpart F, are considered acceptable for compliance with paragraph (c) of this condition.

[40 CFR 63.11116(a) and (d), Subpart CCCCCC]

- (4) The coverage recipient shall keep records to demonstrate that the monthly throughput of gasoline is less than the 10,000-gallon threshold level. The coverage recipient is not required to submit any notifications or reports, as specified in 40 CFR 63.11125, 63.11126, or Subpart A, but must have records available within 24 hours of a request by the MDEQ to document the gasoline throughput. [40 CFR 63.11111(e) and 63.11116(b), Subpart CCCCCC]

S-1 AIR REPORTING REQUIREMENTS

- (1) The coverage recipient shall submit notification on the Air Notification of Construction Form provided by MDEQ of the date construction (or reconstruction, as defined in the applicable federal standard) commenced and anticipated date of startup, postmarked no later than 15 days after beginning actual construction. This notification is required for the hot mix asphalt plant, as well as any additional equipment constructed at a later date and subject to a federal standard or otherwise considered a major modification. [11 Miss. Admin. Code Pt. 2, R. 2.5.C(2); 40 CFR 60.7(a)(1), Subpart A]
- (2) The coverage recipient shall submit notification on the Air Notification of Construction Form provided by MDEQ of the date construction is completed prior to startup of the facility or equipment. This notification is required for the hot mix asphalt plant, as well as any additional equipment constructed at a later date and subject to a federal standard or otherwise considered a major modification. The date of startup shall be assumed to be the date construction is completed unless additional notification is provided of the startup date on the Air Notification of Construction Form. [11 Miss. Admin. Code Pt. 2, R. 2.5.D.; 40 CFR 60.7(a)(3), Subpart A]
- (3) The coverage recipient shall notify MDEQ using the Air Notification of Construction Form provided by MDEQ if construction of the hot mix asphalt plant does not begin within 18 months of issuance or if construction is suspended for 18 months or more. The permittee may request one extension of 18 months on the Form. [11 Miss. Admin. Code Pt. 2, R. 2.5.C(3).]

ACT3 (HMAGP - General) Air Emissions Requirements (continued):

- (4) The coverage recipient shall submit a written test protocol to MDEQ at least thirty (30) days prior to the scheduled test date to ensure that all test methods and procedures are acceptable to the MDEQ. After the first successful submittal of a written test protocol in conjunction with a performance test, the permittee may request that the resubmittal of the testing protocol be waived for subsequent testing by certifying in writing at least thirty (30) days prior to subsequent testing that all conditions for testing remain unchanged, such that the original protocol can and will be followed. In addition, at least TEN (10) DAYS notice should be given prior to the performance test so that a MDEQ observer may be scheduled to witness the test(s). [11 Miss. Admin. Code Pt. 2, R. 2.6.B.; 40 CFR 60.7(a)(7) and 60.8(d), Subpart A]
- (5) The coverage recipient shall submit notification on the Change Request Form of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a federal standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Permit Board may request additional relevant information subsequent to this notice. [11 Miss. Admin. Code Pt. 2, Ch. 2.; 40 CFR 60.7(a)(4), Subpart A]
- (6) The coverage recipient shall submit an annual report by January 31st for the preceding calendar year summarizing the production data for the asphalt plant, production data for rock/RAP crushers (if applicable), liquid fuel usage by the HMA plant, and monthly inspections required by ACT3, Condition L-5(5), including the results of any Method 9 visible emissions observations conducted. If the coverage recipient installs any engine(s) required to meet the conditions of ACT3, Condition L-8, the annual report shall also include the required engine specifications, the date the engine(s) was brought on-site, and the date that the engine(s) was removed (if applicable). This report shall be submitted regardless of whether the asphalt plant is operating or otherwise on-site. This report shall consist of the Annual Air Operating Form, or equivalent form, and shall be submitted to:

Chief, Environmental Compliance and Enforcement Division
Mississippi Department of Environmental Quality
P. O. Box 2261
Jackson, Mississippi 39225

[11 Miss. Admin. Code Pt. 2, R. 2.9.]

- (7) The results from each performance test conducted to meet the requirements in ACT3 shall be submitted to the MDEQ at the address in Condition S-1(6) of ACT3 within sixty (60) days following completion of the test(s). [11 Miss. Admin. Code Pt. 2, R. 2.2.B(11).]

ACT3 (HMAGP - General) Air Emissions Requirements (continued):

R-1 GENERAL AIR RECORDKEEPING REQUIREMENTS:

- (1) To demonstrate compliance with the requirements of ACT3, Condition L-3, the coverage recipient shall maintain the following records:
 - (a) The coverage recipient shall record (in tons) the monthly asphalt production and material crushed (if applicable), as well as the rolling 12-month total for each (obtained by adding the current month's figures to those for the previous eleven months), on the Annual Air Operating Form, or equivalent form.
 - (b) The coverage recipient shall record (in gallons) the total amount of liquid fuel combusted each month in the dryer and any associated heaters, as well as the rolling 12-month total, on the Annual Air Operating Form, or equivalent form. The coverage recipient shall also maintain records of the date, amount (in gallons), and sulfur content of each shipment of liquid fuel received. The sulfur content may be provided by the supplier or determined by the coverage recipient using an EPA- or ASTM-approved test method for determining the total sulfur content (by weight) in fuel.
 - (c) For HMA plants that utilize used oil, the coverage recipient shall maintain records demonstrating compliance with the on-specification used oil requirements in Condition L-3(7) for each shipment of used oil received. Additionally, for each shipment, the coverage recipient shall maintain records of the name, address, phone number, and EPA identification number for both the used oil marketer and transporter. The coverage recipient or used oil supplier shall determine compliance with the fuel specifications of this permit using EPA- and/or ASTM-approved test methods.
- (2) The coverage recipient shall maintain files of all information (including all reports and notifications) required by ACT3 recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be retained on-site. The remaining three (3) years of data may be retained off site. Such files may be maintained in hard copy or electronic format. If the facility is no longer operating, all files may be retained off site, as long as they are available for expeditious inspection and review by MDEQ. [11 Miss. Admin. Code Pt. 2, R. 2.9.]

ACT4 (HMAGP - General) Industrial Storm Water Requirements:**R-1 MONITORING AND RECORDS:**

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activities. Records of any storm water monitoring conducted shall include:

- (1) The date, exact location, and time of sampling measurements,
- (2) The initials or names of the individuals, who performed the sampling or measurements,
- (3) The date(s) and time(s) analyses were performed,
- (4) The initials or names of the individuals who performed the analyses,
- (5) References and written procedures, when available, for the analytical techniques or methods used, and
- (6) The results of such analyses, including the bench sheets, instruments readouts, computer disks or tapes, etc., used to determine these results.

[11 Miss. Admin. Code Pt. 6, Ch. 1.]

R-2 RETENTION OF RECORDS:

Except as otherwise specified herein, all records, reports, forms and information resulting from activities required by ACT4 shall be retained by the coverage recipient on-site, or readily available for a period of at least three (3) years from the date of generation. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-1 STORM WATER POLLUTION PREVENTION PLAN (SWPPP) DEVELOPMENT AND CONTENT:

A SWPPP shall be developed and implemented for each facility 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 industrial activity from the facility. The SWPPP shall describe and ensure the implementation of BMPs which will reduce pollutants in storm water discharges and assure compliance with the terms and conditions of this permit. For assistance in developing a SWPPP, applicants are encouraged to reference the Mississippi Storm Water Pollution Prevention Plan (SWPPP) Guidance Manual for Industrial Facilities or other recognized reference manual of design, such as EPA's "Developing Your Storm Water Pollution Prevention Plan" (February 2009), which are available at <https://www.mdeq.ms.gov/industrial-stormwater/>. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT4 (HMAGP - General) Industrial Storm Water Requirements (continued):

T-2 MINIMUM SWPPP COMPONENTS/DESCRIPTION OF POTENTIAL POLLUTANT SOURCES:

Each plan shall identify all activities and significant materials which may potentially pollute storm water discharges, including:

- (1) A list of industrial activities exposed to storm water (e.g., ground storage piles, tanks, hoppers, silos, dust containment/collection systems, and truck/equipment cleaning and maintenance areas, etc.).
- (2) A list of the materials and pollutants associated with each of the activities identified above (e.g., used oil, zinc, solvents, etc.).
- (3) A narrative description of the materials and pollutants identified above. The narrative shall include, but not limited to:
 - (a) Method of storage or disposal,
 - (b) Management practices employed to minimize contact of these materials with storm water,
 - (c) Existing structural and non-structural control measures to reduce pollutants in storm water runoff, and
 - (d) Any treatment the storm water receives.
- (4) A monthly updated list of spills and leaks of toxic or hazardous pollutants that have occurred at the facility. Spills and leaks must be documented on the Monthly Spill and Leak Log Sheet, or equivalent form. The Monthly Spill and Leak Log Sheet can be found on the MDEQ website at <https://www.mdeq.ms.gov/hmagp/>. If no spills have occurred, the form shall be completed by checking the available box and signing it as indicated. Coverage recipients may use an alternate form to record this information, so long as it includes all of the information on the above referenced form and it is updated monthly. The completed forms shall be filed on-site with the SWPPP and made available to MDEQ personnel for inspection upon request.
- (5) An updated summary of all storm water sampling data (if available), including a description of associated pollutants of concern (see Definitions in ACT6).
- (6) The coverage recipient shall prepare a detailed scaled site map showing the property layout with site boundaries and indicating the following features:
 - (a) Surface water bodies,
 - (b) Drainage area of each storm water outfall identified by number,
 - (c) Direction of flow for each area (designated by arrow),
 - (d) Location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff,
 - (e) Location of any storm water treatment activities,
 - (f) Location of any storm drain inlets,

ACT4 (HMAGP - General) Industrial Storm Water Requirements (continued):

- (g) Location of industrial activities, such as:
 - (i) Fuel storage and dispensing locations,
 - (ii) Vehicle/equipment repair, maintenance and cleaning areas,
 - (iii) Materials storage and handling areas, including location of baghouses and dust control devices,
 - (iv) Loading/unloading areas, and
 - (v) Process or manufacturing areas.
 - (h) Location of housekeeping practices,
 - (i) Storm water conveyances (ditches, pipes, & swales), and
 - (j) Any post-construction control measures,
- (7) A topographic map extending at least 1/2 mile beyond the facility property boundaries. This may be part of the above required site map.
- (8) A summary of the types of pollutants likely to be present for each area of the facility generating storm water discharges with a reasonable potential for containing significant amounts of pollutants.

[11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-3 MINIMUM SWPPP COMPONENTS/DESCRIPTION OF STORM WATER MANAGEMENT CONTROLS:

The owner or operator shall describe appropriate storm water management controls addressing identified potential pollution sources and implement such controls. The description shall include a schedule for implementing the following minimum components:

- (1) Pollution Prevention Manager/Committee. The SWPPP shall specify individual(s) responsible for developing the SWPPP and assisting the facility manager in its implementation, maintenance, and revision.
- (2) Risk Identification and Assessment/Material Inventory. The SWPPP shall assess the pollution potential of various sources at the facility including loading and unloading operations; outdoor storage, manufacturing or processing activities; significant dust or particulate generating processes and on-site waste disposal practices. Factors to consider include the toxicity and quantity of chemicals used, produced, or discharged, the likelihood of contact with storm water and history of significant leaks or spills of toxic or hazardous pollutants. The plan shall include an inventory of materials handled. Based on the Risk Identification and Material Inventory, the plan shall specify management controls, and, if necessary, structural controls to reduce or eliminate the potential for pollutants in the storm water discharges.

ACT4 (HMAGP - General) Industrial Storm Water Requirements (continued):

- (3) Sediment and Erosion Prevention. The SWPPP shall identify areas with a high potential for soil erosion, and specify prevention measures to limit erosion.
- (4) Preventive Maintenance. A preventive maintenance program shall involve inspection and maintenance of storm water management devices (cleaning oil/water separators, catch basins, etc.) and the inspecting and testing of equipment to preclude breakdowns or failures that may cause pollution.
- (5) Good Housekeeping. The owner or operator shall describe and list practices appropriate to prevent pollutants from entering storm water from industrial activities due to poor housekeeping. The owner or operator shall:
 - (a) Designate areas for equipment maintenance and repair;
 - (b) Provide waste receptacles at convenient locations (outdoor waste receptacles must be covered);
 - (c) Provide regular collection of waste;
 - (d) Provide protected storage areas for chemicals, paints, solvents, fertilizers, fine granular solids (e.g., cement, fly ash, kiln dust), and other potentially toxic materials;
 - (e) Provide adequately maintained sanitary facilities;
 - (f) Provide secondary containment around on-site single fuel or chemical container with a capacity greater than 660 gallons or any combination of containers which has an above ground bulk storage capacity of more than 1,320 gallons; and
 - (g) Provide containment for raw material stockpiles (if necessary to prevent material from entering waters of the State).
- (6) Spill Prevention and Response Procedures. The SWPPP shall clearly identify potential spill areas and their drainage points. The plan should specify material handling procedures and storage requirements. Procedures for cleaning up spills shall be identified and made available to the appropriate personnel. The necessary clean up equipment should be available to personnel.
- (7) Employee Training. The SWPPP shall specify periodic training for personnel that are responsible for implementing and/or complying with the requirements of the SWPPP, as identified in ACT5, Condition T-15.
- (8) Illicit Connections - Evaluation and Certification. The owner or operator shall certify at least every five (5) years that storm water discharges have been evaluated for the presence of non-allowable, non-storm water discharges. The certification shall include method(s) of evaluation, date(s), observation point(s) and result(s). The evaluation method(s) may include, but not be limited to, one or more of the following dry weather screening methods: 1) visual inspection, 2) plant schematic review, and 3) dye testing. The certification shall be filed on-site with the SWPPP and made available to MDEQ personnel for inspection upon request. This certification may not be feasible if the owner or operator does not have access to the discharge before it enters the ultimate receiving conduit. In such cases, the SWPPP shall include why the certification required by this part was not feasible.

ACT4 (HMAGP - General) Industrial Storm Water Requirements (continued):

- (9) Routine Visual Site Inspections. The purpose of conducting visual site inspections is to make sure storm water discharges are free from objectionable characteristics in observable amounts (i.e., turbidity, color, sheen, etc.). The SWPPP shall describe the policy and procedures for routine visual site inspections, including frequencies and areas to be inspected. Areas to be inspected must include all industrial activities exposed to storm water identified in ACT4, T-2(1). These areas must be checked for evidence of pollutants entering the storm water drainage system and also identify conditions which may give rise to contamination of storm water runoff. The frequency of inspections shall be performed as often as needed but no less than once monthly. If feasible, the inspections should be conducted during or after storm events. As part of the inspection, storm water should be collected in a clean, clear jar and examined in a well-lit area. The SWPPP should outline procedures consistent with the requirements of ACT4, T-6 to investigate, correct and document instances in which visible pollutants are observed.
- (10) Non-Storm Water Discharge Management. The SWPPP must identify any allowable non-storm water discharges, identified in ACT1, T-2(5), except for flows from actual fire-fighting activities, which are combined with storm water discharges associated with industrial activity at the site. Non-storm water discharges should be eliminated or reduced to the extent feasible. The SWPPP must identify and ensure the implementation of appropriate BMPs for the non-storm water component of the discharge. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- (11) Storm Water Management. The SWPPP should provide for the management of storm water volume through its diversion, infiltration, storage, or re-use.

[11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-4 SWPPP IMPLEMENTATION REQUIREMENTS:

The coverage recipient shall:

- (1) Implement the SWPPP and retain a copy of the SWPPP at the permitted site. Failure to implement the SWPPP is a violation of permit requirements. A copy of the SWPPP must be made available to the MDEQ inspectors for review at the time of an on-site inspection.
- (2) Comply with the terms of the SWPPP upon commencement of the regulated activity.
- (3) If notified at any time by the MDEQ that the SWPPP does not meet the minimum requirements, amend the SWPPP and certify in writing that the requested changes have been made. Unless otherwise provided, the coverage recipient shall have 30 days to make the requested changes.
- (4) Amend the SWPPP whenever there is a change in design, construction, operation, or maintenance, which may increase the discharge of pollutants to waters of the State or the SWPPP proves to be ineffective in controlling storm water pollutants. The coverage recipient shall submit it to the MDEQ within 30 days of amendment.

ACT4 (HMAGP - General) Industrial Storm Water Requirements (continued):

(5) 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.

(6) Submit any new storm water sampling data within 90 days of sampling.

[11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-5 SWPPP COMPLIANCE WITH LOCAL STORM WATER ORDINANCES:

(1) 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 coverage recipient shall make the SWPPP available to the local authority upon request. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-6 MONTHLY SITE INSPECTIONS:

All areas contributing to storm water discharges associated with industrial activity as identified ACT4, Condition T-2(1) must be visually inspected as often as needed but no less than once monthly. The inspection must evaluate whether the SWPPP adequately minimizes pollutant loadings and is properly implemented in accordance with the terms of this permit or whether additional control measures are needed. This includes observing storm water discharges for obvious industrial storm water pollution such as color, lack of clarity, floating solids, settled solids, suspended solids, foam, and oil sheens.

As part of the inspection, storm water should be collected in a clean, clear jar and examined in a well-lit area. Should any of the objectionable characteristics described above be observed, coverage recipient shall investigate upstream from the sample location to identify the potential sources of pollution and implement corrective action. The results of all jar test inspections shall be documented on the Monthly Site Inspection Form, which can be found on the MDEQ website at <https://www.mdeq.ms.gov/hmagp/>. Coverage recipients may use an alternate form to record this information, so long as it includes all of the information on the above referenced form. Completed forms shall be filed on-site with the SWPPP and made available to MDEQ personnel for inspection upon request.

The results of all inspections must be documented on the Monthly Site Inspection Form, or equivalent form. The Monthly Site Inspection Form can be found on the MDEQ website at <https://www.mdeq.ms.gov/hmagp/>. Any poorly functioning controls or BMPs, 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 7 days of the inspection unless prevented by unsafe weather conditions or specified differently elsewhere in this permit. If the deficiency would result in environmental harm, the deficiencies shall be corrected immediately.

[11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT4 (HMAGP - General) Industrial Storm Water Requirements (continued):

T-7 ANNUAL SWPPP EVALUATION:

Coverage recipients shall conduct a comprehensive evaluation of the facility's SWPPP by December 31st of each calendar year. The evaluation shall assess the effectiveness and accuracy of the SWPPP and ensure that the SWPPP is current, up to date, and meets all the requirements of ACT4, T-3. Should the SWPPP need to be amended based on the findings of any evaluation, a copy of the amended SWPPP must be submitted to MDEQ in accordance with Condition ACT4, T-4(4). The evaluation of the SWPPP must be documented on the Annual SWPPP Evaluation Form, or equivalent form. The Annual SWPPP Evaluation Form can be found on the MDEQ website at <https://www.mdeq.ms.gov/hmagp/>. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-8 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, and
- (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.]

ACT5 (HMAGP - General) Standard Requirements Applicable to All ACTs:**R-1 MAINTAINING ELECTRONIC DOCUMENTS:**

Any documents required by this permit may be kept electronically but must be readily available during site inspection or upon request. [11 Miss. Admin. Code Pt. 2, Ch. 2.; 11 Miss. Admin. Code Pt. 6, Ch. 1.]

S-1 NONCOMPLIANCE NOTIFICATION – TWENTY-FOUR HOUR ORAL AND FIVE DAY WRITTEN REPORTING:

- (1) The coverage recipient shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the coverage recipient becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the coverage recipient becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and/or prevent recurrence of the noncompliance.
- (2) The following shall be included as information which must be reported within 24 hours under this paragraph.
 - (a) Any unanticipated bypass which exceeds any effluent limitation in the permit.
 - (b) Any upset which exceeds any effluent limitation in the permit.
 - (c) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Permit Board in the permit to be reported within 24 hours.
- (3) The Executive Director may waive the written report on a case-by-case basis for reports under paragraph (1) of this section if the oral report has been received within 24 hours.

All reports required by this condition which are submitted after December 20, 2025, shall be submitted by the coverage recipient electronically as instructed by MDEQ. [11Miss. Admin. Code Pt. 6, Ch. 1. 1.1.4.A(29)(e)., 40 CFR 122.41(l)(6)]

S-2 NONCOMPLIANCE NOTIFICATION – OTHER NONCOMPLIANCE:

The coverage recipient shall report all instances of noncompliance not reported under the twenty-four hour reporting requirements, at the time monitoring reports are submitted or within 30 days from the end of the month in which the noncompliance occurs. The reports shall contain the same information as is required under the twenty-four hour reporting requirements contained in this permit. All reports required by this condition which are submitted after December 20, 2025, shall be submitted by the coverage recipient electronically as instructed by MDEQ. [11Miss. Admin. Code Pt. 6, R. 1.1.4.A(29)(f)., 40 CFR 122.41(l)(7).]

ACT5 (HMAGP - General) Standard Requirements Applicable to All ACTs (continued):**S-3 NONCOMPLIANCE NOTIFICATION - OTHER INFORMATION:**

Where the coverage recipient becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Permit Board, it shall promptly submit such facts or information. [11 Miss. Admin. Code Pt. 6, Ch. 1. 1.1.4.A(29)(g).]

S-4 BYPASSING NOTICE:

Anticipated bypass – If the coverage recipient knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

Unanticipated bypass – The coverage recipient shall submit notice of an unanticipated bypass as required by the twenty-four hour reporting requirements set forth in this permit.

All reports required by this condition which are submitted after December 20, 2025, shall be submitted by the coverage recipient electronically as instructed by MDEQ. [40 CFR 122.41(m)(3)]

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, coverage termination, revocation and reissuance, or modification, or denial of a renewal application. [11 Miss. Admin. Code Pt. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-2 DUTY TO REAPPLY:

If the coverage recipient wishes to continue an activity regulated by this permit after the expiration date of this permit, coverage recipient must apply for and obtain authorization as required by the new permit. [11 Miss. Admin. Code Pt. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-3 DUTY TO MITIGATE:

The coverage recipient 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. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT5 (HMAGP - General) Standard Requirements Applicable to All ACTs (continued):**T-4 DUTY TO PROVIDE INFORMATION:**

The coverage recipient 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 coverage, or to determine compliance with this permit. The coverage recipient shall also furnish to the Permit Board, upon request, copies of records required to be kept by this permit. [11 Miss. Admin. Code Pt. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-5 SIGNATORY REQUIREMENTS:

All HMANOIs 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;
- (2) For a partnership or sole proprietorship by a general partner or the proprietor, respectively; or
- (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. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT5 (HMAGP - General) Standard Requirements Applicable to All ACTs (continued):**T-6 DULY AUTHORIZED REPRESENTATIVE:**

All reports required by this permit, and other information requested by the Permit Board shall be signed by a person described in ACT 5, Condition T-5, 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 5, Condition T-5.
- (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.)

[11 Miss. Admin. Code Pt. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-7 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 5, Conditions 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. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-8 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-9 OIL AND HAZARDOUS SUBSTANCE LIABILITY:

Nothing in this permit shall relieve the coverage recipient from responsibilities, liabilities, or penalties under Section 311 of the Federal Clean Water Act (33 U.S.C. Section 1321). [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT5 (HMAGP - General) Standard Requirements Applicable to All ACTs (continued):**T-10 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. [11 Miss. Admin. Code Pt. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-11 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. [11 Miss. Admin. Code Pt. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-12 TRANSFER OF OWNERSHIP OR CONTROL:

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 and/or Air Permit. Transfer of coverage requests shall be submitted to the Permit Board using the Transfer and/or Name Change Request Form available online and shall be submitted to the MDEQ address listed in ACT2, Condition T-1. [11 Miss. Admin. Code Pt. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-13 PROPER OPERATION AND MAINTENANCE:

The coverage recipient shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the coverage recipient to achieve compliance with the conditions of this permit, including the SWPPP. 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. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-14 BYPASS PROHIBITION:

Bypass (see 40 CFR 122.41(m)) is prohibited and enforcement action may be taken against a coverage recipient for a bypass, unless: a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; b) there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime (this condition is not satisfied if the coverage recipient should, in the exercise of reasonable engineering judgment, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance); and c) the coverage recipient submitted notices per ACT5, Condition S-4. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT5 (HMAGP - General) Standard Requirements Applicable to All ACTs (continued):**T-15 PERSONNEL TRAINING PROGRAM REQUIREMENTS:**

The coverage recipient shall develop and implement a program for initial and periodic refresher training of personnel that are responsible for implementing and/or complying with the requirements of this permit. Training for all personnel that are responsible for implementing and/or complying with the requirements of this permit shall be performed within twelve (12) months of issuance of coverage or recoverage under this permit. Newly hired employees responsible for implementing and/or complying with the requirements of this permit shall receive initial training prior to performing such responsibilities. Each employee shall receive refresher training by December 31st of each calendar year.

Training shall at a minimum address, but not be limited to, the following elements:

- (1) Permit conditions and limitations for each applicable activity (i.e., air emissions and industrial storm water);
- (2) Operation, maintenance and inspection of air emission control equipment;
- (3) Procedures for responding to upset conditions of air emission control equipment;
- (4) SWPPP goals and plan components identified in this ACT including:
 - (a) Housekeeping and pollution prevention requirements,
 - (b) Spill prevention and response procedures,
 - (c) Identification and elimination of non-allowable, non-storm water discharges, and
 - (d) Installation, maintenance and inspection of BMPs for industrial storm water and/or post-construction storm water.
- (5) Procedures for monitoring compliance with non-numeric and numeric limitations prescribed in the permit.
- (6) Recordkeeping, reporting, and record retention requirements (includes understanding the records filing system and being able to produce the required permit documentation during an MDEQ on-site inspection).
- (7) Release reporting and non-compliance notification and requirements.
- (8) Applicable standard requirement contained in ACT5.

Personnel training conducted to meet the requirements of this ACT shall be documented on the Personnel Training Form, or equivalent form. Training records shall include employee's name, date of training, contents of training, and the employee's signature acknowledging that training was received. The Personnel Training Form can be found on the MDEQ website at <https://www.mdeq.ms.gov/hmagp/>.

ACT5 (HMAGP - General) Standard Requirements Applicable to All ACTs (continued):

T-16 UPSET CONDITIONS:

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 at the time of the upset,
- (3) The coverage recipient submitted notices per ACT5, Condition S-1(2)(b), and
- (4) The coverage recipient took remedial measures as required under ACT5, Condition T-3. In any enforcement proceeding, the coverage recipient has the burden of proof that an upset occurred. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance is initiated, will be considered a final administrative action subject to judicial review.

[11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-17 INSPECTION AND ENTRY:

The coverage recipient shall allow the Permit Board staff or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- (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;
- (3) Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (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.

[Miss. Code Ann. 49-17-21.; 11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT5 (HMAGP - General) Standard Requirements Applicable to All ACTs (continued):**T-18 PERMIT ACTIONS:**

This permit may be modified, revoked and reissued, or terminated for cause. A request by the coverage recipient for permit or coverage modification, revocation and reissuance, or termination, or a certification of planned changes or anticipated noncompliance does not stay any permit condition. [11 Miss. Admin. Code Pt. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-19 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:

(1) Mississippi Emergency Management Agency (601) 933-6362 or (800) 222-6362; or

(2) National Response Center (800) 424-8802.

[11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-20 REOPENER CLAUSE:

If there is evidence indicating potential or realized impacts on air and/or water quality due to hot mix asphalt activities covered by this permit, the coverage recipient may be required to obtain an individual permit(s) or an alternative general permit in accordance with ACT2, Condition S-6, or the permit may be modified to include different limitations and/or requirements. [11 Miss. Admin. Code Pt. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-21 PERMIT MODIFICATION:

Permit modification or revocation will be conducted according to 40 CFR 122.62, 122.63, 122.64 and 124.5 and 11 Miss. Admin. Code Pt. 2, R. 2.2.C. [11 Miss. Admin. Code Pt. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-22 SPILL PREVENTION AND BEST MANAGEMENT PLANS:

Any facility which has above ground bulk storage capacity of more than 1,320 gallons or any single container with a capacity greater than 660 gallons of materials and/or liquids (including but not limited to, all raw, finished and/or waste material) with chronic or acute potential for pollution impact on waters of the State, and not subject to Mississippi Hazardous Waste Management Regulations or 40 CFR 112 (Oil Pollution Prevention) regulations, shall provide secondary containment as found in 40 CFR 112 or equivalent protective measures such as trenches or waterways which would conduct any tank releases to a permitted treatment system or sufficient equalization or treatment capacity needed to prevent chronic/acute pollution impact. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT5 (HMAGP - General) Standard Requirements Applicable to All ACTs (continued):**T-23 TOXIC POLLUTANTS NOTIFICATION REQUIREMENTS:**

The coverage recipient shall comply with the applicable provisions of 40 CFR 122.42. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-24 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 (Miss. Code Ann. Sections 49-17-1 through 49-17-43).
- (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. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-25 CONTINUATION OF EXPIRED GENERAL PERMIT:

If this permit is not reissued prior to the expiration date, it will be administratively continued and remain in force and effect. Permit coverage will continue and the coverage recipient shall be bound by the conditions of this permit until one of the following conditions occur:

- (1) The coverage recipient obtains recoveage under the reissued general permit;
- (2) The coverage recipient submits a Notice of Termination Form and receives written concurrence from MDEQ;
- (3) Authority to construct has expired under Condition T-26 of ACT5;
- (4) The Permit Board issues individual permits and/or a general permit addressing air emissions and water discharges from the hot mix asphalt facility; or
- (5) A formal permit decision by the Permit Board to not reissue the general permit, at which time the coverage recipient must seek coverage under an alternative general permit or an individual permit.

ACT5 (HMAGP - General) Standard Requirements Applicable to All ACTs (continued):

Six (6) months after the HMAGP is reissued, no coverage shall remain in effect under the previous general permit unless a complete Recoverage Form and other required submittals have been received by MDEQ.

[11 Miss. Admin. Code Pt. 6, Ch.1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

T-26 EXPIRATION OF COVERAGE:

Coverage under this permit shall expire prior to the date on the cover page if construction of the hot mix asphalt plant does not begin within eighteen (18) months of the date of coverage issuance or is suspended for eighteen (18) months or more, unless an extension is requested per Condition S-1(3) of ACT3. Provided that the coverage recipient requests an extension to the allowable construction period within a reasonable time following the 18-month period, the construction period shall be extended for one additional 18-month period from the date of receipt of the request.

[11 Miss. Admin. Code Pt. 2, Ch. 2.]

ACT6 (HMAGP - General) Definitions:

- T-1 AIR CONTAMINANT means particulate matter, dust, fumes, gas, mist, smoke, or vapor, or any combination thereof produced by processes other than natural. [11 Miss. Admin. Code Pt. 2, Ch. 1.]
- T-2 AIR EMISSIONS as used in this permit, include both point and fugitive sources of regulated air pollutants from hot mix asphalt facilities, as well as regulated air pollutants generated from any stationary fuel burning operations or other ancillary equipment supporting such facilities. These emissions consist primarily of emissions from the asphalt dryer, but may also include aggregate crushing and liquid asphalt emissions. Fugitive sources include the storage and transfer of aggregate, truck loading, and vehicle traffic. [11 Miss. Admin. Code Pt. 2, Ch. 2.]
- T-3 BAGHOUSE or FABRIC FILTER means an add-on air pollution control system that removes particulate matter (PM) and nonvaporous metals emissions by passing flue gas through filter bags. [11 Miss. Admin. Code Pt. 2, Ch. 1.]
- T-4 BATCH MIX ASPHALT PLANTS are facilities that heat and dry aggregate, then separate the aggregate and mix it with asphalt cement in separate batches. [11 Miss. Admin. Code Pt. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-5 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-6 BIO-DERIVED FUEL means fuel derived from biological material, different from fossil fuels. Biological material includes, but is not limited to, plant material, vegetable oils and animal fats. [11 Miss. Admin. Code Pt. 2, Ch. 2.]
- T-7 CONTIGUOUS (PROPERTY) LANDOWNER means the owner of land which is adjacent to (touching) another person's property. Land divided by public access roads is considered contiguous. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- 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 United States. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-9 DRUM MIX ASPHALT PLANTS are facilities that heat and mix the aggregate with asphalt cement in a rotating drum. [11 Miss. Admin. Code Pt. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-10 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.]

ACT6 (HMAGP - General) Definitions (continued):

- T-11 GASOLINE DISPENSING FACILITY (GDF) means any stationary facility which dispenses gasoline into the fuel tank of a motor vehicle, motor vehicle engine, nonroad vehicle, or nonroad engine, including a nonroad vehicle or nonroad engine used solely for competition. These facilities include, but are not limited to, facilities that dispense gasoline into on- and off-road, street, or highway motor vehicles, lawn equipment, boats, test engines, landscaping equipment, generators, pumps, and other gasoline-fueled engines and equipment. [40 CFR 63.11132, Subpart CCCCCC]
- T-12 HOT MIX ASPHALT PLANTS are facilities that manufacture asphalt by heating and drying aggregate and mixing it with asphalt cement. A hot mix asphalt plant may be comprised of a combination of the following: dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler; systems for mixing hot mix asphalt; hot oil heaters; storage silos; storage tanks; RAP and rock crushers; and the loading, transfer and storage systems associated with emission control systems. [11 Miss. Admin. Code Pt. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-13 INITIAL START-UP means the setting into operation of an affected facility (a stationary source of air emissions to which a New Source Performance Standard in 40 CFR Part 60 applies) for any purpose for the first time. [11 Miss. Admin. Code Pt. 2, Ch. 1.]
- T-14 LIGHT COMMERCIAL AREA means an area zoned for commercial use or, in the absence of any local zoning ordinances, an area predominantly used for wholesale and retail trade in goods and services. [11 Miss. Admin. Code Pt. 2, Ch. 2.]
- T-15 MAJOR MODIFICATION means any physical modification or change in the method of operation that results in an increase to the potential asphalt production rate (on an hourly basis) or potential rock or RAP crushing capacity (on an hourly basis), or a modification to expand the footprint of the HMA plant identified in the HMANOI or a previously approved modification. A major modification also includes relocating an HMA plant or RAP crusher to an existing permitted site.
- T-16 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 Clean Water Act (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). [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT6 (HMAGP - General) Definitions (continued):

- T-17 **NONROAD INTERNAL COMUSTION ENGINE (ICE)** is an internal combustion engine that is (or will be) used in or on a piece of equipment that is self-propelled or serves a dual purpose by both propelling itself and performing another function (such as garden tractors, off-highway mobile cranes and bulldozers); OR is (or will be) used in or on a piece of equipment that is intended to be propelled while performing its function (such as lawnmowers and string trimmers); OR by itself or in or on a piece of equipment, it is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.
- An ICE is not nonroad engine if the engine is used to propel a motor vehicle, an aircraft, or equipment used solely for competition; OR the engine is regulated under 40 CFR Part 60, (or otherwise regulated by a federal New Source Performance Standard promulgated under section 111 of the Clean Air Act (42 U.S.C. 7411)); OR the engine will remain at a location for more than twelve (12) consecutive months or a shorter period of time for an engine located at a seasonal source. A location is any single site at a building, structure, facility, or installation. For any engine (or engines) that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced, include the time period of both engines in calculating the consecutive time period. An engine located at a seasonal source is an engine that remains at a seasonal source during the full annual operating period of the seasonal source. A seasonal source is a stationary source that remains in a single location on a permanent basis (i.e., at least two years) and that operates at that single location approximately three months (or more) each year. See 40 CFR 1068.31 for provisions that apply if the engine is removed from the location. [40 CFR Part 1068.30, Subpart A]
- T-18 **OPACITY** means the degree to which emissions reduce the transmission of light and obscure the background. [11 Miss. Admin. Code Pt. 2, Ch. 1.]
- T-19 **OWNER OR OPERATOR** means the owner or operator of any "facility or activity" subject to regulation under the NPDES program. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-20 **PERMIT BOARD** means the Mississippi Environmental Quality Permit Board established pursuant to Miss. Code Ann. § 49-17-28. [11 Miss. Admin. Code Pt. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-21 **POLLUTANT**, for purposes of regulation under the NPDES and CWA, 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-22 **RECREATIONAL AREA** means a national, state, county, or city park; or an outdoor recreational area, such as a golf course or swimming pool, owned by a city, county, state, or other public agency. [11 Miss. Admin. Code Pt. 2, Ch. 1., 11 Miss. Admin. Code Pt. 2, Ch. 2.]
- T-23 **REGULATED AIR EMISSIONS** means dust, fumes, mist, smoke, or other particulate matter, vapor, gas, or any combination thereof subject to regulation under the Federal Act, or for which there is a duly adopted state ambient air quality standard. [11 Miss. Admin. Code Pt. 2, Ch. 2.]

ACT6 (HMAGP - General) Definitions (continued):

- T-24 REGULATED AIR POLLUTANT means any regulated NSR pollutant, any air pollutant subject to a standard promulgated under Section 112 or other requirements established under Section 112 of the Federal Act (i.e., hazardous air pollutants), and any other air pollutant for which there is a duly adopted state ambient air quality standard. [11 Miss. Admin. Code Pt. 2, Ch. 2.]
- T-25 RESIDENTIAL AREA means a group of 20 or more single family dwelling units on contiguous property and having an average density of two or more units per acre, or a group of 40 or more single family dwelling units on contiguous property and having an average density of one or more units per acre, or a subdivision containing at least 20 constructed houses, in which the subdivision plat is recorded in the chancery clerk's office of the appropriate county. [11 Miss. Admin. Code Pt. 2, Ch. 1., 11 Miss. Admin. Code Pt. 2, Ch. 2.]
- T-26 SEVERE PROPERTY DAMAGE means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. [40 CFR 122.41(m)]
- T-27 SIGNIFICANT MATERIALS includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to Section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-28 SIGNIFICANT SPILL OR LEAK is defined by EPA to include releases within a 24-hour period of hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act and Section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Reportable quantities are set amounts of substances in pounds, gallons, or other units and are listed in 40 CFR Part 117 and 40 CFR Part 302. Releases are defined to include any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-29 STORM WATER means rainfall runoff, snowmelt runoff, and surface runoff. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-30 STORM WATER DISCHARGE ASSOCIATED WITH INDUSTRIAL ACTIVITY means the discharge from any conveyance which is used for collecting and conveying storm water and which has come in contact with material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products or industrial machinery. The categories considered to be engaging in "industrial activity" are in 40 CFR 122.26(b)(14)(i - xi). [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 industrial activities that could cause pollutants in the storm water, and a description of measures or practices to minimize and control these pollutants. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT6 (HMAGP - General) Definitions (continued):

- T-32 SUBMITTED means the document is postmarked on or before the applicable deadline, except as otherwise specified. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-33 TITLE V MAJOR SOURCE emits or has the potential to emit 100 tons per year (tpy) or more of any regulated air pollutant subject to regulation or 10 tpy or more of any hazardous air pollutant or 25 tpy or more of any combination of such hazardous air pollutants. Hazardous air pollutants are those pollutants listed pursuant to Section 112(b) of the Clean Air Act. [11 Miss. Admin. Code Pt. 2, Ch. 6.]
- T-34 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-35 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 permittee. 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, Ch. 1.]
- T-36 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. Section 1251 et seq.). [11 Miss. Admin. Code Pt. 6, Ch. 1.]

APPENDIX: List of Permitted Hot Mix Asphalt Facilities in Mississippi

Agency Interest No.	HMAGP Number	Facility Name	Physical Address	City	State	Zip Code	Contact Name		Contact Phone
							First	Last	
4995	MSR700109	A J Construction, Gallatin Plant	1090 McDowell Road	Jackson	MS	39204	John	Harreld	(601) 540-5731
83396	MSR700112	A J Construction, Hazlehurst Plant	Highway 28	Hazlehurst	MS	39083	John	Harreld	(601) 540-5731
28	MSR700025	ADCAMP Inc	1353 Flowood Drive	Flowood	MS	39232	Ralph	Barnes	(601) 939-4493
2521	MSR700099	APAC MISSISSIPPI INC, Bailey Road Asphalt Plant	2050 Bailey Road	Georgetown	MS	39078	Brian	Moore	(601) 376-4000
9170	MSR700105	APAC MISSISSIPPI INC, Booneville Plant	1801 Chambers Drive	Booneville	MS	38829	Brian	Moore	(601) 376-4000
15782	MSR700030	APAC MISSISSIPPI INC, Canton	117 Tyler Drive	Canton	MS	39046	Brian	Moore	(601) 376-4000
201	MSR700043	APAC MISSISSIPPI INC, Cloverhill Mine	100 State Park Road	Natchez	MS	39120	Brian	Moore	(601) 376-4000
10272	MSR700007	APAC MISSISSIPPI INC, Columbus Asphalt Plant	462 Lake Norris Road	Columbus	MS	39701	Brian	Moore	(601) 376-4000
81882	MSR700111	APAC MISSISSIPPI INC, Durant Asphalt Plant	Industrial Park Road	Durant	MS	39063	Brian	Moore	(601) 376-4000
16748	MSR700044	APAC MISSISSIPPI INC, Glen	2700 Highway 72 East	Glen	MS	38846	Brian	Moore	(601) 376-4000
7573	MSR700052	APAC MISSISSIPPI INC, Greenville Asphalt Plant	2559 Harbor Front Road	Greenville	MS	38701	Brian	Moore	(601) 376-4000
55732	MSR700097	APAC MISSISSIPPI INC, Greenwood Asphalt Plant	Cypress Avenue	Greenwood	MS	39830	Brian	Moore	(601) 376-4000
10987	MSR700027	APAC MISSISSIPPI INC, Guntown Asphalt Plant	331 Messner	Guntown	MS	38849	Brian	Moore	(601) 376-4000
8102	MSR700074	APAC MISSISSIPPI INC, Hamilton Highway 45, Scribner Pit	40108 Flower Farm Road	Hamilton	MS	39746	Brian	Moore	(601) 376-4000
1504	MSR700011	APAC MISSISSIPPI INC, Meridian Interchange Road	4412 Interchange Road	Meridian	MS	39305	Brian	Moore	(601) 376-4000
18749	MSR700066	APAC MISSISSIPPI INC, Meridian Plant	Sellers Drive	Meridian	MS	39301	Brian	Moore	(601) 376-4000
987	MSR700091	APAC MISSISSIPPI INC, Meter Road	2902 Meter Road	Jackson	MS	39204	Brian	Moore	(601) 376-4000
3686	MSR700102	APAC MISSISSIPPI INC, Morton Asphalt Plant	2142 Highway 80 West	Morton	MS	39117	Brian	Moore	(601) 376-4000

Agency Interest No.	HMAGP Number	Facility Name	Physical Address	City	State	Zip Code	Contact Name		Contact Phone
							First	Last	
1450	MSR700050	APAC MISSISSIPPI INC, Mount Olive Asphalt Plant	98 Pearce Road	Mount Olive	MS	39119	Brian	Moore	(601) 376-4000
1386	MSR700047	APAC MISSISSIPPI INC, New Albany Plant	110 Gap Drive	New Albany	MS	38663	Brian	Moore	(601) 376-4000
72878	MSR700108	APAC MISSISSIPPI INC, Shannon Plant	5552 Highway 145	Shannon	MS	38868	Brian	Moore	(601) 376-4000
23169	MSR700078	APAC MISSISSIPPI INC, Starkville Asphalt Plant	Highway 82	Starkville	MS	39759	Brian	Moore	(601) 376-4000
2235	MSR700063	APAC MISSISSIPPI INC, Tupelo Asphalt Plant	459 North Eason Boulevard	Tupelo	MS	38802	Brian	Moore	(601) 376-4000
9099	MSR700012	APAC MISSISSIPPI INC, Vicksburg Rifle Range Road	4441 Rifle Range Road	Vicksburg	MS	39180	Brian	Moore	(601) 376-4000
64094	MSR700104	APAC MISSISSIPPI INC, Wynndale Asphalt Plant	I-55 Frontage Road	Byram	MS	39272	Brian	Moore	(601) 376-4000
16650	MSR700041	APAC MISSISSIPPI INC, Yazoo City Asphalt	Highway 3	Yazoo City	MS	39194	Brian	Moore	(601) 376-4000
18951	MSR700070	Asphalt Specialists Plant Number One	Highway 51	Grenada	MS	38901	Robert	Staten	(662) 226-6097
11744	MSR700056	Dickerson and Bowen Inc, Brookhaven Asphalt Plant Number 5	983 Old Highway 51 NE	Brookhaven	MS	39601	Lester	Williams	(601) 833-4291
7185	MSR700022	Dickerson and Bowen Inc, Carthage Plant	Highway 16 East	Carthage	MS	39051	Lester	Williams	(601) 833-4291
15674	MSR700029	Dickerson and Bowen Plant Number 6	2642 Gallatin Street	Jackson	MS	39204	Lester	Williams	(601) 833-4291
55262	MSR700094	Dickerson and Bowen Inc, McComb Asphalt Plant #2	Highway 98 East	McComb	MS	39648	Lester	Williams	(601) 833-4291
10696	MSR700009	Dunn Roadbuilders LLC, Columbia Plant	Highway 98 East	Columbia	MS	39429	Rick	Croy	(601) 649-4111
1621	MSR700051	Dunn Roadbuilders LLC, Laurel Plant	South Laurel Industrial Park	Laurel	MS	39441	Rick	Croy	(601) 649-4111
2635	MSR700061	Dunn Roadbuilders LLC, Petal Facility	153 Chevis Lee Road	Petal	MS	39465	Rick	Croy	(601) 649-4111
800	MSR700013	Falcon Contracting Company Inc, Houston Asphalt Plant	400 Industrial Park Road	Houston	MS	38851	Robert Neal	Coker	(662) 327-2053
6278	MSR700038	Huey P Stockstill LLC, Gautier Plant	2701 Old Spanish Trail	Gautier	MS	39553	Stephen	Niehaus	(228) 497-3226

Agency Interest No.	HMAGP Number	Facility Name	Physical Address	City	State	Zip Code	Contact Name		Contact Phone
							First	Last	
911	MSR700098	Huey Stockstill Inc, Picayune Ready Mix and Asphalt Plant	815 North Beech Street	Picayune	MS	39466	Frank	Ford	(601) 798-2981
12878	MSR700005	Land Shaper Asphalt Plant Inc	14292-B Creosote Road	Gulfport	MS	39503	Robert	Parker	(228) 863-8996
8329	MSR700072	Lehman Roberts Company, Plant Number 7	1775 Farrish Gravel Road	Batesville	MS	38602	Alan	Parks	(901) 774-7874
10530	MSR700028	Lehman Roberts Company, Plant Number 10	161 Stonewall Road	Byhalia	MS	38611	Alan	Parks	(901) 774-7874
5648	MSR700036	Lehman Roberts Company, Plant Number 6	Highway 51 South	Hernando	MS	38632	Alan	Parks	(901) 774-7874
12879	MSR700006	Lehman Roberts Company, Plant Number 11	Old Highway 7 North	Oxford	MS	38655	Alan	Parks	(901) 774-7874
22813	MSR700077	Lehman Roberts Company, Plant Number 12	Highway 51 South	Senatobia	MS	38668	Alan	Parks	(901) 774-7874
15904	MSR700032	Lehman Roberts, Plant 1	Highway 82, East of Interstate 55	Winona	MS	38967	Alan	Parks	(901) 774-7874
56162	MSR700101	Mallette Brothers Construction Company, Lucedale Asphalt Plant #2	County Industrial Park Road	Lucedale	MS	39452	Frank	Mallette	(228) 497-2523
16862	MSR700046	Pandle Inc, Asphalt Paving Company	2401 Petit Bois Street	Pascagoula	MS	39581	Walter	Randle	(228) 762-3300
5635	MSR700096	Southeastern Concrete Company Inc, Plant Number 4	2611 Lakeview Road	Hattiesburg	MS	39401	Doug	Lambeth	(601) 544-7000
58185	MSR700103	Superior Asphalt Inc, Panola County Plant Number One	Buckhorn Road	Batesville	MS	38606	Hamp	Sterling	(601) 376-3000
20075	MSR700075	Superior Asphalt Inc, Noxubee County Plant Number 2	Highway 45 South	Brooksville	MS	39739	Hamp	Sterling	(601) 376-3000
54765	MSR700093	Superior Asphalt Inc, Scott County Plant Number One	1540 Highway 35 South	Forest	MS	39074	Hamp	Sterling	(601) 376-3000
36123	MSR700081	Superior Asphalt Inc, Gulfport	Goldin Lane	Gulfport	MS	39503	Hamp	Sterling	(601) 376-3000
17578	MSR700058	Superior Asphalt Inc, Hazlehurst Plant, Copiah County Number 1	Old Decell Lane	Hazlehurst	MS	39083	Hamp	Sterling	(601) 376-3000
19029	MSR700071	Superior Asphalt Inc, Clay Street Plant, Hinds County Number 2	111 Clay Street	Jackson	MS	39213	Hamp	Sterling	(601) 376-3000

Agency Interest No.	HMAGP Number	Facility Name	Physical Address	City	State	Zip Code	Contact Name		Contact Phone
							First	Last	
972	MSR700039	Superior Asphalt Inc, Jackson	6000 Interstate 55 South	Jackson	MS	39212	Hamp	Sterling	(601) 376-3000
11005	MSR700034	Superior Asphalt Inc, Louisville	Highway 25 Bypass	Louisville	MS	39339	Hamp	Sterling	(601) 376-3000
1151	MSR700035	Superior Asphalt Inc, Philadelphia	Highway 15 By-Pass	Philadelphia	MS	39350	Hamp	Sterling	(601) 376-3000
1419	MSR700016	Warren Paving Inc, Hattiesburg Plant	562 Elks Lake Road	Hattiesburg	MS	39403	Tony	Broome	(601) 544-7811
37397	MSR700084	Warren Paving Inc, Moss Point Plant	Highway 63	Moss Point	MS	39562	Tony	Broome	(601) 544-7811
18756	MSR700068	Whitehead Construction Asphalt Plant	Highway 90 and Industrial Road	Pascagoula	MS	39567	Larry	Whitehead	(228) 762-6951

Appendix B: Compliance Evaluation Records

Appendix C:
Pollution Prevention Team Contact Information

Appendix D:
Contiguous Landowner Notifications

9589 0710 5270 1966 9445 96

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Columbus, MS 39701

Certified Mail Fee	\$5.30
Extra Services & Fees (check box, add fee as appropriate)	\$4.40
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.78
Total Postage and Fees	\$10.48

Sent To
 Street and Apt. No., or PO Box
 City, State, ZIP+4®

PS Form 3800, January 2023 PSN 7529-02-000-9047 See Reverse for Instructions

BRANDON 0942 05
 APR - 1 2026
 Postmark Here
 USPS 04/01/2026

Lowery Trust
 2267 Artesia Road
 Columbus MS 39701

9589 0710 5270 1966 9445 96

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Columbus, MS 39701

Certified Mail Fee	\$5.30
Extra Services & Fees (check box, add fee as appropriate)	\$4.40
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.78
Total Postage and Fees	\$10.48

Sent To
 Street and Apt. No., or PO Box
 City, State, ZIP+4®

PS Form 3800, January 2023 PSN 7529-02-000-9047 See Reverse for Instructions

BRANDON 0942 05
 APR - 1 2026
 Postmark Here
 USPS 04/01/2026

Bryant/James/Doris Howard
 197 McIntyre Road
 Columbus MS 39701

9589 0710 5270 1966 9446 02

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Columbus, MS 39701

Certified Mail Fee	\$5.30
Extra Services & Fees (check box, add fee as appropriate)	\$4.40
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.78
Total Postage and Fees	\$10.48

Sent To
 Street and Apt. No., or PO Box No.
 City, State, ZIP+4®

PS Form 3800, January 2023 PSN 7529-02-000-9047 See Reverse for Instructions

BRANDON 0942 05
 APR - 1 2026
 Postmark Here
 USPS 04/01/2026

Howard Family Invest, LLC
 1409 Hwy 45 South
 Columbus MS 39701

9589 0710 5270 1966 9445 58

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Columbus, MS 39703

Certified Mail Fee	\$5.30
Extra Services & Fees (check box, add fee as appropriate)	\$4.40
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.78
Total Postage and Fees	\$10.48

Sent To
 Street and Apt. No., or PO Box No.
 City, State, ZIP+4®

PS Form 3800, January 2023 PSN 7529-02-000-9047 See Reverse for Instructions

BRANDON 0942 05
 APR - 1 2026
 Postmark Here
 USPS 04/01/2026

William Threadgill
 P O Box 1366
 Columbus MS 39703

9589 0710 5270 1966 9445 72

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Columbus, MS 39703

Certified Mail Fee	\$5.30
Extra Services & Fees (check box, add fee as appropriate)	\$4.40
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.78
Total Postage and Fees	\$10.48

Sent To
 Street and Apt. No., or PO Box No.
 City, State, ZIP+4®

PS Form 3800, January 2023 PSN 7529-02-000-9047 See Reverse for Instructions

BRANDON 0942 05
 APR - 1 2026
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 USPS 04/01/2026

Four County Electric Power Association
 P O Box 351
 Columbus MS 39703



Contiguous Landowner Notification of a Hot Mix Asphalt Facility

(See ACT 2, Condition S-2 of General Permit for Notification Requirements)



Certified Mail No.: _____

Date mailed: _____

Company Name: _____
(as registered with the MS Secretary of State)

Coverage No.: MSR70 _____
(if currently permitted facility)

located at _____, _____, _____ County, MS
Physical Street Address City County

is proposing to:

- _____ construct and operate a new hot mix asphalt facility.
- _____ modify the existing hot mix asphalt facility resulting in an increase to the potential hourly asphalt production rate or rock/RAP crushing rate.
- _____ expand the footprint of an existing hot mix asphalt facility.
- _____ relocate a hot mix asphalt plant or rock/RAP crusher to the existing permitted site.

This letter is to provide you notification of the proposed project and to provide you an opportunity to comment regarding environmental concerns about the project. The Mississippi Department of Environmental Quality (MDEQ) only has legal authority to consider environmental issues specified in the applicable laws and regulations. MDEQ does not have legal authority to consider matters outside of its jurisdiction; thus, comments regarding zoning, noise or traffic impacts, or other non-environmental related comments should be directed to the local zoning and planning authorities.

If you do not have environmental comments regarding the proposed project, then no response is necessary, and the permitting process will continue. If you have environmental-related comments regarding the proposed project, please notify MDEQ in writing within 30 days from the postmarked date of this notification or by the end of the 30-day public comment period, whichever is later. The online public notice of the project can be found at the following link: <https://opcgis.deq.state.ms.us/ensearchonline/recently-received-general-permit-noi.aspx>. When making written comments, please reference the Company Name and location using the information above and provide your contact phone number and address. If you would like to discuss concerns that you have regarding this project, please feel free to contact MDEQ at (601) 961-5171. Comments are to be mailed to the following address:

Chief, Environmental Permits Division
Mississippi Department of Environmental Quality
PO Box 2261
Jackson, MS 39225-2261

Appendix E:
MS Secretary of State Certificate of Good Standing



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
FALCON CONTRACTING COMPANY, INC.	Legal

Business Information

Business Type:	Profit Corporation
Business ID:	523625
Status:	Good Standing
Effective Date:	10/10/1983
State of Incorporation:	Mississippi
Principal Office Address:	319 Park Creek Drive COLUMBUS, MS 39705

Registered Agent

Name
William Swedenburg 319 Park Creek Drive COLUMBUS, MS 39705

Officers & Directors

Name	Title
William S. Swedenburg 319 Park Creek Drive Columbus, MS 39705	Director, President
Robert Andrew Moore 319 Park Creek Drive Columbus, MS 39705	Vice President
Anthony W Gray Jr 319 Park Creek Drive Columbus, MS 39705	Vice President
Rebecca Hayes 319 Park Creek Drive Columbus, MS 39705	Secretary, Treasurer

LARGE CONSTRUCTION STORMWATER POLLUTION PREVENTION PLAN (LCSWPPP)

Falcon Contracting Company, Inc.
Hot Mix Asphalt Plant
Columbus, Mississippi 39701

March 2026

Prepared for:

Falcon Contracting Company, Inc.

1500 Moss Street
Columbus, Mississippi 39701

Prepared by:

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



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About This Plan

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

The intent of the Plan is to minimize stormwater 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 stormwater from coming in contact with potential pollutants, or to contain stormwater 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. Coverage under the State Stormwater Large Construction General Permit will be issued by the MDEQ upon approval of the Large Construction Notice of Intent LCNOI and Construction Stormwater Pollution Prevention Plan LCSWPPP. **The completed LCSWPPP, and a site map should be submitted with the Large Construction Notice of Intent (LCNOI) to the Chief, Environmental Permits Division of the MDEQ at least 30 days prior to the commencement of construction.**
2. The completed LCNOI and this LCSWPPP are to be kept on site and utilized by you and your contractor to ensure that stormwater leaving the site is uncontaminated. A copy of the permit and the LCNOI are included in Appendix A.

This LCSWPPP has been written in consideration of the requirements of this general permit.

3. Section 7.0 of this Plan describes the Weekly Site Inspections that must be conducted by the Site Manager (or someone designated by the Site Manager). This section also describes the required information to be included on the inspection form. Worksheet 4 contains the required Inspection and Certification form for Large Construction Activity requiring erosion and sediment controls and a site-specific inspection form. Completed inspections using Worksheet 4 should be stored in Appendix B or accessible company files.
4. 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 LCSWPPP will be amended.

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5. A copy of Mississippi's LCSWPPP 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.

6. Within 30 days of final stabilization of the covered project a completed Request for Termination (RFT) form must be submitted to the permit board. Upon receiving the completed RFT form the MDEQ staff will inspect the site. If no sediment and erosion control problems are identified and adequate permanent controls are established the owner or operator will receive a termination letter. Coverage is not terminated until done so in writing. Failing to submit a RFT is a violation of permit conditions.

SITE INFORMATION

Name and Address of the Site:

Falcon Contracting Company, Inc.

2193 Highway 45 South

Columbus, Mississippi 39701 Telephone No.: 662-327-2053

Facility Contact: Will Swedenburg

County: Lowndes Latitude: 33 ° 27' 16" N Longitude: 88 ° 30' 03" W

Drainage Basin: Four Mile Creek (Tombigbee River Basin)

Name and Address of the Owner/Operator:

Falcon Contracting Company, Inc.

P.O. box 5044

Columbus, MS 39701 Telephone No.: 662-327-2053

Owner Contact: Mr. Will Swedenburg

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: Will Swedenburg

Signature: *will swedenburg*

Title: President

Certification Date: 3/31/26

Pollution Prevention Team

Name: Will Swedenburg – President
Phone: 662-327-2053
Responsibilities: Will Swedenburg is responsible for stormwater pollution prevention activities at the facility. The role as leader of the Pollution Prevention Team includes the following responsibilities.

- (a) Updating the LCSWPPP as required
- (b) Performing weekly inspections of the facility
- (c) Ensuring that stormwater pollution prevention is included in employee training classes
- (d) Supervising spill and leak cleanup
- (e) Supervising facility and procedural changes identified to minimize pollutant exposure to stormwater
- (f) Communicating with regulatory agencies as needed

Name: Will Swedenburg
Title: President
Facility Name: Falcon Contracting Company, Inc.
Phone: 662-327-2053
Responsibilities: is the responsible official for the facility. He is responsible for supporting the stormwater management team by providing adequate resources to complete the activities and programs identified in the LCSWPPP. He is also required to sign legal certifications as identified in the LCSWPPP.

1.0 SITE DESCRIPTION/MAP

Falcon Contracting Company, Inc. will operate a hot mix asphalt plant facility in Columbus, MS that is classified under Standard Industrial Classification (SIC) code 2951. The facility plans to include operations that involve the loading, unloading, and conveyance of raw materials to feed bins and conveyors, production of asphalt through a counterflow drum plant with baghouse dust collection, storage of liquid asphalt cement (AC) in aboveground tanks with secondary containment, and truck loadout and dispatch of finished asphalt mix. The site also will include areas for equipment fueling, operation, and maintenance. The total acreage to be disturbed includes approximately 12.7 acres. The construction projects are described in the following section.

Construction Process

Falcon Contracting Company, Inc. plans to construct a hot mix asphalt facility at their site. The construction project is comprised of an area of approximately 12.7 acres to be disturbed, which will consist of site grading, as detailed in the initial construction stormwater NOI. Erosion control measures and best management practices (BMPs) will be in place prior to commencement of site disturbance or construction of the project. Stormwater drainage patterns and identification of site figures are detailed below in Section 1.1.

1.1 Facility Drainage & Surrounding Properties

The total planned disturbed acreage consists of approximately 12.7 acres. The property will be relatively flat with sheet flow drainage patterns. The approximate western one-third (approximately 5 acres) of the property will sheet flow towards the west, while the approximate two-thirds (approximately 8 acres) of the property on the east will sheet flow to the east.

Discharges from the site primarily flow to the east into an existing pond that will serve as a sediment basin. The sediment basin will be designed to discharge at Outfall 001 in the event of an overflow that would flow to the west into an unnamed tributary to Motley Slough. A portion of the property on the east will sheet flow to the east to Four Mile Creek. Motley Slough and Four Mile Creek are not listed on MDEQ's 2024 303(d) list of impaired water bodies.

The Site Location Map and Aerial Map, presented as **Figures 1 and 2**, are a topographical map and aerial map, respectively, of the site and its boundaries, and surrounding areas. The Site Stormwater Map, which illustrates the existing surface flow directions and flow pathways throughout the entire site, is presented as **Figure 3**.

2.0 INVENTORY OF EXPOSED MATERIALS

Worksheet 1 contains a detailed inventory of materials used, stored, or produced onsite that are exposed to stormwater. Worksheet 2 summarizes the significant materials exposed to stormwater.

3.0 SIGNIFICANT SPILLS AND LEAKS

There have been no significant spills or leaks exposed to stormwater over the last 3 years. Worksheet 3 is included so the facility will have a ready mechanism to record information on any spill exposed to stormwater that may occur during the period of the permit.

4.0 NON-STORMWATER DISCHARGES

The construction project described in the LCNOI and this LCSWPPP does not involve or foresee any non-stormwater discharges. The following are prohibited non-stormwater discharges;

- Wastewater from washout of concrete (unless managed by an appropriate control)
- Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials
- Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance
- Soaps or solvents used in vehicle and equipment washing
- Sanitary wastewater will be connected to the city POTW. During construction, on-site portable facilities may be used.
- Dewatering activities, including discharges from dewatering of trenches and excavations unless managed by BMPs.

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 LCSWPPP. 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. At this facility, the following types of good housekeeping measures are implemented in an effort to prevent pollutants from entering stormwater discharges.

Operation and Maintenance

- Garbage and waste materials are regularly picked up and properly disposed of.
- 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.
- A daily walk through of construction/disturbed areas are encouraged to identify any potential issues that may have an effect on stormwater leaving the site.
- Removal of sediment that has accumulated in or near any sediment control measures (sediment basins, silt fences, hay bales, etc.), storm water conveyance channels, storm drain inlets, or water course conveyance within the construction site. Typically, sediment removal shall be performed when sediment is accumulating in an area that has high risk of discharge from the property or when BMPs are one-third to one-half of their design capacity. Sediment in sediment basins should be removed at 50% capacity.
- Sediment or other debris that has been tracked from the site or deposited from the site onto streets or other paved surfaces should be swept or otherwise removed.

Material Storage Practices

- Limit disturbed areas to only those with near term development. Avoid exposing soil through disturbance to rain events if possible.
- Soil stockpiles will be located away from drainage ditches and have silt fencing placed along the downward slope to prevent sediment runoff.
- Employees are instructed to maintain materials in an organized manner.
 - Containers, drums, and bags of material are stored away from direct traffic routes to prevent accidental spills.

- Containers are stacked according to manufacturers' instructions.
- As appropriate, containers are stored on pallets to prevent corrosion.
- See Section 6.5 for more specific BMPs related to erosion.

Employee Participation

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

Implementation Sequence

The land disturbing activities from this project will occur in the following implementation sequence prior to land disturbance.

1. Installation of temporary construction entrance
2. Installation of silt fence or other controls to be implemented prior to disturbance
3. Construction of driveway/entrance road
4. Installation of additional BMPs (wattles, rip rap check dams, and temporary silt traps)
5. Installation of culverts
6. Aggregate surfacing
7. Concrete pavement
8. Grassing of slopes
9. Final stabilization

6.2 Preventive Maintenance and Inspection

The facility's preventive maintenance and inspection program includes:

- Timely inspections and maintenance of stormwater management devices.
- Proper maintenance of facility equipment and systems is conducted in the designated area.

6.3 Spill Prevention and Response Procedures

The Spill Prevention Control and Countermeasures (SPCC) Plan requirements of 40 CFR 112 may be applicable if large quantities of fuel are stored on site. Limited amounts of oil and/or chemical products are anticipated to be stored onsite during construction. If necessary, the facility-wide SPCC plan will cover any response and preventive measures to address storage of chemicals and oil products or spills thereof. This LCSWPPP will address some spill prevention and response issues. In the event of a spill, employees are instructed to make every effort to

contain the release, notify the Pollution Prevention Team Leader or Spill Coordinator, and prevent any release from leaving the facility site. It will be the Pollution Prevention Team Leader or Spill Coordinator's responsibility to determine if the spill needs to be reported to the regulatory authorities through the Responsible Official.

Additional preventative measures utilized by the site are: 1) proper storage and disposal of used batteries 2) proper labeling of drums containing used oil and ensuring that stored drums are kept inside buildings and away from potential accidental tippage situations 3) maintaining accurate labels and inventory of chemical materials, solvents, paints, lubricants etc. and 4) storage of solvents and flammable materials in a proper and safe manner.

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. Specific procedures have been developed to minimize this potential and include regular periodic inspections, locking valves when not in use, and on-the-job training in correct procedures.
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 facility. 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 if promptly repaired. 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.

6.4 Employee Training

New employees or contractors receive initial training in stormwater pollution prevention before they begin their work assignments at the construction site. Thereafter, training is provided, and stormwater pollution prevention discussed as needed at the safety meetings that employees or contractors attend. Copies of training records are provided in Appendix E.

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 including BMPs and erosion control techniques.

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

Spill Prevention and Response

Limited amounts of oil and/or chemical products are anticipated to be stored onsite during construction. The facility-wide SPCC plan (if required) will cover any response and preventive measures to address storage of chemicals and oil products or spills thereof. **The operator/contractor should be made aware to contact the Pollution Prevention Team Leader, or Spill Coordinator in the event of a spill of oil or potentially hazardous chemicals.** Training involving spills are discussed briefly in Section 6.3 above and as follows:

- Employees involved in the stormwater pollution prevention program are shown the potential spill areas and drainage routes at the facility.
- Employees are given instructions on how to report spills and the appropriate individuals to contact.
- Proper material handling procedures and storage requirements are discussed.

Good Housekeeping

- Employees are instructed to perform regular vacuuming or sweeping in their work areas to prevent stormwater from becoming contaminated with waste materials.
- Employees are instructed to promptly clean up spilled materials to prevent stormwater from becoming contaminated.
- Locations of housekeeping and spill response equipment and supplies are provided to all employees.

- 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.
- Toxic and hazardous substances onsite should be clearly marked.
- Proper and safe handling procedures are discussed with employees who are responsible for handling any toxic and hazardous substances.

Material Inventory Procedures

- An up-to-date inventory of hazardous and non-hazardous materials kept at the facility is maintained at the main office.
- Containers are labeled with the name of the material, expiration date, and health hazards, as required.
- Storage areas with hazardous materials have been specifically designed to contain spills, as required.

6.5 Sediment and Erosion Control

During the construction phase, the opportunity for stormwater to be impacted by sediment runoff is likely unless measures are incorporated and implemented to ensure proper sediment control is in place. No areas were identified as problematic from an erosion standpoint. However, during the construction phase and in the event that soil is disturbed at the facility, creating a potential for erosion, the following measures will be taken to reduce the amount of soil erosion at the facility:

- Make sure construction entrances/exits are in place and ensure sediment removal occurs prior to vehicle exit. Where sediment has been tracked-out from the site onto paved roads, sidewalks, or other paved areas outside the site, the deposited sediment will be removed by the end of the next work day;
- Control storm water volume and velocity within the site to minimize soil erosion;
- Control storm water discharges, including both peak flow rates and total storm water volume, to minimize erosion at outlets and to minimize downstream channel and stream bank erosion;
- Minimize the amount of soil exposed during construction activity;
- Minimize the disturbance of steep slopes;
- Minimize the sediment discharges from the site;

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- Minimize soil compaction and, unless infeasible, preserve topsoil;
- Maintain a 50-foot natural vegetative buffer between disturbed areas and waters of the U.S.;
- Direct storm water to vegetated areas, silt fences, hay bales, etc. to aid in filtration, infiltration, velocity reduction and diffusion of the discharge;
- Transport runoff down steep slopes through lined channels or piping;
- Implement structural control practices along any shallow drainage ditches such as:
 - Filter (silt) fences
 - Brush barriers
 - Rip rap check dams
- Minimize the amount of cut and fill, and soil compaction; and
- Minimize off-site vehicle tracking of sediments.

Upon completion of the construction phase, disturbed areas will be managed and re-vegetated as soon as practicable. Final stabilization will be achieved once all soil disturbing activities at the site have been completed, and a uniform perennial vegetative cover with a density of at least 70% for the area has been established (or equivalent measures have been employed).

Where applicable, disturbed areas will be stabilized by temporary seeding, permanent seeding, mulching and/or maintaining vegetative buffer strips as each case dictates. Although 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, the following measures will be implemented post-construction to reduce the chance of future soil erosion at the facility:

- Vegetate or re-vegetate disturbed soil as soon as possible with common vegetative covers such as grass, trees, shrubs, bark, mulch, or straw. Vegetative practices must begin immediately upon completion of a phased project or when a disturbed area will be left for 14 days or longer.
- Stabilize ditch banks onsite whenever possible with riprap, gabion, reinforced concrete, log cribbing, grid pavers, or asphalt.
- Implement permanent structural controls along any shallow drainage ditches and along disturbed sloped areas with significant sheet flow runoff.
- Erosion and sediment controls consisting of vegetative and structural practices shall be designed to preserve vegetation or allow timely re-vegetation of disturbed areas and divert storm water from exposed soils or otherwise limit runoff from exposed areas.

Site-specific BMPs and erosion controls to be implemented during and after the construction phase are shown in the Figure Sheet Set and should be constructed in accordance with the erosion control detail drawings contained within the Figure Sheet Set.

6.6 Management of Runoff

Stormwater runoff at this facility is managed by several practices including:

Baseline BMPs

- Drainage areas larger than 10 acres (or otherwise deemed necessary) will flow into designated sediment basins to ensure the capture of sediments and controlled release of stormwater. See the Figure Sheet Set for locations and sizes of the site drainage areas and sediment basins.
- Storm water drains collect water through the facilities roads.
- Routine inspection of any fuel and oil storage tanks brought or temporarily stored onsite, and prompt cleanup and repair as needed.
- Culverts under roads.
- Proper vegetation of disturbed soil areas as soon as possible after disturbance with common vegetative covers such as grass, trees, shrubs, bark, mulch, or straw.
- Stabilization of ditch banks onsite whenever possible with riprap, gabion, reinforced concrete, log cribbing, grid pavers, or asphalt.
- Implementation of structural control practices along the shallow drainage ditches such as:
 - Filter (silt) fences
 - Brush barriers
 - Sediment traps

6.6.1 Vegetative Practices

Construction projects will proceed in a planned sequence and every attempt will be made to prevent erosion. A 50-foot natural vegetative buffer should be maintained between disturbed areas and waters of the U.S. All disturbed areas will be managed and re-vegetated as soon as practicable after construction activities. Where applicable, disturbed areas will be stabilized by temporary seeding, permanent seeding, mulching and/or maintaining vegetative buffer strips as each case dictates. Vegetative practices must be implemented immediately upon completion of a phased project or when a disturbed area will be left for 14 days or longer.

6.6.2 Structural Practices

Structural erosion control measures shall be implemented as needed. The structural practices shall divert flows from exposed soils, store flows or otherwise limit runoff from exposed areas.

The structural methods will include straw bale dikes, silt fences, earth dikes, brush barriers, drainage swales, check dams, level spreaders, detention/retention basins, sediment traps, temporary sediment basins or equivalent sediment controls.

For drainage locations that serve an area with ten (10) or more disturbed acres at one time, a temporary (or permanent) sediment basin providing at least 3,600 ft³ of storage per acre drained shall be provided until final stabilization of the site. Sediment basins must be installed before major site grading and utilize outlet structures that withdraw water from the surface and that are designed for a minimum 2-year, 24-hour storm event (4.88 inch). If flocculants are proposed for use, they must be approved and implemented in accordance with Section 6.6.3.

The controls should, to the extent practicable:

1. Divert upslope surface water around disturbed areas by means of diversion dikes;
2. Limit exposure of disturbed areas to the shortest practical time;
3. Minimize the amount of disturbed area at any given time;
4. Implement best management practices to mitigate adverse impacts from storm water runoff;
5. Slow rainfall runoff velocities to prevent erosive flows;
6. Provide for construction entrances/exits wherever traffic will be entering/leaving a construction site and moving directly onto a paved public road;
7. Protect storm drain inlets that could receive storm water from construction activities by surrounding or covering with a filter material until final stabilization has been achieved;
8. Minimize the amount of cut and fill by constructing the sediment/detention basins with the spoils from the excavation to be used in berms; and
9. Re-vegetate disturbed areas as soon as possible. Vegetative practices must begin immediately when a disturbed area will be left for 14 days or longer.

6.6.3 Flocculant Application

Some construction projects may need to supplement conventional storm water management systems with flocculants to meet state water quality standards. Flocculants meeting the criteria listed in ACT8; Condition No. T-1 of the Large Construction Storm Water General Permit may be submitted for approval of use as part of the overall storm water management system. If flocculant application is required, the notice to MDEQ 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. If flocculants are approved, sediment basins must be downstream of the point of flocculant introduction and include baffles to increase sediment removal efficiency and turbidity reduction.

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 weekly site inspections after rain events that produce a discharge and at least weekly for a minimum of four inspections per month:

1. Confirm the accuracy of the description of potential pollutant sources contained in the LCSWPPP.
2. Determine the effectiveness of the Plan and its BMPs for preventing stormwater pollution due to construction activity.
3. Assess compliance with the terms and conditions of the stormwater large construction general permit and if necessary, implement new BMPs that will protect stormwater runoff from polluting nearby streams.

The weekly site inspections are to be conducted by the Site Manager or their 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 stormwater management devices will also be inspected to ensure that each is operating correctly. 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. Worksheet 4, which includes a site-specific inspection form and the required MDEQ weekly inspection form, 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. The report will describe:

- Name and address of the person making the inspection;
- 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 at the facility for at least 3 years after the date that the construction activity was completed. Weekly inspection reports are to be stored in Appendix B.

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 LCSWPPP will be amended.

Any poorly functioning erosion controls or sediment controls, non-compliant discharges, or any other deficiencies observed during the inspections required under the permit will 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.

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 will be maintained for a minimum of three (3) years and 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 Appendix C. Records of weekly site inspections of construction activities are retained in the LCSWPPP for at least 3 years after the completion of the construction activity. Records of weekly inspections are kept in Appendix B.

9.0 SPECIAL REQUIREMENTS

9.1 Section 313 Special Requirements

This facility does not have Section 313 chemicals that are exposed to stormwater.

9.2 Discharges to Large or Medium Separate Stormwater Systems

This facility does not discharge to a municipal separate stormwater system.

9.3 Total Maximum Daily Loads

Discharges from the site flow into an unnamed tributary to the west to Motley Slough and to Four Mile Creek to the east. Motley Slough and Four Mile Creek do not have Total Maximum Daily Loads established.

10.0 MONITORING AND REPORTING REQUIREMENTS

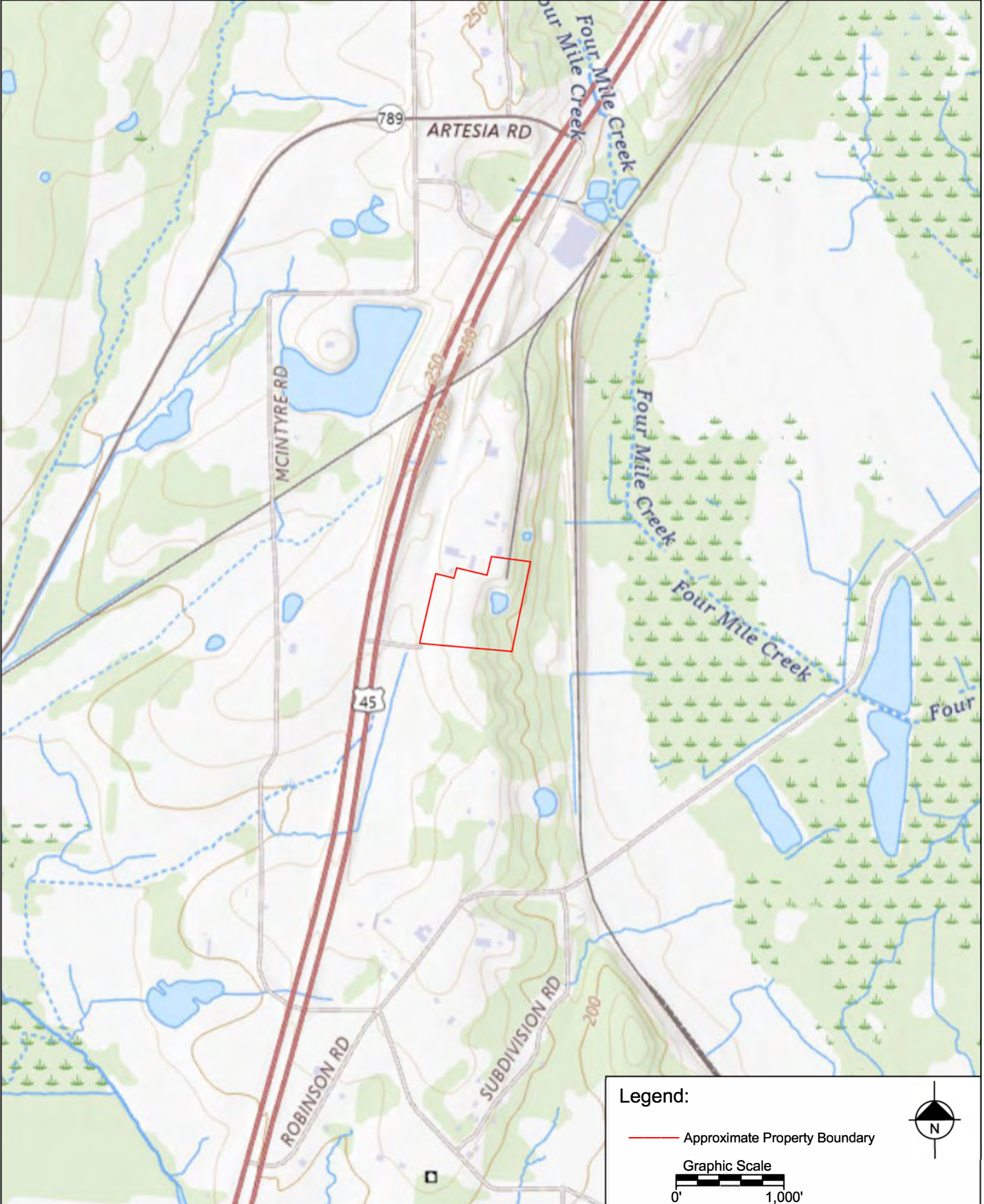
No monitoring and reporting are required for this facility. Monitoring requirements will be re-evaluated if the material storage locations or facility drainage patterns are substantially altered.

11.0 SECURITY

Security is an important consideration to prevent a spill or release from accidental or unknowing entry or from vandalism. Therefore, to protect the facility, security measures have been taken. These measures include:

- 1) Fencing is present around the facility. Adequate security lighting, a gated entrance, and security cameras are also in place at the facility to deter potential vandalism.

Figure 1: Site Location Map



Legend:

— Approximate Property Boundary

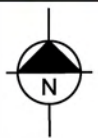


Figure 2: Site Location Aerial Map



Legend:

— Approximate Property Boundary

0 500
Scale in Feet

Figure 3: Site Stormwater Map



Legend:

- Approximate Property Boundary
- Elevation Contours
- Silt Fencing



Scale in Feet

Worksheet 1: Materials Exposed to Stormwater

**Worksheet 1
Materials Exposed to Stormwater**

Material: Silt and soil from site ground work.
Purpose: Clearing and grading areas of site / Cut & Fill operations throughout the site.
Location: Throughout the construction areas.
Quantity Used: Varies **Produced:** N/A **Stored:** N/A
Quantity Exposed to Stormwater in Past 3 Years: N/A
Past Significant Spill or Leak Exposed to Stormwater: 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.

Material: Off-road Diesel fuel, hydraulic oil, lubrication oil and motor oil.
Purpose: Fueling and maintenance of on-site heavy equipment.
Location: Throughout the construction areas.
Quantity Used: Varies **Produced:** N/A **Stored:** Equipment only.
Quantity Exposed to Stormwater in Past 3 Years: Varies.
Past Significant Spill or Leak Exposed to Stormwater: No
If "Yes", Describe:
Method of Storage or Disposal: N/A
Description of Material Management Practice: Equipment is inspected routinely to ensure that no leaks are occurring; proper fueling techniques and training to ensure that spills are minimized or avoided; proper cleanup and remediation as needed to cleanup spills before they can impact stormwater.

Material: Heavy equipment (tractors, track hoes, trenchers, etc.)
Purpose: Clearing, grading, excavation and filling of site disturbed areas shown in the Figures.
Location: Throughout the construction areas.
Quantity Used: Equipment used as needed **Produced:** N/A
Stored: On-site and used as needed
Quantity Exposed to Stormwater in Past 3 Years: Equipment is exposed.
Past Significant Spill or Leak Exposed to Stormwater: 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 stormwater. Required periodic preventive maintenance is performed on all heavy equipment.

Material: Concrete, construction materials
Purpose: Concrete will be used to construct foundations for the new structures. Construction materials will be used for constructing structures.
Location: Throughout the construction area.
Quantity Used: Varies, brought on site as needed **Produced:** N/A
Stored: On-site, stored in orderly piles and used as needed, covered as possible
Quantity Exposed to Stormwater in Past 3 Years: Some construction materials will be exposed to stormwater; concrete will be brought on to site as needed so as not to expose to stormwater.
Past Significant Spill or Leak Exposed to Stormwater: No
If "Yes", Describe:
Method of Storage or Disposal: N/A
Description of Material Management Practice: Construction materials will be brought on site as needed and will be stored in orderly stockpiles with silt fence surrounding the piles as needed. Concrete will only be brought on site as needed and poured while on site for foundations. Mixer drum washout will be performed by washing out into a pit or through filtering devices (hay bales, silt fence, etc).

Worksheet 2: Summary of Materials Exposed to Stormwater

Worksheet 2: Summary of Materials Exposed to Stormwater

Source	Location	Outfall No.	313 Apply ?	Current BMPs
Site field work, clearing, grading, construction of woodwaste rubbish landfill	Entire site	N/A	No	Routine inspections, proper site BMPs, prompt cleanup of spills, silt fences, check dams, haybales, and straw as needed to prevent erosion and runoff.
Off-road Diesel fuel, hydraulic oil, lubrication oil and motor oil.	Entire site	N/A	No	Routine inspections, proper site BMPs, prompt cleanup of spills, silt fences, check dams, haybales, and straw as needed to prevent erosion and runoff.
Heavy equipment (tractors, track hoes, trenchers, etc.)	Entire site	N/A	No	Routine inspections, proper site BMPs, prompt cleanup of spills, silt fences, check dams, haybales, and straw as needed to prevent erosion and runoff.
Concrete, construction materials	Entire site	N/A	No	Routine inspections, proper site BMPs, prompt cleanup of spills, silt fences, check dams, haybales, and straw as needed to prevent erosion and runoff.

Worksheet 3: List of Significant Spills and Leaks

Worksheet 4: Weekly Inspection Checklist

Worksheet 4: Weekly Inspection Checklist

Facility: Falcon Contracting Company, Inc. – Columbus, Mississippi		Inspector:			Date:		Page 1 of 2	
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	Is water in the containment (mark N/A if no water) free of any sheen?							
TS-7	Are adequate supplies of spill response materials and equipment readily available?							
TS-8	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 stormwater releases from the containment being properly documented?							
DS-10	Is stormwater (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?							

Worksheet 4: Weekly Inspection Checklist (Continued)

Facility: Falcon Contracting Company, Inc. – Columbus, Mississippi		Inspector:			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.							
STORMWATER 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-stormwater discharge? If not, describe source of flow (for example, groundwater, unpermitted non-stormwater 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?							
STORAGE AREAS EXPOSED TO STORMWATER								
SA-1	Are stored materials prevented from reaching inlets, pipes, ditches, or ponds?							
Comments:								
Note: N/A = Not Applicable								

**APPENDIX A: State Stormwater Large Construction Notice of Intent &
General Permit**



MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

LARGE CONSTRUCTION NOTICE OF INTENT (LCNOI) FOR COVERAGE UNDER THE LARGE CONSTRUCTION STORM WATER GENERAL NPDES PERMIT

INSTRUCTIONS

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

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.

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

Submittals with this LCNOI must include:

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

Additional submittals may include the following, if applicable:

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

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

APPLICANT IS THE: **OWNER** **PRIME CONTRACTOR**

OWNER CONTACT INFORMATION

OWNER CONTACT PERSON: _____
OWNER COMPANY LEGAL NAME: _____
OWNER STREET OR P.O. BOX: _____
OWNER CITY: _____ **STATE:** _____ **ZIP:** _____
OWNER PHONE #: (____) _____ **OWNER EMAIL:** _____

PREPARER CONTACT INFORMATION

IF NOI WAS PREPARED BY SOMEONE OTHER THAN THE APPLICANT

CONTACT PERSON: _____
COMPANY LEGAL NAME: _____
STREET OR P.O. BOX: _____
CITY: _____ **STATE:** _____ **ZIP:** _____
PHONE # () _____ **EMAIL:** _____

PRIME CONTRACTOR CONTACT INFORMATION

PRIME CONTRACTOR CONTACT PERSON: _____
PRIME CONTRACTOR COMPANY LEGAL NAME: _____
PRIME CONTRACTOR STREET OR P.O. BOX: _____
PRIME CONTRACTOR CITY: _____ **STATE:** _____ **ZIP:** _____
PRIME CONTRACTOR PHONE #: (____) _____ **PRIME CONTRACTOR EMAIL:** _____

FACILITY SITE INFORMATION

FACILITY SITE NAME: _____

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

STREET: _____
CITY: _____ **STATE:** _____ **COUNTY:** _____ **ZIP:** _____

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

LATITUDE: ___ degrees ___ minutes ___ seconds **LONGITUDE:** ___ degrees ___ minutes ___ seconds

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

TOTAL ACREAGE THAT WILL BE DISTURBED ¹: _____

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

IF YES, NAME OF LARGER COMMON PLAN OF DEVELOPMENT: _____
AND PERMIT COVERAGE NUMBER: MSR10 _____

ESTIMATED CONSTRUCTION PROJECT START DATE: _____
 YYYY-MM-DD

ESTIMATED CONSTRUCTION PROJECT END DATE: _____
 YYYY-MM-DD

DESCRIPTION OF CONSTRUCTION ACTIVITY: _____

PROPOSED DESCRIPTION OF PROPERTY USE AFTER CONSTRUCTION HAS BEEN COMPLETED:

SIC Code: _____ **NAICS Code** _____

NEAREST NAMED RECEIVING STREAM: _____

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

HAS A TMDL BEEN ESTABLISHED FOR THE RECEIVING STREAM SEGMENT? FOR WHICH POLLUTANT: Mercury (2005) and Pathogens (1999) YES NO

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

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

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

IF YES, INDICATE THE TYPE OF FLOCCULANT. ANIONIC POLYACRYLIMIDE (PAM)
 OTHER _____

IF YES, DOES THE SWPPP DESCRIBE THE METHOD OF INTRODUCTION, THE LOCATION OF INTRODUCTION AND THE LOCATION OF WHERE FLOCCULATED MATERIAL WILL SETTLE?

IS A SDS SHEET INCLUDED FOR THE FLOCCULATE? YES NO

WILL THERE BE A 50 FT BUFFER BETWEEN THE PROJECT DISTURBANCE AND THE WATERS OF THE STATE? YES NO

IF NOT, PROVIDE EQUIVALENT CONTROL MEASURES IN THE SWPPP.

¹Acreage for subdivision development includes areas disturbed by construction of roads, utilities and drainage. Additionally, a housesite of at least 10,000 ft² per lot (entire lot, if smaller) shall be included in calculating acreage disturbed.

DOCUMENTATION OF COMPLIANCE WITH OTHER REGULATIONS/REQUIREMENTS
 COVERAGE UNDER THIS PERMIT WILL NOT BE GRANTED UNTIL ALL OTHER REQUIRED
 MDEQ PERMITS AND APPROVALS ARE SATISFACTORILY ADDRESSED

IS LCNOI FOR A FACILITY THAT WILL REQUIRE OTHER PERMITS? YES NO

IF YES, CHECK ALL THAT APPLY: AIR HAZARDOUS WASTE PRETREATMENT
 WATER STATE OPERATING INDIVIDUAL NPDES OTHER: _____

IS THE PROJECT REROUTING, FILLING OR CROSSING A WATER CONVEYANCE OF ANY KIND? (If yes, contact the U.S. Army Corps of Engineers' Regulatory Branch for permitting requirements.) YES NO

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

- The project has been approved by individual permit, or
- The work will be covered by a nationwide permit and NO NOTIFICATION to the Corps is required, or
- The work will be covered by a nationwide or general permit and NOTIFICATION to the Corps is required

IS THE PROJECT REROUTING, FILLING OR CROSSING A STATE WATER CONVEYANCE OF ANY KIND? (If yes, please provide an antidegradation report.) YES NO

IS A LAKE REQUIRING THE CONSTRUCTION OF A DAM BEING PROPOSED? (If yes, provide appropriate approval documentation from MDEQ Office of Land and Water, Dam Safety.) YES NO

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

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

INDICATE ANY LOCAL STORM WATER ORDINANCE (I.E. MS4) WITH WHICH THE PROJECT MUST COMPLY:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

will swedenborg

Signature of Applicant¹ (owner or prime contractor)

Date Signed

Printed Name¹

Title

¹This application shall be signed as follows:

- For a corporation, by a responsible corporate officer.
- For a partnership, by a general partner.
- For a sole proprietorship, by the proprietor.

For a municipal, state or other public facility, by principal executive officer, mayor, or ranking elected official

Please submit the LCNOI form to:

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

Electronically:

<https://www.mdeq.ms.gov/construction-stormwater/>

Revised 3/23/22



State of Mississippi
Mississippi Department of Environmental Quality (MDEQ)



LARGE CONSTRUCTION GENERAL PERMIT

FOR LAND DISTURBING ACTIVITIES OF FIVE (5) OR MORE ACRES

THIS CERTIFIES THAT

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

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

Mississippi Environmental Quality Permit Board

Krystal Rudolph

Authorized Signature

Mississippi Department of Environmental Quality

Issued: **February 4, 2022**

Permit No. **MSR10**

Expires: **January 31, 2027**

AI# 24066

Large Construction Storm Water General Permit

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Large Construction Storm Water General Permit

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ACT1 (LCGP) Introduction:

Narrative Requirements:

Condition	Condition
T-1	The Large Construction General Permit (LCGP) authorizes storm water discharges from construction activities five (5) acres or greater or less than five (5) acres if part of a "larger common plan of development or sale" (see Definitions). Storm water discharges that enter waters of the State or storm water conveyance systems leading to waters of the State are subject to regulation and compliance with the conditions set forth in this permit. This permit also authorizes storm water discharges from any other construction activity designated by the Executive Director based on the potential for contribution to an excursion of a water quality standard or for significant contribution of pollutants to waters of the State. This permit replaces the previous Large Construction General Permit that expired on December 31, 2021. [11 Miss. Admin. Code Pt. 6, R. 1]

ACT2 (LCGP) Permit Applicability and Coverage:

Narrative Requirements:

Condition	Condition
T-1	<p>PERMIT AREA:</p> <p>The Large Construction General Permit covers all areas of the State of Mississippi. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-2	<p>ELIGIBILITY:</p> <p>(1) Discharges composed entirely of storm water and allowable non-storm water discharges (see ACT5, T-14 for additional requirements) from construction activity, including clearing, grading, grubbing, excavating and other land disturbing activities of five (5) or more acres or less than five (5) acres if part of a "larger common plan of development or sale" (see Definitions).</p> <p>(2) Allowable Non-Storm Water Discharges:</p> <ul style="list-style-type: none"> (A) Discharges from actual fire-fighting activities (B) Fire hydrant flushing (C) Water used to control dust (D) Potable water sources including uncontaminated water line flushing (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 all spilled material has been 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. (L) Construction dewatering water discharged in accordance with ACT5, T-11. [11 Miss. Admin. Code Pt. 6, R. 1]

ACT2 (continued):

Narrative Requirements:

Condition No.	Condition
T-3	<p>ELIGIBILITY (continued):</p> <p>(3) Prohibited Non-Storm Water Discharges:</p> <ul style="list-style-type: none"> (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) Contaminated discharge waters from dewatering activities (G) Toxic or hazardous substances from a spill or other release. <p>(4) A project is eligible for coverage under this general permit for discharges of pollutants of concern to water bodies for which there is a Total Maximum Daily Load (TMDL) established or approved by the Environmental Protection Agency (EPA) if measures and controls are incorporated that are consistent with the assumptions and requirements of such TMDL. To be eligible for coverage under this general permit, the project must incorporate in the Storm Water Pollution Prevention Plan (SWPPP) and/or effluent limitation any conditions applicable to any discharge(s) necessary for consistency with the assumptions and requirements of such TMDL. If, after coverage issuance, a specific wasteload allocation is established that would apply to the project's discharge, the project owner/operator must determine and implement all of the 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 (5) below. In addition, MDEQ's Planning & Design Manual for the Control of Erosion, Sediment and Storm Water identifies specific controls that may be used to address consistency with any applicable TMDLs. The manual can be found at: www.mdeq.ms.gov/construction-stormwater/</p> <p>(5) A project is eligible for coverage under this general permit for discharges of storm water to impaired water bodies on MDEQ's 303(d) list, provided best management practices (BMPs) are employed that prohibit further impairment of the designated and/or existing beneficial uses in the receiving water body. To be eligible for coverage under this general permit, the owner/operator must indicate on the LCNOI that the project discharges to a 303(d) listed receiving water and incorporate appropriate BMPs in its SWPPP. MDEQ's 303(d) list of impaired water bodies may be found on MDEQ's website at: https://opcgis.deq.state.ms.us/tmdls/. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

ACT2 (continued):

Narrative Requirements:

Condition No.	Condition
T-4	<p>THIS PERMIT DOES NOT AUTHORIZE:</p> <p>(1) Discharges which result in violation of State Water Quality Standards. Whenever a discharge authorized under this permit is later determined to cause or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard, MDEQ will notify the regulated entity of such water quality violation(s) in writing and will provide the information used by MDEQ to make this determination. The regulated entity must take all necessary actions required to ensure future discharges do not cause or contribute to the violation of a water quality standard. If such violations remain or re-occur, then additional measures, such as the addition of Best Management Practices (BMPs) and modification of the SWPPP will be submitted to MDEQ for approval or the requirement to obtain an individual permit, may be required by the Permit Board. Compliance with this requirement does not preclude any enforcement activity as provided by the Clean Water Act for the underlying violation.</p> <p>(2) Activities that affect waters of the U.S., including wetlands, without obtaining the necessary U.S. Army Corps of Engineers (COE) approval. This may include a COE individual Section 404 permit or coverage under a COE nationwide or general permit. Appropriate documentation must be submitted with the Large Construction Notice of Intent (LCNOI). [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-5	<p>(3) Discharges or discharge-related activities that are likely to jeopardize the continued existence of any species that is listed as endangered or threatened under the Endangered Species Act (ESA) or result in the adverse modification or destruction of habitat that is designated as critical under the ESA. Coverage under this permit is available only if the regulated entity's storm water discharges, allowable non-storm water discharges, and discharge-related activities are not likely to jeopardize the continued existence of any species that is listed as endangered or threatened ("listed") under the ESA or result in the adverse modification or destruction of habitat that is designated as critical under the ESA ("critical habitat"). Submission of a signed LCNOI, or County Utility Authority approval, if applicable, will be deemed to constitute the regulated entity's certification of eligibility. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

ACT3 (LCGP) Obtaining Coverage:

Submittal/Action Requirements:

Condition

No. Condition

S-1 OBTAINING AUTHORIZATION:

(1) Owners and/or operators (see Definitions) desiring coverage associated with large construction activity under this permit must submit a Large Construction Notice of Intent (LCNOI) and other required submittals in accordance with the requirements of this permit. For construction activities, the operator is typically the Prime Contractor. However, if the prime contractor does not meet the definition of operator, then the owner must apply. The owner may submit the LCNOI and later, prior to actual construction, the operator may submit the Prime Contractor Certification accepting joint and severable responsibility for applicable permit conditions.

Where there are multiple operators associated with the same project, all operators must obtain permit coverage. Subcontractors generally are not considered operators for the purposes of this permit. The applicant shall identify the construction support activities for their project in the SWPPP. If the operator of a construction support activity is different than the operator of the main site, that operator must abide by the approved SWPPP. If a SWPPP was prepared under a previous version of this permit, the operator must review and update the SWPPP to ensure that this permit’s requirements are addressed prior to submitting separate approved MDEQ authorization forms for coverage under this permit. Unless receiving prior MDEQ approval, projects with multiply operators shall submit a group SWPPP covering all aspects of construction activities in accordance to ACT5 of this permit. Regardless of whether there is a group SWPPP or multiple individual SWPPPs, each operator is responsible for compliance with the permit’s terms and conditions.

Owners, developers and prime contractors that meet the definition of the operator shall apply for permit coverage on the same NOI, if possible. The division may accept separate NOI forms from different operators for the same construction site when warranted.

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.

(2) Upon review of the LCNOI, the MDEQ staff may require additional information (including modification of the SWPPP, which could require the implementation

Submittal/Action Requirements:

Condition No.	Condition
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of additional controls), recommend that coverage not be granted and/or that an alternate permit would be more appropriate. The MDEQ staff recommendations may be brought before the Mississippi Environmental Quality Permit Board (Permit Board) for review and consideration at a regularly scheduled meeting or at a special meeting at its discretion.

(3) Coverage under this permit will not be granted until all other required MDEQ permits, certifications and approvals are satisfactorily addressed.

(4) Owners or operators are authorized to discharge storm water associated with large construction activity under the terms and conditions of this permit only upon receipt of written notification of approval of coverage by the Permit Board staff. Discharge of storm water without written notification of coverage under this permit or issuance of an individual National Pollutant Discharge Elimination System (NPDES) Storm Water Permit is a violation of the Mississippi Air and Water Pollution Control Law 49-17-29(2)(b). [11 Miss. Admin. Code Pt. 6, R. 1]

S-2 REQUIRING AN INDIVIDUAL PERMIT OR ALTERNATIVE GENERAL PERMIT:

(1) The Permit Board may require any coverage recipient to apply for and obtain either an individual or an alternative general NPDES permit. Any interested person may petition the Permit Board to take action under this paragraph. The Permit Board may require any coverage recipient to apply for an individual NPDES permit only if the owner or operator has been notified in writing. Such notice shall include reasons for this decision, an application form and a filing deadline. The Permit Board may grant additional time at its discretion, upon request. If a coverage recipient fails to submit a requested application in a timely manner, coverage under this permit will automatically terminate at the end of the day specified for application submittal.

(2) Any coverage recipient may request to be excluded from permit coverage by applying for an individual permit or coverage under another general permit. The applicant shall submit an individual application (EPA Forms 1 and 2F along with the narrative requirements of 40 CFR 122.26(c)(1)(ii)) or the appropriate Notice of Intent.

(3) Coverage under this permit is automatically terminated on the issuance date of the respective alternative individual permit or general permit coverage. When the request for an alternative individual permit or general permit coverage is denied, coverage under this permit continues unless terminated by the Permit Board. [11 Miss. Admin. Code Pt. 6, R. 1]

S-3 HOW TO OBTAIN RECOVERY UNDER THE REISSUED PERMIT:

If reissuance of this permit does not occur before its expiration date, continued coverage under this permit will be allowed until the effective date of the reissued general permit coverage. Once the Large Construction General Permit is reissued, active coverage recipients will receive a Recovery Form with a Letter of Instruction. If a coverage recipient wishes to be covered by the reissued Large Construction General Permit, the Recovery Form must be completed and returned to the MDEQ in accordance with the provisions of the Letter of Instruction. Resubmittal of the Storm Water Pollution Prevention Plan (SWPPP) is not required if

ACT3 (LCGP) Obtaining Coverage:

Submittal/Action Requirements:

Condition No.	Condition
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the SWPPP is on-site or locally available, current and adequately addresses the sources of pollution at the facility. Some SWPPP's may require amendment to meet the conditions of the reissued general permit (e.g., deadline for initiating vegetative stabilization measures). [11 Miss. Admin. Code Pt. 6, R. 1]

S-4 COMMERCIAL DEVELOPMENT - INDIVIDUAL LOTS OR PARCELS:

Individual lots or parcels within a commercial development that are part of the "larger common plan of development or sale" (see Definitions) are regulated regardless of size or owner. If the owner or developer obtains construction permit coverage for a development then sells lots or parcels within that development, permit coverage must continue on those areas under new ownership. The original coverage recipient is responsible for all construction activities until individual lots or parcels within the development are sold to others and the new owner submits a LCNOI (regardless of size) and obtains coverage under Mississippi's Large Construction General Permit or applies for an individual permit. [11 Miss. Admin. Code Pt. 6, R. 1]

S-5 RESIDENTIAL SUBDIVISION - INDIVIDUAL LOTS:

Individual lots within a residential subdivision that are part of the "larger common plan of development or sale" (see Definitions) are regulated regardless of size or ownership. If the owner or developer obtains construction permit coverage for a residential development, then sells individual lots within that development, permit coverage shall continue on those lots under new ownership. The original coverage recipient may retain responsibility for permit compliance, or the new owner (purchaser) or operator shall satisfy authorization requirements by:

- (1) Completing and submitting the MDEQ Registration Form (see Large Construction Forms Package) and developing and implementing a sediment and erosion control plan for the specific lot(s), or
- (2) Completing and submitting for approval from the MDEQ, a LCNOI and required documents, or
- (3) Applying for an individual storm water permit.

The owner or developer (seller) is responsible for providing the new owner or operator (purchaser) with a copy of the MDEQ Registration Form and a copy of the Large Construction General Permit. These documents, as well as the individual application, may be found on MDEQ's website at www.mdeq.ms.gov/construction-stormwater/ or by calling 601-961-5171. [11 Miss. Admin. Code Pt. 6, R. 1]

S-6 RESIDENTIAL SUBDIVISION - EXPANSIONS:

For subsequent phases, expansions and major modifications of subdivision development that are proposed but were not included in the original SWPPP, the

ACT3 (continued):

Submittal/Action Requirements:

Condition	Condition
	coverage recipient shall submit to MDEQ the Major Modification Form (see Large Construction Forms Package). [11 Miss. Admin. Code Pt. 6, R. 1]
S-7	RESIDENTIAL SUBDIVISION - NEW PHASES AND NEW OWNER: If an individual, other than the original developer (coverage recipient), proposes construction of a new phase of an existing subdivision and the proposed phase was not included in the initial submittal of the LCNOI, the new owner or operator must apply for separate permit coverage. [11 Miss. Admin. Code Pt. 6, R. 1]
S-8	APPLICABILITY OF REQUIREMENTS FOR INDIVIDUAL LOTS AND PARCELS IN A LARGER COMMON PLAN OF DEVELOPMENT OR SALE: The original coverage recipient remains responsible for compliance with this general permit until a new owner or operator satisfies the requirements of S-4 and S-5 of this ACT. [11 Miss. Admin. Code Pt. 6, R. 1]

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

Submittal/Action Requirements:

Condition No.	Condition
S-1	<p>NOTIFICATION REQUIREMENTS:</p> <p>Persons desiring coverage for a storm water discharge associated with construction activity under this general permit must submit a LCNOI Form with the required submittals. Discharge of storm water without written notification of coverage under this permit or issuance of an individual National Pollutant Discharge Elimination System (NPDES) Storm Water Permit is a violation of the Mississippi Air and Water Pollution Control Law 49-17-29(2)(b). [11 Miss. Admin. Code Pt. 6, R. 1]</p>
S-2	<p>REQUIRED SUBMITTALS WITH THE LCNOI:</p> <p>Submittals required with a completed LCNOI include a site-specific SWPPP associated with the construction activities, a United States Geological Survey (USGS) quad map, or color photocopy of the quad map, extending at least 1/2 mile beyond the facility property boundaries with the site location outlined or highlighted. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
S-3	<p>ADDITIONAL SUBMITTALS MAY INCLUDE THE FOLLOWING:</p> <ol style="list-style-type: none"> (1) Appropriate Section 404 documentation from U.S. Army Corps of Engineers, (2) Appropriate documentation concerning future disposal of sanitary sewage and sewage collection system construction, (3) Appropriate documentation from the MDEQ Office of Land & Water concerning dam construction and low flow requirements, and/or (4) Approval for wastewater for all residential and commercial subdivisions in the form of a signed certification by the official responsible for the wastewater treatment facility that will serve the proposed project. (5) Appropriate plans for affecting waters of the State of Mississippi. [11 Miss. Admin. Code Pt. 6, R. 1]
S-4	<p>ADDITIONAL NOTIFICATION:</p> <p>The covered owner or operator must notify the Permit Board at least 30 days before any planned changes of ownership or whenever there are any changes in</p>

ACT4 (continued):

Submittal/Action Requirements:

Condition No.	Condition
S-5	<p>information previously submitted in the LCNOI Form. [11 Miss. Admin. Code Pt. 6, R. 1]</p> <p>MODIFICATION NOTIFICATION:</p> <p>The coverage recipient must notify the Permit Board at least 30 days before:</p> <ul style="list-style-type: none"> (1) Any planned changes in project operations that may affect storm water discharges, (2) Any planned changes of ownership, or (3) Any changes in information previously submitted in the LCNOI. [11 Miss. Admin. Code Pt. 6, R. 1]
S-6	<p>MAJOR MODIFICATION NOTIFICATION:</p> <ul style="list-style-type: none"> (1) The following activities require the submittal of a Major Modification Form. This form can be found in the Large Construction Forms Package, which can be obtained from MDEQ at the address given in T-2 of this ACT or from the MDEQ website at www.mdeq.ms.gov/construction-stormwater/. <ul style="list-style-type: none"> (A) SWPPP details have been developed and are ready for MDEQ review for subsequent phases of an existing, covered project. (B) Footprint identified in the original LCNOI is proposed to be enlarged (a modified SWPPP and an updated USGS topographic map must be submitted with the Major Modification Form). (2) Coverage recipients are authorized to implement the proposed modifications, under the conditions of the General Permit, only upon receipt of written notification of approval by the MDEQ. (3) Proposed changes may require termination of the General Permit coverage and/or application for an individual or alternative general permit. [11 Miss. Admin. Code Pt. 6, R. 1]

ACT4 (continued):

Narrative Requirements:

Condition No.	Condition
T-1	<p>WHERE TO OBTAIN LCNOI FORMS:</p> <p>LCNOI Forms may be obtained from the MDEQ at the address shown below or by calling 601-961-5171. LCNOI Forms, as well as the general permit and guidance manual, may be found on the MDEQ web site at www.mdeq.ms.gov/construction-stormwater/. Coverage under this permit will not be granted until all other required MDEQ permits, certifications and approvals are satisfactorily addressed. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-2	<p>WHERE TO SUBMIT THE LCNOI:</p> <p>Complete and appropriately signed LCNOI Forms must be submitted to:</p> <p>Chief, Environmental Permits Division Mississippi Department of Environmental Quality Office of Pollution Control P.O. Box 2261 Jackson, Mississippi 39225</p> <p>For priority or overnight deliveries, the physical address is:</p> <p>515 East Amite Street Jackson, Mississippi 39201.</p> <p>In addition to mailing paper, electronic submittals are also recommended. Until December 21, 2025, a courtesy copy may be submitted electronically by: https://www.mdeq.ms.gov/construction-stormwater/. After December 21, 2025, these forms shall be submitted electronically using the above web address. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-3	<p>FAILURE TO NOTIFY:</p> <p>Persons who discharge storm water associated with Large Construction activity to waters of the State without an NPDES permit are in violation of the Mississippi Air and Water Pollution Control Law 49-17-29(2)(b). [11 Miss. Admin. Code Pt. 6, R. 1]</p>

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

Narrative Requirements:

Condition No.	Condition
T-1	<p data-bbox="220 597 512 628">SWPPP DEVELOPMENT:</p> <p data-bbox="220 657 1980 808">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. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-2	<p data-bbox="220 829 443 860">SWPPP CONTENT:</p> <p data-bbox="220 889 945 920">Erosion and Sediment Controls and Soil Stabilization Requirements:</p> <p data-bbox="220 950 1980 1065">The SWPPP shall list and describe site-specific controls appropriate for the construction activities as well as the procedures for implementing such controls. Controls shall be designed to retain sediment on-site and to minimize the discharge of pollutants. If any of the below controls cannot be implemented on the project site, the SWPPP must include written justification as to why site-specific constraints and/or costs make the control(s) infeasible. At a minimum, such controls must be designed, installed and maintained to:</p> <ol data-bbox="220 1094 1980 1334" style="list-style-type: none"> <li data-bbox="220 1094 1117 1125">(1) Control storm water volume and velocity within the site to minimize soil erosion; <li data-bbox="220 1154 1980 1218">(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; <li data-bbox="220 1247 957 1278">(3) Minimize the amount of soil exposed during construction activity; <li data-bbox="220 1307 1079 1334">(4) Minimize the disturbance of steep slopes. [11 Miss. Admin. Code Pt. 6, R. 1]

ACT5 (continued):

Narrative Requirements:

Condition No.	Condition
T-3	<p>SWPPP CONTENT (continued):</p> <p>(5) Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting storm water runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;</p> <p>(6) Provide and maintain 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; and</p> <p>(7) Minimize soil compaction and, unless infeasible, preserve topsoil;</p> <p>(8) Direct storm water to vegetated areas, brush barriers, silt fences, check dams, etc. to aid in the filtration, infiltration, velocity reduction and diffusion of the discharge;</p> <p>(9) Transport runoff down steep slopes through lined channels or piping;</p> <p>(10) Minimize the amount of cut and fill;</p> <p>(11) Minimize off-site vehicle tracking of sediments; and</p> <p>(12) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, concrete wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge.</p> <p>(13) Provide a description of any discharge associated with industrial activity other than construction stormwater that originates on site and the location of that activity and its permit number.</p> <p>(14) Provide a description of stormwater sources from areas other than construction and a description of controls and measures that will be implemented at those sites.</p>

Narrative Requirements:

Condition	Condition
No.	<p>(15) When permanent or temporary structures will be placed in Waters of the State, MDEQ may require the applicant to address any issues related to Mississippi Antidegradation Plan in the SWPPP during the review of the LCNOI rather than requiring a separate LCNOI or other state required permits. This provision will only apply to activities that will not require a 404 permit or a 401 certification. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-4	<p>The number and type of BMPs included in the SWPPP must reflect the specific conditions of the construction site. An effective SWPPP includes a combination of BMPs that are designed to work together. A combination of BMPs is listed below and must be included as minimum components of a SWPPP. These controls must be in accordance with the design standards set forth in the most current edition of Mississippi's "Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas" found at www.mdeq.ms.gov/construction-stormwater or other accredited and approved manual of design.</p> <p>(1) Vegetative Practices shall be designed to preserve existing vegetation where feasible and initiate vegetative stabilization measures after land disturbing activities. Such practices may include, but not limited to, temporary seeding, permanent seeding, mulching, sod stabilization, vegetative buffer strips, tree protection and topsoil preservation.</p> <p>Soil stabilization-vegetative stabilization measures must be initiated whenever any clearing, grading, grubbing, 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) calendar days or more. The appropriate temporary or permanent vegetative practices shall be initiated immediately. For purposes of this permit, "immediately" is interpreted to mean no later than the next work day.</p> <p>If you are unable to meet the deadlines in the previous paragraph due to circumstances beyond your control, and you are using vegetative cover for temporary or permanent stabilization, you may comply with the following stabilization deadlines instead:</p> <p>(A) Immediately initiate, and within 14 calendar days complete, the installation of temporary non-vegetative stabilization measures to prevent erosion;</p> <p>(B) Complete all soil conditioning, seeding, watering or irrigation installation, mulching, and other required activities related to the planting and initial establishment of vegetation as soon as conditions or circumstances allow it on the site; and,</p> <p>(C) Document the circumstances that prevent you from meeting the deadlines required and the schedule you will follow for initiating and completing stabilization. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

ACT5 (continued):

Narrative Requirements:

Condition No.	Condition
T-5	<p>Specific BMPs that must be included, unless infeasible (see Definitions) are:</p> <p>(A) Buffer zones (see Definitions) shall be maintained between land-disturbing activities and perennial water bodies. A minimum 150-foot buffer zone is recommended; however, if a 150-foot buffer zone cannot be met, the requirements outlined in ACT5, T-3(6) shall be followed.</p> <p>(B) Topsoil should be stockpiled and used in areas that will be re-vegetated. When final grade is reached it should be distributed to a minimum depth of 2 inches on 3:1 slopes and 4 inches on flatter slopes. The permittee shall locate the piles outside of any natural buffers established and away from any stormwater conveyances, drain inlets, and areas where stormwater flow is concentrated. The permittee shall install a sediment barrier along all downgradient perimeter areas. The permittee is prohibited from hosing down or sweeping soil or sediment accumulated on pavement or other impervious surfaces into any stormwater conveyance, storm drain inlet, or Waters of the State.</p> <p>(C) Heavy equipment use in areas to be re-vegetated should be avoided. If compaction cannot be avoided, the top 4 inches of the soil bed should be tilled before re-vegetation. Any necessary fertilizer or other soil amendments should be added during the tilling process.</p> <p>The SWPPP must contain written justification as to why any of these specific controls were not deemed feasible. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-6	<p>(2) Structural practices shall divert flows from exposed soils, store flows or otherwise limit runoff from exposed areas. Such practices may include, but are not limited to, construction entrance/exit, silt fences, earth dikes, brush barriers, drainage swales, check dams, subsurface drains, pipe slope drains, level spreaders, drain inlet protection, outlet protection, detention/retention basins, sediment traps, temporary sediment basins or equivalent sediment controls.</p> <p>Specific practices that must be included, unless infeasible, are:</p> <p>Sediment basins are to be situated outside waters of the State and any natural buffers to be established. Design the basin to avoid collecting water from wetlands. Use erosion controls and velocity dissipation devices to prevent erosion at the inlets and outlets.</p> <p>(A) For drainage locations (a drainage point at boundary of land disturbing activity) that serve an area with ten (10) or more disturbed acres at one time, a temporary (or permanent) sediment basin providing at least 3,600 cubic feet (133 cubic yards) of storage per acre drained shall be provided until final stabilization of the site. Sediment basins must be installed before 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. If flocculants are being introduced, sediment basins must be downstream of the point of introduction and include baffles to increase sediment removal efficiency and turbidity reduction. The capacity of the sediment basin, acreage draining to sediment basin, location on the plan, as well as the diagram of outflow structure shall be provided.</p> <p>(B) Due to the unique characteristics of linear projects (see Definitions), such as the lack of space within project rights of way and having multiple, distributed</p>

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

Condition No.	Condition
	<p>discharge points, sedimentation basins are not common practices. Therefore, MDEQ will not require the use of sedimentation basins for linear projects disturbing ten (10) or more acres at one time. Appropriate alternate structural practices, such as sediment traps and check dams, must be included in the SWPPP if sediment basins are deemed infeasible.</p>
	<p>(C) Design of temporary (or permanent) sediment basins, if used, shall provide at least 3600 cubic feet (133 cubic yards) of storage per acre drained and shall be provided until final stabilization of the site. Sediment basins must be installed before major site grading and utilize outlet structures that withdraw water from the surface. The capacity of the sediment basin, acreage draining to sediment basin, location on the plan, as well as the diagram of outflow structure shall be provided. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-7	<p>(D) Steep Slopes (see Definition) that cannot be avoided must have, at a minimum, silt fences or equivalent sediment controls for all down slope boundaries (and for those side slope boundaries deemed appropriate by individual site conditions), unless a sediment basin providing storage for a calculated volume of runoff from a 2-year, 24-hour storm or 3,600 cubic feet of storage per acre drained is provided.</p> <p>(E) Construction entrances/exits shall be installed wherever traffic will be leaving a construction site and moving directly onto a paved public road. Restrict vehicle to properly designed exit points. Use appropriate stabilization techniques at all points that exit onto paved roads. Implement additional track-out controls as necessary to ensure that sediment removal occurs prior to vehicle exit. Where sediment has been tracked-out from the site onto paved roads, sidewalks, or other paved areas outside the site, remove deposited sediment “immediately” by the end of the next work day. Remove the track-out by sweeping, shoveling, or vacuuming these surfaces, or by similarly effective means of sediment removal. Hosing or sweeping track-out sediment into any stormwater conveyance, storm drain inlet, of Waters of the State is prohibited.</p> <p>(F) 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. Clean, or remove and replace, the protection measure as sediment accumulates, the filter becomes clogged, and/or performance is compromised. Where there is evidence of sediment accumulation adjacent to inlet protection measure, remove the deposited sediment “immediately” by the end of the next work day. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-8	<p>(G) Perimeter Controls-Natural areas shall be maintained and supplemented with silt fence and fiber rolls around project perimeter. If not feasible to maintain natural areas, a silt fence or similar controls, such as fiber rolls, are sufficient.</p> <p>(H) Phasing-Schedule or sequence construction activities to concentrate work in certain areas to minimize the amount of soil that is exposed at one time. Construction shall be phased to keep the total disturbed area less than fifty (50) acres at one time, in order to minimize erosion and limit sedimentation. The permittee can have additional disturbance with provided justification and additional controls to minimize erosion and sedimentation. With written justification of demonstrating why the project requires fifty (50) acres or more of disturbed area and additional controls to minimize erosion and sedimentation, the permittee may be allowed to disturb additional areas.</p>

ACT5 (continued):

Narrative Requirements:

Condition	Condition
T-9	<p>The SWPPP must contain written justification as to why any of these specific controls were not deemed feasible. [11 Miss. Admin. Code Pt. 6, R. 1]</p> <p>(3) Facilities discharging into impaired receiving waters (i.e., receiving stream segments, which are listed on MDEQ’s 303(d) List of Impaired Waters, or segments for which a Total Daily Maximum Load (TMDL) has been approved) must identify the pollutant of concern(s) for the receiving stream in the SWPPP. If applicable, the SWPPP shall describe how the selected BMPs will ensure that discharges from the site (if applicable) will not cause or contribute to exceedances of the water quality standards in the receiving stream. Additional controls may be required.</p> <p>(4) A description of any post-construction control measures. Post-construction control measures should be installed as necessary, to control pollutants in storm water after construction is complete. Post-construction controls must be in accordance with the design standards set forth in the most current edition of Mississippi’s “Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas” found at: www.mdeq.ms.gov/construction-stormwater/. 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. Restrict vehicle and equipment use in these locations to avoid soil compaction. Before seeding or planting areas of exposed soil that have been compacted, use techniques that rehabilitate and condition the soils as necessary to support vegetative growth. The permittee is encouraged to design the site, the erosion prevention measures, sediment control measures, and other site management practices with consideration of minimizing stormwater runoff, both during and following construction, including facilitating the use of low-impact development (LID) and green infrastructure.</p> <p>(5) Proposed responsible parties (original coverage recipient or new owner or operator) for individual lots or out-parcels that are part of a larger common plan of development or sale. If permit responsibility is retained by the original coverage recipient, a narrative description of sediment and erosion controls for subdivision lots is acceptable. Out-parcels in commercial developments must be included in the scaled site map referenced below. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-10	<p>Housekeeping Practices:</p> <p>The owner or operator shall design, install, implement and maintain practices appropriate to prevent pollutants from entering storm water from construction sites because of poor housekeeping. These practices must be listed in the SWPPP and located on the site map.</p> <p>The owner or operator shall: (1) minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site to precipitation and to stormwater; (2) minimization of exposure is not required in cases where the exposure to precipitation and to stormwater will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk of</p>

Narrative Requirements:

Condition No.	Condition
	<p>stormwater contamination (such as final products and materials intended for outdoor use); (3) minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.</p> <p>The owner or operator shall designate and report in the SWPPP areas for equipment maintenance and repair and concrete chute wash off; provide waste receptacles and regular collection of waste; provide adequately maintained sanitary facilities; provide protected storage areas for chemicals, paints, solvents, fertilizers, pesticides, herbicides, detergents and other potentially toxic materials; and implement spill and leak prevention practices and response procedures if spills and leaks do occur; minimize the exposure of building materials, building products, construction wastes, trash and landscape materials. These areas and specific potential pollutants shall be addressed in the SWPPP and located on the scaled site map.</p> <p>The owner or operator shall provide a description of procedures for:</p> <p>(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;</p> <p>(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;</p> <p>(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.</p> <p>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]</p>

T-11 CONSTRUCTION DEWATERING REQUIREMENTS

Comply with the following requirements to minimize the discharge of pollutants in ground water or accumulated stormwater that is removed from excavations, trenches, foundations, vaults, or other similar points of accumulation. Dewatering discharge shall be managed by BMPs.

- (A) Treat dewatering discharges with controls to minimize discharges of pollutants with controls designed to prevent discharges with visual turbidity to minimize discharges of pollutants. (Appropriate controls include sediment basins or sediment traps, sediment socks, dewatering tanks, tube settlers, weir tanks, filtration systems (e.g., bag or sand filters), other appropriate approval controls, and passive treatment systems that are designed to remove sediment . Appropriate controls to use downstream of dewatering controls to minimize erosion include vegetated buffers, check dams, riprap, and grouted riprap at outlets or other appropriate approval controls.);
- (B) Do not discharge visible floating solids or foam;
- (C) Use an oil-water separator or suitable filtration device (such as a cartridge filter) that is designed to remove oil, grease, or other products if dewatering water

ACT5 (continued):

Narrative Requirements:

Condition

No. Condition

is found to contain these materials; The discharge must not cause the formation of a visible sheen or visible hydrocarbon deposits on the bottom or shoreline of the receiving water.

(D) To the extent feasible, use vegetated, upland areas of the site to infiltrate dewatering water before discharge. Using waters of the State as part of the treatment area is prohibited;

(E) To prevent sediment discharge from causing erosion: (1) Use stable, erosion-resistant surfaces (e.g., well-vegetated grassy areas, clean filter stone, geotextile underlayment) for the discharge from dewatering controls; (2) Do not place dewatering controls, such as pumped water filter bags, on steep slopes.

(F) At all points where dewatering water is discharged, velocity dissipation BMPs must be implemented. The discharge must not cause re-suspension;

(G) With backwash water, either haul it away for disposal or return it to the beginning of the treatment process; and

(H) Replace and/or clean the filter media used in dewatering devices when the pressure differential equals or exceeds the manufacturer's specifications.

[11 Miss. Admin. Code Pt. 6, R. 1]

T-12 Flocculant Application:

Flocculants, meeting the criteria contained in ACT8 and used in accordance with manufacturer's instructions, may be incorporated as part of an overall storm water management system. If flocculant application is proposed, the SWPPP must list the proposed flocculants to be used, describe the method, frequency and location of introduction, and identify the location of BMPs where flocculated material will settle. [11 Miss. Admin. Code Pt. 6, R. 1]

ACT5 (continued):

Narrative Requirements:

Condition	Condition
T-13	<p>Prepare Scaled Site Map(s):</p> <p>The owner or operator shall prepare a scaled site map showing:</p> <ol style="list-style-type: none"> (1) Boundaries of property and proposed construction activities, noting any phasing of construction activities, (2) Original and proposed contours (if feasible), with steep slopes identified, (3) North arrow, (4) Drainage pattern arrows, (5) 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), (6) Location of any storm drain inlets and any receiving MS4, (7) All erosion and sediment controls (vegetative and structural), (8) Any post-construction control measures, and (9) Location of housekeeping practices. (10) Location of construction entrance, equipment maintenance and repair areas, concrete washout area, waste management area, laydown area, and material and chemical storage areas. (11) Location and size of the buffer zones. <p>If flocculant application is proposed, the location(s) of the following items shall be marked and labeled on the site map.</p> <ol style="list-style-type: none"> (1) Flocculant introduction point(s), and (2) BMPs where flocculated material will settle. <p>If the construction project is a linear construction project (see Definitions), 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, R. 1]</p>
T-14	<p>Implementation Sequence:</p> <p>The SWPPP shall outline an implementation sequence (including any phasing of construction activities), which coordinates the timing of all land-disturbing activities together with the necessary erosion and sedimentation control measures planned for the project. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

Narrative Requirements:

Condition No.	Condition
T-15	<p>Implementation of Controls:</p> <p>The SWPPP shall require the owner or operator, in disturbing an area, to implement controls as needed to prevent erosion and adverse impacts to waters of the State. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-16	<p>Maintenance and Weekly Inspections:</p> <p>The SWPPP shall describe procedures to maintain vegetation, erosion and sediment controls and other protective measures. Procedures shall provide that all controls and outfalls/discharge points are inspected after rain events that produce a discharge and at least weekly for a minimum of four inspections per month in accordance with ACT6, S-5.</p> <p>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.</p> <p>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]</p>
T-17	<p>Non-Storm Water Discharge Management:</p> <p>The SWPPP must identify all allowable sources of non-storm water discharges listed in ACT2, T-2, except for flows from actual fire-fighting activities, which are combined with storm water discharges associated with large construction activity. Non-storm water discharges should be eliminated or reduced to the extent feasible. Wash waters must be treated in a sediment basin or alternate control that provides equivalent or better treatment prior to discharge. The SWPPP must identify and ensure the implementation of appropriate Best Management Practices (BMPs) for the non-storm water component of the discharge.</p> <p>The Permit Board staff will review the above discharges on a case-by-case basis and may require the coverage recipient to apply for and obtain either an individual or an alternative general NPDES permit as provided in ACT3, S-2. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-18	<p>Final Stabilization:</p> <p>The SWPPP shall describe procedures to achieve final stabilization (See Definitions) of all disturbed areas of the project site. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

ACT5 (continued):

Narrative Requirements:

Condition No.	Condition
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T-19 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: www.mdeq.ms.gov/construction-stormwater/

The MDEQ Registration Form for Individual Residential Lots is in the Large Construction Forms Package, which is available online at: www.mdeq.ms.gov/construction-stormwater/

US EPA also lists example SWPPPs on their website at: <http://cfpub.epa.gov/npdes/stormwater/swppp.cfm#model>. [11 Miss. Admin. Code Pt. 6, R. 1]

T-20 STAFF TRAINING REQUIREMENTS

Each operator, or group of multiple operators, must assemble a “stormwater team” to carry out compliance activities associated with the requirements in this permit. Prior to the commencement of construction activities, the permittee must ensure that the following personnel on the stormwater team understand the requirements of this permit and their specific responsibilities with respect to those requirements:

- (1) Personnel who are responsible for the design, installation, maintenance, and/or repair of stormwater controls (including pollution prevention controls);
- (2) Personnel responsible for the application and storage of treatment chemicals (if applicable)
- (3) Personnel who are responsible for conducting inspections as required in ACT6, S-5; and
- (4) Personnel who are responsible for taking corrective actions as required in ACT6, S-2.

The permittee is responsible for ensuring that all activities on the site comply with the requirements of this permit. The permittee is not required to provide or document formal training for subcontractors or other outside service providers, but the permittee must ensure that such personnel understand any requirements of this permit that may be affected by the work they are subcontracted to perform.

At a minimum, members of the stormwater team must be trained to understand the following if related to the scope of their job duties (e.g., only personnel responsible for conducting inspections need to understand how to conduct inspections):

The permit deadlines associated with installation, maintenance, and removal of stormwater controls and with stabilization;

Narrative Requirements:

Condition

No. Condition

The location of all stormwater controls on the site required by this permit and how they are to be maintained;
 The proper procedures to follow with respect to the permit’s pollution prevention requirements; and
 When and how to conduct inspections, record applicable findings, and take corrective actions.

Each member of the stormwater team must have easy access to an electronic or paper copy of applicable portions of this permit, the most updated copy of the SWPPP, and other relevant documents or information that must be kept with the SWPPP.

T-21 STAFF TRAINING DOCUMENTATION

Staff Training conducted to meet the requirements of this ACT shall be documented. Training records shall include employee’s name, date of training, brief content/nature of training, and the employee’s signature acknowledging training was received. Staff training associated with this permit may be documented on the Employee Training Log that is provided on the MDEQ website at www.mdeq.ms.gov/construction-stormwater/. The permittee may use an alternative form to record this information, so long as it includes all of the information on the above referenced form. Employee training documentation shall be maintained on-site with the SWPPP and made available to MDEQ personnel for inspection upon request.

ACT6 (LCGP) Implementation and Inspection Requirements:

Submittal/Action Requirements:

Condition No.	Condition
S-1	<p data-bbox="220 521 682 548">IMPLEMENTATION REQUIREMENTS:</p> <p data-bbox="220 574 527 602">The coverage recipient shall:</p> <ol style="list-style-type: none"> <li data-bbox="220 638 1409 665">(1) Implement the site-specific SWPPP. Failure to implement the SWPPP is a violation of permit requirements. <li data-bbox="220 695 1289 722">(2) Install structural practices as described in ACT5, T-6 in accordance with the site-specific SWPPP. <li data-bbox="220 758 1969 873">(3) Retain a copy of the SWPPP at the permitted site, and, if feasible, post a copy of the NOI onsite in a location available to the public (e.g., construction entrance, trailer, or model home). A copy of the SWPPP shall be made available to state or local inspectors upon request for review at the time of an on-site inspection. 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). <li data-bbox="220 906 806 933">(4) Implement the following pre-construction activities: <ol style="list-style-type: none"> <li data-bbox="220 966 1944 1023">(A) Mark off areas of "disturbance", "no disturbance" and "sensitive areas" (e.g., delineate and clearly flag or mark off areas such as steep slopes, highly erodible soils or other sensitive areas), <li data-bbox="220 1055 894 1083">(B) Preserve native topsoil on the site to the extent feasible, and <li data-bbox="220 1115 1409 1143">(C) Limit construction stream crossings to the minimum necessary to provide access for the construction project. <li data-bbox="220 1175 1709 1203">(5) Ensure that appropriate Best Management Practices (BMPs) are in place upon commencement of construction activities (see Definitions). <li data-bbox="220 1235 1944 1323">(6) 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. [11 Miss. Admin. Code Pt. 6, R. 1]

ACT6 (continued):

Submittal/Action Requirements:

Condition	Condition
S-2	<p data-bbox="220 548 800 573">IMPLEMENTATION REQUIREMENTS (continued):</p> <p data-bbox="220 605 1980 719">(7) Amend the SWPPP whenever there is a change in design, construction, operation, or maintenance that may potentially affect the discharge of pollutants to waters of the State; or the SWPPP proves to be ineffective in controlling storm water pollutants. The amended SWPPP shall be submitted within thirty (30) days of amendment. Coverage recipients shall submit to MDEQ the Major Modification Form (see Large Construction Forms Package) for subsequent phases, expansions and modifications of subdivision development that are proposed but were not included in the original SWPPP.</p> <p data-bbox="220 751 1980 808">(8) Install needed erosion controls even if they may be located in the way of subsequent activities, such as utility installation, grading or construction. It shall not be an acceptable defense that controls were not installed because subsequent activities would require their replacement or cause their destruction.</p> <p data-bbox="220 841 1927 865">(9) Install additional and/or alternative erosion and sediment controls when existing controls prove to be ineffective in preventing sediment from leaving the site.</p> <p data-bbox="220 898 1690 922">(10) Comply with applicable State or local waste disposal, sanitary sewer or septic system regulations. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
S-3	<p data-bbox="220 963 800 987">IMPLEMENTATION REQUIREMENTS (continued):</p> <p data-bbox="220 1019 1980 1133">(11) 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 of in accordance with the approved SWPPP. Non-functioning controls shall be repaired, replaced or supplemented with functional controls within twenty-four (24) hours of discovery or as soon as field conditions allow.</p> <p data-bbox="220 1166 1864 1222">(12) 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. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
S-4	<p data-bbox="220 1255 940 1279">COMPLIANCE WITH LOCAL STORM WATER ORDINANCES:</p> <p data-bbox="220 1312 1035 1336">(1) The SWPPP shall be in compliance with all local storm water ordinances.</p> <p data-bbox="220 1369 1875 1427">(2) When storm water discharges into an MS4 (municipal separate storm sewer system), the owner or operator shall make the SWPPP available to the local authority and/or allow site access, upon request. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

ACT6 (continued):

Submittal/Action Requirements:

Condition No.	Condition
S-5	<p data-bbox="210 519 588 552">INSPECTION REQUIREMENTS:</p> <p data-bbox="210 576 1959 665">Inspection of all receiving streams (if feasible), outfalls, erosion and sediment controls and other SWPPP requirements shall be performed during permit coverage using a copy of the form provided in the Large Construction Forms Package (or equivalent form), and inspections shall be performed by qualified personnel (see Definitions):</p> <ul style="list-style-type: none"> <li data-bbox="210 698 945 730">(1) At least weekly for a minimum of four inspections per month; and <li data-bbox="210 755 1959 820">(2) As often as is necessary to ensure that appropriate erosion and sediment controls have been properly constructed and maintained and to determine if additional or alternative control measures are required. <p data-bbox="210 844 1959 909">Before conducting the site inspection, the inspector should review Chapter 4, Inspector's Checklist and Troubleshooting Chart found in MDEQ's Field Manual for Erosion and Sediment Control on Construction Sites in Mississippi.</p> <p data-bbox="210 933 1959 993">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, R. 1]</p>

ACT7 (LCGP) Limitation Requirements:

Limitation Requirements:

Condition No.	Parameter	Condition
L-1		<p>NON-NUMERIC LIMITATION REQUIREMENTS</p> <p>Storm water discharge shall be free from:</p> <ul style="list-style-type: none"> (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. 2, R. 1]

ACT8 (LCGP) Application of Flocculants:

Narrative Requirements:

Condition No.	Condition
T-1	<p>Coverage recipients may need to supplement conventional storm water management systems with flocculants to meet state water quality standards. Flocculants meeting the criteria listed in (1) and (2) below and used in accordance with manufacturer's instructions are approved by this general permit.</p> <p>Any flocculant application, which deviates from the criteria specified below, must receive written approval from MDEQ prior to being implemented. Requests for approval must be in writing and shall describe the deviation, explain the justification for the deviation and provide supporting documentation demonstrating that such deviation will achieve equivalent performance to the criteria listed below. A SDS (Safety Data Sheet) of the flocculant shall be included with the request. The request shall include the dosage of the flocculant that will be used. Such requests may be submitted with the LCNOI or under separate cover to the address listed on the LCNOI.</p> <p>(1) Polymer flocculants for treating turbidity in construction site storm water discharges must meet the following minimum criteria.</p> <p>(A) Only anionic Polyacrylamide (PAM) polymer,</p> <p>(B) Polymer shall contain less than 0.05% free acrylamide,</p> <p>(C) Polymer shall be non-toxic to fish and other aquatic organisms, and</p> <p>(D) Polymer shall be selected for site-specific soil conditions (i.e., jar test).</p> <p>(2) Systems utilizing polymer flocculants to treat turbidity from construction site storm water discharges must meet the following minimum criteria.</p> <p>(A) Polymer shall be introduced through turbulent mixing into the storm water upstream of sedimentation BMPs,</p> <p>(B) Sedimentation basin shall be constructed in accordance with the criteria specified in ACT5, T-5 (2)(A),</p> <p>(C) Polymer shall be applied in accordance with manufacturer's instructions, and</p> <p>(D) There shall be no discharge of un-dissolved polymer, clumps of polymer and/or unsettled flocculant material. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

ACT9 (LCGP) Record Keeping and Reporting Requirements:

Record-Keeping Requirements:

Condition	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. Any documents required by this permit may be kept electronically but must be readily available during site inspection or upon request. [11 Miss. Admin. Code Pt. 6, R. 1]

ACT9 (continued):

Submittal/Action Requirements:

Condition No.	Condition
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Submittal/Action Requirements:

S-1 SUSPENSION OF WEEKLY INSPECTIONS AND MONTHLY RECORD KEEPING:

Coverage recipients under this general permit may suspend weekly inspection and monthly record keeping requirements, if the coverage recipient certifies that:

- (1) Land-disturbing activities have temporarily ceased,
- (2) No further land-disturbing activities are planned for a period of at least six (6) months,
- (3) Areas that have been disturbed meet the definition of "final stabilization" (see Definitions), with no active erosion, and
- (4) Vegetative cover has been established.

Color photographs representative of the site must be submitted with the Inspection Suspension Form provided in the Large Construction Forms Package. The coverage recipient shall notify the MDEQ once construction activities are resumed and the weekly inspections shall commence immediately and as required in ACT6, S-5. The coverage recipient is still responsible for all permit conditions during the suspension period and nothing in this condition shall limit the rights of the MDEQ to take enforcement or other actions against the coverage recipient. [11 Miss. Admin. Code Pt. 6, R. 1]

S-2 The inspections described in ACT7, S-5 must be documented on copies of the Monthly Inspection Report and Certification Form provided in the Large Construction Forms Package (or equivalent form) and be kept with the SWPPP.

Submittals of the MDEQ Registration Form for residential lots are required. It is the responsibility of both the owner or developer (seller) and the new owner or operator (purchaser) to maintain a copy of the MDEQ Registration Form. The new owner or operator must maintain a copy of the MDEQ Registration Form at the site. In cases where there is no office or shelter to maintain documents onsite, the Registration Form can be kept locally available (i.e., able to be produced within an hour of being requested by state or local inspectors). [11 Miss. Admin. Code Pt. 6, R. 1]

ACT10 (LCGP) Termination of Permit Coverage:

Submittal/Action Requirements:

Condition No.	Condition
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S-1 Within thirty (30) days of final stabilization (see Definition of Final Stabilization (1)) for a covered project, a completed Request for Termination (RFT) of Coverage form (provided in the Large Construction Forms Package) and colored photographs of the stabilized site shall be submitted to the Permit Board. Upon receiving the completed RFT, the MDEQ staff may inspect the site. If no sediment and erosion control problems are identified and adequate permanent controls are established, the owner or operator will receive a termination letter. Coverage is not terminated until notified in writing by MDEQ. Failing to submit a RFT is a violation of permit conditions.

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

- (1) Final stabilization (see Definition of Final Stabilization (2)) has been achieved on all portions of the site for which the coverage recipient is responsible, and
- (2) Other owner(s) or operator(s) have assumed control (by completing a LCNOI or MDEQ Registration Form) over all areas of the site that have not achieved final stabilization.

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.

Residential lot owners or operators that have completed the MDEQ Registration Forms are not required to submit a RFT, unless specifically requested by the MDEQ staff. The lot permit coverage is considered terminated upon "successful completion of all permanent erosion and sediment controls" (see Definitions).

Beginning December 21, 2025, the RFT must be submitted electronically as required by 40 CFR 127.16. [11 Miss. Admin. Code Pt. 6, R. 1]

ACT11 (LCGP) Standard Requirements Applicable To All Water Permits:

Narrative Requirements:

Condition No.	Condition
T-1	<p>DUTY TO COMPLY:</p> <p>The coverage recipient must comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for coverage termination, revocation and reissuance, or modifications; or denial of a renewal application. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-2	<p>DUTY TO MITIGATE:</p> <p>The owner or operator shall take all reasonable steps to minimize or prevent any discharge in violation of this permit, which is likely to adversely affect human health or the environment. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-3	<p>DUTY TO PROVIDE INFORMATION:</p> <p>The owner or operator shall furnish to the Permit Board, within a reasonable time, any information that the Permit Board may request to determine compliance with this permit. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-4	<p>PROPERTY RIGHTS:</p> <p>The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-5	<p>SEVERABILITY:</p> <p>The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstances, is challenged or held invalid, the validity of the remaining permit provisions and/or portions thereof or their application to other persons or sets of circumstances, shall not be affected thereby. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-6	<p>OIL AND HAZARDOUS SUBSTANCE LIABILITY:</p> <p>Nothing in this permit shall relieve the owner or operator from responsibilities, liabilities, or penalties under Section 311 of the CWA (33 U.S.C. Section 1321). [11 Miss. Admin. Code Pt. 6, R. 1]</p>

ACT11 (continued):

Narrative Requirements:

Condition No.	Condition
T-7	<p data-bbox="220 516 590 542">SIGNATORY REQUIREMENTS:</p> <p data-bbox="220 573 934 599">All LCNOIs and requests for recoverage shall be signed as follows:</p> <p data-bbox="220 634 1388 660">(1) For a corporation by a responsible corporate officer. For this permit, a responsible corporate officer means:</p> <p data-bbox="220 696 1965 751">(A) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or</p> <p data-bbox="220 787 1965 930">(B) The manager of one or more manufacturing, production or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;</p> <p data-bbox="220 966 1965 1083">Note: MDEQ does not require specific assignments or delegations of authority to responsible corporate officers identified in paragraph (1)(A) above. The Department will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Permit Board to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under paragraph (1)(B) above rather than to specific individuals.</p> <p data-bbox="220 1118 1245 1144">(2) For a partnership or sole proprietorship by a general partner or the proprietor, respectively; or</p> <p data-bbox="220 1180 1965 1235">(3) For a municipal, State, Federal, or other public agency by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:</p> <p data-bbox="220 1271 737 1297">(A) The chief executive officer of the agency, or</p> <p data-bbox="220 1333 1892 1359">(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, R. 1]</p>

ACT11 (continued):

Narrative Requirements:

Condition No.	Condition
T-8	<p>DULY AUTHORIZED REPRESENTATIVE:</p> <p>All SWPPPs, reports required by this permit, certifications and other information requested by the Permit Board shall be signed by a person described in T-7 above, or by a duly authorized representative of that person. A person is a duly authorized representative when:</p> <p>(1) The authorization is made in writing and submitted to the Permit Board by a person described in T-7 above.</p> <p>(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated activity, such as: manager, operator of a well or well field, superintendent, person of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may be either a specified individual or position). [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-9	<p>CHANGES TO AUTHORIZATION:</p> <p>If an authorization is no longer accurate because a different individual or position has permit responsibility, a new authorization satisfying the requirements of T-7 and T-8 above, 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, R. 1]</p>
T-10	<p>CERTIFICATION:</p> <p>Any person signing documents under this section shall make the following certification:</p> <p>"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." [11 Miss. Admin. Code Pt. 6, R. 1]</p>

ACT11 (continued):

Narrative Requirements:

Condition No.	Condition
T-11	<p>PROPER OPERATION AND MAINTENANCE:</p> <p>The coverage recipient shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the coverage recipient to achieve compliance with the conditions of this permit including the Storm Water Pollution Prevention Plan. Proper operation and maintenance includes adequate laboratory controls with appropriate quality assurance procedures and requires the operation of backup or auxiliary facilities when necessary to achieve compliance with permit conditions. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-12	<p>MONITORING AND RECORDS:</p> <p>(1) Monitoring. Samples and measurements shall be representative of the monitored activity and must be conducted according to test procedures approved under 40 CFR Part 136.</p> <p>(2) Retention of Records. The owner or operator shall retain records of all required monitoring information for a period of at least three years from the date of the measurement, report, or application. This information includes all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the Notice of Intent to be covered by this permit. This period may be extended by request of the Permit Board or its designee. Any documents required by this permit may be kept electronically but must be readily available during site inspection or upon request.</p> <p>(3) Record Contents. Records of monitoring information shall include:</p> <ul style="list-style-type: none"> (A) The date, exact location, and time of sampling or measurements, (B) The initials or names of the individuals who performed the sampling or measurements, (C) The date(s) and time(s) analyses were performed, (D) The initials or names of the individuals who performed the analyses, (E) References and written procedures, when available, for the analytical techniques or methods used, and (F) The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results. [11 Miss. Admin. Code Pt. 6, R. 1]

ACT11 (continued):

Narrative Requirements:

Condition No.	Condition
T-13	<p>BYPASS PROHIBITION:</p> <p>Bypass (see 40 CFR 122.41(m)) is prohibited and enforcement action may be taken against an coverage recipient for a bypass, unless: a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime (this condition is not satisfied if the coverage recipient should, in the exercise of reasonable engineering judgment, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance); and c) The owner or operator submitted notices per T-17 of this ACT. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-14	<p>UPSET CONDITIONS:</p> <p>An upset (see 40 CFR 122.41(n)) constitutes an affirmative defense to an action brought for noncompliance with technology-based permit limitations if a coverage recipient shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that:</p> <ol style="list-style-type: none"> (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 of the upset being properly operated, (3) The coverage recipient submitted notices per T-17 of this ACT, and (4) The coverage recipient took remedial measures as required under T-2 of this ACT. In any enforcement proceeding, the coverage recipient has the burden of proof that an upset occurred. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance is initiated, will be considered a final administrative action subject to judicial review. [11 Miss. Admin. Code Pt. 6, R. 1]

ACT11 (continued):

Narrative Requirements:

Condition No.	Condition
T-15	<p data-bbox="220 516 541 545">INSPECTION AND ENTRY:</p> <p data-bbox="220 574 1955 633">The coverage recipient shall allow the Permit Board staff or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:</p> <ol data-bbox="220 662 1955 932" style="list-style-type: none"> <li data-bbox="220 662 1955 691">(1) Enter upon the owner or operator's premises where a regulated activity is located or conducted or where records must be kept under the conditions of this permit; <li data-bbox="220 721 1419 750">(2) Have access to and copy at reasonable times any records that must be kept under the conditions of this permit; <li data-bbox="220 779 1955 837">(3) Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and <li data-bbox="220 867 1955 932">(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, R. 1]
T-16	<p data-bbox="220 961 445 990">PERMIT ACTIONS:</p> <p data-bbox="220 1019 1955 1102">This permit may be modified, revoked and reissued, or terminated for cause. A request by the coverage recipient for permit or coverage modification, revocation and reissuance, or termination, or a certification of planned changes or anticipated noncompliance does not stay any permit condition. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

ACT11 (continued):

Narrative Requirements:

Condition No.	Condition
T-17	<p>NONCOMPLIANCE REPORTING:</p> <p>(1) Anticipated Noncompliance. The coverage recipient shall give at least ten (10) days advance notice, if possible, before any planned noncompliance with permit requirements. Giving notice of planned or anticipated noncompliance does not immunize the coverage recipient from enforcement action for that noncompliance.</p> <p>(2) Unanticipated Noncompliance. The coverage recipient shall notify the MDEQ orally within twenty-four (24) hours from the time he or she becomes aware of unanticipated noncompliance, which may endanger health or the environment. A written report shall be provided to the MDEQ within five (5) working days of the time he or she becomes aware of the circumstances leading to the unanticipated noncompliance. The report shall describe the cause, the exact dates and times, steps taken or planned to reduce, eliminate, or prevent reoccurrence and, if the noncompliance has not ceased, the anticipated time for correction. MDEQ may waive the written report on a case-by-case basis, if the oral report is received within 24 hours. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-18	<p>REOPENER CLAUSE:</p> <p>If there is evidence indicating potential or realized impacts on water quality due to large construction activities covered by this permit, the coverage recipient may be required to obtain individual permit or an alternative general permit in accordance with ACT3, S-2 or the permit may be modified to include different limitations and/or requirements. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-19	<p>PERMIT MODIFICATION:</p> <p>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, R. 1]</p>
T-20	<p>TRANSFERS:</p> <p>Coverage under this permit is not transferable to any person except after notice to and approval by the Permit Board. The Permit Board may require the coverage recipient to obtain another NPDES permit as stated in ACT3, S-2. Transfer of coverage requests shall be submitted to the Permit Board using the form provided in the Large Construction Forms Package. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

ACT11 (continued):

Narrative Requirements:

Condition No.	Condition
T-21	<p>CONTINUATION OF EXPIRED GENERAL PERMIT:</p> <p>If this permit is not reissued prior to the expiration date, it will be administratively continued and remain in force and effect. Permit coverage will remain until the earliest of:</p> <ul style="list-style-type: none"> (1) Recoverage under the reissued general permit; (2) Submittal of a Request for Termination and receipt of written concurrence; (3) Issuance of an individual permit for the project's discharge; or (4) A formal permit decision by the Permit Board to not reissue the general permit, at which time the coverage recipient must seek coverage under an alternative general permit or an individual permit. [11 Miss. Admin. Code Pt. 6, R. 1]
T-22	<p>FALSIFYING REPORTS:</p> <p>Any coverage recipient who falsifies any written report required by or in response to a permit condition shall be deemed to have violated a permit condition and shall be subject to the penalties provided for a violation of a permit condition pursuant to Section 49-17-43 of the Mississippi Water Pollution Control Law (Mississippi Code Ann. Sections 49-17-1 et seq.). [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-23	<p>CIVIL AND CRIMINAL LIABILITY:</p> <ul style="list-style-type: none"> (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, R. 1]

ACT12 (LCGP) Definitions:

Narrative Requirements:

Condition No.	Condition
T-1	BEST MANAGEMENT PRACTICES (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. [11 Miss. Admin. Code Pt. 6, R. 1]
T-2	BUFFER ZONE, as used in this permit, means a strip of dense undisturbed perennial vegetation, either original or reestablished, that borders perennial streams and rivers, ponds and lakes and wetlands. Buffer zones are established for the purposes of slowing water runoff, enhancing water infiltration, and minimizing the risk of any potential nutrients or pollutants from leaving the upland area and reaching surface waters. Buffer zones are most effective when storm water runoff is flowing into and through the buffer zone as shallow sheet flow, rather than in concentrated form such as in channels, gullies, or wet weather conveyances. Therefore, it is critical that the design of any development include management practices, to the maximum extent practical, that will result in storm water runoff flowing into and through the buffer zone as shallow sheet flow. [11 Miss. Admin. Code Pt. 6, R. 1]
T-3	CFR means the Code of Federal Regulations. [11 Miss. Admin. Code Pt. 6, R. 1]
T-4	CLEAN WATER ACT (CWA) refers to the Federal Water Pollution Control Act, 33 U.S.C. section 1251 et seq. [11 Miss. Admin. Code Pt. 6, R. 1]
T-5	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, R. 1]
T-6	COMMISSION means the Mississippi Commission on Environmental Quality. [11 Miss. Admin. Code Pt. 6, R. 1]
T-7	COMPACTION means the process by which the soil grains are rearranged to decrease void space and bring the grains into closer contact with one another and thereby increase the weight of solid material per cubic foot. [11 Miss. Admin. Code Pt. 6, R. 1]
T-8	CONSTRUCTION ACTIVITY as used in this permit, includes construction activity as defined in 40 CFR part 122.26(b)(14)(x). This includes a disturbance to the land that results in the change in topography, existing soil cover (both vegetative and non-vegetative), or the existing topography that may result in accelerated storm water runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. Examples of construction activity may include clearing, grading, 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, R. 1]
T-9	CONSTRUCTION SUPPORT ACTIVITY a construction-related activity that specifically supports the construction activity and involves earth disturbance or pollutant-generating activities of its own, and can include activities associated with concrete or asphalt batch plants, equipment staging yards, materials storage areas, excavated material disposal areas, and borrow areas. [11 Miss. Admin. Code Pt. 6, R. 1]

ACT12 (LCGP) Definitions:**Narrative Requirements:**

Condition No.	Condition
T-10	CONTROL MEASURE as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the United States. [11 Miss. Admin. Code Pt. 6, R. 1]
T-11	DAILY DISCHARGE means the "discharge of a pollutant" measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily average" is calculated as the average measurement of the discharge of the pollutant over the day. [11 Miss. Admin. Code Pt. 6, R. 1]
T-12	DEWATERING means the act of draining rainwater and/or ground water from building foundations, vaults, and trenches. [11 Miss. Admin. Code Pt. 6, R. 1]
T-13	DROUGHT-STRICKEN AREA means for the purposes of this permit an area in which the National Oceanic and Atmospheric Administration's U.S. Seasonal Drought Outlook indicates for the period during which the construction will occur that any of the following conditions are likely: (1) "Drought to persist or intensify", (2) "Drought ongoing, some improvement", (3) "Drought likely to improve, impacts ease", or (4) "Drought development likely". See http://www.cpc.ncep.noaa.gov/products/expert_assessment/season_drought.gif . [11 Miss. Admin. Code Pt. 6, R. 1]
T-14	EXECUTIVE DIRECTOR means the Executive Director of the Department of Environmental Quality. [11 Miss. Admin. Code Pt. 6, R. 1]
T-15	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, R. 1]
T-16	<p>FINAL STABILIZATION means that either:</p> <p>(1) All soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of at least 70% for the area has been established or equivalent measures (e.g., concrete or asphalt paving, rip rap, etc.) have been employed; or</p> <p>(2) For individual lots part of a larger common plan of development or sale in residential or commercial developments, that either:</p> <p>(A) The coverage recipient has completed final stabilization as specified in (1) above, or</p> <p>(B) The coverage recipient has established temporary stabilization before another property owner assumes operational control for the property AND the coverage recipient for the larger common plan of development has provided the appropriate Notice of Intent or Registration form, the appropriate Construction General Permit, and guidance documents to the new property owner and the new owner assumes control by completing the appropriate NOI or Registration Form.</p>

ACT12 (continued):

Narrative Requirements:

Condition No.	Condition
	In arid, semiarid, and drought-stricken areas where initiating vegetative stabilization measures immediately is infeasible, alternative stabilization measures must be employed if specified by the permitting authority. [11 Miss. Admin. Code Pt. 6, R. 1]
T-17	INFEASIBLE means not technologically possible, or not economically practicable and achievable in light of best industry practices. [11 Miss. Admin. Code Pt. 6, R. 1]
T-18	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. [11 Miss. Admin. Code Pt. 6, R. 1]
T-19	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, R. 1]
T-20	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-21	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). [11 Miss. Admin. Code Pt. 6, R. 1]
T-22	NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) means the regulations under the Clean Water Act that prohibits discharge of pollutants into waters of the United States unless a special permit is issued. [11 Miss. Admin. Code Pt. 6, R. 1]
T-23	NOI is an acronym for "Notice of Intent" to be covered by this permit and is the mechanism used to apply for coverage under a general permit. [11 Miss. Admin. Code Pt. 6, R. 1]
T-24	NORMAL WORKING HOURS, for the purpose of this permit, means the hours that personnel are typically working at the project site (e.g., daylight hours, Monday through Friday, except recognized holidays). [11 Miss. Admin. Code Pt. 6, R. 1]

ACT12 (continued):

Narrative Requirements:

Condition No.	Condition
T-25	<p>OWNER or OPERATOR for the purpose of this permit and in the context of storm water associated with construction activity, means any party associated with a construction project that meets either of the following two criteria:</p> <p>(1) The party has operational control over construction plans, specifications, and installation of BMPs including the ability to make modifications to those plans and specifications; or</p> <p>(2) The party has day to day operational control of those activities at a project which are necessary to ensure compliance with a storm water pollution prevention plan for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with other permit conditions). This definition is provided to inform coverage recipients of MDEQ's interpretation of how the regulatory definitions of "owner or operator" and "facility or activity" are applied to discharges of storm water associated with construction activity. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-26	<p>PERMIT BOARD means the Mississippi Environmental Quality Permit Board established pursuant to Miss. Code Ann. 49-17-28. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-27	<p>POLLUTANT is defined at 40 CFR 122.2. A partial listing from this definition includes: dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, sediment, silt, cellar dirt, and industrial or municipal waste. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-28	<p>POLYMER FLOCCULANT, for the purpose of this permit, is a chemical that when added to storm water containing small suspended particles (e.g., fine silts and clays) causes the particles to stick together and fall out of suspension, reducing the overall turbidity of the storm water discharge. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-29	<p>QUALIFIED PERSONNEL means a person knowledgeable in the principles and practice of erosion and sediment controls who possesses the skills to assess conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges from the construction activity. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-30	<p>STATE LAW means The Mississippi Air and Water Pollution Control Law, specifically, Miss. Code Ann 49-17-1 through 49-17-43, and any subsequent amendments. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-31	<p>STEEP SLOPES, as used in this permit, means slopes or grades steeper than (3:1). [11 Miss. Admin. Code Pt. 6, R. 1]</p>

ACT12 (continued):

Narrative Requirements:

Condition No.	Condition
T-32	STORM WATER means rainfall runoff, snowmelt runoff, and surface runoff. [11 Miss. Admin. Code Pt. 6, R. 1]
T-33	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. [11 Miss. Admin. Code Pt. 6, R. 1]
T-34	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, R. 1]
T-35	SUBMITTED means the document is postmarked on or before the applicable deadline, except as otherwise specified. [11 Miss. Admin. Code Pt. 6, R. 1]
T-36	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, R. 1]
T-37	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-38	TOPSOIL means the top layer of undisturbed soil, consisting of a high percentage of organic matter, which is conducive to plant growth. [11 Miss. Admin. Code Pt. 6, R. 1]
T-39	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. [11 Miss. Admin. Code Pt. 6, R. 1]
T-40	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. [11 Miss. Admin. Code Pt. 6, R. 1]
T-41	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

ACT12 (continued):

Narrative Requirements:

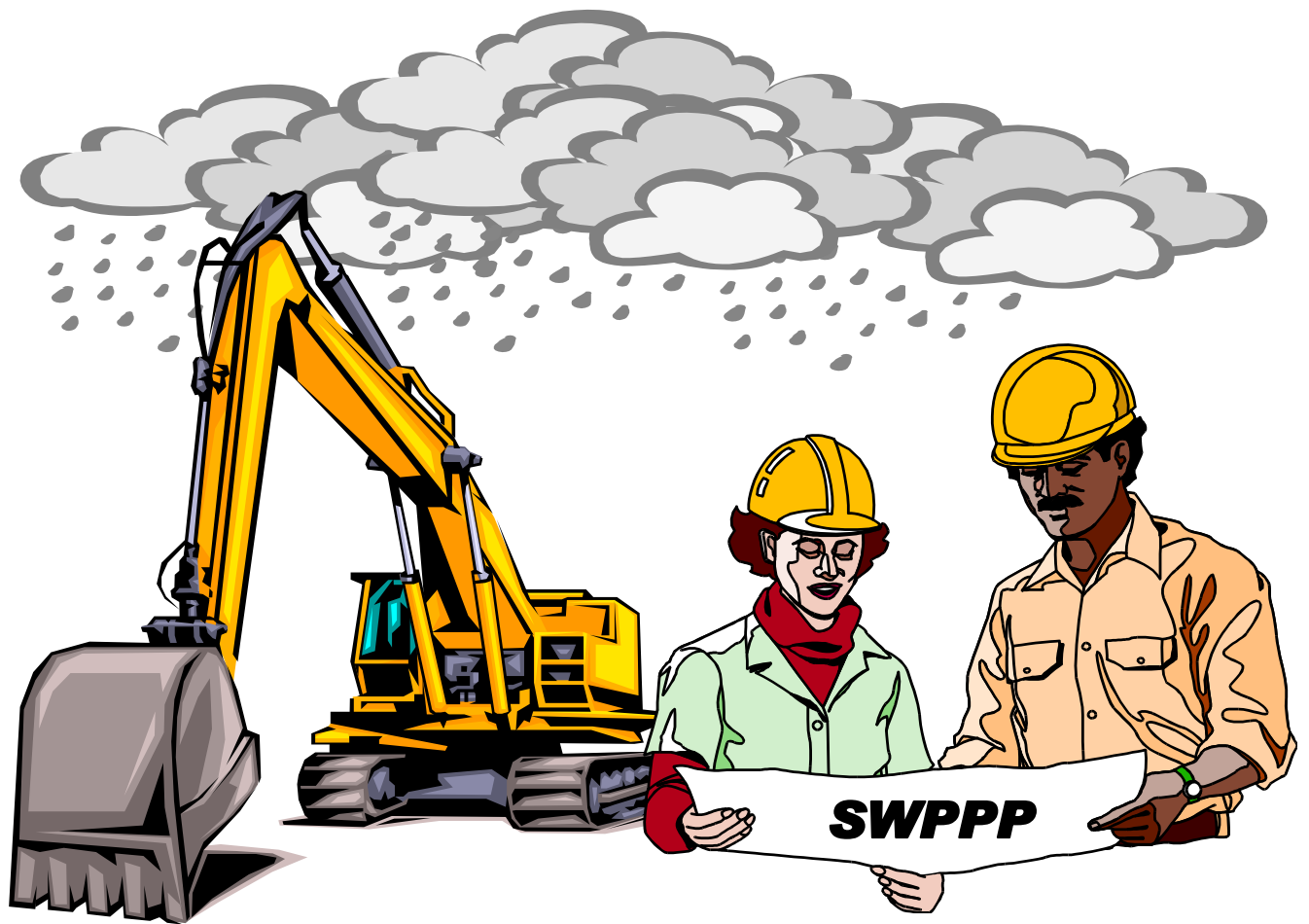
Condition	Condition
No.	designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. [11 Miss. Admin. Code Pt. 6, R. 1]
T-42	WATERS OF THE STATE means all waters within the jurisdiction of this State, including all streams, lakes, 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.). [11 Miss. Admin. Code Pt. 6, R. 1]
T-43	11 Miss. Admin. Code Pt. 6, R.1 means the State of Mississippi's Wastewater Regulations for National Pollutant Discharge Elimination System (NPDES) Permits, Underground Injection Control (UIC) Permits, State Permits, Water Quality Based Effluent Limitations and Water Quality Certifications. [11 Miss. Admin. Code Pt. 6, R. 1]

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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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 ft² 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 ft² to acres (*square footage is obtained by multiplying the length of the disturbed area by the width of the disturbed area*)

Divide 54,450 ft² by 43,560 ft² per acre:

54,450 ft² ÷ 43,560 ft²/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

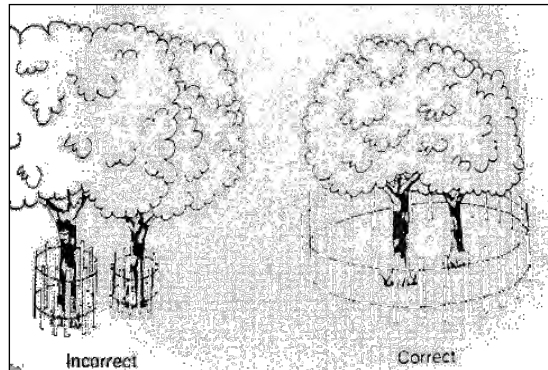
CHOOSE CONTROLS

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.

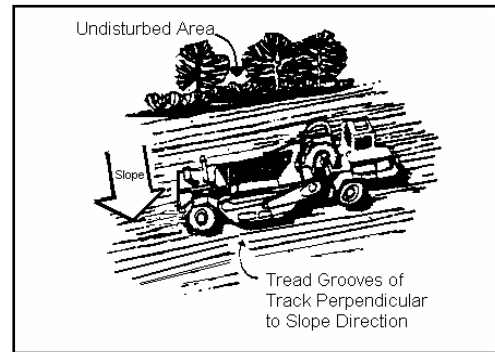
- **Vegetative buffer zones** are undisturbed or planted vegetated areas that surround a development, land disturbance activity or that border an intermittent stream or permanent water body. Buffer zones aid in sediment filtration and removal. If possible, construction site runoff should be spread out 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.

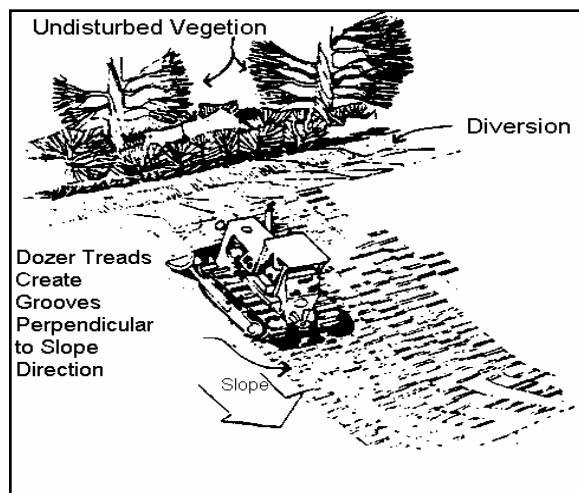


- **Tillage, with lime and fertilizer**, may be important before seeding. The Cooperative Extension Service local agent can analyze soil for lime and fertilizer needs.
- **Temporary seeding** is the planting of fast-growing annual grasses to hold the soil in areas that will not be disturbed again for 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 ESTABLISHMENT	ZONE OF ADAPTABILITY	NATIVE/INTRODUCED
Common Bermuda	15 lbs. alone 10 lbs. mixture	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. mixture	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. mixture	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.

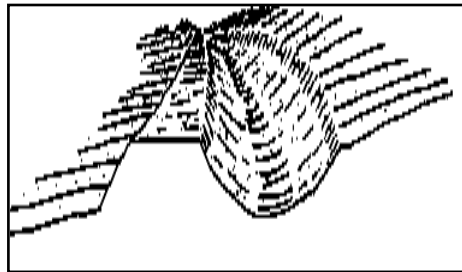
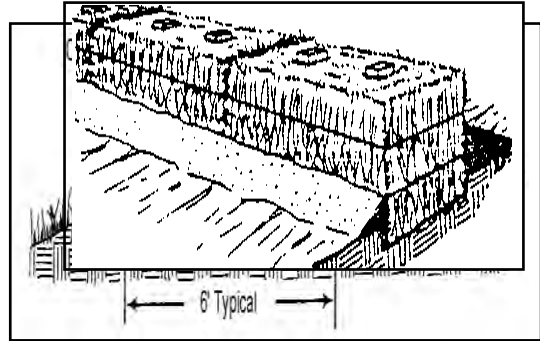
North-north of Hwy. 82

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.

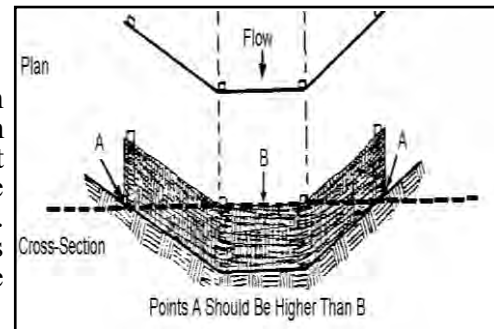
- **Diversion** ridges or channels of stabilized soil can divert off-site runoff from disturbed areas or sediment-laden runoff into sediment basins. If diversions will remain in place more than 30 days they should be covered with temporary or permanent vegetation. Diversions must have enough grade to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



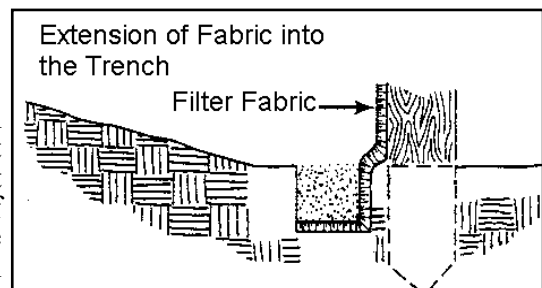
to cause erosion within the channel. Allow sufficient room around diversions to accommodate machine regrading, if needed. The maximum allowable drainage area is five acres.

- **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.

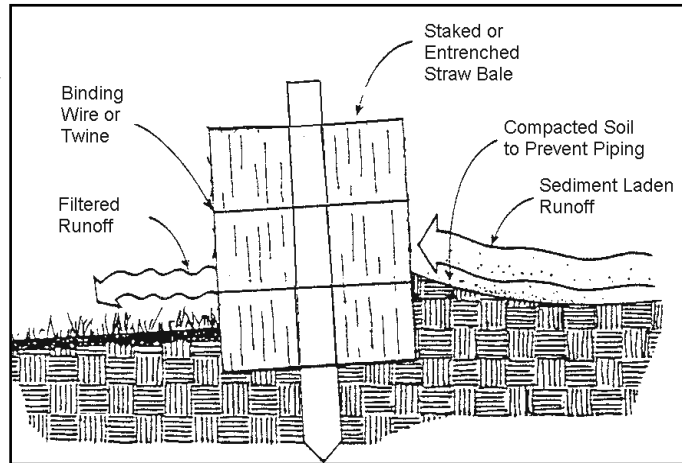


- **Straw bale barriers** are also used on small disturbed areas to capture sediment from sheet flow. The drainage area must be restricted to 1/8 acre per 100 feet of barrier. Maximum gradient behind the barrier is three horizontal to one vertical (3:1). The barrier must be located so that

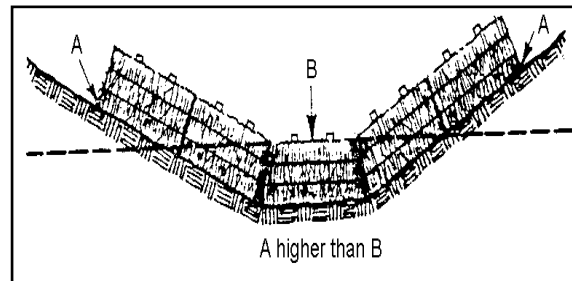


the water depth does not exceed one foot at any point. Straw bales, with bindings oriented around the sides, shall be entrenched a minimum of four inches and anchored with two stakes driven toward the previously laid bale. **Straw bales that are not buried are improperly installed, have no useful function,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

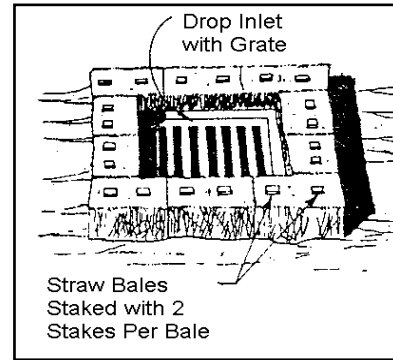
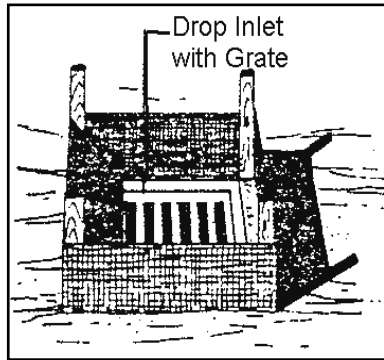
- Bales should be placed so that the ends are tightly abutting each other. Bales should be staked down using 1" x 2" wood stakes or rebar. Use two (2) stakes per bale and angle the first stake towards the previously laid bale. Stakes should be long enough to go through the bale and into the ground a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



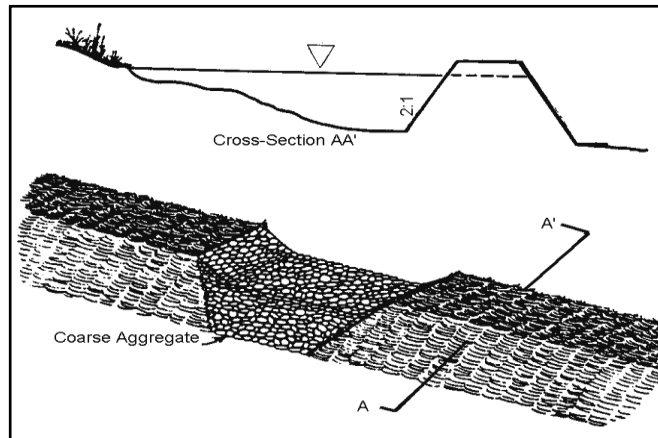
- Gaps between bales shall be wedged with straw. Loose straw scattered immediately uphill increases barrier efficiency. **Under no circumstances should straw bale barriers be constructed in live streams.** For minor dry swales, the end bale bottoms shall be higher than the middle bale top to assure runoff 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 less than one (1) acre 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 yd³ 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

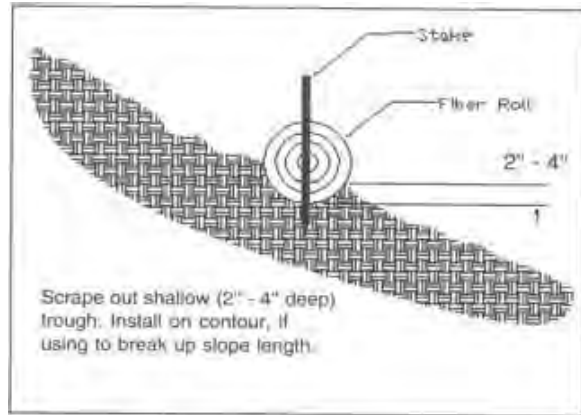


approximation of 40% x height x surface area. Sediment should be removed when the volume has been reduced to 67yd³ per acre drainage area. The length should be twice the width, with maximum surface area and outlet as far from the inlet as possible. If using a dike, it must be well compacted and vegetated, 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.

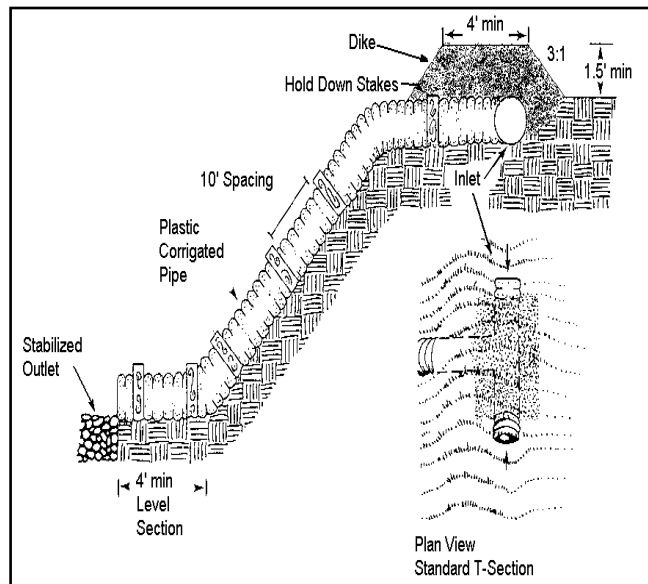
- **Fiber logs (also known as wattles)** are rolls made of straw or coconut fiber placed inside plastic netting. Wattles can be good for reducing slope length on steep slopes, for very low gradient sites that are small, or for preventing sediment from leaving small stockpiles. A shallow depression is 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.

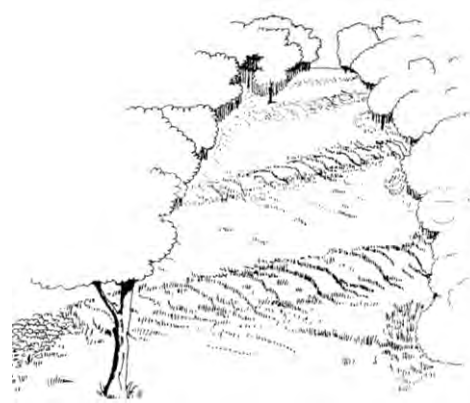
SIZE OF SLOPE DRAIN
Maximum Drainage
Piping Diameter

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

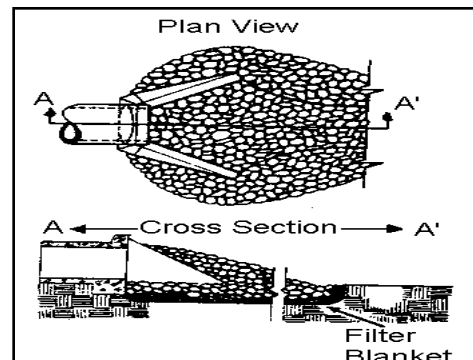


- **Slope breaks**, diversions or benches, are used to reduce the slope length of a cut or fill to minimize rill erosion and prevent gulying. Drainage area should be less than one (1) acre.

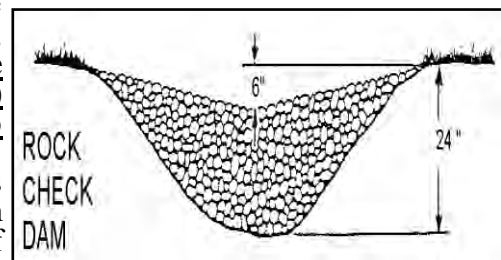
Slope Breaks	
Slopes	Spacing (ft)
Steep Slopes	
2:1	20
3:1	35
4:1	45
Gradual Slopes	
15 - 25%	50
10 - 15%	80
6 - 10%	125
3 - 6%	200
<3%	300



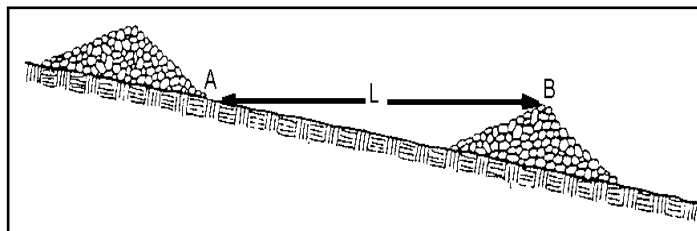
- **Riprap outlet protection** is placed at the outlet end of culverts or channels to reduce the depth, velocity and energy of water so that the flow will not erode the receiving downstream reach.



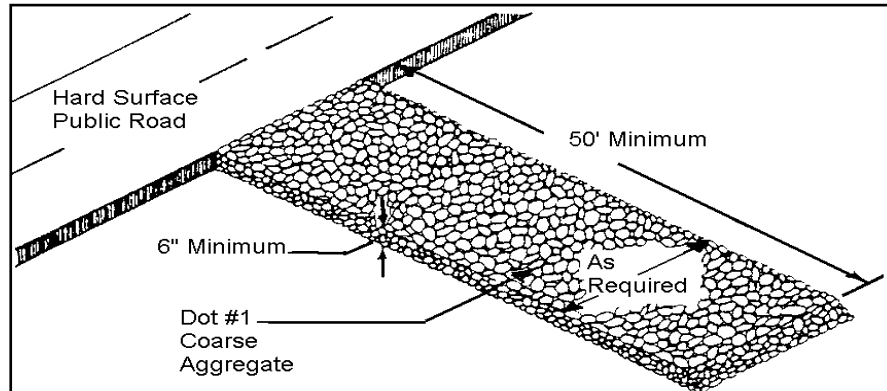
- **Check dams** are small dams constructed across swales or drainage ditches to reduce flow velocity and erosion. The purpose of a check dam is to prevent erosion of the swale or drainage ditch. They are not used in streams. Check dams can be constructed of stone, straw bales, or logs, with a maximum 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.**



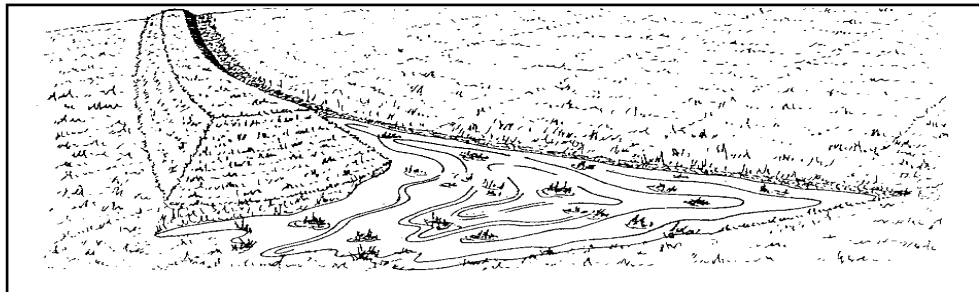
The maximum spacing between dams should be such that the toe of the upstream dam is at the same elevation as the top of the downstream dam. Sediment will accumulate and should be removed from behind the check dams when it reaches one half the dam height. Erosion around dam edges should be corrected immediately, 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.

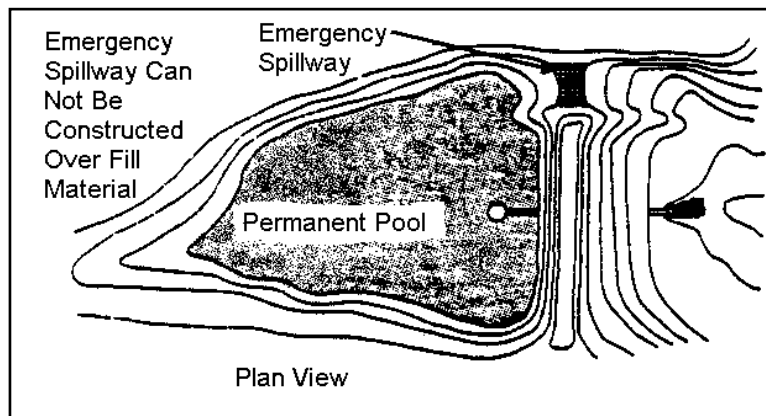
4. **Housekeeping Practices.** Pollutants that may enter storm water from construction sites because of poor housekeeping may include, but are not limited to oils, grease, paints, gasoline, solvents, litter, debris, and sanitary waste.

The SWPPP should:

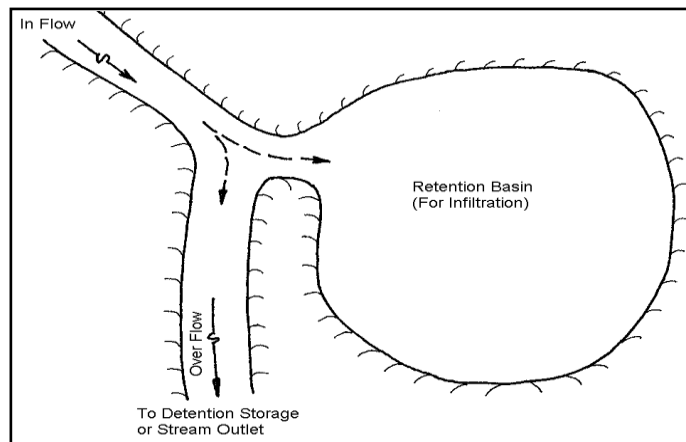
- designate areas for equipment maintenance and repair;
- designate areas for equipment wash off (i.e., concrete chute wash off);
- provide waste receptacles at convenient locations and provide regular collection of waste;
- provide adequately maintained sanitary facilities;
- provide protected storage 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 before other site work. Build sediment basins before 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 after 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.

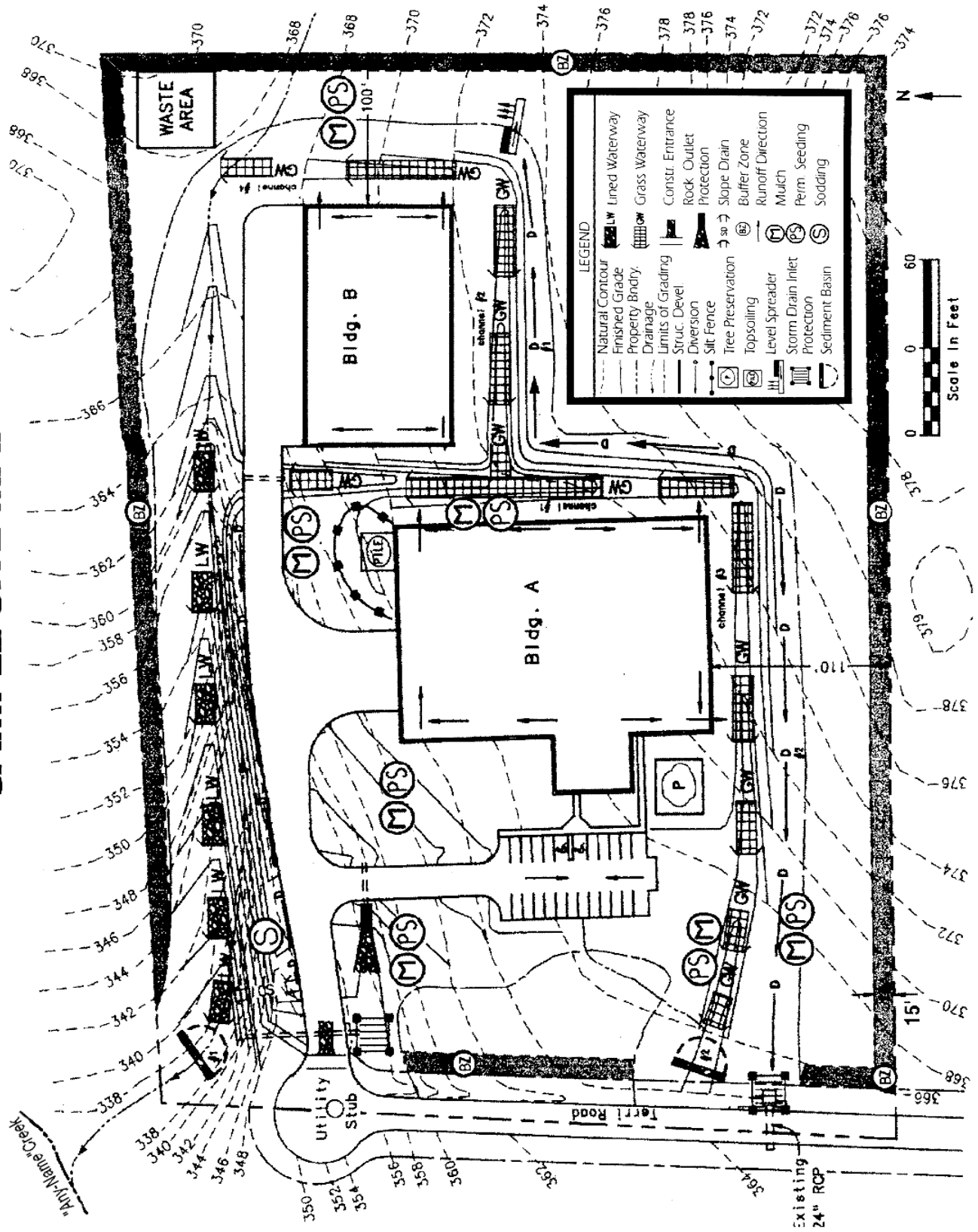
Implementation Sequence

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.

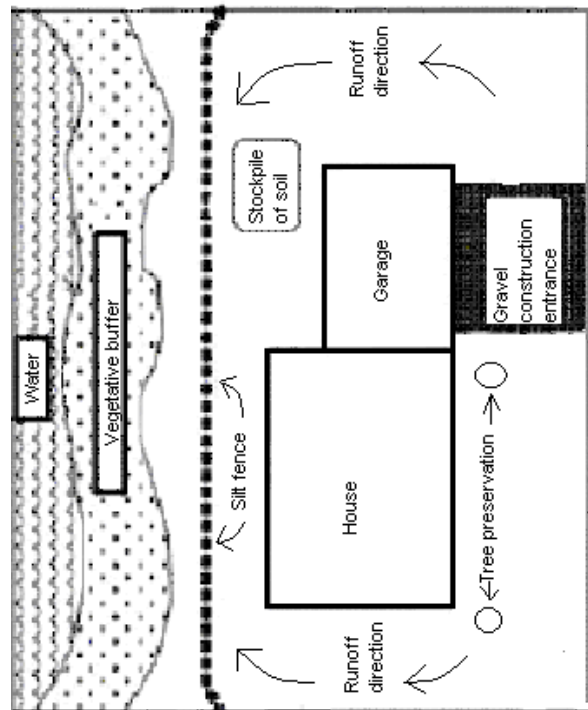
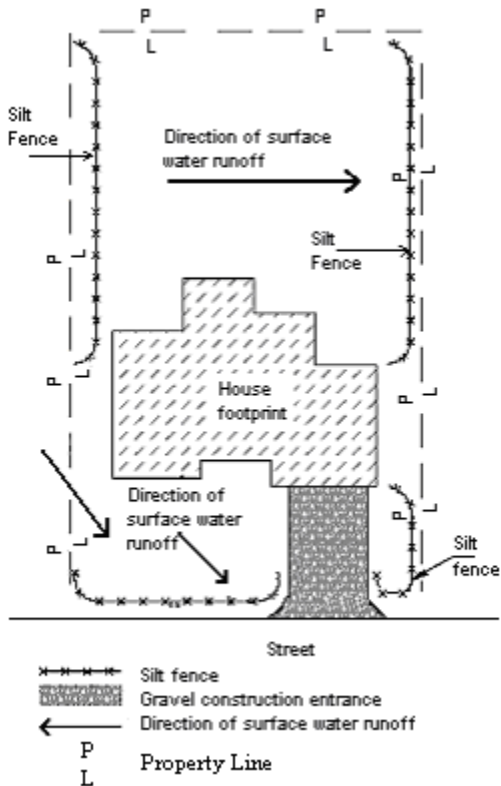
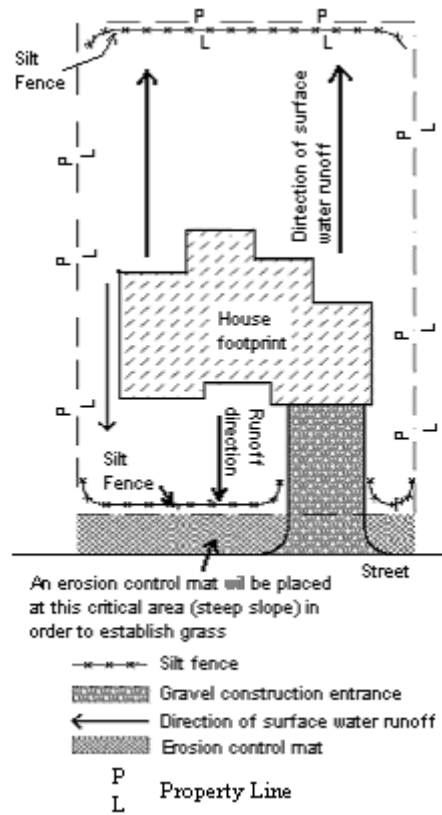
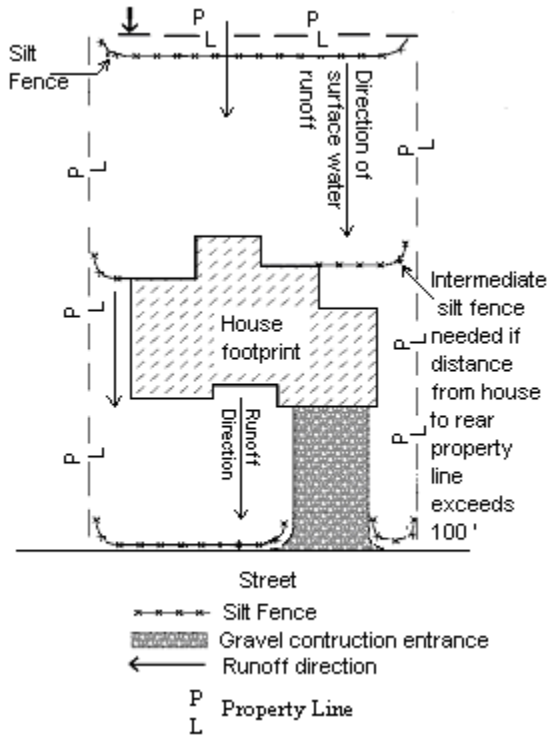
Housekeeping Controls

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



All disturbed areas will be temporarily seeded with ryegrass. After final grade has been reached, all disturbed areas will be sodded with bermuda grass.

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

- | | |
|---|---|
| <input type="checkbox"/> Check Dam | <input type="checkbox"/> Construction Entrance/Exit |
| <input type="checkbox"/> Diversion | <input type="checkbox"/> Storm Drain Inlet Protection |
| <input type="checkbox"/> Level Spreader | <input type="checkbox"/> Lined Waterway |
| <input type="checkbox"/> Slope Drains | <input type="checkbox"/> Rip-Rap Outlet Protection |
| <input type="checkbox"/> Sediment Basin | <input type="checkbox"/> Silt Fence |
| <input type="checkbox"/> Slope Breaks | <input type="checkbox"/> Straw Bale Barrier |
| <input type="checkbox"/> Other Controls _____ | |

VEGETATIVE PRACTICES

- | | |
|---|--|
| <input type="checkbox"/> Mulching | <input type="checkbox"/> Permanent Seeding |
| <input type="checkbox"/> Protection of Trees | <input type="checkbox"/> Surface Roughening |
| <input type="checkbox"/> Sod Stabilization | <input type="checkbox"/> Temporary Seeding |
| <input type="checkbox"/> Tree Preservation | <input type="checkbox"/> Tillage, with Lime and Fertilizer |
| <input type="checkbox"/> Vegetative Buffer Strips | |
| <input type="checkbox"/> Other Controls _____ | |

CONTROLS FOR INDIVIDUAL LOTS IN SUBDIVISIONS

- | | |
|--|--|
| <input type="checkbox"/> Subdivision Covenants | <input type="checkbox"/> Lot Purchase Contract |
| <input type="checkbox"/> Local Ordinance | <input type="checkbox"/> Architectural Review Requirements |
| <input type="checkbox"/> Other Controls _____ | |

HOUSEKEEPING PRACTICES

- Areas for maintenance and repair
- Storage for toxic materials
- Concrete Washout Areas
- Other Controls _____
- Waste receptacles
- Sanitary facilities

POST CONSTRUCTION CONTROL MEASURES

- Detention Basin
- Wetlands
- Vegetated Swales and Natural Depressions
- Other Controls _____
- Retention Pond
- Velocity Dissipation Devices

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 permit is 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.

APPENDIX E: Employee Training Log