



April 1, 2026

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

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

Dear Mr. Whitlock:

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

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

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

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

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

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

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

Sincerely,

*Jake Rucker*

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

Enclosure(s)



MISSISSIPPI DEPARTMENT OF  
ENVIRONMENTAL QUALITY

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

### INSTRUCTIONS

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

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

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

Submittals with this LCNOI must include:

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

Additional submittals may include the following, if applicable:

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

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

APPLICANT IS THE:  OWNER  PRIME CONTRACTOR

### OWNER CONTACT INFORMATION

OWNER CONTACT PERSON: \_\_\_\_\_

OWNER COMPANY LEGAL NAME: \_\_\_\_\_

OWNER STREET OR P.O. BOX: \_\_\_\_\_

OWNER CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

OWNER PHONE #: (\_\_\_\_) \_\_\_\_\_ OWNER EMAIL: \_\_\_\_\_

### PREPARER CONTACT INFORMATION

IF NOI WAS PREPARED BY SOMEONE OTHER THAN THE APPLICANT

CONTACT PERSON: \_\_\_\_\_

COMPANY LEGAL NAME: \_\_\_\_\_

STREET OR P.O. BOX: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE # ( ) \_\_\_\_\_ EMAIL: \_\_\_\_\_

### PRIME CONTRACTOR CONTACT INFORMATION

PRIME CONTRACTOR CONTACT PERSON: \_\_\_\_\_

PRIME CONTRACTOR COMPANY LEGAL NAME: \_\_\_\_\_

PRIME CONTRACTOR STREET OR P.O. BOX: \_\_\_\_\_

PRIME CONTRACTOR CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PRIME CONTRACTOR PHONE #: (\_\_\_\_) \_\_\_\_\_ PRIME CONTRACTOR EMAIL: \_\_\_\_\_

### FACILITY SITE INFORMATION

FACILITY SITE NAME: \_\_\_\_\_

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

STREET: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ COUNTY: \_\_\_\_\_ ZIP: \_\_\_\_\_

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

LATITUDE: \_\_\_ degrees \_\_\_ minutes \_\_\_ seconds LONGITUDE: \_\_\_ degrees \_\_\_ minutes \_\_\_ seconds

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

TOTAL ACREAGE THAT WILL BE DISTURBED <sup>1</sup>: \_\_\_\_\_

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

**IF YES, NAME OF LARGER COMMON PLAN OF DEVELOPMENT:** \_\_\_\_\_  
**AND PERMIT COVERAGE NUMBER: MSR10** \_\_\_\_\_

**ESTIMATED CONSTRUCTION PROJECT START DATE:** \_\_\_\_\_  
 YYYY-MM-DD

**ESTIMATED CONSTRUCTION PROJECT END DATE:** \_\_\_\_\_  
 YYYY-MM-DD

**DESCRIPTION OF CONSTRUCTION ACTIVITY:** \_\_\_\_\_

**PROPOSED DESCRIPTION OF PROPERTY USE AFTER CONSTRUCTION HAS BEEN COMPLETED:**  
 \_\_\_\_\_

**SIC Code:** \_\_\_\_\_ **NAICS Code** \_\_\_\_\_

**NEAREST NAMED RECEIVING STREAM:** \_\_\_\_\_

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

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

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

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

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

**IF YES, INDICATE THE TYPE OF FLOCCULANT.**  ANIONIC POLYACRYLIMIDE (PAM)  
 OTHER \_\_\_\_\_

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

**IS A SDS SHEET INCLUDED FOR THE FLOCCULATE?** YES  NO

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

**IF NOT, PROVIDE EQUIVALENT CONTROL MEASURES IN THE SWPPP.**

<sup>1</sup>Acreage for subdivision development includes areas disturbed by construction of roads, utilities and drainage. Additionally, a housesite of at least 10,000 ft<sup>2</sup> per lot (entire lot, if smaller) shall be included in calculating acreage disturbed.

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

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

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

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

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

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

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

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

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

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

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

\_\_\_\_\_

\_\_\_\_\_

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

*will swedenborg*

Signature of Applicant<sup>1</sup> (owner or prime contractor)

Date Signed

Printed Name<sup>1</sup>

Title

<sup>1</sup>This application shall be signed as follows:

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

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

Please submit the LCNOI form to:

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

Electronically:

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

Revised 3/23/22



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



# **LARGE CONSTRUCTION GENERAL PERMIT**

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

### **THIS CERTIFIES THAT**

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

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

**Mississippi Environmental Quality Permit Board**

*Krystal Rudolph*

Authorized Signature

**Mississippi Department of Environmental Quality**

Issued: **February 4, 2022**

Permit No. **MSR10**

Expires: **January 31, 2027**

AI# 24066

Large Construction Storm Water General Permit

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Large Construction Storm Water General Permit

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**ACT1 (LCGP) Introduction:**

**Narrative Requirements:**

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Condition	Condition
No.	

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T-1	The Large Construction General Permit (LCGP) authorizes storm water discharges from construction activities five (5) acres or greater or less than five (5) acres if part of a "larger common plan of development or sale" (see Definitions). Storm water discharges that enter waters of the State or storm water conveyance systems leading to waters of the State are subject to regulation and compliance with the conditions set forth in this permit. This permit also authorizes storm water discharges from any other construction activity designated by the Executive Director based on the potential for contribution to an excursion of a water quality standard or for significant contribution of pollutants to waters of the State. This permit replaces the previous Large Construction General Permit that expired on December 31, 2021. [11 Miss. Admin. Code Pt. 6, R. 1]
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**ACT2 (LCGP) Permit Applicability and Coverage:**

**Narrative Requirements:**

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Condition No.	Condition
T-1	<p><b>PERMIT AREA:</b></p> <p>The Large Construction General Permit covers all areas of the State of Mississippi. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-2	<p><b>ELIGIBILITY:</b></p> <p>(1) Discharges composed entirely of storm water and allowable non-storm water discharges (see ACT5, T-14 for additional requirements) from construction activity, including clearing, grading, grubbing, excavating and other land disturbing activities of five (5) or more acres or less than five (5) acres if part of a "larger common plan of development or sale" (see Definitions).</p> <p>(2) Allowable Non-Storm Water Discharges:</p> <ul style="list-style-type: none"> <li>(A) Discharges from actual fire-fighting activities</li> <li>(B) Fire hydrant flushing</li> <li>(C) Water used to control dust</li> <li>(D) Potable water sources including uncontaminated water line flushing</li> <li>(E) Routine external building wash down that does not use detergents</li> <li>(F) Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used</li> <li>(G) Uncontaminated air conditioning or compressor condensate</li> <li>(H) Uncontaminated ground water or spring water</li> <li>(I) Foundation or footing drains where flows are not contaminated with process materials such as solvents</li> <li>(J) Landscape irrigation</li> <li>(K) Water used to wash vehicles, wheel wash water and other wash waters where detergents are not used.</li> <li>(L) Construction dewatering water discharged in accordance with ACT5, T-11. [11 Miss. Admin. Code Pt. 6, R. 1]</li> </ul>

**ACT2 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-3	<p data-bbox="222 602 510 626">ELIGIBILITY (continued):</p> <p data-bbox="222 659 695 683">(3) Prohibited Non-Storm Water Discharges:</p> <ul style="list-style-type: none"> <li data-bbox="222 719 1129 743">(A) Wastewater from washout of concrete (unless managed by an appropriate control)</li> <li data-bbox="222 748 1587 773">(B) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials</li> <li data-bbox="222 777 1194 802">(C) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance</li> <li data-bbox="222 807 869 831">(D) Soaps or solvents used in vehicle and equipment washing</li> <li data-bbox="222 836 905 860">(E) Wastewater from sanitary facilities, including portable toilets</li> <li data-bbox="222 865 869 889">(F) Contaminated discharge waters from dewatering activities</li> <li data-bbox="222 894 890 919">(G) Toxic or hazardous substances from a spill or other release.</li> </ul> <p data-bbox="222 959 1974 1195">(4) A project is eligible for coverage under this general permit for discharges of pollutants of concern to water bodies for which there is a Total Maximum Daily Load (TMDL) established or approved by the Environmental Protection Agency (EPA) if measures and controls are incorporated that are consistent with the assumptions and requirements of such TMDL. To be eligible for coverage under this general permit, the project must incorporate in the Storm Water Pollution Prevention Plan (SWPPP) and/or effluent limitation any conditions applicable to any discharge(s) necessary for consistency with the assumptions and requirements of such TMDL. If, after coverage issuance, a specific wasteload allocation is established that would apply to the project's discharge, the project owner/operator must determine and implement all of the steps necessary to meet that allocation within three (3) months from the final TMDL approval date. MDEQ's approved TMDL list may be found at the link listed in paragraph (5) below. In addition, MDEQ's Planning &amp; Design Manual for the Control of Erosion, Sediment and Storm Water identifies specific controls that may be used to address consistency with any applicable TMDLs. The manual can be found at: <a href="http://www.mdeq.ms.gov/construction-stormwater/">www.mdeq.ms.gov/construction-stormwater/</a>)</p> <p data-bbox="222 1227 1974 1375">(5) A project is eligible for coverage under this general permit for discharges of storm water to impaired water bodies on MDEQ's 303(d) list, provided best management practices (BMPs) are employed that prohibit further impairment of the designated and/or existing beneficial uses in the receiving water body. To be eligible for coverage under this general permit, the owner/operator must indicate on the LCNOI that the project discharges to a 303(d) listed receiving water and incorporate appropriate BMPs in its SWPPP. MDEQ's 303(d) list of impaired water bodies may be found on MDEQ's website at: <a href="https://opcgis.deq.state.ms.us/tmdls/">https://opcgis.deq.state.ms.us/tmdls/</a>). [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT2 (continued):**

Narrative Requirements:

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

**ACT3 (LCGP) Obtaining Coverage:**

**Submittal/Action Requirements:**

---

Condition

No. Condition

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S-1 OBTAINING AUTHORIZATION:

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

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

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

The owner(s) of the property and the operator(s) associated with the regulated construction activity on the property have joint and severable responsibility for compliance with the permit. Notwithstanding any permit condition to the contrary, the coverage recipient and any person who causes pollution of waters of the state or places waste in a location where they are likely to cause pollution, shall remain responsible under applicable federal and state laws and regulations, and applicable permits.

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

Submittal/Action Requirements:

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of additional controls), recommend that coverage not be granted and/or that an alternate permit would be more appropriate. The MDEQ staff recommendations may be brought before the Mississippi Environmental Quality Permit Board (Permit Board) for review and consideration at a regularly scheduled meeting or at a special meeting at its discretion.

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

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

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

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

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

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

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

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

**ACT3 (LCGP) Obtaining Coverage:**

**Submittal/Action Requirements:**

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

S-4 COMMERCIAL DEVELOPMENT - INDIVIDUAL LOTS OR PARCELS:

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

S-5 RESIDENTIAL SUBDIVISION - INDIVIDUAL LOTS:

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

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

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

S-6 RESIDENTIAL SUBDIVISION - EXPANSIONS:

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

**ACT3 (continued):**

**Submittal/Action Requirements:**

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

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

**Submittal/Action Requirements:**

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

**ACT4 (continued):**

**Submittal/Action Requirements:**

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

**ACT4 (continued):**

**Narrative Requirements:**

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

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

**Narrative Requirements:**

Condition No.	Condition
T-1	<p><b>SWPPP DEVELOPMENT:</b></p> <p>A site-specific SWPPP shall be developed requiring the design, installation, implementation and maintenance of effective pollution prevention measures by each owner or operator subject to this permit. A SWPPP shall be prepared in accordance with sound engineering practices and shall identify potential sources of pollution, which may reasonably be expected to affect the quality of storm water discharges associated with construction activity. The SWPPP shall describe and ensure the implementation of specific best management practices for the project site, which will reduce pollutants in storm water discharges and assure compliance with the terms and conditions of this permit. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-2	<p><b>SWPPP CONTENT:</b></p> <p><b>Erosion and Sediment Controls and Soil Stabilization Requirements:</b></p> <p>The SWPPP shall list and describe site-specific controls appropriate for the construction activities as well as the procedures for implementing such controls. Controls shall be designed to retain sediment on-site and to minimize the discharge of pollutants. If any of the below controls cannot be implemented on the project site, the SWPPP must include written justification as to why site-specific constraints and/or costs make the control(s) infeasible. At a minimum, such controls must be designed, installed and maintained to:</p> <ol style="list-style-type: none"> <li>(1) Control storm water volume and velocity within the site to minimize soil erosion;</li> <li>(2) Control storm water discharges, including both peak flow rates and total storm water volume, to minimize channel and stream bank erosion and scour in the immediate vicinity of discharge points;</li> <li>(3) Minimize the amount of soil exposed during construction activity;</li> <li>(4) Minimize the disturbance of steep slopes. [11 Miss. Admin. Code Pt. 6, R. 1]</li> </ol>

**ACT5 (continued):**

**Narrative Requirements:**

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Condition No.	Condition
T-3	<p>SWPPP CONTENT (continued):</p> <p>(5) Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting storm water runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;</p> <p>(6) Provide and maintain a 50-foot undisturbed natural buffer around waters of the United States; or provide and maintain an undisturbed natural buffer that is less than 50 feet and is supplemented by additional erosion and sediment controls which in combination achieves the sediment load reduction equivalent to a 50-foot undisturbed natural buffer. Direct storm water to vegetated areas and maximize storm water infiltration to reduce pollutant discharges, unless infeasible; and</p> <p>(7) Minimize soil compaction and, unless infeasible, preserve topsoil;</p> <p>(8) Direct storm water to vegetated areas, brush barriers, silt fences, check dams, etc. to aid in the filtration, infiltration, velocity reduction and diffusion of the discharge;</p> <p>(9) Transport runoff down steep slopes through lined channels or piping;</p> <p>(10) Minimize the amount of cut and fill;</p> <p>(11) Minimize off-site vehicle tracking of sediments; and</p> <p>(12) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, concrete wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge.</p> <p>(13) Provide a description of any discharge associated with industrial activity other than construction stormwater that originates on site and the location of that activity and its permit number.</p> <p>(14) Provide a description of stormwater sources from areas other than construction and a description of controls and measures that will be implemented at those sites.</p>

Narrative Requirements:

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

**ACT5 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-5	<p>Specific BMPs that must be included, unless infeasible (see Definitions) are:</p> <p>(A) Buffer zones (see Definitions) shall be maintained between land-disturbing activities and perennial water bodies. A minimum 150-foot buffer zone is recommended; however, if a 150-foot buffer zone cannot be met, the requirements outlined in ACT5, T-3(6) shall be followed.</p> <p>(B) Topsoil should be stockpiled and used in areas that will be re-vegetated. When final grade is reached it should be distributed to a minimum depth of 2 inches on 3:1 slopes and 4 inches on flatter slopes. The permittee shall locate the piles outside of any natural buffers established and away from any stormwater conveyances, drain inlets, and areas where stormwater flow is concentrated. The permittee shall install a sediment barrier along all downgradient perimeter areas. The permittee is prohibited from hosing down or sweeping soil or sediment accumulated on pavement or other impervious surfaces into any stormwater conveyance, storm drain inlet, or Waters of the State.</p> <p>(C) Heavy equipment use in areas to be re-vegetated should be avoided. If compaction cannot be avoided, the top 4 inches of the soil bed should be tilled before re-vegetation. Any necessary fertilizer or other soil amendments should be added during the tilling process.</p> <p>The SWPPP must contain written justification as to why any of these specific controls were not deemed feasible. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-6	<p>(2) Structural practices shall divert flows from exposed soils, store flows or otherwise limit runoff from exposed areas. Such practices may include, but are not limited to, construction entrance/exit, silt fences, earth dikes, brush barriers, drainage swales, check dams, subsurface drains, pipe slope drains, level spreaders, drain inlet protection, outlet protection, detention/retention basins, sediment traps, temporary sediment basins or equivalent sediment controls.</p> <p>Specific practices that must be included, unless infeasible, are:</p> <p>Sediment basins are to be situated outside waters of the State and any natural buffers to be established. Design the basin to avoid collecting water from wetlands. Use erosion controls and velocity dissipation devices to prevent erosion at the inlets and outlets.</p> <p>(A) For drainage locations (a drainage point at boundary of land disturbing activity) that serve an area with ten (10) or more disturbed acres at one time, a temporary (or permanent) sediment basin providing at least 3,600 cubic feet (133 cubic yards) of storage per acre drained shall be provided until final stabilization of the site. Sediment basins must be installed before initial site grading and utilize outlet structures that withdraw water from the surface and that are designed for a minimum 2-year, 24-hour storm event. If flocculants are being introduced, sediment basins must be downstream of the point of introduction and include baffles to increase sediment removal efficiency and turbidity reduction. The capacity of the sediment basin, acreage draining to sediment basin, location on the plan, as well as the diagram of outflow structure shall be provided.</p> <p>(B) Due to the unique characteristics of linear projects (see Definitions), such as the lack of space within project rights of way and having multiple, distributed</p>

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

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

**ACT5 (continued):**

**Narrative Requirements:**

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

Narrative Requirements:

Condition No.	Condition
	<p>stormwater contamination (such as final products and materials intended for outdoor use); (3) minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.</p> <p>The owner or operator shall designate and report in the SWPPP areas for equipment maintenance and repair and concrete chute wash off; provide waste receptacles and regular collection of waste; provide adequately maintained sanitary facilities; provide protected storage areas for chemicals, paints, solvents, fertilizers, pesticides, herbicides, detergents and other potentially toxic materials; and implement spill and leak prevention practices and response procedures if spills and leaks do occur; minimize the exposure of building materials, building products, construction wastes, trash and landscape materials. These areas and specific potential pollutants shall be addressed in the SWPPP and located on the scaled site map.</p> <p>The owner or operator shall provide a description of procedures for:</p> <p>(A) Sweeping or removal of sediment and other debris that has been tracked from the site or deposited from the site onto streets and other paved surfaces;</p> <p>(B) Removal of sediment or other pollutants that have accumulated in or near any sediment control measures, storm water conveyance channels, storm drain inlets, or water course conveyance within the construction site, and;</p> <p>(C) Removal of accumulated sediment that has been trapped by sediment control measures at the site, in accordance with applicable maintenance requirements covered under this permit.</p> <p>The owner or operator shall also provide a description of the procedures for handling and disposing of wastes generated at the site, including, but not limited to, clearing and demolition debris, sediment removed from the site, construction and domestic waste, hazardous or toxic waste, and sanitary waste. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

T-11 CONSTRUCTION DEWATERING REQUIREMENTS

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

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

**ACT5 (continued):**

**Narrative Requirements:**

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Condition

No. Condition

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

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

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

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

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

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

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

T-12 Flocculant Application:

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

**ACT5 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-13	<p>Prepare Scaled Site Map(s):</p> <p>The owner or operator shall prepare a scaled site map showing:</p> <ol style="list-style-type: none"> <li>(1) Boundaries of property and proposed construction activities, noting any phasing of construction activities,</li> <li>(2) Original and proposed contours (if feasible), with steep slopes identified,</li> <li>(3) North arrow,</li> <li>(4) Drainage pattern arrows,</li> <li>(5) Location of sensitive areas, such as wetlands, perennial streams and adjacent receiving water bodies (if the receiving waterbody is not depicted on the map, the name and direction shall be listed in text form on the map),</li> <li>(6) Location of any storm drain inlets and any receiving MS4,</li> <li>(7) All erosion and sediment controls (vegetative and structural),</li> <li>(8) Any post-construction control measures, and</li> <li>(9) Location of housekeeping practices.</li> <li>(10) Location of construction entrance, equipment maintenance and repair areas, concrete washout area, waste management area, laydown area, and material and chemical storage areas.</li> <li>(11) Location and size of the buffer zones.</li> </ol> <p>If flocculant application is proposed, the location(s) of the following items shall be marked and labeled on the site map.</p> <ol style="list-style-type: none"> <li>(1) Flocculant introduction point(s), and</li> <li>(2) BMPs where flocculated material will settle.</li> </ol> <p>If the construction project is a linear construction project (see Definitions), a scaled site map is not required, however standard diagrams (e.g., cross-sections showing dimensions and labeled components) of erosion and sediment controls to be used must be submitted. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-14	<p>Implementation Sequence:</p> <p>The SWPPP shall outline an implementation sequence (including any phasing of construction activities), which coordinates the timing of all land-disturbing activities together with the necessary erosion and sedimentation control measures planned for the project. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

Narrative Requirements:

Condition	Condition
T-15	<p>Implementation of Controls:</p> <p>The SWPPP shall require the owner or operator, in disturbing an area, to implement controls as needed to prevent erosion and adverse impacts to waters of the State. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-16	<p>Maintenance and Weekly Inspections:</p> <p>The SWPPP shall describe procedures to maintain vegetation, erosion and sediment controls and other protective measures. Procedures shall provide that all controls and outfalls/discharge points are inspected after rain events that produce a discharge and at least weekly for a minimum of four inspections per month in accordance with ACT6, S-5.</p> <p>Any poorly functioning erosion controls or sediment controls, non-compliant discharges, or any other deficiencies observed during the inspections required under this permit shall be corrected as soon as possible, but not to exceed 24 hours of the inspection unless prevented by unsafe weather conditions as documented on the inspection form.</p> <p>In the event of an unanticipated breach of a sediment basin/pond, temporary containment measures shall be taken within 24 hours after the inspection. Permanent corrective measures shall be implemented within five (5) days of the inspection; however, if permanent corrective measures cannot be implemented within the timeframes provided herein the owner or operator shall contact MDEQ. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-17	<p>Non-Storm Water Discharge Management:</p> <p>The SWPPP must identify all allowable sources of non-storm water discharges listed in ACT2, T-2, except for flows from actual fire-fighting activities, which are combined with storm water discharges associated with large construction activity. Non-storm water discharges should be eliminated or reduced to the extent feasible. Wash waters must be treated in a sediment basin or alternate control that provides equivalent or better treatment prior to discharge. The SWPPP must identify and ensure the implementation of appropriate Best Management Practices (BMPs) for the non-storm water component of the discharge.</p> <p>The Permit Board staff will review the above discharges on a case-by-case basis and may require the coverage recipient to apply for and obtain either an individual or an alternative general NPDES permit as provided in ACT3, S-2. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-18	<p>Final Stabilization:</p> <p>The SWPPP shall describe procedures to achieve final stabilization (See Definitions) of all disturbed areas of the project site. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT5 (continued):**

**Narrative Requirements:**

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Condition	Condition
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T-19 Example Storm Water Pollution Prevention Plans (SWPPPs):

Example SWPPPs are included in the Mississippi Storm Water Pollution Prevention Plan Guidance Manual for Construction Activities as well as the MDEQ Registration Form for Individual Residential Lots

The Mississippi Storm Water Pollution Prevention Plan Guidance Manual for Construction Activities is also available online at: [www.mdeq.ms.gov/construction-stormwater/](http://www.mdeq.ms.gov/construction-stormwater/)

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

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

T-20 STAFF TRAINING REQUIREMENTS

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

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

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

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

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

Narrative Requirements:

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Condition

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

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

T-21 STAFF TRAINING DOCUMENTATION

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

**ACT6 (LCGP) Implementation and Inspection Requirements:**

**Submittal/Action Requirements:**

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Condition No.	Condition
S-1	<p data-bbox="220 521 680 548"><b>IMPLEMENTATION REQUIREMENTS:</b></p> <p data-bbox="220 574 527 602">The coverage recipient shall:</p> <ol style="list-style-type: none"> <li data-bbox="220 638 1409 665">(1) Implement the site-specific SWPPP. Failure to implement the SWPPP is a violation of permit requirements.</li> <li data-bbox="220 695 1289 722">(2) Install structural practices as described in ACT5, T-6 in accordance with the site-specific SWPPP.</li> <li data-bbox="220 758 1969 873">(3) Retain a copy of the SWPPP at the permitted site, and, if feasible, post a copy of the NOI onsite in a location available to the public (e.g., construction entrance, trailer, or model home). A copy of the SWPPP shall be made available to state or local inspectors upon request for review at the time of an on-site inspection. In cases where there is no office or shelter to maintain documents onsite, the SWPPP can be kept locally available (i.e., able to be produced within an hour of being requested by a state or local inspector).</li> <li data-bbox="220 906 806 933">(4) Implement the following pre-construction activities:               <ol style="list-style-type: none"> <li data-bbox="220 966 1944 1023">(A) Mark off areas of "disturbance", "no disturbance" and "sensitive areas" (e.g., delineate and clearly flag of mark off areas such as steep slopes, highly erodible soils or other sensitive areas),</li> <li data-bbox="220 1055 894 1083">(B) Preserve native topsoil on the site to the extent feasible, and</li> <li data-bbox="220 1115 1409 1143">(C) Limit construction stream crossings to the minimum necessary to provide access for the construction project.</li> </ol> </li> <li data-bbox="220 1175 1709 1203">(5) Ensure that appropriate Best Management Practices (BMPs) are in place upon commencement of construction activities (see Definitions).</li> <li data-bbox="220 1235 1944 1323">(6) Amend the SWPPP if notified at any time by the Executive Director of the MDEQ that the SWPPP does not meet the minimum requirements. Coverage recipient shall certify in writing to the Executive Director that the requested changes have been made. Unless otherwise provided, the requested changes shall be made within fifteen (15) days. [11 Miss. Admin. Code Pt. 6, R. 1]</li> </ol>

**ACT6 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-2	<p>IMPLEMENTATION REQUIREMENTS (continued):</p> <p>(7) Amend the SWPPP whenever there is a change in design, construction, operation, or maintenance that may potentially affect the discharge of pollutants to waters of the State; or the SWPPP proves to be ineffective in controlling storm water pollutants. The amended SWPPP shall be submitted within thirty (30) days of amendment. Coverage recipients shall submit to MDEQ the Major Modification Form (see Large Construction Forms Package) for subsequent phases, expansions and modifications of subdivision development that are proposed but were not included in the original SWPPP.</p> <p>(8) Install needed erosion controls even if they may be located in the way of subsequent activities, such as utility installation, grading or construction. It shall not be an acceptable defense that controls were not installed because subsequent activities would require their replacement or cause their destruction.</p> <p>(9) Install additional and/or alternative erosion and sediment controls when existing controls prove to be ineffective in preventing sediment from leaving the site.</p> <p>(10) Comply with applicable State or local waste disposal, sanitary sewer or septic system regulations. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
S-3	<p>IMPLEMENTATION REQUIREMENTS (continued):</p> <p>(11) Erosion and sediment controls shall be maintained at all times. Except for sediment basins, all accumulated sediment shall be removed from structural controls when sediment deposits reach one-third to one-half the height of the control. For sediment basins, accumulated sediment shall be removed when the capacity has been reduced by 50%. All removed sediment deposits shall be properly disposed of in accordance with the approved SWPPP. Non-functioning controls shall be repaired, replaced or supplemented with functional controls within twenty-four (24) hours of discovery or as soon as field conditions allow.</p> <p>(12) If, after coverage issuance, a specific wasteload allocation is established that would apply to the facility's discharge, the facility must implement steps necessary to meet that allocation. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
S-4	<p>COMPLIANCE WITH LOCAL STORM WATER ORDINANCES:</p> <p>(1) The SWPPP shall be in compliance with all local storm water ordinances.</p> <p>(2) When storm water discharges into an MS4 (municipal separate storm sewer system), the owner or operator shall make the SWPPP available to the local authority and/or allow site access, upon request. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT6 (continued):**

**Submittal/Action Requirements:**

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Condition No.	Condition
S-5	<p data-bbox="210 519 588 552"><b>INSPECTION REQUIREMENTS:</b></p> <p data-bbox="210 576 1959 665">Inspection of all receiving streams (if feasible), outfalls, erosion and sediment controls and other SWPPP requirements shall be performed during permit coverage using a copy of the form provided in the Large Construction Forms Package (or equivalent form), and inspections shall be performed by qualified personnel (see Definitions):</p> <ul style="list-style-type: none"> <li data-bbox="210 698 945 730">(1) At least weekly for a minimum of four inspections per month; and</li> <li data-bbox="210 755 1959 820">(2) As often as is necessary to ensure that appropriate erosion and sediment controls have been properly constructed and maintained and to determine if additional or alternative control measures are required.</li> </ul> <p data-bbox="210 844 1959 909">Before conducting the site inspection, the inspector should review Chapter 4, Inspector's Checklist and Troubleshooting Chart found in MDEQ's Field Manual for Erosion and Sediment Control on Construction Sites in Mississippi.</p> <p data-bbox="210 933 1959 993">MDEQ strongly recommends that coverage recipients perform a "walk through" inspection of the construction site daily to ensure controls are in place and will function properly. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT7 (LCGP) Limitation Requirements:**

Limitation Requirements:

Condition No.	Parameter	Condition
L-1		<p>NON-NUMERIC LIMITATION REQUIREMENTS</p> <p>Storm water discharge shall be free from:</p> <ul style="list-style-type: none"> <li>(1) Debris, oil, scum, and other floating materials other than in trace amounts,</li> <li>(2) Eroded soils and other materials that will settle to form objectionable deposits in receiving waters,</li> <li>(3) Suspended solids, turbidity and color at levels inconsistent with the receiving waters,</li> <li>(4) Chemicals in concentrations that would cause violation of State Water Quality Criteria in the receiving waters. [11 Miss. Admin. Code Pt. 6, Ch. 2, R. 1]</li> </ul>

**ACT8 (LCGP) Application of Flocculants:**

**Narrative Requirements:**

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

**ACT9 (LCGP) Record Keeping and Reporting Requirements:**

**Record-Keeping Requirements:**

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Condition	Condition
R-1	<b>RETENTION OF RECORDS:</b>  All records, reports, forms and information resulting from activities required by this permit shall be retained for a period of at least three (3) years from the date that the document(s) was generated. Any documents required by this permit may be kept electronically but must be readily available during site inspection or upon request. [11 Miss. Admin. Code Pt. 6, R. 1]

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**ACT9 (continued):**

**Submittal/Action Requirements:**

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Condition	
No.	Condition

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**Submittal/Action Requirements:**

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

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

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

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

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

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

**ACT10 (LCGP) Termination of Permit Coverage:**

**Submittal/Action Requirements:**

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

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

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

The coverage recipient of a residential "larger common plan of development or sale" must submit a copy of the MDEQ Registration Form for each lot sold with the RFT.

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

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

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

**Narrative Requirements:**

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

**ACT11 (continued):**

**Narrative Requirements:**

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Condition No.	Condition
T-7	<p data-bbox="220 516 590 542"><b>SIGNATORY REQUIREMENTS:</b></p> <p data-bbox="220 574 934 600">All LCNOIs and requests for recoverage shall be signed as follows:</p> <p data-bbox="220 633 1388 659">(1) For a corporation by a responsible corporate officer. For this permit, a responsible corporate officer means:</p> <p data-bbox="220 691 1965 750">(A) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or</p> <p data-bbox="220 782 1965 932">(B) The manager of one or more manufacturing, production or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;</p> <p data-bbox="220 964 1965 1081">Note: MDEQ does not require specific assignments or delegations of authority to responsible corporate officers identified in paragraph (1)(A) above. The Department will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Permit Board to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under paragraph (1)(B) above rather than to specific individuals.</p> <p data-bbox="220 1114 1245 1140">(2) For a partnership or sole proprietorship by a general partner or the proprietor, respectively; or</p> <p data-bbox="220 1172 1965 1230">(3) For a municipal, State, Federal, or other public agency by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:</p> <p data-bbox="220 1263 737 1289">(A) The chief executive officer of the agency, or</p> <p data-bbox="220 1321 1892 1347">(B) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT11 (continued):**

**Narrative Requirements:**

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

**ACT11 (continued):**

**Narrative Requirements:**

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

**ACT11 (continued):**

**Narrative Requirements:**

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

**ACT11 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-15	<p data-bbox="222 516 541 545"><b>INSPECTION AND ENTRY:</b></p> <p data-bbox="222 574 1955 633">The coverage recipient shall allow the Permit Board staff or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:</p> <ul style="list-style-type: none"> <li data-bbox="222 662 1940 691">(1) Enter upon the owner or operator's premises where a regulated activity is located or conducted or where records must be kept under the conditions of this permit;</li> <li data-bbox="222 721 1419 750">(2) Have access to and copy at reasonable times any records that must be kept under the conditions of this permit;</li> <li data-bbox="222 779 1934 837">(3) Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and</li> <li data-bbox="222 867 1927 925">(4) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location. [11 Miss. Admin. Code Pt. 6, R. 1]</li> </ul>
T-16	<p data-bbox="222 961 447 990"><b>PERMIT ACTIONS:</b></p> <p data-bbox="222 1019 1955 1102">This permit may be modified, revoked and reissued, or terminated for cause. A request by the coverage recipient for permit or coverage modification, revocation and reissuance, or termination, or a certification of planned changes or anticipated noncompliance does not stay any permit condition. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT11 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-17	<p><b>NONCOMPLIANCE REPORTING:</b></p> <p>(1) Anticipated Noncompliance. The coverage recipient shall give at least ten (10) days advance notice, if possible, before any planned noncompliance with permit requirements. Giving notice of planned or anticipated noncompliance does not immunize the coverage recipient from enforcement action for that noncompliance.</p> <p>(2) Unanticipated Noncompliance. The coverage recipient shall notify the MDEQ orally within twenty-four (24) hours from the time he or she becomes aware of unanticipated noncompliance, which may endanger health or the environment. A written report shall be provided to the MDEQ within five (5) working days of the time he or she becomes aware of the circumstances leading to the unanticipated noncompliance. The report shall describe the cause, the exact dates and times, steps taken or planned to reduce, eliminate, or prevent reoccurrence and, if the noncompliance has not ceased, the anticipated time for correction. MDEQ may waive the written report on a case-by-case basis, if the oral report is received within 24 hours. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-18	<p><b>REOPENER CLAUSE:</b></p> <p>If there is evidence indicating potential or realized impacts on water quality due to large construction activities covered by this permit, the coverage recipient may be required to obtain individual permit or an alternative general permit in accordance with ACT3, S-2 or the permit may be modified to include different limitations and/or requirements. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-19	<p><b>PERMIT MODIFICATION:</b></p> <p>Permit modification or revocation will be conducted according to 40 CFR 122.62, 122.63, 122.64 and 124.5. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-20	<p><b>TRANSFERS:</b></p> <p>Coverage under this permit is not transferable to any person except after notice to and approval by the Permit Board. The Permit Board may require the coverage recipient to obtain another NPDES permit as stated in ACT3, S-2. Transfer of coverage requests shall be submitted to the Permit Board using the form provided in the Large Construction Forms Package. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT11 (continued):**

**Narrative Requirements:**

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

**ACT12 (LCGP) Definitions:**

**Narrative Requirements:**

Condition No.	Condition
T-1	BEST MANAGEMENT PRACTICES (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. [11 Miss. Admin. Code Pt. 6, R. 1]
T-2	BUFFER ZONE, as used in this permit, means a strip of dense undisturbed perennial vegetation, either original or reestablished, that borders perennial streams and rivers, ponds and lakes and wetlands. Buffer zones are established for the purposes of slowing water runoff, enhancing water infiltration, and minimizing the risk of any potential nutrients or pollutants from leaving the upland area and reaching surface waters. Buffer zones are most effective when storm water runoff is flowing into and through the buffer zone as shallow sheet flow, rather than in concentrated form such as in channels, gullies, or wet weather conveyances. Therefore, it is critical that the design of any development include management practices, to the maximum extent practical, that will result in storm water runoff flowing into and through the buffer zone as shallow sheet flow. [11 Miss. Admin. Code Pt. 6, R. 1]
T-3	CFR means the Code of Federal Regulations. [11 Miss. Admin. Code Pt. 6, R. 1]
T-4	CLEAN WATER ACT (CWA) refers to the Federal Water Pollution Control Act, 33 U.S.C. section 1251 et seq. [11 Miss. Admin. Code Pt. 6, R. 1]
T-5	COMMENCEMENT OF CONSTRUCTION ACTIVITIES means the initial disturbance of soils associated with clearing, grading, grubbing, or excavating activities or other construction-related activities. [11 Miss. Admin. Code Pt. 6, R. 1]
T-6	COMMISSION means the Mississippi Commission on Environmental Quality. [11 Miss. Admin. Code Pt. 6, R. 1]
T-7	COMPACTION means the process by which the soil grains are rearranged to decrease void space and bring the grains into closer contact with one another and thereby increase the weight of solid material per cubic foot. [11 Miss. Admin. Code Pt. 6, R. 1]
T-8	CONSTRUCTION ACTIVITY as used in this permit, includes construction activity as defined in 40 CFR part 122.26(b)(14)(x). This includes a disturbance to the land that results in the change in topography, existing soil cover (both vegetative and non-vegetative), or the existing topography that may result in accelerated storm water runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. Examples of construction activity may include clearing, grading, grubbing, filling and excavating. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site. [11 Miss. Admin. Code Pt. 6, R. 1]
T-9	CONSTRUCTION SUPPORT ACTIVITY a construction-related activity that specifically supports the construction activity and involves earth disturbance or pollutant-generating activities of its own, and can include activities associated with concrete or asphalt batch plants, equipment staging yards, materials storage areas, excavated material disposal areas, and borrow areas. [11 Miss. Admin. Code Pt. 6, R. 1]

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

Condition	Condition
T-10	CONTROL MEASURE as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the United States. [11 Miss. Admin. Code Pt. 6, R. 1]
T-11	DAILY DISCHARGE means the "discharge of a pollutant" measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily average" is calculated as the average measurement of the discharge of the pollutant over the day. [11 Miss. Admin. Code Pt. 6, R. 1]
T-12	DEWATERING means the act of draining rainwater and/or ground water from building foundations, vaults, and trenches. [11 Miss. Admin. Code Pt. 6, R. 1]
T-13	DROUGHT-STRICKEN AREA means for the purposes of this permit an area in which the National Oceanic and Atmospheric Administration's U.S. Seasonal Drought Outlook indicates for the period during which the construction will occur that any of the following conditions are likely: (1) "Drought to persist or intensify", (2) "Drought ongoing, some improvement", (3) "Drought likely to improve, impacts ease", or (4) "Drought development likely". See <a href="http://www.cpc.ncep.noaa.gov/products/expert_assessment/season_drought.gif">http://www.cpc.ncep.noaa.gov/products/expert_assessment/season_drought.gif</a> . [11 Miss. Admin. Code Pt. 6, R. 1]
T-14	EXECUTIVE DIRECTOR means the Executive Director of the Department of Environmental Quality. [11 Miss. Admin. Code Pt. 6, R. 1]
T-15	FACILITY or ACTIVITY means any NPDES "point source" or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program. [11 Miss. Admin. Code Pt. 6, R. 1]
T-16	<p>FINAL STABILIZATION means that either:</p> <p>(1) All soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of at least 70% for the area has been established or equivalent measures (e.g., concrete or asphalt paving, rip rap, etc.) have been employed; or</p> <p>(2) For individual lots part of a larger common plan of development or sale in residential or commercial developments, that either:</p> <p>(A) The coverage recipient has completed final stabilization as specified in (1) above, or</p> <p>(B) The coverage recipient has established temporary stabilization before another property owner assumes operational control for the property AND the coverage recipient for the larger common plan of development has provided the appropriate Notice of Intent or Registration form, the appropriate Construction General Permit, and guidance documents to the new property owner and the new owner assumes control by completing the appropriate NOI or Registration Form.</p>

**ACT12 (continued):****Narrative Requirements:**

Condition No.	Condition
T-17	In arid, semiarid, and drought-stricken areas where initiating vegetative stabilization measures immediately is infeasible, alternative stabilization measures must be employed if specified by the permitting authority. [11 Miss. Admin. Code Pt. 6, R. 1]
T-18	INFEASIBLE means not technologically possible, or not economically practicable and achievable in light of best industry practices. [11 Miss. Admin. Code Pt. 6, R. 1]
T-19	LARGE CONSTRUCTION ACTIVITY includes clearing, grading, grubbing, and excavating resulting in a land disturbance that will disturb equal to or greater than five (5) acres of land or will disturb less than five (5) acres of total land area but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than five (5) acres. [11 Miss. Admin. Code Pt. 6, R. 1]
T-20	LARGER COMMON PLAN OF DEVELOPMENT OR SALE means a contiguous area where multiple separate and distinct construction activities are occurring under one plan. The plan in a common plan of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.), indicating that construction activities may occur on a specific plot. [11 Miss. Admin. Code Pt. 6, R. 1]
T-21	LINEAR PROJECT includes the construction of roads, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area. [11 Miss. Admin. Code Pt. 6, R. 1]
T-22	MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States, (ii) Designed or used for collecting or conveying storm water, (iii) Which is not a combined sewer, and (iv) Which is not part of a Publicly Owned Treatment Works (POTW). [11 Miss. Admin. Code Pt. 6, R. 1]
T-23	NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) means the regulations under the Clean Water Act that prohibits discharge of pollutants into waters of the United States unless a special permit is issued. [11 Miss. Admin. Code Pt. 6, R. 1]
T-24	NOI is an acronym for "Notice of Intent" to be covered by this permit and is the mechanism used to apply for coverage under a general permit. [11 Miss. Admin. Code Pt. 6, R. 1]
T-24	NORMAL WORKING HOURS, for the purpose of this permit, means the hours that personnel are typically working at the project site (e.g., daylight hours, Monday through Friday, except recognized holidays). [11 Miss. Admin. Code Pt. 6, R. 1]

**ACT12 (continued):**

**Narrative Requirements:**

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

**ACT12 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-32	STORM WATER means rainfall runoff, snowmelt runoff, and surface runoff. [11 Miss. Admin. Code Pt. 6, R. 1]
T-33	STORM WATER ASSOCIATED WITH CONSTRUCTION ACTIVITY as used in this permit, refers to a discharge of pollutants in storm water from areas where soil disturbing activities (e.g., clearing, grading, grubbing, or excavation), construction materials or equipment storage or maintenance (e.g., stock piles, borrow area, concrete truck chute wash down, fueling) are located. [11 Miss. Admin. Code Pt. 6, R. 1]
T-34	STORM WATER POLLUTION PREVENTION PLAN (SWPPP) means a plan that includes site map(s), an identification of construction/contractor activities that could cause pollutants in the storm water, and a description of measures or practices to control these pollutants. [11 Miss. Admin. Code Pt. 6, R. 1]
T-35	SUBMITTED means the document is postmarked on or before the applicable deadline, except as otherwise specified. [11 Miss. Admin. Code Pt. 6, R. 1]
T-36	SUCCESSFUL COMPLETION OF ALL PERMANENT EROSION AND SEDIMENT CONTROLS means when land disturbing construction activities have been completed and disturbed areas have been stabilized with no significant erosion occurring. [11 Miss. Admin. Code Pt. 6, R. 1]
T-37	TEMPORARY STABILIZATION means practices such as seeding, mulching and erosion control blankets or mats that are used to stabilize exposed areas in which construction activity has been temporarily suspended. [11 Miss. Admin. Code Pt. 6, R. 1]
T-38	TOPSOIL means the top layer of undisturbed soil, consisting of a high percentage of organic matter, which is conducive to plant growth. [11 Miss. Admin. Code Pt. 6, R. 1]
T-39	TOTAL MAXIMUM DAILY LOAD (TMDL) means the maximum daily amount of a pollutant that can enter a water body so that the water body will meet and continue to meet state water quality standards. [11 Miss. Admin. Code Pt. 6, R. 1]
T-40	TURBIDITY is an expression of the optical property that causes light to be scattered and absorbed rather than transmitted with no change in direction of flux level through the sample caused by suspended and colloidal matter such as clay, silt, finely divided organic and inorganic matter and plankton and other microscopic organisms. [11 Miss. Admin. Code Pt. 6, R. 1]
T-41	UPSET means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the coverage recipient. An upset does not include noncompliance to the extent caused by operational error, improperly

**ACT12 (continued):**

**Narrative Requirements:**

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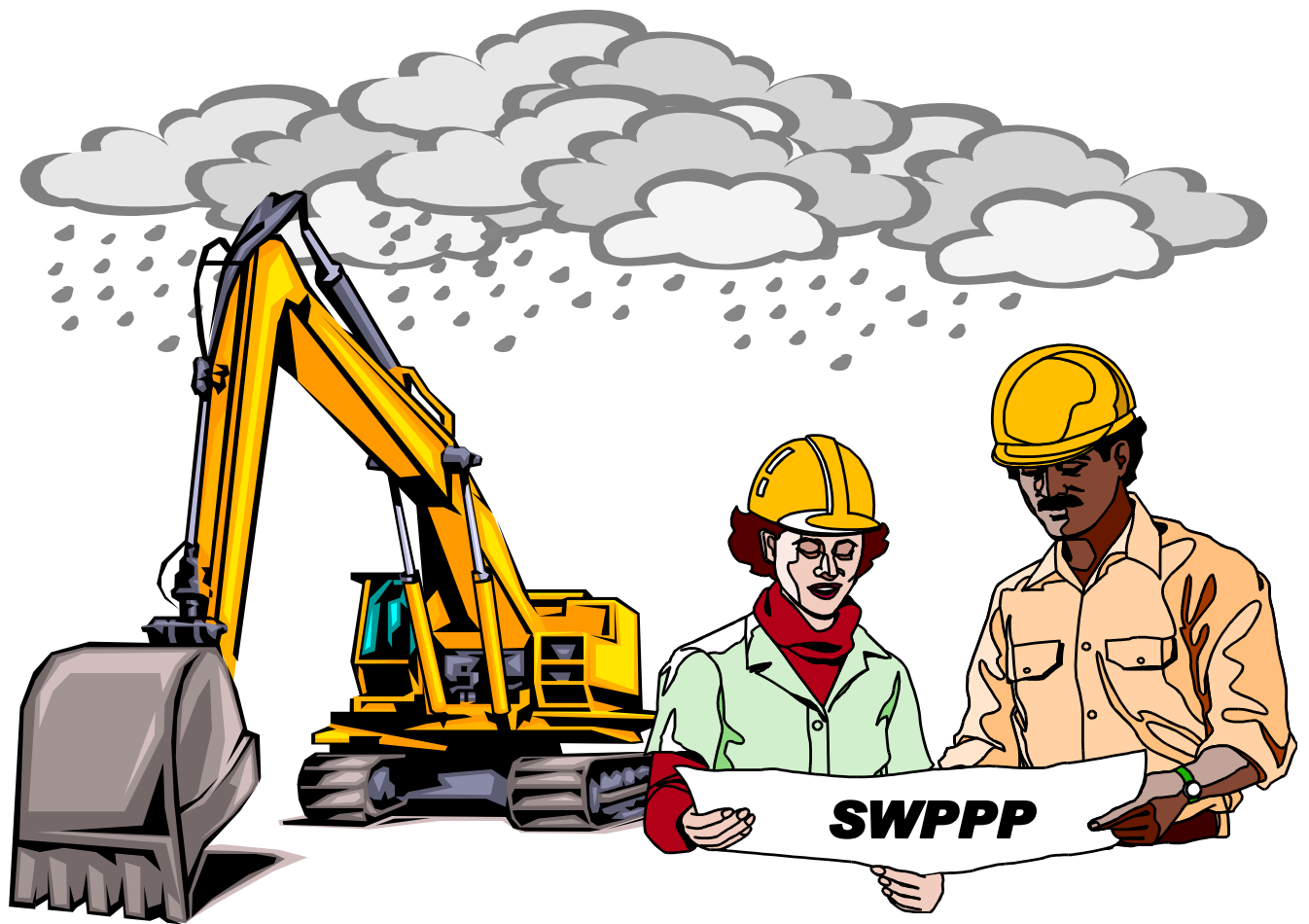
Condition	Condition
No.	designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. [11 Miss. Admin. Code Pt. 6, R. 1]
T-42	WATERS OF THE STATE means all waters within the jurisdiction of this State, including all streams, lakes, ponds, wetlands, impounding reservoirs, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, situated wholly or partly within or bordering upon the State, and such coastal waters as are within the jurisdiction of the State, except lakes, ponds, or other surface waters which are wholly landlocked and privately owned, and which are not regulated under the Federal Clean Water Act (33 U.S.C.1251 et seq.). [11 Miss. Admin. Code Pt. 6, R. 1]
T-43	11 Miss. Admin. Code Pt. 6, R.1 means the State of Mississippi's Wastewater Regulations for National Pollutant Discharge Elimination System (NPDES) Permits, Underground Injection Control (UIC) Permits, State Permits, Water Quality Based Effluent Limitations and Water Quality Certifications. [11 Miss. Admin. Code Pt. 6, R. 1]

**APPENDIX B: Records of Weekly and Other Inspections**

**APPENDIX C: Records of Significant Spills and Leaks**

**APPENDIX D: Mississippi SWPPP Guidance Manual For Construction  
Activities**

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



*General Permits Branch  
Office of Pollution Control  
Mississippi Department of Environmental Quality  
P. O. Box 2261  
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December 2016*

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

## INTRODUCTION

This document is a guide for developing a **Storm Water Pollution Prevention Plan (SWPPP)** for the Mississippi Department of Environmental Quality (MDEQ) as required in the State of Mississippi's Large and Small Construction Storm Water General NPDES Permits. The Large Construction General Permit (MSR10) authorizes storm water discharges from land disturbing activities of five (5) acres or greater; or for land disturbing activities that are part of a larger common plan of development or sale that will disturb five (5) or more acres. The Small Construction General Permit (MSR15) authorizes storm water discharges from land disturbing activities of one (1) acre to less than five (5) acres; or for land disturbing activities less than one (1) acre that are part of a larger common plan of development or sale that will disturb one (1) to less than five (5) acres. These permits must be consulted for complete requirements. For a more thorough description of erosion and sediment controls, see the most recent edition of the "**Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas (Three Volumes)**," which may be accessed electronically at: [http://deq.state.ms.us/MDEQ.nsf/page/NPS\\_PlanningandDesignManual2ndEd\\_Vol1?OpenDocument](http://deq.state.ms.us/MDEQ.nsf/page/NPS_PlanningandDesignManual2ndEd_Vol1?OpenDocument)

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

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

**When developing a SWPPP, always consider the following items:**

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

# PART I

## COLLECT SITE INFORMATION

- **Existing soils information** - *Are the soils susceptible to erosion?* For information see the Natural Resources Conservation Service (NRCS) soil surveys or call the State Conservationist through the State Office in Jackson at **(601) 965-5196** or **5205**. The NRCS is the former Soil Conservation Service.
- **Receiving water(s)** - Identify any lakes, streams, ponds or wetlands that may receive site runoff. If sensitive water bodies are downstream (for example: wild and scenic rivers, recreational streams, natural aquatic sites, private ponds and lakes or receiving streams listed on the Impaired Water Bodies 303(d) list or segments for which a Total Daily Maximum Load (TMDL) has been approved) extra erosion controls will be needed. A discussion of the Impaired Water Bodies follows. For assistance in locating adjacent or downstream waterbodies, see the appropriate USGS Quad map(s), a photocopy of which must be submitted along with the SWPPP. To obtain USGS Quad maps contact the Mississippi Office of Geology at **(601) 961-5523**.
- **List of Impaired Water bodies** - Mississippi's waters are used for public water supply, shell fish harvesting, recreation, and fishing & aquatic life support. The MDEQ assesses State waters every two years to determine if their uses are supported. A water body is said to be impaired when its use is partially or non-supportive. Construction sites, whose receiving streams that are on the list of impaired waters due to siltation, suspended solids, sediment, turbidity or habitat alterations, require additional erosion and sediment controls. These additional controls are intended to ensure that sediment will not further impact those impaired waters. Impaired waters are issued TMDLs, which represent the amounts of pollutants that can enter a water body so that the water body will meet and continue to meet state water quality standards. A list of water bodies with established TMDLs and an updated list of Section 303(d) streams can be accessed at [http://www.deq.state.ms.us/MDEQ.nsf/page/TWB\\_Total\\_Maximum\\_Daily\\_Load\\_Section?OpenDocument](http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section?OpenDocument). For more information concerning 303(d) listed streams, please contact the Water Quality Assessment Branch of the MDEQ at **(601) 961-5171**.
- **U. S. Army Corps of Engineers** - If your project is rerouting, filling or crossing a water conveyance of any kind, you should contact the U. S. Army Corps of Engineers, Regulatory Branch in your area for possible permitting requirements. For information call the Vicksburg Corps District at **(601) 631-7071** or the Mobile Corps District at **251-690-2658**.
- **Calculating total acreage disturbed** – Total acreage disturbed includes the total area disturbed over the course of the project. For subdivisions, this includes roads, utilities, drainage and home sites. A minimum of 10,000 ft<sup>2</sup> per home site or the entire lot, if smaller, shall be included. Acreage may be determined by dividing square footage by 43,560, as demonstrated in the following example:

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

Divide 54,450 ft<sup>2</sup> by 43,560 ft<sup>2</sup> per acre:

54,450 ft<sup>2</sup> ÷ 43,560 ft<sup>2</sup>/acre = 1.25 acres  
(Small construction coverage would be required for 1.25 acres of disturbance)
- **Determine drainage areas** - For each point where concentrated flow will leave the site, the drainage area should be determined. Drainage areas are portions of the site where runoff will flow in one particular direction or to a particular discharge point. This will help you select and design the appropriate sediment controls. The USGS Quad map(s) may be useful in determining drainage areas.

## PART II

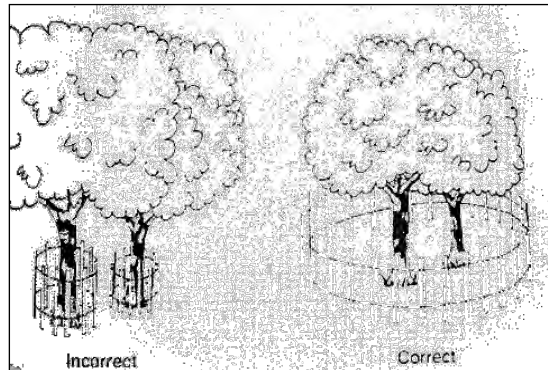
### CHOOSE CONTROLS

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

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

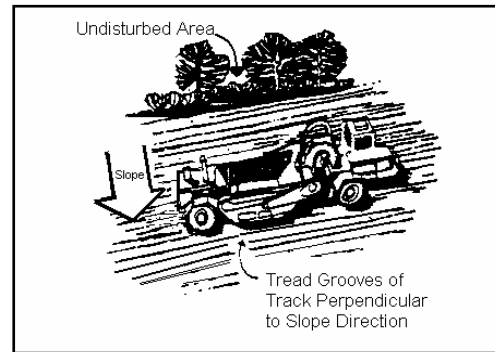
- **Vegetative buffer zones** are undisturbed or planted vegetated areas that surround a development, land disturbance activity or that border an intermittent stream or permanent water body. Buffer zones aid in sediment filtration and removal. If possible, construction site runoff should be spread out over entire buffer zone length. A minimum 15-foot wide buffer zone is recommended. A minimum 150-foot buffer zone is recommended adjacent to perennial streams and water bodies.
- **Sod stabilization**, the most effective vegetative practice available, involves establishing long-term stands of grass with sod on exposed surfaces. Properly installed and maintained sodding can be more than 99 percent effective in reducing erosion.

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

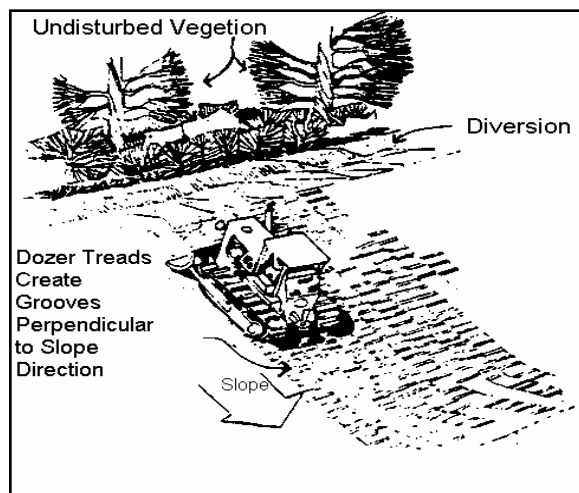


- **Tillage, with lime and fertilizer**, may be important before seeding. The Cooperative Extension Service local agent can analyze soil for lime and fertilizer needs.
- **Temporary seeding** is the planting of fast-growing annual grasses to hold the soil in areas that will not be disturbed again for 14 or more days. The appropriate temporary vegetative practices must be implemented immediately. For long term protection (greater than one year), permanent seeding should be initiated. The seeding chart on page 7 lists annuals that may be used. Mulching helps ensure seed growth and is essential when slopes are steep, weather is hot or dry and soil conditions are poor.
- **Permanent seeding** is the use of perennial grass (with trees & shrubs) to stabilize the soil. The appropriate permanent vegetative practices must be implemented immediately. The seeding chart on page 7 lists perennials that may be used. Vegetation is often not fully established until one (1) year from planting. Inspect, repair and re-seed as needed, evaluating choice of seed and quantities of lime and fertilizer. Use temporary seeding if the time of year is not appropriate for permanent seeding. **Sodding may be needed in highly erodible areas.**

- **Mulching** is the placement of hay, grass, wood chips, straw, or synthetic material on the soil. Mulch holds moisture, dampens temperature extremes and retards erosion on steep slopes during seed establishment. Soils that cannot be seeded due to the season should be mulched to provide temporary protection.
- **Erosion & sediment control blankets** are machine-produced mats of straw or other fibers held together with netting that provide temporary or permanent stabilization in critical areas, such as slopes or channels, so that vegetation may be established. On slopes shallower than 2:1, blankets should be laid perpendicular to the direction of flow. However, on steep slopes (> 3:1) and in areas of concentrated flows (ditches, swales, storm water conveyance channels), blankets should be laid in parallel to the direction of flow. Blankets should be anchored in a six (6) inch trench and should overlap by three (3) inches if strips are laid side by side.
- **Surface roughening** involves using heavy equipment to create grooves on bare soil in a perpendicular direction across the slope. Roughening loosens compacted soils in order to reduce runoff velocity and erosion while aiding in seed growth. Roughened slopes should be immediately seeded and mulched.
- Slopes that will be mowed should be grooved with shallow grooves 1 to 3 inches deep and no further apart than 10 to 12 inches.



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



# SEEDING CHART FOR THE STATE OF MISSISSIPPI

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

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

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

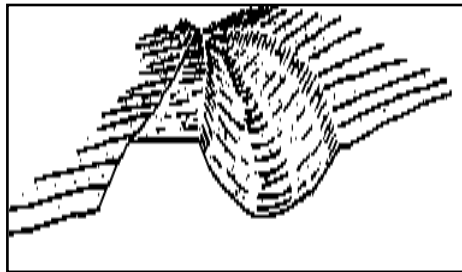
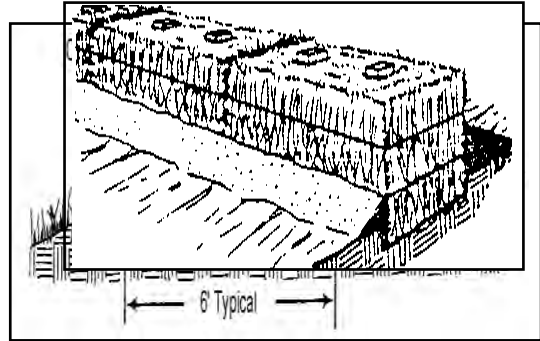
**North-**north of Hwy. 82

**Central-** south of Hwy. 82 & north of Hwy. 84

**South-** south of Hwy. 84

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

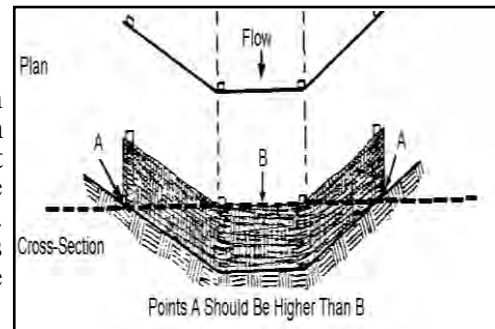
- **Diversion** ridges or channels of stabilized soil can divert off-site runoff from disturbed areas or sediment-laden runoff into sediment basins. If diversions will remain in place more than 30 days they should be covered with temporary or permanent vegetation. Diversions must have enough grade to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



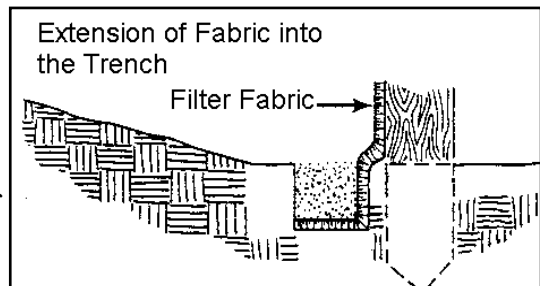
to cause erosion within the channel. Allow sufficient room around diversions to accommodate machine regrading, if needed. The maximum allowable drainage area is five acres.

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

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

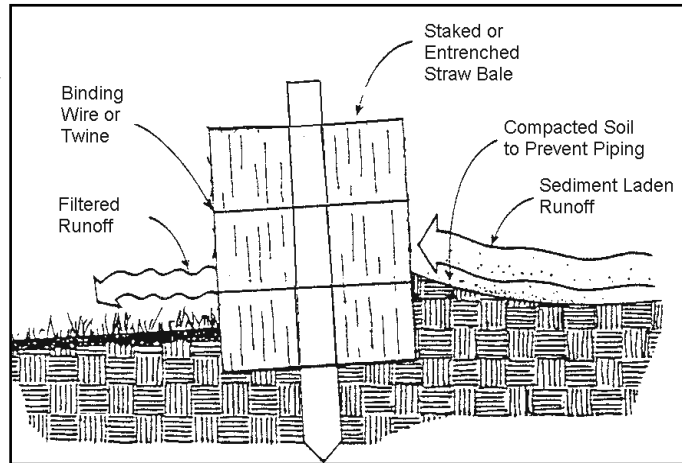


- **Straw bale barriers** are also used on small disturbed areas to capture sediment from sheet flow. The drainage area must be restricted to 1/8 acre per 100 feet of barrier. Maximum gradient behind the barrier is three horizontal to one vertical (3:1). The barrier must be located so that

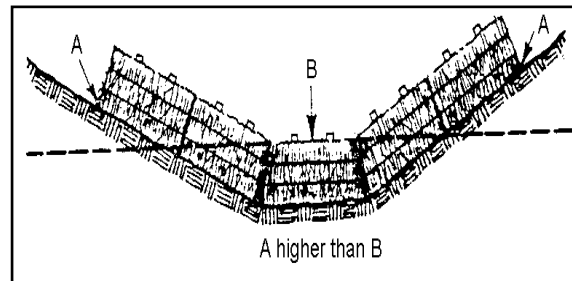


the water depth does not exceed one foot at any point. Straw bales, with bindings oriented around the sides, shall be entrenched a minimum of four inches and anchored with two stakes driven toward the previously laid bale. **Straw bales that are not buried are improperly installed, have no useful function,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

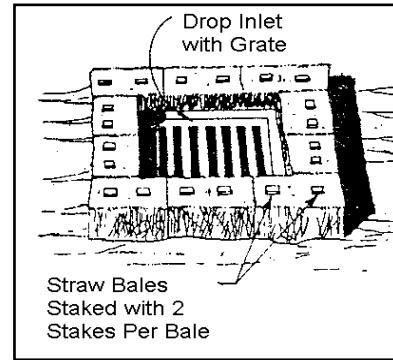
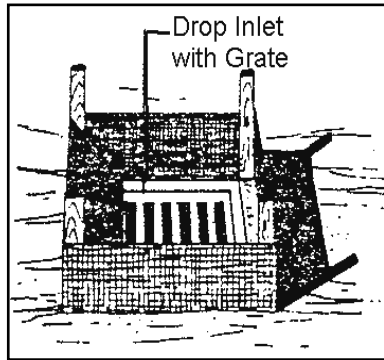
- Bales should be placed so that the ends are tightly abutting each other. Bales should be staked down using 1" x 2" wood stakes or rebar. Use two (2) stakes per bale and angle the first stake towards the previously laid bale. Stakes should be long enough to go through the bale and into the ground a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



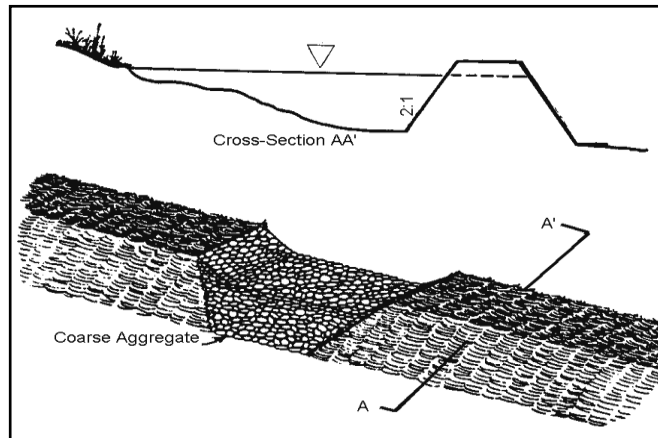
- Gaps between bales shall be wedged with straw. Loose straw scattered immediately uphill increases barrier efficiency. **Under no circumstances should straw bale barriers be constructed in live streams.** For minor dry swales, the end bale bottoms shall be higher than the middle bale top to assure runoff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



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



- **Sediment basins** allow sediment to settle out. Sediment basins are made by diking, excavating or a combination of the two. The “Erosion Control, Sediment Control and Stormwater Management” manual recommends a basin capacity of 134 yd<sup>3</sup> per acre drainage area. Because of typical basin shapes and embankment side slope requirements of 2:1 or flatter, the capacity of the basin may be estimated by using the trapezoidal rule

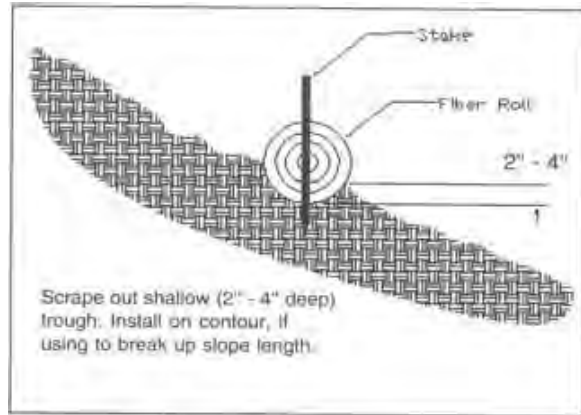


approximation of 40% x height x surface area. Sediment should be removed when the volume has been reduced to 67yd<sup>3</sup> per acre drainage area. The length should be twice the width, with maximum surface area and outlet as far from the inlet as possible. If using a dike, it must be well compacted and vegetated, with an outlet pipe or coarse aggregate spillway. Install basins prior to construction but not in flowing streams and not in intermittent drains without a Corps of Engineers Permit. Use diversions to direct drainage to basins. Mississippi’s Large Construction Storm Water General Permit requires that a sediment basin be installed in any drainage location where more than 10 acres in the upstream basin are disturbed at one time. See planning and design manual for basin design details.

- **Flocculants** may be used in order to treat turbidity in construction site storm water discharges and incorporated as a part of an overall storm water management system. If flocculant application is proposed, the SWPPP must list the proposed flocculants to be used, describe the method, frequency and location of introduction, and identify the location of BMPs where flocculated material will settle. Flocculants must meet the criteria contained in ACT8 of the Large Construction General Permit and

implemented in accordance with the manufacturer's instructions.

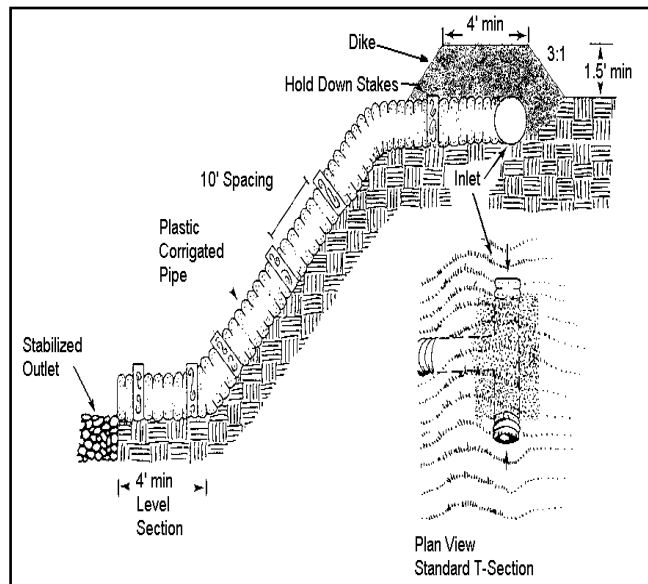
- **Fiber logs (also known as wattles)** are rolls made of straw or coconut fiber placed inside plastic netting. Wattles can be good for reducing slope length on steep slopes, for very low gradient sites that are small, or for preventing sediment from leaving small stockpiles. A shallow depression is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



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

**SIZE OF SLOPE DRAIN**  
**Maximum Drainage**  
**Piping Diameter**

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

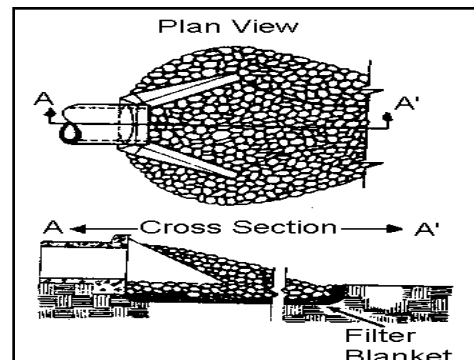


- **Slope breaks**, diversions or benches, are used to reduce the slope length of a cut or fill to minimize rill erosion and prevent gulying. Drainage area should be less than one (1) acre.

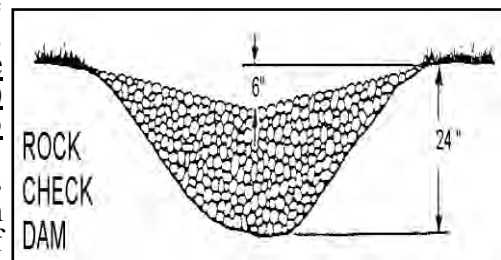
<b>Slope Breaks</b>	
<b>Slopes</b>	<b>Spacing (ft)</b>
Steep Slopes	
2:1	20
3:1	35
4:1	45
Gradual Slopes	
15 - 25%	50
10 - 15%	80
6 - 10%	125
3 - 6%	200
<3%	300



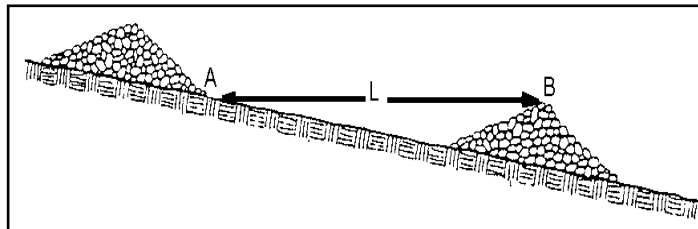
- **Riprap outlet protection** is placed at the outlet end of culverts or channels to reduce the depth, velocity and energy of water so that the flow will not erode the receiving downstream reach.



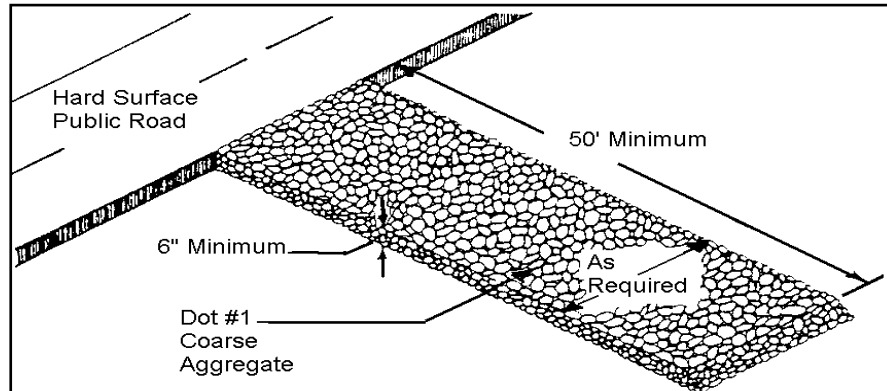
- **Check dams** are small dams constructed across swales or drainage ditches to reduce flow velocity and erosion. The purpose of a check dam is to prevent erosion of the swale or drainage ditch. They are not used in streams. Check dams can be constructed of stone, straw bales, or logs, with a maximum height of two (2) feet. **The check dam center must be at least six (6) inches lower than the outer edges to prevent erosion around the edges.**



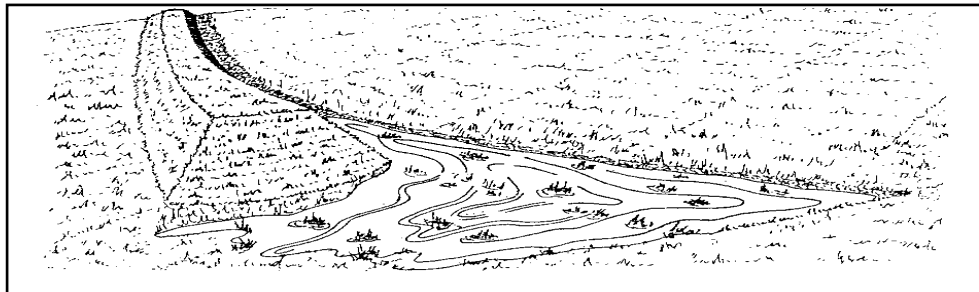
The maximum spacing between dams should be such that the toe of the upstream dam is at the same elevation as the top of the downstream dam. Sediment will accumulate and should be removed from behind the check dams when it reaches one half the dam height. Erosion around dam edges should be corrected immediately, ensuring that the dam center is six (6) inches lower than the edges. In grass-lined ditches, grass must be established prior to dam removal. The dam site should be seeded and mulched or sodded, as needed. The use of check dams should be limited to small open channels that drain 10 acres or less.



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



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



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

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

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

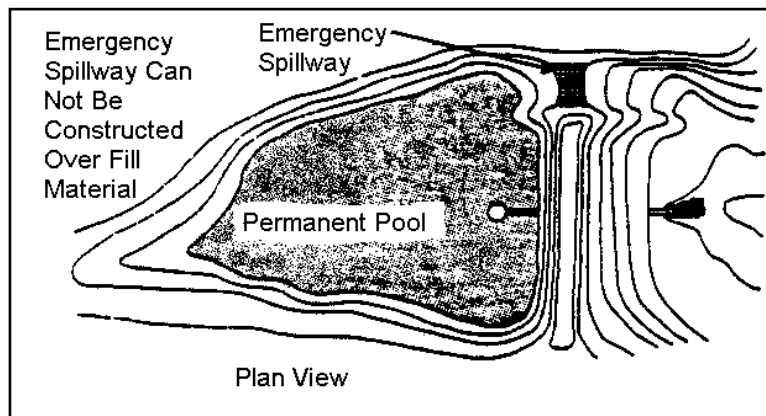
4. **Housekeeping Practices.** Pollutants that may enter storm water from construction sites because of poor housekeeping may include, but are not limited to oils, grease, paints, gasoline, solvents, litter, debris, and sanitary waste.

The SWPPP should:

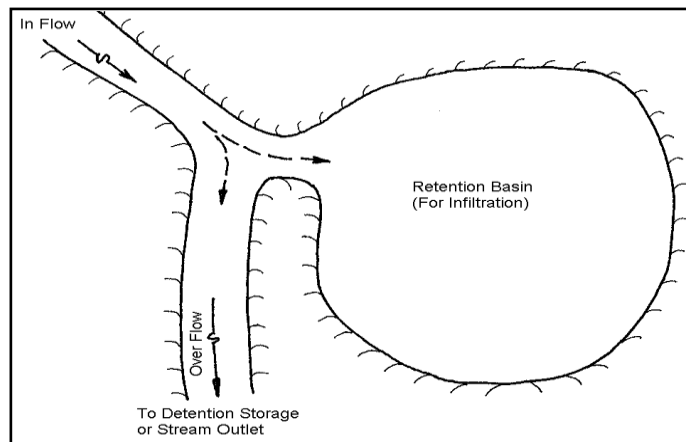
- designate areas for equipment maintenance and repair;
- designate areas for equipment wash off (i.e., concrete chute wash off);
- provide waste receptacles at convenient locations and provide regular collection of waste;
- provide adequately maintained sanitary facilities;
- provide protected storage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

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

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



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



- **Constructed wetlands** are modified natural or constructed shallow basins for treatment of waters by wetland vegetation. Constructed wetlands are operated wet. They can achieve a high removal rate of sediments, BOD, organic nutrients and metals. They can also create wildlife habitat, recreation, and landscape amenities as well as corresponding higher property values.
- **Vegetated swales and natural depressions** are grass-lined, filtering sediments from the runoff and preventing erosion. Vegetated swales should have side slopes of 4:1 or flatter.
- **Velocity dissipation devices** prevent erosion from high runoff velocity, such as **riprap** placed at the discharge point.
- **Exfiltration trenches** are a feasible option where soils are permeable and the water table is well below the surface. Exfiltration trenches retain storm water for release into the soil. Storm water runoff is temporarily stored in perforated pipe or coarse aggregate and allowed to infiltrate the trench walls and, to some extent, trench bottoms. Trenches require regular maintenance to prevent clogs.

## PART III

### PREPARE SWPPP

1. **Write a Description of Controls.** Once you have finished selecting the vegetative and structural controls, list each control you plan to implement. There are specific controls in the construction permits that must be implemented unless infeasible.
2. **Prepare a scaled site map** showing:
  - Boundaries of property and proposed construction activities, noting any phasing of construction activities,
  - Original and proposed contours (if feasible), with steep slopes identified
  - North arrow
  - Drainage pattern arrows
  - Location of sensitive areas, such as wetlands, perennial streams and adjacent receiving water bodies, (if the receiving waterbody is not depicted on the map, the name and direction shall be listed in text form on the map)
  - Location of any storm drain inlets and any receiving MS4
  - All erosion and sediment controls (vegetative and structural)
  - Any post-construction control measures, and
  - Location of housekeeping practices

If the construction project is a linear construction project (e.g., pipeline, highway, etc.), a scaled site map is not required, however standard diagrams (e.g., cross sections showing dimensions and labeled components of erosion and sediment controls to be used must be submitted.

3. **Implementation Sequence.** Indicate the order in which activities will take place. When work is discontinued for 14 days or more in a disturbed area or completed, appropriate vegetative and structural practices must be initiated immediately. Several general implementation principles are:
  - **Install** downslope and perimeter controls before other site work. Build sediment basins before major site grading.
  - **Divert** upslope water around area before major site grading.
  - **Do not disturb** an area until it is necessary.
  - **Time** construction activities to limit impact from seasonal weather.
  - **Cover or stabilize** disturbed areas as soon as possible.
  - **Do not remove** temporary controls until after site stabilization.
4. **Inspection and Maintenance Schedules.** A description of an inspection and maintenance schedule for all disturbed areas, material storage areas, and erosion and sediment controls that were identified as part of the plan shall be included in the SWPPP. Non-functioning controls shall be repaired, replaced or supplemented with functional controls within 24 hours of discovery or as soon as field conditions allow. During permit coverage all erosion controls must be inspected at least once per week for a minimum of four (4) inspections per month and as often as necessary to ensure that appropriate erosion and sediment controls have been properly constructed and maintained and determine if additional or alternative control measures are required. The MDEQ strongly recommends that coverage recipients perform a “walk through” inspection of the construction site before anticipated storm events. Controls must be in good operating condition until the area they protect has been completely stabilized and the construction activity is complete. The SWPPP must also identify all allowable source of non-storm water discharges listed in ACT2, T-2 of the Large Construction Storm Water General Permit, except for flows from actual fire fighting activities, which are combined with storm water discharges associated with large construction activity. The inspection

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

## PART IV

### APPLY FOR PERMIT COVERAGE

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

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

Operators of construction sites should keep in mind that local governments (cities, towns, counties) often have their own requirements for construction sites. Compliance with local requirements does not mean compliance with state requirements or vice versa. Forms may be found on our website at:

[http://www.deq.state.ms.us/MDEQ.nsf/page/epd\\_epdgeneral?OpenDocument](http://www.deq.state.ms.us/MDEQ.nsf/page/epd_epdgeneral?OpenDocument)

## PART V

### IMPLEMENT CONTROLS

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

## PART VI

### STABILIZE SITE & TERMINATE COVERAGE

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

# SAMPLE STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

## Site Information

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

## Controls

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

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

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

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

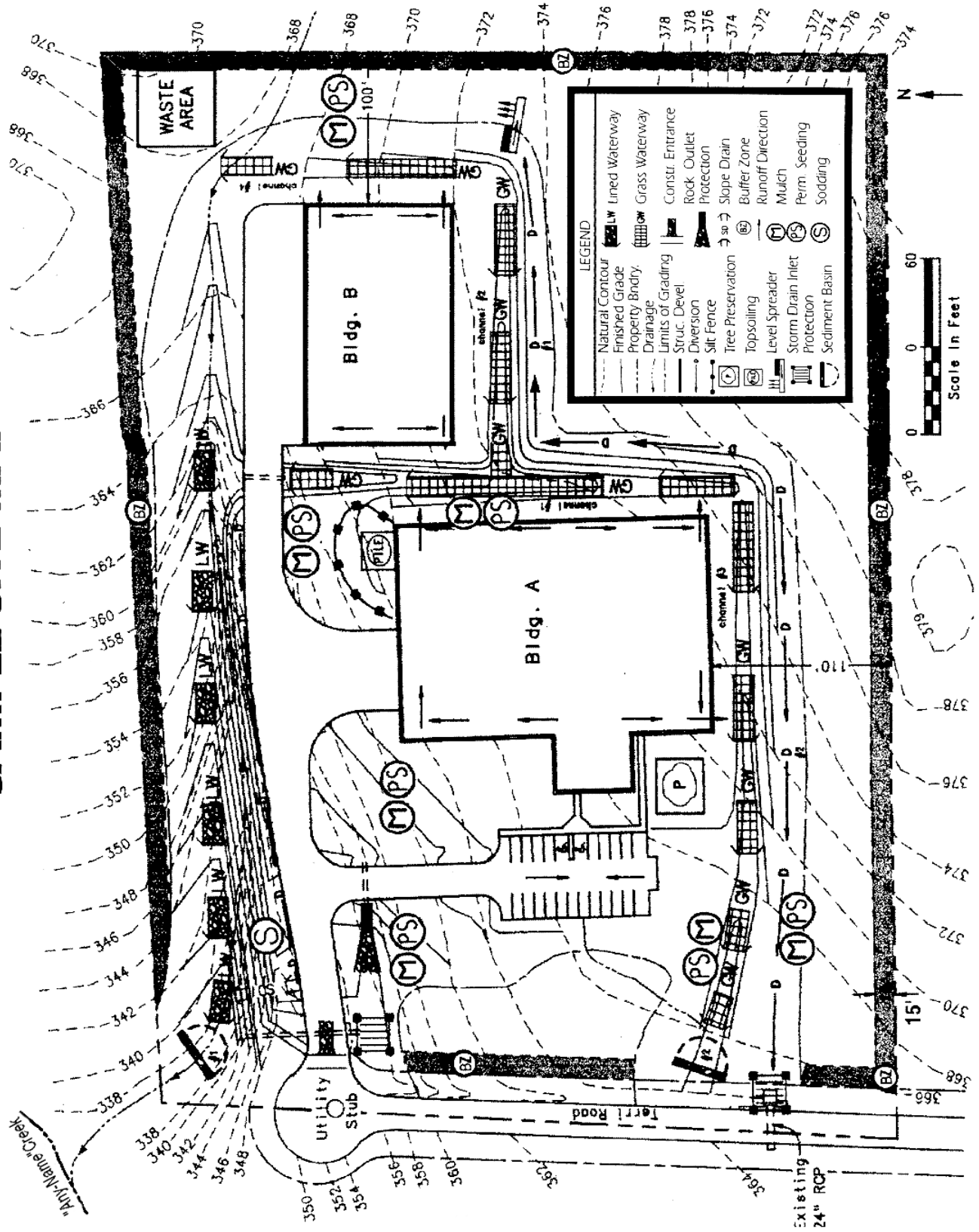
## Implementation Sequence

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

## Maintenance Plan

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

# SAMPLE SITE MAP



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

When rain falls on exposed soil it can wash away valuable topsoil. It also carries soil, nutrients and other pollutants into streets, gutters and ditches, where it then travels to lakes, rivers, streams or wetlands. Polluted runoff can cause excessive growth of aquatic weeds and algae and reduce recreational opportunities such as swimming and fishing. Sediment laden runoff can also destroy fish habitat reducing productive fishing opportunities. In addition, sediment-laden runoff can also clog pipes, ditches, streams and basins resulting in increased flooding and maintenance cost. Therefore, the homebuilder is required to minimize off-site damage from soil erosion, sediment leaving the construction site, and poor "housekeeping" practices. This requirement must be accomplished by developing and implementing a Storm Water Pollution Prevention Plan (SWPPP). Some examples of individual lot SWPPPs are attached for your convenience. Sketch the controls on a copy of your site plan. Narrative notes on the site plan may also be used in addition to the erosion control symbols.

In developing and implementing the SWPPP, controls must be used from each control group (vegetative, structural, housekeeping) to prevent erosion and sediment and other pollutants from leaving the site. Commonly used controls include:

### Vegetative Controls

**Temporary vegetation** includes annual grasses that sprout quickly such as annual rye, browntop millet, oats, and winter wheat. These grow quickly with little care and can protect the soil from rainfall and act as a filter. They will not provide permanent cover. Permanent cover must be established as soon as possible. When a disturbed area will be left undisturbed for fourteen days or more, the appropriate temporary or permanent vegetative practices shall be implemented immediately.

**Mulching** is the placement of hay grass, woodchips, straw, or synthetic material on the soil to provide temporary cover to protect the soil from rain. Mulching may be the only option during the winter when seeding or sodding is not possible. Mulch must stay in place to be effective. Netting, stakes or chemical binders are used to anchor some types of mulch. Be sure to reinstall washed-out mulch and anchor if necessary until permanent cover is established.

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

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

### Structural Controls

**Silt fences** are temporary sediment barriers made of filter fabric buried at the bottom, stretched, and supported by stakes. The silt fence slows runoff and allows it to puddle or pond, so soil and sediment can settle out before leaving the site. The bottom eight to twelve (8-12) inches of fence must either be sliced in or buried in a trench about four to six (4-6) inches deep by four to six inches wide. **Silt fences that are not buried are improperly installed. They have no useful function, are a waste of money, and may result in enforcement action.** Stakes must be on the downstream side of the fence and spaced about three (3) feet apart. Silt fence must not be installed across streams, ditches, waterways, or other concentrated flow areas. Place fences on the contour or perpendicular to the slope of the hill so that water and sediment will pond behind the fence. **Turn ends uphill** to prevent water going around the end. Install on the downslope, downhill, downstream, or low side of your lot. Keep the fence/barrier in place until grass is established.

**Construction entrance/exits** are stone stabilized site entrances which reduce sediment tracked onto public roads. Apply gravel or crushed rock to the driveway area and restrict traffic to this one route. Use 3 to 6 inch gravel over a geotextile fabric. At the end of each day sweep or scrape up any soil tracked onto the street. Limit "standard" vehicle access (including workers' vehicles) to only streets and roads, keep vehicles off of future yard areas; limit tracking of mud onto streets by requiring any required vehicles to use designated access drives. Streets are conduits for storm water, it is important to keep mud and sediment off the streets.

**Stockpiles** of sand or soil should be covered with plastic or tarps at the end of each workday, or surrounded with silt fence or haybales. Do not locate a stockpile near a street, storm drain inlet, or ditch.

**Slope drains** are piping or lined channels that carry storm water downslope without erosion. A good example would be a downspout extender. Extenders may be used to protect temporarily stabilized areas from roof runoff. Extenders can direct water from roof gutters to paved or grassed areas. Remove extenders following permanent stabilization.

**Erosion control blankets or mats** are machine-produced mats of straw or other fibers held together with netting that provide temporary or permanent stabilization in critical areas, such as slopes or channels, so that vegetation may be established.

**Additional Controls:** The above controls are the more common practices used at small construction sites. There are a number of other controls, techniques and manufactured product available. A few examples include hydro seeding, inlet protection devices, diversion berms, silt dikes and fiber logs. Even something as simple as a tarp or plastic may provide temporary cover for small exposed areas. You may wish to contact an erosion and sediment control specialist, local building official, or MDEQ for further information. In addition, MDEQ has several guidance manuals that may be of assistance and the internet has abundant guidance on construction BMPs.

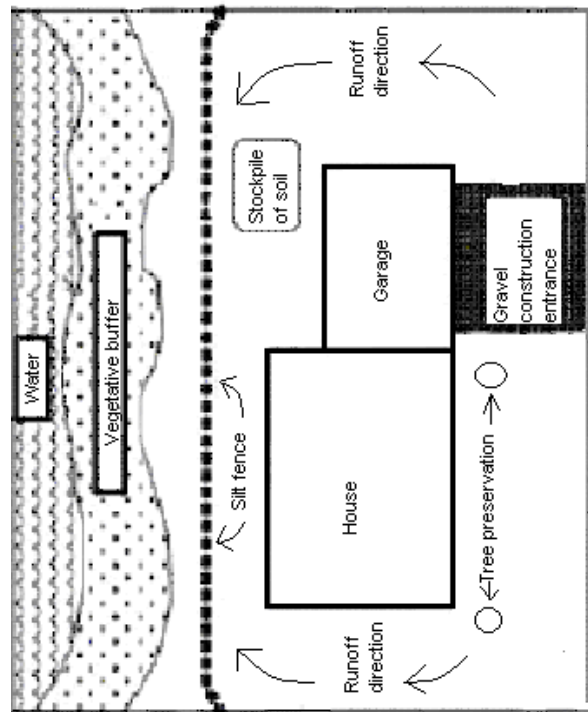
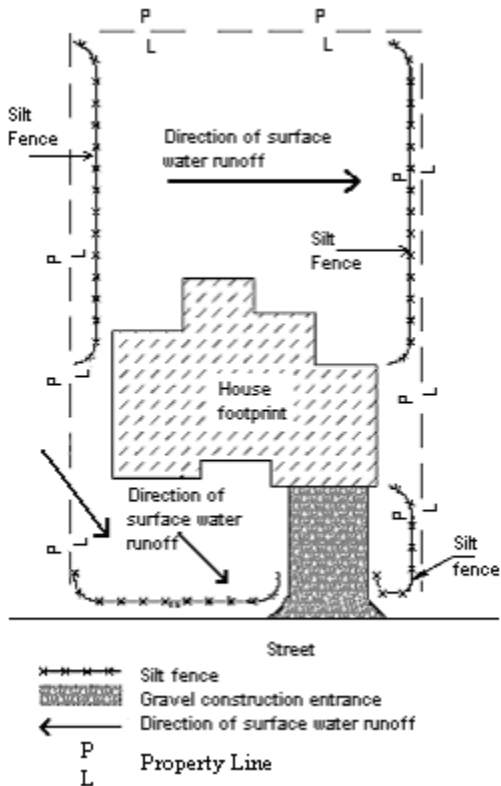
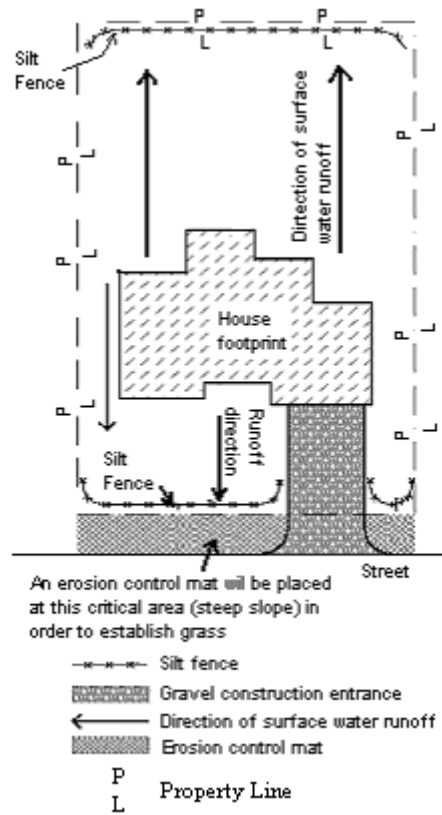
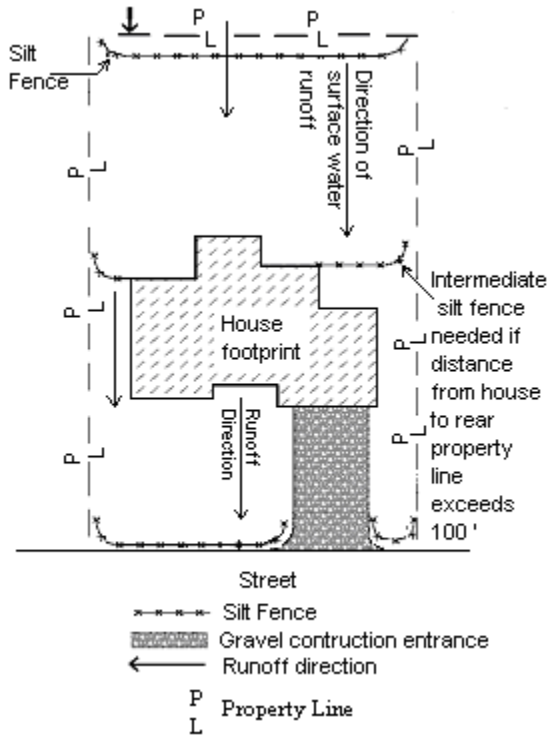
### **Housekeeping Controls**

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

- Minimize the exposure of building materials, building products, construction wastes, trash and landscape materials
- Frequent cleaning of trash and debris, providing waste receptacles at convenient locations and providing regular collection of waste;
- Directing concrete trucks to the subdivision's designated wash-off area(s) or back to the Ready-Mix facility;
- Providing protected storage areas for chemicals, paints, solvents, fertilizers, and other potentially toxic materials; and
- Providing adequately maintained sanitary facilities.

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

## EXAMPLE INDIVIDUAL LOT SITE MAPS



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

## Worksheet 1 - Checklist Sheet for Erosion and Sediment Controls

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

### STRUCTURAL PRACTICES

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

### VEGETATIVE PRACTICES

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

### CONTROLS FOR INDIVIDUAL LOTS IN SUBDIVISIONS

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

## HOUSEKEEPING PRACTICES

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

## POST CONSTRUCTION CONTROL MEASURES

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

# FREQUENTLY ASKED QUESTIONS

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

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

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

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

**Q. What is a SWPPP?**

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

**Q. Where can I get assistance?**

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

**Q. How do I terminate a project?**

A.1. Within 30 days of final stabilization for a covered project, a completed Request for Termination (RFT) of Coverage form (provided in the Large Construction Forms Package) shall be submitted to the Permit Board. The MDEQ staff will inspect the site, and if no erosion or sediment control problems are identified and adequate permanent controls are established, the owner or operator will receive a letter of termination from the MDEQ.

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

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

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

A.3. The coverage recipient of a residential “larger common plan of development or sale” must submit a copy of the MDEQ Registration Form for each lot sold with the RFT.

A.4. Residential lot owners or operators that have completed the MDEQ Registration Form are not required to submit a RFT, unless specifically requested by the MDEQ staff. The lot permit coverage is considered terminated upon successful completion of all permanent erosion and sediment controls.

- Q. What is the threshold of land disturbance that will require me to obtain storm water permit coverage?**
- A.1. Projects that are considered to be Large Construction are: land disturbing activities of five (5) acres or greater; or for land disturbing activities that are part of a larger common plan of development or sale that will disturb five (5) or more acres.
- A.2. Projects that are considered to be Small Construction are: land disturbing activities of one (1) acre to less than five (5) acres; or for land disturbing activities less than one (1) acre that are part of a larger common plan of development or sale that will disturb one (1) to less than five (5) acres.
- Q. What is meant by a “larger common plan of development or sale?”**
- A. A “larger common plan of development or sale” means a contiguous area where multiple separate and distinct construction activities are occurring under one plan. The plan in a common plan of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that construction activities may occur on a specific plot.
- Q. For projects such as a 100-mile pipeline project, what location should be provided on the CNOI?**
- A. The beginning of a linear construction project should be used as the location and all counties that the project traverses should be listed on the MDED’s CNOI Form.
- Q. Is clearing of lands specifically for agricultural purposes regulated construction activity (40 CFR 122.26(b)(14)(x)) under the storm water program?**
- A. No. Although the clearing of land may be greater than five acres, any amount of clearing for agricultural purposes is not considered an industrial activity under the storm water regulations. Section 402(l)(1) of the 1987 Water Quality Act exempts agricultural storm water discharges from NPDES permitting requirements including storm water permitting. This exemption only applies, however, if the clearing of land is solely for agricultural purposes. For example, the clearing of land for the purpose of building a retail store would be the beginning of construction activity and require permitting.
- Q. If a construction activity that disturbs less than one acre occurs at a regulated industrial activity currently covered by the State’s industrial storm water permit, does the regulated industry have to modify its pollution prevention plan to include controls for the area of construction?**
- A. Yes. Regulated industrial activities covered by Mississippi’s storm water industrial general permits must revise their pollution prevention plan to address all new sources of pollution and runoff including those from construction activities disturbing less than one acre, that occurred on the site of the regulated industry. If the disturbance is one (1) acres or greater then the facility should submit an NOI for coverage under the State’s construction storm water general permit.
- Q. For a construction activity that uses off site “borrow pits” for excavation of fill material or sand and gravel, should the number of disturbed acres at the borrow pit be added to the number of acres at the construction site to determine the total number of disturbed acres?**
- A. No, off site borrow pits are not considered part of the on site construction activity. If a borrow pit is specifically used for the removal of materials such as sand, gravel, and clay, the pit is considered

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

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

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

**Q. Who is responsible for permit compliance?**

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

**Q. Does construction activity encompass repaving of roads?**

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

**Q. Does construction activity encompass routine road maintenance?**

A. No. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site.

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

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

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

A. The following non-storm water discharges are authorized: discharges from fire-fighting activities, fire hydrant flushing, water used to control dust, potable water including uncontaminated water line flushing, routine external building wash down that does not use detergents, pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used, uncontaminated air conditioning or compressor condensate, uncontaminated ground water or spring water, foundation or footing drains where flows are not contaminated with process materials such as solvents, uncontaminated excavation dewatering, landscape irrigation, water used to wash vehicles, wheel wash water and other wash waters where detergents are not use. However, they must be included in the SWPPP and addressed by the appropriate BMP.

**APPENDIX E: Employee Training Log**