

STATE OF MISSISSIPPI SOLID WASTE MANAGEMENT PERMIT

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

THIS CERTIFIES THAT

Phillips Bark Processing Company, Inc.

has been granted permission to operate a solid waste management facility

located at

428 County Farm Lane NE

Brookhaven, MS 39601

in Section 21, Township 7 North, Range 8 East

of Lincoln County

under the name of

Phillips Bark Processing Facility

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

MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD

DRAFT

AUTHORIZED SIGNATURE

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

Issued:

Permit No. SW0430050465

Expires:

CONDITIONS

A. EFFECT OF PERMIT

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

B. PERMIT ACTIONS

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

C. SEVERABILITY

The provisions of the permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

D. DUTIES AND REQUIREMENTS

1. Duty to Comply. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Mississippi Code Annotated and regulations promulgated thereunder and is grounds for enforcement action, permit termination, revocation, reissuance, or modification, or for denial of a permit renewal application.
2. Duty to Reapply. If the permittee wishes to continue an activity allowed by this permit after the expiration date of this permit, the permittee must submit a complete application for a new permit at least 180 days before this permit expires.
3. Duty to Mitigate. The permittee shall take all reasonable steps to minimize, prevent, or correct any adverse impact on human health or the environment resulting from noncompliance with this permit.

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

The issuance of this permit does not convey any property rights or interest in either real or personal property; nor does it authorize any injury to private property, invasion of personal rights, or impairment of previous contract rights; nor any infringement of federal, state, or local laws or regulations outside the scope of authority under which this permit is issued.
8. Anticipated Noncompliance. The permittee shall give written notice to the Department at least thirty (30) days in advance of any planned changes in the permitted facility or activity which may result in noncompliance with the requirements of this permit or the Mississippi Nonhazardous Solid Waste Management Regulations.
9. Modification of Permits. Any proposed modification to the approved application

or plan of operations resulting in an expansion of the facility or a significant change in the method of waste management must be approved by the Mississippi Environmental Quality Permit Board or the Board's Designee prior to implementation. Other proposed modification to the approved facility design or operations must be approved by the Department prior to implementation.

10. Transfer of Permits. This permit is not transferable to any person except after notice to and approval of the Mississippi Environmental Quality Permit Board or the Board's Designee. The Permit Board may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary.
11. Disclosure. The permittee shall ensure that an application for the reissuance or modification of this permit includes an updated disclosure statement. If all information from the previously submitted disclosure statement is unchanged, a letter stating such may be submitted in lieu of an updated disclosure statement.
12. Signature Requirements. The permittee shall ensure that an application for the reissuance, modification or transfer of this permit and all reports required by this permit or by state regulations shall be signed in accordance with Rule 1.2.G of the Mississippi Nonhazardous Solid Waste Management Regulations.

E. SITE SPECIFIC OPERATING CONDITIONS

1. The permittee shall ensure that the facility is operated in accordance with the Mississippi Nonhazardous Solid Waste Management Regulations and the approved plan of operation, unless otherwise approved by the Department.
2. The permittee shall ensure that the service area of the facility is consistent with the approved service area as described in the Lincoln County Solid Waste Management Plan. Solid waste generated in areas not within the approved service area shall be prohibited from acceptance and processing.
3. The permittee shall implement and maintain adequate security and monitoring measures to prevent uncontrolled access and disposal. An attendant shall be on duty at any time access to the site is unsecured.
4. The permittee is authorized to accept, temporarily store, and process (primarily through mixing) the following types of waste to generate mulch products:
 - a. Pine chips (untreated/uncontaminated).
 - b. Pine bark (untreated/uncontaminated).
 - c. Hardwood chips (untreated/uncontaminated).

- d. Hardwood bark (untreated/uncontaminated).
- e. Hardwood sawdust (untreated/uncontaminated).
- f. Wood ash (from approved sources).
- g. Poultry litter (from approved sources), and
- h. Pit Sand (from approved sources).

No other waste material may be accepted unless written consent is obtained from the Department.

- 5. The permittee shall immediately remove any unauthorized wastes from the storage or processing areas and dispose of the unauthorized waste at an approved disposal facility or within a separate waste container to be serviced by an authorized waste management company.
- 6. The permittee shall ensure that waste processing and storage operations are limited to the approved areas defined by the application consisting of approximately 6.5 acres of the subject property located in Section 21, Township 7 North, Range 8 East, of Lincoln County.
- 7. The permittee shall ensure that waste materials and finished products are stored in a manner consistent with the approved plan of operations and in a manner that minimizes fire hazards. Unprocessed waste material stockpiles should be limited to a maximum of two acres in total area, with appropriate buffers and fire lanes. Additionally, pile heights shall be limited to no more than 25 feet above existing surface grade.
- 8. The permittee shall ensure that all waste transportation vehicles entering and exiting the processing facility are properly secured to minimize waste spillage from the vehicles.
- 9. The permittee shall ensure that waste materials scattered outside of the designated storage areas, but within the facility property boundary, are collected routinely and returned to the appropriate storage area or receptacle.
- 10. The permittee shall ensure all working surfaces of processing equipment that come into contact with poultry wastes are adequately cleaned to maintain sanitary conditions at the site and to minimize potential contamination of other finished products.
- 11. The permittee shall ensure any liquids accumulated at the facility, including leachates, wash water, or contaminated stormwater are properly managed in accordance with the facility's stormwater permit and stormwater pollution prevention plan.

12. The permittee shall operate the facility in such a manner as to prevent objectionable off-site odors or other off-site nuisance conditions.
13. Open burning of solid waste shall be strictly prohibited. Should an accidental or spontaneous fire occur, immediate action shall be taken to contain and extinguish the fire. The Department shall be notified within 24 hours of any fire. A written report shall be submitted to MDEQ regarding the incident, including probable cause, methods to extinguish, and procedures to prevent future occurrence within five (5) working days.
14. The permittee shall ensure all finished product material consisting of poultry litter meets the requirements stipulated in paragraph F.3. of this permit. If the finished product does not meet all the requirements stipulated herein, the material shall either be disposed of in a manner approved by the Department or be reprocessed to meet said requirements.
15. The permittee shall ensure the distribution and/or sale of finished products generated meets all the requirements and regulations stipulated by the Mississippi Department of Agriculture and Commerce (MDAC).

F. RECORDKEEPING AND REPORTING CONDITIONS

1. The permittee shall keep an accurate written daily record of each load of waste received at the facility, including the following:
 - a. the name of the waste hauler;
 - b. the source of the waste;
 - c. the type of waste received; and
 - d. the weight of each load of each load, measured in tons, received at the facility. If the facility does not have access to weight scales, the facility shall convert to tons from cubic yards using conversion factors as developed or approved by the Department
2. The permittee shall keep an accurate written record of each load product removed from the facility including:
 - a. the date of removal;
 - b. the type of waste removed;
 - c. the weight of waste removed (in tons); and
 - d. the receiving facility.
3. The finished products containing poultry litter to be sold or distributed in container or in bulk must meet the following requirements:
 - a. The concentration of each pollutant in the finished product shall not exceed

the following limits in milligrams per kilogram;

<u>Pollutants</u>	<u>Concentration on Dry-Weight Basis (mg/kg)</u>
Arsenic	41
Cadmium	39
Chromium	1200
Copper	1500
Lead	300
Mercury	17
Molybdenum	18
Nickel	420
Selenium	36
Zinc	2800

- b. The density of fecal coliform shall be less than 1000 most probable number (MPN) per gram of total solids (on dry weight basis) before the product can be containerized or prepared for distribution.
4. The permittee shall ensure a label is affixed to each container consisting of poultry litter in which the processed product is sold or distributed, containing the name and address of the company who prepared the product, and any other information required by federal and/or state regulations.
5. Annual Monitoring for Poultry Litter Products. The permittee shall ensure a composite sample of finished product materials containing poultry litter is analyzed once per calendar year, unless otherwise approved by the Department. At a minimum, the following test shall be conducted:

<u>Parameter</u>	<u>Expressed Units</u>
Moisture	%
Total Nitrogen (as N)	% dry weight
Ammonia Nitrogen (as N)	% dry weight
Nitrate Nitrogen	% dry weight
Total Phosphorous	% dry weight
Total Potassium	% dry weight
pH	Standard Units
Fecal Coliform	MPN/g
Total Arsenic	mg/kg
Total Cadmium	mg/kg
Total Chromium	mg/kg
Total Copper	mg/kg
Total Lead	mg/kg
Total Mercury	mg/kg
Total Molybdenum	mg/kg
Total Nickel	mg/kg

Total Selenium	mg/kg
Total Zinc	mg/kg

- a. The permittee shall ensure samples taken for the purpose of monitoring are representative of the dried by-product that is to be sold or distributed in container or bulk.
- b. The permittee shall retain records of all monitoring information, including copies of all reports and records required by this permit, for the operating life of the facility. Records or monitoring information shall include:
 1. The dates, exact place, and time of sampling or measurements
 2. The individuals who performed the sampling or measurements
 3. The date(s) analyses were performed
 4. The individual(s) who performed the analyses
 5. The analytical techniques or methods used
 6. The result(s) of such analyses
- c. The permittee shall report to the Department within seventy-two (72) hours the results of any sampling event resulting in a limit exceedance.
- d. The Department reserves the right to require additional monitoring and reporting of any raw product that is to be sold or distributed in container or bulk should conditions warrant such action.
- e. The Department may consider a request from the permittee to alter the monitoring and reporting conditions of this permit upon the establishment of sufficient historical data demonstrating that such an alteration is protective of human health and the environment.
6. The permittee shall submit an annual report to the Department no later than the 28th of February following each calendar year. The annual report shall include the following information related to the operations of the preceding calendar year:
 - a. The analytical results required pursuant to paragraph F.5. of this permit.
 - b. The quantity of untreated/uncontaminated pine bark, hardwood bark, hardwood sawdust, wood ash, sand, and raw poultry litter (in tons) received and processed at the facility during the calendar year.
 - c. The quantity of processed products (in tons) did not meet the standard for distribution as described in Section F.3. of this permit which was disposed of and the method of such disposal.

G. CLOSURE REQUIREMENTS

At least 60 days prior to the planned closure of the site, the permittee shall submit a written closure plan to the Department describing the steps necessary to remove and

properly dispose of all wastes remaining onsite and to close and deactivate the facility.

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