

RUBBISH DISPOSAL SITE RECOVERY INFORMATION

Mississippi Department of Environmental Quality
Office of Pollution Control
Environmental Permits Division

The State Wide General Permits for Class I and Class II rubbish disposal sites were due to expire on January 14, 2007. The Mississippi Environmental Quality Permit Board re-issued the general permits on January 9, 2007. The re-issued general permits will expire on December 31, 2016. All facilities which currently hold a Certificate of Coverage for facility operations are covered by the re-issued general permits. However, all covered facilities must complete and submit a recovery application to the Department no later than May 15, 2007 to continue operations under the state wide general permits.

Information regarding the operation of a Class I and/or Class II rubbish disposal sites may be obtained from Section VI of the Mississippi Nonhazardous Solid Waste Management Regulations (Regulations). Section VI of the Regulations identifies the specific types of wastes which may be accepted by either type of rubbish disposal facility for disposal. Section VI.A.1 requires an individual permit or coverage under a state wide general permit for the operation of a rubbish disposal site. A complete copy of the Regulations can be found on-line at www.deq.state.ms.us.

All information required within the attached form should be provided and submitted in a bound report format, in duplicate. The Department reserves the right to ask for additional information or clarification of the information presented within the application as determined necessary.

Applications for recovery should be submitted to the following address:

Mississippi Department of Environmental Quality
Environmental Permits Division
Post Office Box 2261
Jackson, Mississippi 39225-2261

Facilities may choose to apply for an individual solid waste management permit in lieu of recovery under the state wide general permit.

Questions regarding rubbish disposal sites should be directed to the Environmental Permits Division, Solid Waste & Mining Section, at 601-961-5171. The staff of the Solid Waste & Mining Section are as follows:

Billy Warden, Chief (601) 961-5047
Charity Rockingham (601) 961-5722
Michael Roussel (601) 961-5006
Michelle Vinson (601) 961-5040
Ross Williams (601) 961-5526

APPLICATION FOR RECOVERY UNDER STATE WIDE GENERAL PERMITS FOR
CLASS I AND CLASS II RUBBISH SITES

Mississippi Department of Environmental Quality
Office of Pollution Control
Environmental Permits Division

Section 1. General Data

1. Name of Site: _____

2. Facility Address:

Physical Address

City

State

Zip

3. Coverage Number: _____

4. Name, address, and telephone number of permittee:

Name

Mailing Address

City

State

Zip

()

Telephone Number(s)

5. Name, address, and telephone number of contract operator (if not applicable, so indicate):

Name

Mailing Address

City

State

Zip

()

Telephone Number(s)

6. Name, address, and telephone number of landowner (if same as Section 1.4, so indicate):

Name

Mailing Address

City

State

Zip

()

Telephone Number(s)

7. If the permittee is not the landowner, include a letter from the landowner which acknowledges and concurs in the use of the property as a solid waste disposal facility. Appendix A contains a form which may be used for this purpose.

Section 2. Property Information and Maps

8. The total property associated with the facility which is owned or controlled by the permittee consists of _____ acres and is located within _____ County in the following topographic section(s):

Section

Township

Range

9. The latitude and longitude of the central entrance to the facility is:

North: _____

West: _____

10. The actual area for the disposal operation (excluding buffer zones and other unused areas) consists of _____ acres. Department staff will verify this value with Department files; any discrepancy must be resolved prior to recovery. Include the acreage closed and/or completed.
11. Include a scaled site map which indicates the property boundaries, disposal areas, waste unloading areas, access roads, and other physical characteristics of the site. Buffer distances between the disposal area and the property line should be identified.
12. Include a current survey of the permitted disposal area. The survey should indicate the location of boundary markers with GPS coordinates, sedimentation basins, property boundaries and any other physical characteristics of the site. The survey shall be completed by a professional land surveyor registered with the State of Mississippi. This information may be combined with the requirements identified in Section 2.11 for one submittal provided all information can be accurately and clearly presented.
13. Include two cross-sectional drawings (east to west, north to south), at a minimum, that fully represent the existing disposal areas and future cell development. The cross-sectional drawings should include the following information, at a minimum:

For All Facilities:

- a. Depth of excavation;
- b. Final height above natural grade to include final waste height and final cover;
- c. Slope of existing and closed areas of the disposal acreage.

For Class I Facilities, in addition to the information identified in Sections 2.13(a) through (c):

- a. Location of borings, with boring information presented;
- b. Depth of liner system, with areas where a constructed liner is present or required clearly identified;
- c. Depth to groundwater.

Section 3. Plan of Operation

14. Include a list of the type, description and characteristics of the wastes accepted at the facility. Provide an average value of the amount of wastes, in tons/week or cubic yards/week, accepted at the facility.
15. Include a list of sources of wastes received at the facility.

16. Include a plan of operation to include the following criteria:
 - a. A description of site security and monitoring provisions currently utilized at the facility (fences, gates, etc.) which demonstrates compliance with Section VI.E.2 of the Regulations.
 - b. A plan for prohibiting unauthorized wastes from disposal at the site. The placement of a waste receptacle shall be required for the disposal of unauthorized wastes.
 - c. A narrative description of the disposal operation from the point of waste unloading to the point earthen cover is applied.
 - d. The equipment and personnel resources available for the site's maintenance and the frequency such resources are onsite.
 - e. The frequency of earthen cover application at the site to demonstrate compliance with Section VI.E.7 of the Regulations.
 - f. The plan for fire prevention and actions to be taken in the event of an accidental fire.
 - g. Plan for litter control.
 - h. Quality Assurance/Quality Control Plan for the construction of bottom and side-wall liner systems, if applicable.
17. For Class I facilities only: Include a copy of the Storm Water Discharge coverage and current Storm Water Pollution Prevention Plan under a state wide general permit for the facility.
18. For Class II facilities only: Provide a Storm Water Pollution Prevention Plan which includes a description of run-on/run-off control systems, including all measures to prevent any disposal of waste in standing water, washing out or escape of waste from the property and onsite ponding of water.
19. Include a complete list of all Notices of Violations, Orders or other Enforcement Action as identified by the Environmental Compliance and Enforcement Division of the Department.

Section 4. Class I Rubbish Site Operator

(This section does not apply to Class II rubbish disposal operations.)

20. Include a copy of the certificate of competency required by Section VI.15 of the Regulations for the site operator. Information regarding competency certification may be obtained by contacting the Solid Waste Policy, Planning and Grants section at 601-961-5171.

Section 5. Signature Requirements

This recovery application shall be signed and certified as follows:

For a corporation: a president, vice-president, secretary or treasurer 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.

For a partnership or sole proprietorship: a general partner or the proprietor, respectively.

For a municipality, county, state, federal or other public agency: a principal executive officer or ranking elected official.

The signature of a Duly Authorized Representative (DAR) shall be a valid signature under the Regulations, in lieu of the signatures describes above provided the following conditions are met:

- a. The DAR is an employee of the entity seeking the solid waste recovery.
- b. The DAR is identified to the Department by the ranking officer or the corporation, partnership, proprietorship, municipality, county, state, federal or other public agency.
- c. The DAR is responsible for the overall management of the solid waste facility.

Certification

I certify that the information provided in this form is a true and accurate representation of that which is requested. I am aware that there are significant penalties for knowingly submitting false information.

I also confirm that I have received a copy of the Regulations and law applicable to rubbish disposal sites. Specifically,

- a. Mississippi Nonhazardous Solid Waste Management Regulations; and
- b. Section 17-17-219, Mississippi Code of 1972, pertaining to the state solid waste fee requirements and record keeping (attached).

Signature: _____

Printed Name: _____

Title: _____

Date: _____

MISSISSIPPI CODE OF 1972

As Amended

SEC. 17-17-219. Filing by owners or operators of commercial facilities managing municipal solid wastes of annual statements of waste received and managed; per-ton fees imposed on management of waste; daily record of waste delivered to facilities; annual aggregate report of wastes received at facilities.

(1) Before July 15 of each year the operator of a commercial nonhazardous solid waste management facility managing municipal solid waste shall file with the State Tax Commission and the department a statement, verified by oath, showing the total amounts of nonhazardous solid waste managed at the facility during the preceding calendar year, and shall at the same time pay to the State Tax Commission One Dollar (\$1.00) per ton of municipal solid waste generated and managed in the state by landfilling or incineration, including waste-to-energy management. The fee shall not be levied upon rubbish which is collected and disposed separately from residential or household waste and which is not managed for compensation. For ash and sludges which contain a significant amount of water, the fee may be calculated on a dry ton basis.

(2) (a) Before July 15 of each year, the operator of a commercial nonhazardous solid waste management facility managing municipal solid waste shall file with the State Tax Commission and the department a statement, verified by oath, showing the total amounts of solid waste received from out of state and managed at the facility during the preceding calendar year.

(b) Before July 15 of each year, the operator of a commercial nonhazardous solid waste management facility managing municipal solid waste located in this state shall pay to the State Tax Commission an amount equal to the greater of the per-ton fee imposed on the management of out-of-state nonhazardous solid waste by the state from which the nonhazardous solid waste originated or the per-ton fee, if any, imposed on the management of nonhazardous solid waste by this state. The sum shall be based on the total amounts of nonhazardous solid waste managed at the facility during the preceding calendar year and shall be paid to the State Tax Commission at the same time that reports are filed under subsection (2)(a) of this section.

(3) Except as provided in subsection (6) of this section, all monies received by the State Tax Commission as provided in this chapter shall be allocated as follows:

(a) Fifty percent (50%) shall be remitted to the Mississippi Nonhazardous Solid Waste Corrective Action Trust Fund; and

(b) Fifty percent (50%) shall be remitted to the Environmental Protection Trust Fund.

(4) All administrative provisions of the Mississippi Sales Tax Law, including those which fix damages, penalties and interest for nonpayment of taxes and for noncompliance with the provisions of such chapter, and all other duties and requirements imposed upon taxpayers, shall apply to all persons liable for fees under the provisions of this chapter, and the Tax Commissioner shall exercise all the power and authority and perform all the duties with respect to taxpayers under this chapter as are provided in the Mississippi Sales Tax Law except where there is a conflict, then the provisions of this chapter shall control.

(5) (a) The operator of a commercial nonhazardous solid waste management facility managing municipal solid waste shall keep an accurate written daily record of deliveries of solid waste to the facility as required by the department, including, but not limited to, the name of the hauler, the source of the waste, the types of waste received and the weight of solid waste measured in tons received at the facility. A copy of these records shall be maintained at the site by the operator and shall be made available to the department for inspection upon request.

(b) The operator shall file with the department annually, on such forms as the department may prescribe, a report providing aggregate information on the types, amounts and sources of waste received at the facility during the preceding calendar year. The State Tax Commission and the department shall share information provided under this section.

(6) When the unobligated balance in the Mississippi Nonhazardous Solid Waste Corrective Action Trust Fund reaches or exceeds Three Million Five Hundred Thousand Dollars (\$3,500,000.00), the department shall pay funds allocated under Section [17-17-219\(3\)\(a\)](#) to the Local Governments Solid Waste Assistance Fund created under Section [17-17-65](#) on the next scheduled payment date. After July 1, 2000, the department may transfer any unobligated balance in the Mississippi Nonhazardous Solid Waste Corrective Action Trust Fund exceeding Three Million Five Hundred Thousand Dollars (\$3,500,000.00) to the Local Governments Solid Waste Assistance Fund. When the unobligated balance is reduced below Two Million Dollars (\$2,000,000.00), the department shall reduce payments to the Local Governments Solid Waste Assistance Fund to two-thirds (2/3) of the funds allocated under Section [17-17-219\(3\)\(a\)](#) and shall pay the remaining one-third (1/3) of the funds allocated under Section [17-17-219\(3\)\(a\)](#) to the Mississippi Nonhazardous Solid Waste Corrective Action Trust Fund until the time as that fund balance reaches or exceeds Three Million Five Hundred Thousand Dollars (\$3,500,000.00).

SOURCES: Laws, 1991, ch. 494, Sec. 11; 1992, ch. 583 Sec. 4, eff from and after passage (approved May 15, 1992). Laws, 1996, ch. 488, Sec. 1, eff from and after July 1, 1996; 1997 Laws, Chapter 596, Sec. 3, SB2499, Effective July 1, 1997; Laws, 1998, Ch. 458, § 2, SB 2488, eff March 23, 1998. Amended by Laws 2000, Ch. 395, Sec. 3, SB3022; Laws, 2002, ch. 483, § 3, HB 903, eff from and after July 1, 2002.

PREVIOUS VERSIONS: [Pre-2002](#)

APPENDIX A

Landowner Acknowledgement and Concurrence

As owner of the property described in Section 2.8 of this application, I hereby acknowledge that the property described in this permit application is leased for the purpose of operating a solid waste management facility and that as owner of the property, I may be held jointly and severally responsible for the maintenance of the waste management site and all liabilities associated with the site upon termination of operations at the site.

As owner, I have attached a copy of the lease agreement between myself as leaser and the applicant as lessee. The lease agreement expires on _____.

Landowner Signature

Printed Name

Date