



**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 RECOVERAGE:**

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 Recoverage 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 Recoverage 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 Recoverage 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/](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 31<sup>st</sup> 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 31<sup>st</sup> 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 recoverage 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