

Significant changes to the CAFO General Permit

1. Contiguous Landowner Notification:

ADDITIONAL SUBMITTALS THAT MAY BE REQUIRED TO OBTAIN COVERAGE - CONTIGUOUS LANDOWNER NOTIFICATION:

An applicant for a new or expanding facility must send a notification, using Appendix L of the Concentrated Animal Feeding Operations Forms Package, to contiguous landowners of the proposed 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 CAFO NOI. Failure to notify the contiguous landowners may result in denial or revocation of coverage. Contiguous landowner notification is not required if the facility existed and operated prior to the issuance date of this permit as long as the applicant does not propose an increase in the number of poultry houses.

The applicant, in giving this notification to contiguous landowners:

- (1) Must use the most 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.

For a new or expanding facility, 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. Contiguous landowners who receive such notifications must submit written comments, if any, to the Mississippi Department of Environmental Quality within 30 days after the postmark date of the notification or by the end of the MDEQ 10-day online notification period as described in ACT2 Condition S-5 below, whichever is later.

[11 Miss. Admin. Code Pt. 6, R. 1.1.3.]

2. Public Participation Language added:

S-3 PUBLIC PARTICIPATION AND INFORMATION AVAILABILITY:

For a new or expanding facility, 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: www.mdeq.ms.gov.

3. Addition of Contiguous (property) Landowner Definition:

T-7 CONTIGUOUS (PROPERTY) LANDOWNER means a landowner /property adjacent to (touching) another person's property. Land divided by public access roads is considered contiguous. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(4).]

4. Updated/clarified air language for incinerators.