



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



READY-MIX CONCRETE GENERAL PERMIT (RMCGP)

THIS CERTIFIES

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

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

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 Air and Water Pollution Control Law (Section 49-17-1 et seq., Mississippi Code of 1972), and the regulations and standards adopted and promulgated thereunder, and under authority granted pursuant to Section 402(b) of the Federal Water Pollution Control Act.

Mississippi Environmental Quality Permit Board

Authorized Signature

Mississippi Department of Environmental Quality

Issued: December 8, 2020

Expires: November 30, 2025

Permit No. MSG11

Agency Interest # 38088

Ready-Mix Concrete Facility General Permit

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ACT 1 (Ready-Mix Concrete) Applicability:**T-1 PERMIT AREA:**

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

T-2 ELIGIBILITY AND AUTHORIZATION:

(1) This permit covers ready-mix concrete producing facilities operating under the following Standard Industrial Classification (SIC) Codes:

SIC 3271 – manufacturing concrete building block and brick from a combination of cement and aggregate.

SIC 3272 – manufacturing concrete products, except block or brick, from a combination of cement and aggregate.

SIC 3273 – manufacturing Portland cement concrete manufactured and delivered to a purchaser in a plastic and unhardened state.

(2) This permit authorizes coverage recipients to construct and operate air emissions equipment and to discharge process wastewater in accordance with limitations, monitoring requirements and other conditions set forth in this permit for the following emissions and/or discharges:

- (a) Air emissions associated with the construction and operation of true minor or synthetic minor ready-mix concrete facilities. These facilities must be equipped with a baghouse (or other air pollution control device approved by MDEQ) for control of air emissions from all cement silos and cement supplement silos, as applicable.
- (b) Process wastewater includes, but is not limited to, discharges from central mixer wash-out, mixer truck and chute wash-off, equipment clean-up, batch area pavement wash-off, aggregate cooling water and free liquids from the dewatering of treatment impoundment sludges.
- (c) Stormwater associated with industrial activity (facility operation).

(3) A facility is eligible for coverage under this general permit for discharges of pollutants of concern to water bodies for which there is an EPA-approved Total Maximum Daily Load (TMDL) if measures and controls are incorporated that are consistent with the assumptions and requirements of such TMDL. To be eligible for coverage under this general permit, the facility must incorporate in the Stormwater Pollution Prevention Plan (SWPPP) and/or effluent limitation any conditions applicable to any discharge(s) necessary for consistency with the assumptions and requirements of such TMDL. If a specific wasteload allocation is established that would apply to the facility's discharge subsequent to coverage issuance, the facility must implement steps necessary to meet that allocation.

ACT 1 (Ready-Mix Concrete) Applicability (continued):

(4) A facility is eligible for coverage under this general permit for discharges of pollutants of concern to impaired water bodies on MDEQ's 303(d) list, provided best management practices (BMPs) are employed that prohibit further impairment of the designated and/or existing beneficial uses in the receiving water body. No discharge will be allowed if the pollutant that is proposed to be discharged will cause or contribute to an existing impairment of a Section 303(d) listed water.

(5) Allowable non-stormwater discharges (listed below) provided they do not cause or contribute to a violation of water quality standards.

Discharges from actual fire-fighting activities

Fire hydrant flushings

Waters used to wash vehicles where surface waters are not impaired (does not include mixer truck wash-off)

Water used to control dust

Potable water sources including water line flushings

Routine external building wash down that does not use detergents

Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used

Untaminated air conditioning or compressor condensate

Untaminated ground water or spring water

Foundation or footing drains where flows are not contaminated with process materials such as solvents

The above non-stormwater discharges should be eliminated or reduced to the extent feasible. The Permit Board staff will review the above discharges on a case by case basis and may require the coverage recipient to apply for and obtain either an individual or an alternative general NPDES permit. [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

T-3 OBTAINING AUTHORIZATION:

(1) Facilities desiring coverage associated with ready-mix concrete activity under this permit must submit a Ready-Mix Concrete Notice of Intent (RMCNOI) in accordance with the requirements of this permit.

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

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

ACT 1 (Ready-Mix Concrete) Applicability (continued):

(4) Facilities are authorized to emit regulated air emissions and discharge wastewater and stormwater under the terms and conditions of this permit only upon receipt of written notification of approval of coverage by the Permit Board staff. Emissions or discharges without written notification of coverage under this permit, or issuance of the respective air and individual National Pollutant Discharge Elimination System (NPDES) permits constitute a violation of the Mississippi Air and Water Pollution Control Law (Miss. Code Ann. Section 49-17-29(2)(b)). [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

T-4 THIS PERMIT DOES NOT AUTHORIZE:

(1) Discharges which result in violation of State Water Quality Standards. If a discharge authorized under this permit is later determined to cause or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard, MDEQ will notify the regulated entity of such water quality violation(s) in writing and will provide the information used by MDEQ to make this determination. The regulated entity must take all necessary actions required to ensure future discharges do not cause or contribute to the violation of a water quality standard. If such violations remain or re-occur, then additional measures, such as the addition of BMPs or the requirement to obtain an individual permit, may be required by the Permit Board. Compliance with this requirement does not preclude any enforcement activity as provided by the Clean Water Act for the underlying violation.

(2) Activities that affect waters of the State, including wetlands, without obtaining the necessary U.S. Army Corps of Engineers' (COE) individual Section 404 permit or coverage under a COE nationwide or general permit. Appropriate documentation must be submitted with the RMCNOI.

(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 stormwater discharges, allowable non-stormwater discharges, and discharge-related activities are not likely to jeopardize the continued existence of any species that is listed as endangered or threatened ("listed") under the ESA or result in the adverse modification or destruction of habitat that is designated as critical under the ESA ("critical habitat"). Submission of a signed NOI will be deemed to constitute the regulated entity's certification of eligibility.

(4) Activities which directly and adversely affect properties listed or eligible for listing in the National Register of Historic Places, unless the regulated entity is in compliance with requirements of the National Historic Preservation Act and has coordinated any necessary activities to avoid or minimize such direct and adverse impacts with the appropriate State Historic Preservation Officer. Submission of a signed NOI will be deemed to constitute the regulated entity's certification of eligibility. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 1 (Ready-Mix Concrete) Applicability (continued):

(5) New or existing ready-mix concrete facilities using one or more generators for the purpose of power generation during the manufacturing process (other than temporary electric power outages), with exception of stationary diesel-fired generators meeting the conditions of ACT 3, L-7. Such facilities are not eligible for coverage under this general permit and will be required to submit an application(s) for the appropriate individual permit(s) as described in ACT2, Condition S-7. [11 Miss. Admin. Code Pt. 2, Ch. 2.]

(6) New or existing ready-mix concrete facilities with stationary emission sources not identified herein which may cause the facility's potential-to-emit to exceed the Prevention of Significant Deterioration (PSD) or Title V major source thresholds. [11 Miss. Admin. Code Pt. 2, Ch. 2.]

ACT 2 (Ready-Mix Concrete) Obtaining Coverage, Recoverage, and Requesting Termination:**S-1 OBTAINING COVERAGE:**

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

(1) RMCNOI Submittal - Submit a RMCNOI Form at least thirty (30) days prior to the commencement of the regulated activity. The RMCNOI Form is available online at <https://www.mdeq.ms.gov/rmcgp/>, or it can be obtained from the MDEQ office at the address given in ACT2, Condition T-2, or by calling 601-961-5171 .

(2) A United States Geological Survey (USGS) topographic map, extending at least one-half mile beyond the facility property boundaries with the site location and outfalls outlined or highlighted.

(3) A detailed site drawing showing the property layout and indicating the following features:

(a) For Air Emissions – adjoining property including buildings, houses, etc. with all appropriate distances labeled and measured to the nearest residential or recreational area. The distance shall be from the emission point, including any raw material storage piles, to the boundary of the residential or recreational area.

(b) For Process Wastewater Discharges – adjoining property including buildings, houses, etc. with all appropriate distances labeled and measured to the nearest residential, recreational or light commercial area. The distance shall be from the edge of the nearest treatment equipment and/or treatment impoundment to the nearest adjoining property line.

(c) For Stormwater Discharges Associated with Industrial Activity – drainage area of each stormwater outfall identified by number, each existing structural pollutant control measure, surface water bodies and location of housekeeping practices.

ACT 2 (Ready-Mix Concrete) Obtaining Coverage, Recoverage, and Requesting Termination (continued):

(4) Stormwater Pollutant Prevention Plan (SWPPP) developed in accordance with ACT 5 of this permit.

(5) Proof of contiguous landowner notification (CLN), proof of publication in a newspaper, and plans and specifications may be required to be submitted in accordance with ACT2, Conditions S-2, S-3, and S-4. [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

S-2 CONTIGUOUS LANDOWNER NOTIFICATION:

An applicant for a new facility or an existing facility proposing a major modification (as defined in ACT7, Condition T-9) or proposing additional outfalls must send notification, using the Contiguous Landowner Notification Form which is available online at <https://www.mdeq.ms.gov/rmcgp/>, to contiguous landowners of the facility via certified-return receipt requested (CRRR) mail. The applicant must submit copies of the signed CRRR receipts which the applicant received or copies of the certificate of mailings, a copy of the land tax records map obtained from the tax assessor office that identifies all contiguous landowners, and a completed copy of the notification form with the applicant's RMCNOI. Failure to notify the contiguous landowners may result in denial or revocation of coverage. Contiguous landowner notification is not required for an existing facility that is not proposing any changes identified above.

The applicant, in giving this notification to contiguous landowners:

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

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

Once the required submittals are deemed administratively complete, notification of the proposed project will be placed on MDEQ's website at <https://www.mdeq.ms.gov/ensearch/general-permit-notice-of-intents> for a minimum of 10 days. Contiguous landowners who receive certified notifications must submit written comments, if any, to the Mississippi Department of Environmental Quality within 30 days after the postmark date of the certified notification or by the end of the MDEQ 10-day online notification period as described in ACT2, Condition T-1, whichever is later. [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

ACT 2 (Ready-Mix Concrete) Obtaining Coverage, Recoverage, and Requesting Termination (continued):**S-3 PUBLIC PARTICIPATION REQUIREMENTS FOR AIR SYNTHETIC MINOR FACILITIES:**

Synthetic minor facilities seeking coverage or recoverage of this permit or synthetic minor facilities proposing a major modification shall provide a 30-day period for public comment. These facilities shall have a public notice published once in a daily or weekly newspaper of local distribution. The applicant shall submit proof of the newspaper publication with the RMCNOI or Recoverage Form. An example of the public notice is available online at <https://www.mdeq.ms.gov/rmcgp/>. [11 Miss. Admin. Code Pt. 2, R. 2.4.G. and 2.4.H.]

S-4 PLANS AND SPECIFICATIONS:

A new facility or an existing facility proposing modifications to the design of the wastewater treatment facilities necessary to achieve compliance with the requirements of this permit must submit plans and specifications. All plans and specifications submitted to the Department must be developed and/or reviewed and certified by a professional engineer who holds a valid certificate of registration as a professional engineer issued by the Mississippi State Board of Registration for Professional Engineers and Land Surveyors. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

S-5 OBTAINING RECOVERY:

Once the RMCGP is reissued MDEQ will provide a Letter of Instruction to active coverage recipients outlining the process for obtaining coverage under the reissued permit. Failure to comply with the provisions of the Letter of Instruction may constitute a violation of the conditions of this permit. Unless specifically requested to do so, resubmittal of the Stormwater Pollution Prevention Plan (SWPPP) is not required if the SWPPP is on-site, current, adequately addresses the sources of pollution at the facility and is fully compliant with the terms and conditions of the reissued permit.

If the permit is not reissued prior to the expiration date, continued coverage under this permit will be allowed in accordance with ACT6, Condition T-26. [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

S-6 FACILITY EXPANSION AND/OR MODIFICATION NOTIFICATION:

The coverage recipient must notify the Permit Board at least 30 days before:

- (1) Any planned changes in facility operations that may affect air emissions and/or water discharges
- (2) Any planned changes of ownership, or
- (3) Any changes in information previously submitted in the RMCNOI or Recoverage Form.

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

ACT 2 (Ready-Mix Concrete) Obtaining Coverage, Recoverage, and Requesting Termination (continued):**S-7 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 and an individual Air Permit to Construct and/or Air State Permit to Operate. Any interested person may petition the Permit Board to take action under this paragraph. The Permit Board may require any coverage recipient to apply for an individual NPDES and/or Air permit only if the coverage recipient has been notified in writing. Such notice shall include reasons for the Permit Board's decision, an application form and a filing deadline. The Permit Board may grant additional time at its discretion, upon request. If a coverage recipient fails to submit a requested application in a timely manner, coverage under this permit will automatically terminate at the end of the day specified for application submittal.

(2) Any 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 NPDES application (EPA Forms 1 and 2D for new discharges, EPA Forms 1 and 2C for existing discharges), an individual Air application, or appropriate general permit Notice of Intent Form. [11 Miss. Admin. Code Pt. 2, Ch. 2. and Pt. 6, Ch. 1.]

S-8 CLOSURE AND TERMINATION REQUIREMENTS:

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

T-1 PUBLIC PARTICIPATION REQUIREMENTS FOR AIR TRUE MINOR FACILITIES:

For a new true minor facility or an existing true minor facility proposing a modification under ACT 2, Condition S-6, once the required submittals are deemed administratively complete, notification of the proposed project will be placed on MDEQ's website for a minimum of 10 days. These online notifications can be found at the following link: <https://www.mdeq.ms.gov/ensearch/general-permit-notice-of-intents>. For a major modification at a true minor facility, the public notice procedures of ACT 2, Condition S-3 shall apply. [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

ACT 2 (Ready-Mix Concrete) Obtaining Coverage, Recoverage, and Requesting Termination (continued):

T-2 WHERE TO SUBMIT THE RMCNOI, RECOVERAGE, AND NOT FORMS:

Complete and appropriately signed RMCNOI, Recoverage, and NOT Forms must be submitted to:

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

In addition to mailing paper, electronic submittals are also recommended. Electronic submittals can be submitted at the following link: <https://www.mdeq.ms.gov/rmcgpp/>. After December 20, 2020 (or a later date specified by EPA), these forms shall be submitted by the coverage recipient electronically as instructed by MDEQ. [11 Miss. Admin. Code Pt. 6, Ch. 1., 40 CFR Part 122.26(g)(1)(iii), 40 CFR Part 122.28(b)(2), 40 CFR Part 122.64(c), 11 Miss. Admin. Code Pt. 2, Ch. 2.]

ACT 3 (Ready-Mix Concrete) Air Emissions Requirements:

L-1 MODERATE STATIONARY SOURCE AND SYNTHETIC MINOR OPERATING SOURCE

A ready-mix concrete facility designed with a maximum concrete production rate exceeding 150 cubic yards per hour (yd³/hr), as determined using the manufacturer's maximum rated plant capacity, shall be considered both a moderate stationary source and a synthetic minor operating source. [11 Miss. Admin. Code Pt. 2, R. 2.1.C(14)., 11 Miss. Admin. Code Pt. 2, R. 2.1.C(29).]

L-2 SITING CRITERIA REQUIREMENTS:

(1) All sources of air emissions must be at least 150 feet from the nearest residential or recreational area as defined in ACT7, Condition T-16.

(2) Where buffer zone requirements cannot be met, the Permit Board will consider requests for exceptions to, or variances from, these requirements upon the applicant's submittal of sufficient proof that affected property owners within the subject buffer zone have had timely and sufficient notice of the proposed stationary source. Any comments received as a result of such notice shall be considered prior to action upon any request for exceptions to, or variances from, the buffer zone requirements. [11 Miss. Admin. Code Pt. 2, R.2.2.B(14)(a)., 11 Miss. Admin. Code Pt. 2, R.2.2.B(14)(f).]

ACT 3 (Ready-Mix Concrete) Air Emissions Requirements (continued):

L-3 LIMITATION REQUIREMENTS:

NON-NUMERIC LIMITATIONS:

Dust from fugitive emissions on ready-mix concrete facility property shall be kept to a minimum. Dust from the movement of heavy trucks over unpaved or dusty surfaces on the ready-mix facility property must be controlled by good maintenance, wetting, or application of approved, non-hazardous, commercially available dust suppression agents. [11 Miss. Admin. Code Pt. 2, Ch. 1.]

NUMERIC LIMITATIONS:

During coverage under this permit, the facility is subject to the following requirements:

- (1) The facility is subject to an opacity limitation of 40% or less. [11 Miss. Admin. Code Pt. 2, Ch. 1.]
- (2) If the facility's designed maximum concrete production rate, as certified on the RMCNOI or Recharge Form, is greater than 150 cubic yards of concrete per hour (yd³/hr), the facility shall not produce more than 1,000,000 cubic yards of concrete per year (yd³/yr), as determined for each calendar year. [11 Miss. Admin. Code Pt. 2, Ch. 2.]
- (3) The maximum permissible amount of ash and/or particulate matter from fossil fuel burning installations of less than 10 MMBTU per hour heat input shall not exceed 0.6 pounds per million BTU. [11 Miss. Admin. Code Pt. 2, Ch. 1.]

L-4 BAGHOUSE/FABRIC FILTER CONTROL EQUIPMENT REQUIREMENTS:

- (1) Each cement silo and cement supplement silo (if applicable) shall be equipped with a baghouse or fabric filter (or other air pollution control device approved by MDEQ) for control of air emissions. [11 Miss. Admin. Code Pt. 2, Ch. 2.]
- (2) Regular inspections and any required maintenance shall be performed each month, or more often if necessary, to maintain proper operation of the pollution control equipment. At least monthly, a check for any leaks and visible emissions of dust from the pollution control equipment shall be performed while material is being transferred to the silo(s). If leaks or abnormal amounts of visible dust are noted, the coverage recipient shall immediately cease material transfer and take corrective measures to eliminate leaks and eliminate and/or reduce visible dust to normal levels prior to restarting material transfer. (For example, corrective measures may include but are not limited to replacing bags/filters or slowing material transfer rates.) The monthly inspections and visible emissions checks, as well as any maintenance conducted and corrective measures taken, shall be recorded on the Monthly Air Records Form which is available online at <https://www.mdeq.ms.gov/rmcgfp/>. This form must be made available for review upon request during any inspection by MDEQ personnel. [11 Miss. Admin. Code Pt. 2, Ch. 2.]

ACT 3 (Ready-Mix Concrete) Air Emissions Requirements (continued):

(3) In the event of a malfunction of the pollution control equipment, the coverage recipient shall cease operations until such time as repairs are made and the proper efficiency of the pollution control equipment is restored. [11 Miss. Admin. Code Pt. 2, Ch. 2.]

(4) Solids removed in the course of control of air emissions may be disposed of in a manner such as to prevent the solids from becoming windborne and to prevent the materials from entering State waters. [Miss. Code Ann. 49-17-29]

L-5 ROCK CRUSHER REQUIREMENTS:

(1) The coverage recipient shall not own and/or operate a rock crusher at the ready-mix concrete facility unless it meets the following requirements:

(a) If the rock crusher(s) is portable, the rated cumulative capacity of the portable rock crusher(s) must not exceed 150 tons per hour. A rock crusher is considered portable if it is mounted on a chassis or skids such that it can be moved by lifting or pulling. There shall be no cable, chain, turnbuckle, bolt or other means (except electrical connections) by which any piece of equipment is attached or clamped to any anchor, slab, or structure, including bedrock that must be removed prior to the application of a lifting or pulling force for the purpose of transporting the crusher.

(b) If the rock crusher(s) is fixed, the rated cumulative capacity of the fixed rock crusher(s) must not exceed 25 tons per hour. The rock crusher is considered fixed if it is attached by a cable chain, turnbuckle, bolt or other means (except electrical connections) to any anchor, slab, or structure including bedrock.

(2) If a rock crusher owned and/or operated by the coverage recipient is brought on-site, the coverage recipient shall maintain documentation (e.g., manufacturer's specifications or product bulletin) providing the capacity of the crusher and demonstrating whether it is portable or fixed.

(3) The coverage recipient shall comply with the notification provisions of ACT 2, Condition S-6 prior to installing a rock crusher that will be owned and/or operated by the coverage recipient.

(4) For any portable rock crusher brought on-site that is owned and operated by an entity other than the coverage recipient, the owner and/or operator of the portable rock crusher shall be responsible for obtaining any necessary permit to construct and/or permit to operate the portable rock crusher, as required by 11 Miss. Admin. Code Pt. 2, Ch. 2. [11 Miss. Admin. Code Pt. 2, Ch. 2.]

ACT 3 (Ready-Mix Concrete) Air Emissions Requirements (continued):**L-6 EMERGENCY STATIONARY INTERNAL COMBUSTION ENGINE REQUIREMENTS:**

(1) The coverage recipient shall comply with all applicable federal regulations noted below pertaining to any emergency stationary internal combustion engine (ICE) located at the facility. Emergency stationary ICE are specifically defined in the applicable federal regulation(s).

(a) New Source Performance Standard (NSPS) 40 CFR 60, Subpart IIII – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

(b) New Source Performance Standard (NSPS) 40 CFR 60, Subpart JJJJ – Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

(c) National Emission Standards for Hazardous Air Pollutants (NESHAP) 40 CFR 63, Subpart ZZZZ – NESHAP for Stationary Reciprocating Internal Combustion Engines. [11 Miss. Admin. Code Pt. 2, Ch. 1 and Ch. 8.]

(2) In accordance with the applicable federal regulation(s), there is no time limit on the use of emergency stationary ICE operated during emergency situations. However, the coverage recipient shall not operate emergency stationary ICE more than 100 hours per calendar year in non-emergency situations, which may include maintenance checks and readiness testing. As part of this 100 hours of non-emergency operation, the coverage recipient may operate the emergency stationary ICE for up to 50 hours per calendar year in non-emergency situations, as specified in the applicable federal regulation(s). [11 Miss. Admin. Code Pt. 2, Ch. 1 and Ch. 8.]

(3) All emergency stationary ICE must be equipped with a non-resettable hour meter prior to startup. For each emergency stationary ICE, the coverage recipient shall maintain a record of the hours of operation of the engine for each calendar year, whether operation was for emergency or non-emergency purposes, and the reason for operation. [11 Miss. Admin. Code Pt. 2, Ch. 1 and Ch. 8.]

L-7 NON-EMERGENCY STATIONARY INTERNAL COMUSTION ENGINE REQUIREMENTS:

(1) If the coverage recipient operates one or more non-emergency stationary engines, the engine(s) must only combust diesel fuel meeting the specifications for nonroad diesel fuel in 40 CFR 80.510(b) and shall combust no more than 315,000 gallons of diesel fuel (total) in any calendar year. A non-emergency stationary engine is considered an internal combustion engine that meets the definition of a “stationary internal combustion engine” and does not meet the definition of an “**emergency** stationary internal combustion engine,” as defined in the applicable federal regulations noted in paragraph (2) of Condition L-7. [11 Miss. Admin. Code Pt. 2, Ch. 2.]

(2) The coverage recipient shall comply with all applicable federal regulations noted below pertaining to any non-emergency stationary internal combustion engine (ICE) located at the facility.

ACT 3 (Ready-Mix Concrete) Air Emissions Requirements (continued):

(a) New Source Performance Standard (NSPS) 40 CFR 60, Subpart IIII – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

(b) National Emission Standards for Hazardous Air Pollutants (NESHAP) 40 CFR 63, Subpart ZZZZ – NESHAP for Stationary Reciprocating Internal Combustion Engines. [11 Miss. Admin. Code Pt. 2, Ch. 1 and Ch. 8.]

(3) The coverage recipient shall prepare and submit a Compliance Plan addressing each non-emergency stationary internal combustion engine, outlining the specifications of the engine (i.e., horsepower, manufacturer, and model year), the date the engine was brought on site, and the specific requirements of the federal regulations noted in paragraph (2) of Condition L-7 that apply to each engine. If the engine is certified to meet the requirements of NSPS Subpart IIII, the coverage recipient shall maintain documentation of such certification on site. [11 Miss. Admin. Code Pt. 2, Ch. 2.]

S-1 AIR RECORDKEEPING AND SUBMITTALS:

(1) Within fifteen (15) days of beginning actual construction, the coverage recipient shall notify MDEQ in writing that construction has begun. An Air Notification of Construction Form is available online at <https://www.mdeq.ms.gov/rmcgp/>.

(2) The coverage recipient shall submit written notification that the facility has been constructed in accordance with the information submitted in the RMCNOI. This notification shall be submitted prior to startup of the facility. An Air Notification of Construction Form is available online at <https://www.mdeq.ms.gov/rmcgp/>.

(3) The coverage recipient shall notify MDEQ in writing if construction does not begin within eighteen (18) months of issuance or if construction is suspended for eighteen months or more. Written notification(s) shall be submitted to the address found in ACT2, Condition T-2.

(4) If the designed maximum concrete production rate of the facility exceeds 150 cubic yards per hour, the coverage recipient shall maintain a record of the daily amount of concrete manufactured in cubic yards and record the total amount manufactured for each calendar year on the Monthly Air Records Form which is available online at <https://www.mdeq.ms.gov/rmcgp/>. The coverage recipient shall make these records readily available for review upon request by MDEQ personnel.

(5) If the coverage recipient operates one or more non-emergency stationary internal combustion engines during a given calendar year, the coverage recipient shall record the amount of diesel combusted on the Monthly Air Records Form which is available online at <https://www.mdeq.ms.gov/rmcgp/>. In lieu of recording the amount of diesel combusted, the coverage recipient may assume that all diesel purchased is combusted. This form must be made available for review upon request during any inspection by MDEQ personnel. The permittee shall also maintain documentation that the diesel fuel combusted meets the requirements for non-road diesel fuel specified in 40 CFR 80.510(b).

ACT 3 (Ready-Mix Concrete) Air Emissions Requirements (continued):

(6) Records of any notifications, monitoring, inspections, etc. required under ACT 3, (Ready-Mix Concrete) Air Emissions Requirements, shall be maintained for at least five (5) years from the date of the notification, monitoring, or inspection, or for the duration of facility operations, whichever is shorter.

(7) The coverage recipient shall submit the Compliance Plan required by Condition L-7(3) with the RMCNOI or Recoverage Form, or with the notification of modification required by ACT 2, Condition S-6 for facility modifications. [11 Miss. Admin. Code Pt. 2, Ch. 2.]

ACT 4 (Ready-Mix Concrete) Process Wastewater Requirements:**L-1 SITING CRITERIA REQUIREMENTS:**

(1) The treatment facility must be at least 150 feet from the nearest adjoining property line except when the adjoining property is zoned for commercial or industrial use, or when the adjoining property, dwelling, or commercial establishment is used for commercial or industrial use.

(2) The Permit Board will consider requests for exceptions to, or variances from, this requirement upon the applicant's submittal of sufficient proof that affected property owners within the subject buffer zone have submitted notarized letters of no objection for the proposed project. If such notarized letters cannot be secured and/or there are letters of objection, the facility shall submit an appropriate individual permit application form. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

S-1 REPORTING REQUIREMENTS:

Process wastewater discharges include, but are not limited, to central mixer wash-out, mixer truck and chute wash-off, equipment cleanup, batch area pavement wash-off, aggregate cooling water and free liquids from the dewatering of treatment impoundment sludges.

(1) Monitoring results obtained during the previous reporting period shall be summarized and reported on a Discharge Monitoring Report (DMR). DMRs shall be submitted electronically using the MDEQ NetDMR system. DMRs and all other reports required herein, shall be signed in accordance with 11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(15)(c)(1). of the Mississippi Wastewater Regulations. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(15)(c).]

ACT 4 (Ready-Mix Concrete) Process Wastewater Requirements (continued):

- (2) If the results for a given sample analysis are such that any parameter is not detected at or above the minimum level for the test method used, a value of zero will be used for that sample in calculating an arithmetic mean value for the parameter. If the resulting calculated arithmetic mean value for that reporting period is zero, the covered facility shall report "NODI = B" (No Data Indicator = Below Detect Limit/No Detect) on the DMR. For each quantitative sample value that is not detectable, the test method used and the minimum level for that method for that parameter shall be reported on or attached to the DMR. The covered facility shall then be considered in compliance with the appropriate effluent limitation and/or reporting requirement. [11 Miss. Admin. Code Pt. 6, Ch. 1. Subch. 2.]
- (3) For no discharge, the coverage recipient shall report "NODI = C" on the DMR. [11 Miss. Admin. Code Pt. 6, Ch.1.]
- (4) Calculations for all limitations that require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Permit Board in the permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(15)(c)(3).]
- (5) Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304(h) of the Federal Water Pollution Control Act, as amended. Sampling test procedures shall be in accordance with the methods set forth in 40 CFR Part 136. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- (6) If the coverage recipient monitors any pollutant as prescribed in the permit more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Permit Board. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

S-2 REPORTING REQUIREMENTS - ANTICIPATED NONCOMPLIANCE:

The coverage recipient shall give advance notice to the Permit Board of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(29)(b).]

ACT 4 (Ready-Mix Concrete) Process Wastewater Requirements (continued):

S-2 EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Such discharges shall be limited and monitored by the coverage recipient as specified below:

Parameter	Discharge Limitations								Monitoring Requirements	
	Quantity / Loading Average	Quantity / Loading Maximum	Quantity / Loading Units	Quality / Conc. Minimum	Quality / Conc. Average	Quality / Conc. Maximum	Quality / Conc. Units	Frequency	Sample Type	Which Months
<i>Flow Effluent</i>	*****	Report Quarterly Maximum	Gallons per day	*****	*****	*****	*****	Quarterly	Instantaneous	Jan-Dec
<i>Oil and grease Effluent</i>	*****	*****	*****	*****	*****	15 Daily Maximum	mg/L	Quarterly	Grab Sampling	Jan-Dec
<i>pH Effluent</i>	*****	*****	*****	6.0 Minimum	*****	9.0 Maximum	SU	Quarterly	Grab Sampling	Jan-Dec
<i>Solids (Total Suspended) Effluent</i>	*****	*****	*****	*****	*****	45 Daily Maximum	mg/L	Quarterly	Grab Sampling	Jan-Dec

(1) Wastewater discharges shall be free from:

- (a) Debris, oil, scum, and other floating materials other than in trace amounts.
- (b) Eroded soils and other materials that will settle to form objectionable deposits in receiving waters.
- (c) Suspended solids, turbidity and color at levels inconsistent with the receiving waters.
- (d) Chemicals in concentrations that would cause violation of State Water Quality Criteria in the receiving waters.

(2) Sampling shall be conducted quarterly for the above parameters at the nearest accessible point after final treatment but prior to entering or mixing with the receiving stream. The location of sampling point(s) shall be noted on the site drawing prescribed in ACT5, Condition T-2(6) of this permit and described by latitude and longitude coordinates.

Important factors to consider in selecting and/or designing a monitoring location shall include:

- (a) The wastewater flow shall be able to be measurable easily and accurately.
- (b) The location shall be easily and safely accessible
- (c) The sample must be representative of the effluent during the time period that is monitored.

(3) Analytical results shall be submitted on a quarterly Discharge Monitoring Report (DMR) due by the 28th of January, April, July, and October. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(15)(c).]

ACT 5 (Ready-Mix Concrete) Industrial Stormwater Requirements:**T-1 STORMWATER POLLUTION PREVENTION PLAN (SWPPP) DEVELOPMENT:**

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

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

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

- (1) A list of industrial activities exposed to stormwater (e.g., ground storage piles, tanks, hoppers, silos, dust containment/collection systems, sludge dewatering areas and truck/equipment wash down, cleaning and maintenance areas, etc.);
- (2) A list of the materials and pollutants associated with each of the activities identified above (e.g., used oil, zinc, sulfuric acid, solvents, etc.);
- (3) A narrative description of the materials and pollutants identified above. The narrative shall include, but not be limited to:
 - (a) Method of storage or disposal,
 - (b) Management practices employed to minimize contact of these materials with stormwater,
 - (c) Existing structural and non-structural control measures to reduce pollutants in stormwater runoff, and
 - (d) Any treatment the stormwater receives.
- (4) A monthly updated list of spills and leaks of toxic or hazardous pollutants that have occurred at the facility. Spills and leaks must be documented on the Monthly Spill and Leak Log Sheet, or equivalent form. The Monthly Spill and Leak Log Sheet is available online at <https://www.mdeq.ms.gov/rmcgp/>. If no spills or leaks have occurred, indicate this on the sheet in the SWPPP;
- (5) An updated summary of all stormwater sampling data (if available), including a description of associated pollutants of concern (see Definitions).

ACT 5 (Ready-Mix Concrete) Industrial Stormwater Requirements (continued):

- (6) The owner/ operator shall prepare a detailed scaled site map showing the property layout with site boundaries and indicating the following features:
- (a) Surface water bodies,
 - (b) Drainage area of each stormwater outfall identified by number,
 - (c) Direction of flow for each area (designated by arrow),
 - (d) Location and a description of existing structural and nonstructural control measures to reduce pollutants in stormwater runoff,
 - (e) Location of any stormwater treatment activities,
 - (f) Location of any storm drain inlets,
 - (g) Location of industrial activities, such as:
 - (i) Fuel storage and dispensing locations,
 - (ii) Vehicle/equipment repair, maintenance and cleaning areas,
 - (iii) Materials storage and handling areas,
 - (iv) Loading/unloading areas,
 - (v) Process or manufacturing areas,
 - (h) Location of housekeeping practices,
 - (i) Stormwater conveyances (ditches, pipes, & swales),
 - (j) Any post-construction control measures
 - (k) Location of baghouse(s) or other dust control device,
 - (l) Location of recycle/sedimentation pond, clarifier, or other device used for the treatment of process wastewater,
 - (m) Location of the areas that drain to the treatment device identified in (l) above.
- (7) A topographic map extending at least 1/2 mile beyond the facility property boundaries. This may be part of the above required site map; and
- (8) A summary of the types of pollutants likely to be present for each area of the facility generating stormwater discharges with a reasonable potential for containing significant amounts of pollutants. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 5 (Ready-Mix Concrete) Industrial Stormwater Requirements (continued):**T-3 MINIMUM SWPPP COMPONENTS/DESCRIPTION OF STORMWATER MANAGEMENT CONTROLS:**

The coverage recipient shall describe appropriate stormwater management controls addressing identified potential pollution sources and implement such controls. The description shall include a schedule for implementing the following minimum components:

- (1) Pollution Prevention Manager/Committee. The SWPPP shall specify position(s) responsible for developing the SWPPP and assisting the facility manager in its implementation, maintenance, and revision.
- (2) Risk Identification and Assessment/Material Inventory. The SWPPP shall assess the pollution potential of various sources at the facility including loading and unloading operations; outdoor storage, manufacturing or processing activities; significant dust or particulate generating processes and on-site waste disposal practices. Factors to consider include the toxicity and quantity of chemicals used, produced, or discharged, the likelihood of contact with stormwater and history of significant leaks or spills of toxic or hazardous pollutants. The plan shall include an inventory of materials handled. Based on the Risk Identification and Material Inventory, the plan shall specify management controls, and, if necessary, structural controls to reduce or eliminate the potential for pollutants in the stormwater discharges.
- (3) Sediment and Erosion Prevention. The SWPPP shall identify areas with a high potential for soil erosion and specify prevention measures to limit erosion.
- (4) Preventive Maintenance. A preventive maintenance program shall involve inspection and maintenance of stormwater management devices (cleaning oil/water separators, catch basins, etc.) and the inspecting and testing of equipment to preclude breakdowns or failures that may cause pollution.
- (5) Good Housekeeping. The owner/ operator shall describe and list practices appropriate to prevent pollutants from entering stormwater from industrial activities due to poor housekeeping. The owner/ operator shall:
 - (a) Designate areas for equipment maintenance and repair;
 - (b) Provide waste receptacles at convenient locations (outdoor waste receptacles must be covered);
 - (c) Provide regular collection of waste;
 - (d) Provide protected storage areas for chemicals, paints, solvents, fertilizers, fine granular solids (e.g., cement, fly ash, kiln dust), and other potentially toxic materials;
 - (e) Provide adequately maintained sanitary facilities;
 - (f) Provide secondary containment around on-site fuel or chemical container with a capacity greater than 660 gallons or any combination of containers which has an above ground bulk storage capacity of more than 1,320 gallons; and
 - (g) Provide containment for raw material stockpiles (if necessary to prevent material from entering waters of the State)

ACT 5 (Ready-Mix Concrete) Industrial Stormwater Requirements (continued):

- (h) Prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), kiln dust, fly ash, settled dust, or other significant material in stormwater from paved portions of the site that are exposed to stormwater (e.g., sweep or vacuum paved areas at the necessary frequency).
- (6) Spill Prevention and Response Procedures. The SWPPP shall clearly identify potential spill areas and their drainage points. The plan should specify material handling procedures and storage requirements. Procedures for cleaning up spills shall be identified and made available to the appropriate personnel. The necessary clean up equipment should be available to personnel.
- (7) Employee Training. The SWPPP shall specify periodic training for personnel that are responsible for implementing and/or complying with the requirements of the SWPPP as identified in ACT5, Condition T-9.
- (8) Illicit Connections-Testing and Certification. The coverage recipient shall certify every five (5) years that stormwater discharges have been tested for the presence of non-allowable, non-stormwater discharges. The certification shall include test method(s), date(s), observation point(s) and result(s). This certification may not be feasible if the coverage recipient does not have access to the discharge before it enters the ultimate receiving conduit. In such cases, the SWPPP shall include why the certification required by this part was not feasible.
- (9) Monthly Site Inspections. The purpose of conducting monthly site inspections is to ensure that stormwater discharges are free from objectionable characteristics such as color, lack of clarity, floating solids, settled solids, suspended solids, foam, and oil sheens. The SWPPP shall identify the areas to be inspected as identified in ACT5, Condition T-2(1) and shall describe the policy and procedures for inspections as identified in ACT5, Condition T-6.
- (10) Non-Stormwater Discharge Management. The SWPPP must identify any allowable non-stormwater discharges, identified in ACT1, Condition T-2(5), except for flows from actual fire-fighting activities, which are combined with stormwater discharges associated with industrial activity at the site. Non-stormwater discharges should be eliminated or reduced to the extent feasible. The SWPPP must identify and ensure the implementation of appropriate BMPs for the non-stormwater component of the discharge.
- (11) Stormwater Management. The SWPPP should provide for the management of stormwater volume through its diversion, infiltration, storage or re-use. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 5 (Ready-Mix Concrete) Industrial Stormwater Requirements (continued):**T-4 SWPPP IMPLEMENTATION REQUIREMENTS:**

The coverage recipient shall:

(1) Implement the SWPPP and retain a copy of the SWPPP at the permitted site. Failure to implement the SWPPP is a violation of permit requirements. A copy of the SWPPP must be made available to the MDEQ inspectors for review at the time of an on-site inspection.

(2) Comply with the terms of the SWPPP upon commencement of the regulated activity.

(1) If notified at any time by the Executive Director of the MDEQ that the SWPPP does not meet the minimum requirements, amend the SWPPP and certify in writing to the Executive Director that the requested changes have been made. Unless otherwise provided, the coverage recipient shall have 30 days to make the requested changes.

(4) Amend the SWPPP whenever there is a change in design, construction, operation, or maintenance, which may increase the discharge of pollutants to waters of the State or the SWPPP proves to be ineffective in controlling stormwater pollutants. The coverage recipient shall submit it to the MDEQ within 30 days of amendment.

(5) If after coverage issuance, a specific wasteload allocation is established that would apply to the facility's discharge, the facility must implement steps necessary to meet that allocation.

(6) Submit any new stormwater sampling data within 90 days of sampling. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-5 SWPPP COMPLIANCE WITH LOCAL STORMWATER ORDINANCES:

(1) The SWPPP shall comply with all local stormwater ordinances.

(2) When stormwater discharges into a Municipal Separate Storm Sewer System (MS4), the coverage recipient shall make the SWPPP available to the local authority upon request. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 5 (Ready-Mix Concrete) Industrial Stormwater Requirements (continued):**T-6 MONTHLY SITE INSPECTIONS:**

All areas contributing to stormwater discharges associated with industrial activity as identified in ACT5, Condition T-2(1) must be visually inspected as often as needed but no less than once monthly. The inspection must evaluate whether the SWPPP adequately minimizes pollutant loadings and is properly implemented in accordance with the terms of this permit or whether additional control measures are needed. This includes observing stormwater discharges for obvious industrial stormwater pollution such as color, lack of clarity, floating solids, settled solids, suspended solids, foam, and oil sheens.

If feasible, the inspections should be conducted during or after storm events. As part of the inspection, stormwater should be collected in a clean, clear jar and examined in a well-lit area. Should any of the objectionable characteristics described above be observed, coverage recipient shall investigate upstream from the sample location to identify the potential sources of pollution and implement corrective action.

The results of all inspections must be documented on the Monthly Site Inspection Form, or equivalent form. The Monthly Site Inspection Form is available online at <https://www.mdeq.ms.gov/rmcgp/>. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-7 ANNUAL SWPPP EVALUATION:

The SWPPP must be evaluated annually to ensure the effectiveness of the SWPPP's design and implementation. The evaluation of the SWPPP must be documented on the Annual SWPPP Evaluation Form, or equivalent form. The Annual SWPPP Evaluation Form is available online at <https://www.mdeq.ms.gov/rmcgp/>. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-8 NON-NUMERIC LIMITATIONS:

Stormwater discharges shall be free from:

- (1) Debris, oil, scum, and other floating materials other than in trace amounts,
- (2) Eroded soils and other materials that will settle to form objectionable deposits in receiving waters,
- (3) Suspended solids, turbidity and color at levels inconsistent with the receiving waters,
- (4) Chemicals in concentrations that would cause violation of State Water Quality Criteria in the receiving waters. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 5 (Ready-Mix Concrete) Industrial Stormwater Requirements (continued):**T-9 PERSONNEL TRAINING PROGRAM REQUIREMENTS:**

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

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

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

Personnel training conducted to meet the requirements of this ACT shall be documented on the Personnel Training Form, or equivalent form. Training records shall include employee's name, date of training, contents of training, and the employee's signature acknowledging that training was received. The Personnel Training Form is available online at <https://www.mdeq.ms.gov/rmcgp/>. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 6 (Ready-Mix Concrete) Standard Requirements Applicable to All ACTs:**R-1 RECORDING OF RESULTS:**

Records of monitoring information shall include:

- (1) The date, exact location, and time of sampling measurements,
- (2) The initials or names of the individuals, who performed the sampling or measurements,
- (3) The date(s) and time(s) analyses were performed,
- (4) The initials or names of the individuals who performed the analyses,
- (5) References and written procedures, when available, for the analytical techniques or methods used, and
- (6) The results of such analyses, including the bench sheets, instruments readouts, computer disks or tapes, etc., used to determine these results. [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

R-2 RETENTION OF RECORDS:

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

R-3 MAINTAINING ELECTRONIC DOCUMENTS:

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

ACT 6 (Ready-Mix Concrete) Standard Requirements Applicable to All ACTs (continued):**S-1 NONCOMPLIANCE NOTIFICATION – TWENTY-FOUR HOUR ORAL AND FIVE DAY WRITTEN REPORTING:**

(1) The coverage recipient shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the coverage recipient becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the coverage recipient becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and/or prevent recurrence of the noncompliance.

(2) The following shall be included as information which must be reported within 24 hours under this paragraph.

(a) Any unanticipated bypass which exceeds any effluent limitation in the permit.

(b) Any upset which exceeds any effluent limitation in the permit.

(c) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Permit Board in the permit to be reported within 24 hours.

(3) The Executive Director may waive the written report on a case-by-case basis for reports under paragraph (1) of this section if the oral report has been received within 24 hours.

All reports required by this condition which are submitted after December 20, 2020 (or a later date specified by EPA), shall be submitted by the coverage recipient electronically as instructed by MDEQ. [11Miss. Admin. Code Pt. 6, Ch. 1. 1.1.4.A(29)(e)., 40 CFR 122.41(1)(6)]

S-2 NONCOMPLIANCE NOTIFICATION – OTHER NONCOMPLIANCE:

The coverage recipient shall report all instances of noncompliance not reported under the twenty-four hour reporting requirements, at the time monitoring reports are submitted or within 30 days from the end of the month in which the noncompliance occurs. The reports shall contain the same information as is required under the twenty-four hour reporting requirements contained in this permit.

All reports required by this condition which are submitted after December 20, 2020 (or a later date specified by EPA), shall be submitted by the coverage recipient electronically as instructed by MDEQ. [11Miss. Admin. Code Pt. 6, R. 1.1.4.A(29)(f)., 40 CFR 122.41(1)(7).]

S-3 NONCOMPLIANCE NOTIFICATION - OTHER INFORMATION:

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

ACT 6 (Ready-Mix Concrete) Standard Requirements Applicable to All ACTs (continued):**S-4 BYPASSING NOTICE:**

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

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

All reports required by this condition which are submitted after December 20, 2020 (or a later date specified by EPA), shall be submitted by the coverage recipient electronically as instructed by MDEQ. [40 CFR 122.41(m)(3)]

T-1 DUTY TO COMPLY:

The coverage recipient must comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action, coverage termination, revocation and reissuance, or modification, or denial of a renewal application. [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

T-2 DUTY TO REAPPLY:

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

T-3 DUTY TO MITIGATE:

The coverage recipient shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which is likely to adversely affect human health or the environment. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-4 DUTY TO PROVIDE INFORMATION:

The coverage recipient shall furnish to the Permit Board, within a reasonable time, any relevant information which the Permit Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating coverage, or to determine compliance with this permit. The coverage recipient shall also furnish to the Permit Board, upon request, copies of records required to be kept by this permit. [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

ACT 6 (Ready-Mix Concrete) Standard Requirements Applicable to All ACTs (continued):**T-5 RELEASE REPORTING:**

Releases into the environment of hazardous substances, oil, and pollutants or contaminants, which pose a threat to applicable water quality standards or causes a film, sheen or discoloration of State waters, shall be reported to the:

- (1) Mississippi Emergency Management Agency (601) 933-6362 or (800) 222-6362; or
- (2) National Response Center (800) 424-8802. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-6 BYPASS PROHIBITION:

Bypass (see 40 CFR 122.41(m)) is prohibited and enforcement action may be taken against a coverage recipient for a bypass, unless:

- (1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (2) 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
- (3) The coverage recipient submitted notices per ACT6, Condition S-5. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-7 OIL AND HAZARDOUS SUBSTANCE LIABILITY:

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

T-8 PROPERTY RIGHTS:

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

ACT 6 (Ready-Mix Concrete) Standard Requirements Applicable to All ACTs (continued):**T-9 SIGNATORY REQUIREMENTS:**

All RMCNOIs and Requests for Recoverage shall be signed as follows:

(1) For a corporation by a responsible corporate officer. For this permit, a responsible corporate officer means:

(a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(b) The manager of one or more manufacturing, production or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

(2) For a partnership or sole proprietorship by a general partner or the proprietor, respectively; or

(3) For a municipal, State, Federal, or other public agency by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

(a) The chief executive officer of the agency, or

(b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency. [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

T-10 DULY AUTHORIZED REPRESENTATIVE:

All reports required by this permit, and other information requested by the Permit Board shall be signed by a person described in ACT 6, Condition T-9 or by a duly authorized representative of that person. A person is a duly authorized representative when:

(1) The authorization is made in writing and submitted to the Permit Board by a person described in ACT6, Condition T-9.

(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, Ch. 1.]

ACT 6 (Ready-Mix Concrete) Standard Requirements Applicable to All ACTs (continued):**T-11 CHANGES IN AUTHORIZATION:**

If an authorization is no longer accurate because a different individual or position has permit responsibility, a new authorization satisfying the requirements of ACT6, Conditions T-9 and T-10 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, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

T-12 CERTIFICATION:

Any person signing documents under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

T-13 SEVERABILITY:

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby. [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

T-14 TRANSFER OF OWNERSHIP OR CONTROL:

Coverage under this permit is not transferable to any person except after notice to and approval by the Permit Board. The Permit Board may require the coverage recipient to obtain another NPDES and/or Air permit. Transfer of coverage requests shall be submitted to the Permit Board using the Transfer and/or Name Change Form which is available online at <https://www.mdeq.ms.gov/rmcgp/>. [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

T-15 PROPER OPERATION AND MAINTENANCE:

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

ACT 6 (Ready-Mix Concrete) Standard Requirements Applicable to All ACTs (continued):**T-16 UPSET CONDITIONS:**

An upset (see 40 CFR 122.41(n)) constitutes an affirmative defense to an action brought for noncompliance with technology-based permit limitations if a coverage recipient shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

- (1) an upset occurred and the coverage recipient can identify the specific cause(s) of the upset,
- (2) the permitted facility was at the time being properly operated at the time of the upset,
- (3) the coverage recipient submitted notices per ACT6, Condition S-2(2)(b) and
- (4) the coverage recipient took remedial measures as required under ACT6, Condition T-3. In any enforcement proceeding, the coverage recipient has the burden of proof that an upset occurred. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance is initiated, will be considered a final administrative action subject to judicial review. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-17 INSPECTION AND ENTRY:

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

- (1) Enter upon the owner's/ operator's premises where a regulated activity is located or conducted or where records must be kept under the conditions of this permit;
- (2) Have access to and copy at reasonable times any records that must be kept under the conditions of this permit;
- (3) Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (4) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location. [Miss. Code Ann. 49-17-21; 11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 6 (Ready-Mix Concrete) Standard Requirements Applicable to All ACTs (continued):**T-18 PERMIT ACTIONS:**

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

T-19 REOPENER CLAUSE:

If there is evidence indicating potential or realized impacts on air and/or water quality due to ready-mix concrete activities covered by this permit, the coverage recipient may be required to obtain individual permit or an alternative general permit in accordance with ACT 2, S-7, or the permit may be modified to include different limitations and/or requirements. [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

T-20 PERMIT MODIFICATION:

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

T-21 CIVIL AND CRIMINAL LIABILITY:

(1) Any person who violates a term, condition or schedule of compliance contained within this permit or the Mississippi Air and Water Pollution Control Law is subject to the actions defined by the Mississippi Air and Water Pollution Control Law (Miss. Code Ann. Sections 49-17-1 through 49-17-43).

(2) Except as provided in permit conditions on "Bypassing" and "Upsets," nothing in this permit shall be construed to relieve the coverage recipient from civil or criminal penalties for noncompliance.

(3) It shall not be the defense of the coverage recipient in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

T-22 TOXIC POLLUTANTS NOTIFICATION REQUIREMENTS:

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

ACT 6 (Ready-Mix Concrete) Standard Requirements Applicable to All ACTs (continued):**T-23 REPRESENTATIVE DISCHARGE:**

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored wastewater. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-24 FALSIFYING REPORTS:

Any coverage recipient who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required by the Permit Board to be maintained as a condition in a permit, or who alters or falsifies the results obtained by such devices or methods and/or 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 Water Pollution Control Law (Mississippi Code Ann. Sections 49-17-1 et seq.). [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-25 SPILL PREVENTION AND BEST MANAGEMENT PLANS:

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

T-26 CONTINUATION OF EXPIRED GENERAL PERMIT:

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

- (1) Recoverage under the reissued general permit;
- (2) Submittal of a Notice of Termination Form and receipt of written concurrence;
- (3) Issuance of an individual permit for the project's discharge;
- (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.

Six (6) months after the RMCGP is reissued, no coverage shall remain in effect under the previous general permit unless a complete Recoverage Form and other required submittals have been received by MDEQ. [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

ACT 7 (Ready-Mix Concrete) Definitions:

- T-1 AIR EMISSIONS as used in this permit, include both point and fugitive sources of particulate emissions from ready-mix concrete facilities, as well as air emissions generated from any fuel burning operations supporting such facilities. These emissions consist primarily of cement and mineral additive dust, but also include some aggregate and sand dust emissions. Fugitive sources include the transfer of sand and aggregate, truck loading, mixer loading, vehicle traffic, wind erosion from sand and aggregate storage piles, and short duration material crushing operations from rock crushers. [11 Miss. Admin. Code Pt. 2, Ch. 1.]
- T-2 BAGHOUSE or FABRIC FILTER means an add-on air pollution control system that removes particulate matter (PM) and nonvaporous metals emissions by passing flue gas through filter bags. [11 Miss. Admin. Code Pt. 2, Ch. 1.]
- T-3 BEST MANAGEMENT PRACTICES (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practice to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. [11 Miss. Admin. Code Pt. 6, Ch.1.]
- T-4 BYPASS means the intentional diversion of wastestreams from any portion of the coverage recipient's treatment facility. [11 Miss. Admin. Code Pt. 6, Ch.1.]
- T-5 CONTIGUOUS LANDOWNER means the owner of land which is adjacent to (touching) another person's land. Land divided by access roads is considered contiguous. [11 Miss. Admin. Code Pt. 2, Ch. 1.]
- T-6 CONTROL MEASURE as used in this permit, refers to any BMP or other method used to prevent or reduce the discharge of pollutants to waters of the United States. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-7 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. 1.1.1.A(15).]
- T-8 DAILY MAXIMUM means the highest "daily discharge" over a calendar month. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(16).]
- T-9 MAJOR MODIFICATION means any physical modification or change in the method of operation that results in an increase of the maximum concrete production rate at a synthetic minor facility, which is a facility already exceeding 150 yd³/hr maximum production rate, or that increases the maximum concrete production rate at a true minor facility to above 150 yd³/hr, resulting in the true minor facility becoming a synthetic minor facility. The maximum concrete production rate shall be determined using the manufacturer's maximum rated plant capacity after the modification.

ACT 7 (Ready-Mix Concrete) Definitions (continued):

- T-10 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, stormwater, 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 stormwater, (iii) Which is not a combined sewer, and (iv) Which is not part of a Publicly Owned Treatment Works (POTW). [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-11 OPACITY means the degree to which emissions reduce the transmission of light and obscure the background. [11 Miss. Admin. Code Pt. 2, Ch. 1.]
- T-12 PARTICULATE MATTER means any airborne finely divided solid or liquid material with an aerodynamic diameter smaller than 100 micrometers. [11 Miss. Admin. Code Pt. 2, Ch. 1.]
- T-13 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, Ch. 1.]
- T-14 PROCESS WASTEWATER is defined as any water which, during manufacturing or processing, comes into direct contact with, or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. [11 Miss. Admin. Code Pt. 6, Ch.1.]
- T-15 QUARTERLY MAXIMUM means the highest "daily discharge" measured over a three-month period. [11 Miss. Admin. Code Pt. 6, R.1.1.1.A(62).]
- T-16 RECREATIONAL AREA means a national, state, county, or city park; or an outdoor recreational area, such as a golf course or swimming pool, owned by a city, county, state, or other public agency. [11 Miss. Admin. Code Pt. 2, Ch. 1., 11 Miss. Admin. Code Pt. 2, Ch. 2.]
- T-17 REGULATED AIR POLLUTANT means any regulated NSR pollutant, any air pollutant subject to a standard promulgated under Section 112 or other requirements established under Section 112 of the Federal Act (i.e., hazardous air pollutants), and any other air pollutant for which there is a duly adopted state ambient air quality standard. [11 Miss. Admin. Code Pt. 2, Ch. 2.]

ACT 7 (Ready-Mix Concrete) Definitions (continued):

- T-18 RESIDENTIAL AREA means a group of 20 or more single family dwelling units on contiguous property and having an average density of two or more units per acre, or a group of 40 or more single family dwelling units on contiguous property and having an average density of one or more units per acre, or a subdivision containing at least 20 constructed houses, in which the subdivision plat is recorded in the chancery clerk's office of the appropriate county. [11 Miss. Admin. Code Pt. 2, Ch. 1., 11 Miss. Admin. Code Pt. 2, Ch. 2.]
- T-19 SEVERE PROPERTY DAMAGE means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. [40 CFR 122.41(m)]
- T-20 SIGNIFICANT MATERIALS includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to Section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharges. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-21 SIGNIFICANT SPILL OR LEAK is defined by EPA to include releases within a 24-hour period of hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act and Section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Reportable quantities are set amounts of substances in pounds, gallons, or other units and are listed in 40 CFR Part 117 and 40 CFR Part 302. Releases are defined to include any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-22 STORMWATER means rainfall runoff, snowmelt runoff, and surface runoff. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-23 STORMWATER DISCHARGE ASSOCIATED WITH INDUSTRIAL ACTIVITY means the discharge from any conveyance which is used for collecting and conveying stormwater and which has come in contact with material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products or industrial machinery. The categories considered to be engaging in "industrial activity" are in 40 CFR 122.26 (b) (14) (i - xi). [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-24 STORMWATER POLLUTION PREVENTION PLAN "SWPPP" means a plan that includes site map(s), an identification of industrial activities that could cause pollutants in the stormwater, and a description of measures or practices to control these pollutants. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-25 SUBMITTED means the document is postmarked on or before the applicable deadline, except as otherwise specified. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 7 (Ready-Mix Concrete) Definitions (continued):

- T-26 SYNTHETIC MINOR SOURCE would otherwise constitute a major source, as defined by “Air Emissions Operating Permit Regulations for the Purposes of Title V of the Federal Clean Air Act,” 11 Miss. Admin. Code Pt. 2, Ch. 6., except that the facility has opted for federally enforceable emissions limitations which may include permit conditions restricting hours of operation, or type or amount of material stored, combusted or processed, or establishing more stringent air pollution control efficiency requirements to lower allowable air emissions for air pollutants in the State Permit to Operate below Title V major source thresholds. [11 Miss. Admin. Code Pt. 2, Ch. 2.]
- T-27 TITLE V MAJOR SOURCE emits or has the potential to emit 100 tons per year (tpy) or more of any regulated air pollutant and/or 10 tpy or more of any hazardous air pollutant or 25 tpy or more of any combination of such hazardous air pollutants. [11 Miss. Admin. Code Pt. 2, Ch. 6.]
- T-28 TOTAL MAXIMUM DAILY LOAD (TMDL) means the maximum daily amount of a pollutant that can enter a water body so that the water body will meet and continue to meet state water quality standards. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-29 TRUE MINOR FACILITY is based on potential uncontrolled emissions, has emissions less than 100 tons per year of any criteria pollutant. [11 Miss. Admin. Code Pt. 2, Ch. 2.]
- T-30 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 designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-31 WATERS OF THE STATE means all waters within the jurisdiction of this State, including all streams, lakes, ponds, wetlands, impounding reservoirs, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, situated wholly or partly within or bordering upon the State, and such coastal waters as are within the jurisdiction of the State, except lakes, ponds, or other surface waters which are wholly landlocked and privately owned, and which are not regulated under the Federal Clean Water Act (33 U.S.C. Section 1251 et seq.). [11 Miss. Admin. Code Pt. 6, Ch. 1.]