



State of Mississippi



MULTIMEDIA GENERAL POLLUTION CONTROL PERMIT

TO CONSTRUCT/OPERATE AIR EMISSION EQUIPMENT
AND/OR

MANAGE MANURE AND DISCHARGE STORM WATER IN ACCORDANCE WITH THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

THIS CERTIFIES

Dry Litter Poultry Concentrated Animal Feeding Operation (CAFO)
facilities granted a Certificate of Permit Coverage under this permit have permission to:

- construct/operate air emissions equipment to comply with the emission limitation, monitoring requirements, and other conditions set forth herein.
- discharge storm water associated with agricultural and construction activities into State waters in accordance with effluent limitations, monitoring requirements, and other conditions set forth herein. This permit is also 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 401(b) of the Federal Water Pollution Control Act.

Mississippi Environmental Quality Permit Board

Mississippi Department of Environmental Quality

Issued: January 5, 2004

Permit No. MSG15

Expires: December 31, 2008

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Permit to Construct and Operate
Poultry Concentrated Animal Feeding Operations (CAFOs)
Subject Item Inventory

Activity ID No.: GNP20030002

Subject Item Inventory:

| ID | Designation | Description |
|-----------|-------------------------|---|
| ACT1 | General Information | Applicable Facility Wide |
| AI17401 | MSR123456 | Dry Litter Poultry CAFO's within the State of Mississippi |
| CAFO1 | Poultry Production Area | NPDES Requirements |
| CAFO2 | Land Application Area | NPDES Requirements |
| MAFO1 | Construction Activity | NPDES Storm Water Requirements |
| MAFO2 | Mortality Disposal | Incinerator Requirements |

KEY

ACT = Activity

AREA = Area

CONT = Control Device

IA = Insignificant Activity

RPNT = Release Point

AI = Agency Interest

CAFO = Concentrated Animal Feeding Operation

EQPT = Equipment

MAFO = Animal Feeding Operation

TRMT = Treatment

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ACT1 (General Information) Applicable Facility Wide:

Narrative Requirements:

| Condition No. | Condition |
|---------------|--|
| T-1 | <p>Permit Area.</p> <p>This permit covers all areas of the State of Mississippi. [APC-S-2, WPC-1]</p> |
| T-2 | <p>Eligibility.</p> <p>This permit may provide coverage for all new and existing poultry farms classified as a CAFO that fall under Standard Industrial Classification (SIC) 0251 (Broiler, Fryer, and Roaster Chickens) or (SIC) 0252 (Chicken Eggs) and seeking to obtain permit coverage under paragraph(s) (A), (B), and/or (C) below:</p> <p>(A) NPDES permit coverage for poultry farming associated with the operation of;</p> <p>(1) a Large Concentrated Animal Feeding Operation ("Large CAFO") as defined in Condition No. T-16 found on page 13, or</p> <p>(2) a Medium Concentrated Animal Feeding Operation ("Medium CAFO") as defined in Condition No. T-18 found on page 13, and</p> <p>(3) generates no process wastewater discharge, and</p> <p>(4) has no waste or raw material exposed to storm water rainfall or runoff.</p> <p>(B) Air emissions associated with the construction and operation of a poultry farm, including but not limited to, emissions from mortality incineration equipment previously evaluated by MDEQ and determined to be capable of operating in compliance with the standards included herein.</p> <p>(C) Storm water from construction activity, including clearing, grading, and excavation disturbing one (1) or more acres. [WPC-1 Chapter One Section I.B(1), APC-S-2 Section I.C(2), 40 CFR Part 122.23(a)]</p> |

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Narrative Requirements:

| Condition No. | Condition |
|---------------|---|
| T-3 | <p>Authorization.</p> <p>Applicants must submit a Notice of Intent (NOI) in accordance with the requirements of this permit. Applicants are authorized to operate a poultry concentrated animal feeding operation (CAFO), construct and operate poultry mortality incineration equipment, and discharge storm water associated with construction activity under the terms and conditions of this permit only upon receipt of written notification of approval of coverage by the Mississippi Department of Environmental Quality (MDEQ), Office of Pollution Control (OPC) staff. Upon review of the NOI, the staff may deny coverage and require an alternate permit. The OPC staff decisions may be brought before the MDEQ Permit Board for review and reconsideration at a regularly scheduled meeting. Operating a poultry concentrated animal feeding operation (CAFO) or discharging storm water without written notification of coverage or issuance of an individual National Pollutant Discharge Elimination System (NPDES) Permit is a violation of state law. Constructing and operating poultry mortality incineration equipment without written notification of coverage or issuance of an individual Air Construction and individual State Operating Permit, is a violation of state law. [WPC-1, APC-S-2]</p> |
| T-4 | <p>Deadlines for Notification.</p> <p>(A) Persons desiring coverage for a new source under this general permit shall submit an NOI form at least 45 days prior to the commencement of a covered activity.</p> <p>(B) Persons desiring coverage for an existing source under this general permit shall submit an NOI form no later than June 30, 2005. MDEQ reserves the right to require existing sources to submit an NOI form prior to June 30, 2005.</p> <p>NOI forms may be obtained from the MDEQ at the address found in Condition No. T-7 found on page 3, or by calling (601) 961-5171. NOI forms, as well as the general permit and guidance material, may also be found on the MDEQ web site at www.deq.state.ms.us. Coverage under this permit will not be granted until all other required MDEQ permits are satisfactorily addressed. [Construction General Permit (MSR10) issued March 28, 2000, 40 CFR 122.23(g), APC-S-2]</p> |

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Narrative Requirements:

| Condition No. | Condition |
|---------------|---|
| T-5 | <p>Signatory Requirement.</p> <p>(A) All notices of intent, reports, or information submitted to the Permit Board shall be signed and certified by a responsible corporate officer, as defined in 40 CFR 122.22(a)(1) or by a responsible official, as defined in APC-S-2 Section I(B)(20) and stated as follows:</p> <ul style="list-style-type: none">(1) For a corporation: a president, secretary, treasurer, or vice-president of the company or corporation in charge of a principal business function, or any other person who performs similar policy-making or decision-making functions for the company or corporation;(2) For a partnership, by a general partner; or(3) For a sole proprietorship, by the proprietor. <p>(B) All reports required by this General Permit, and other information requested by the Permit Board shall be signed by a person described above. [APC-S-2 Section II.B(10), WPC-1 Chapter 1 Section II.C]</p> |
| T-6 | <p>Certification.</p> <p>Any person signing a document under Condition No. T-5 above, shall make the following certification:</p> <p>"I certify under penalty of law that this document and all attachments were prepared under the direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate 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." [40 CFR Part 122.22(d)]</p> |
| T-7 | <p>Where to Submit the Notice of Intent.</p> <p>Complete and appropriately signed NOI Forms must be submitted to:</p> <p>Chief, Environmental Permits Division MS Dept of Environmental Quality, Office of Pollution Control P.O. Box 10385 Jackson, Mississippi 39289-0385. [WPC-1]</p> |

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Narrative Requirements:

| Condition No. | Condition |
|---------------|--|
| T-8 | <p>Production Area Buffer Zone Requirements.</p> <p>Any facility for the housing of broiler pullets, broiler breeders, and broilers in a poultry operation that generates dry litter or waste constructed, enlarged, or significantly altered after February 24, 1994 must be at least 600 feet from the nearest unowned (by the applicant) occupied dwelling or commercial establishment and at least 150 feet from the nearest adjoining property line. In the event new treatment facilities are proposed for an existing confined animal operation, the Permit Board will consider requests for exceptions to, or variances from, the buffer zone requirements, and the requirements of WPC-1, Section I.C.2.e., based upon such factors as the relative distances and age of the existing operation. [WPC-1 Chapter 1 C.2(c)]</p> |
| T-9 | <p>Land Application Area Buffer Zone Requirements.</p> <p>Land application of dry litter waste must be at least 25 feet from the nearest adjoining property line and at least 150 feet from the nearest unowned (by the applicant) occupied dwelling. [WPC-1 Chapter 1 C.2(d)]</p> |
| T-10 | <p>Incinerator Equipment Buffer Zone Requirements.</p> <p>Incinerators must be at least 150 feet from any dwelling or from any light commercial building not owned by the applicant and must be at least 150 feet from the nearest residential or recreational area. [APC-S-2 Section II.B(15)]</p> |
| T-11 | <p>Nutrient Management Plan (NMP).</p> <p>The CAFO must develop and implement a nutrient management plan that incorporates the requirements of Condition No. S-1 found on page 29 based on a field-specific assessment of the potential for nitrogen and phosphorus transport from the field and that addresses the form, source, amount, timing, and method of application of nutrients on each field to achieve realistic production goals, while minimizing nitrogen and phosphorus movement to surface waters. [40 CFR 412.4(c)(1)]</p> |
| T-12 | <p>Requirement to Develop and Implement Best Management Practices.</p> <p>Each CAFO subject to this section that land applies manure, litter, or process wastewater, must do so in accordance with the practices identified in Condition Nos. S-1 and T-1 through T-4 found on pages 32 and 33. [40 CFR 412.4(c)]</p> |

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Narrative Requirements:

| Condition No. | Condition |
|---------------|--|
| T-13 | <p>Continuing Education.</p> <p>The applicant/permittee shall annually attend MDEQ approved technical training. MDEQ will establish a CAFO technical training advisory group to identify and recommend appropriate training material to satisfy this requirement. The CAFO technical training advisory group will be comprised of representatives from the MDEQ, poultry growers, poultry integrators, and academia. MDEQ will utilize existing forums and resources whenever possible to deliver training. The number of hours shall be set by MDEQ in its discretion, after consultation with advisory group, and shall not exceed 8 hours per year. [WPC-1 Chapter One Section IV.A(4)]</p> |
| T-14 | <p>Reopener Clause.</p> <p>Any facility covered or eligible to be covered under a general permit may be required to obtain an individual permit at the discretion of the Permit Board. Any interested person may petition the Permit Board to take action under this paragraph. [APC-S-2 Section XI.A(3), WPC-1 Chapter 1 Section IV.E(1)]</p> |
| T-15 | <p>Reopener Clause.</p> <p>Any facility covered by a general permit may request to be excluded from such coverage by applying for an individual permit. Coverage under the general permit is terminated upon the effective date of an individual permit. [WPC-1 Chapter 1 Section IV.E(2), APC-S-2 Section XI.A(5)]</p> |
| T-16 | <p>Reopener Clause.</p> <p>The Permit Board may revoke and/or modify a general permit or coverage under a general permit. [APC-S-2 Section XI.A(4), WPC-1 Chapter 1 Section IV.F(1)]</p> |

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Narrative Requirements:

| Condition No. | Condition |
|---------------|--|
| T-17 | <p data-bbox="226 542 808 568">Intent to be Covered by a Subsequently Issued Permit.</p> <p data-bbox="226 602 1974 961">This permit shall expire on December 31, 2008. An NOI requesting subsequent coverage under the reissuance of this general permit must be submitted no later than the expiration date of this permit. Permittees should state their intent on the last annual report required by this general permit and request that MDEQ accept the report in lieu of an application or NOI. If reissuance of this general permit does not occur before its expiration date and the permittee has submitted a timely and complete NOI, continued coverage under this permit will be allowed until the effective date of the reissued general permit. If the permittee is notified by the MDEQ of the need to submit application forms for an individual permit and a timely and complete NOI was submitted, continued coverage under this general permit will be allowed until the effective date of the individual permit issued to the applicable facility. If the initial NOI(s) requesting coverage under this permit was submitted within one (1) year of the expiration date of this permit and the information is still current, the permittee may resubmit that NOI(s) with a letter explaining their intent. Permittees that fail to notify the Executive Director, during the term of this permit, of their intent to be covered by a subsequently issued permit cannot obtain continued authorization to operate after the expiration date of this permit and will be operating without NPDES permit coverage until they apply for and obtain coverage under the subsequently issued general permit or apply for and receive an effective individual NPDES permit. All NOI(s) requesting coverage under a subsequently issued general permit should be sent by certified mail to the address listed in Condition No. T-7 found on page 3. [APC-S-2 XI.A(7), WPC-1 Chapter One IV.E]</p> |

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AI17401 (MSR123456) Dry Litter Poultry CAFO's within the State of Mississippi:

Limitation Requirements:

| Condition No. | Parameter | Condition |
|---------------|-----------|--|
| L-1 | | <p>Discharge Prohibition for CAFO Production Areas.</p> <p>There must be no discharge of manure, litter, or process wastewater pollutants into waters of the State from the production area. [40 CFR 412.43(a)]</p> |
| L-2 | | <p>Odor.</p> <p>There shall be no odorous substances in the ambient air in concentrations sufficient to adversely and unreasonably:</p> <p>(A) affect human health and well-being;</p> <p>(B) interfere with the use or enjoyment of property; or</p> <p>(C) affect plant or animal life.</p> <p>In determining that concentrations of such substances in the ambient air are adversely and unreasonably affecting human well-being or the use or enjoyment of property of plant or animal life, the factors to be considered by the Commission will include, without limiting the generality of the foregoing, the number of complaints or petitioners alleging that such a condition exists, the frequency of the occurrence of such substances in the ambient air as confirmed by the Department of Environmental Quality staff, and the land use of the affected area. [APC-S-4]</p> |

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Record-Keeping Requirements:

| Condition No. | Condition |
|---------------|--|
| R-1 | <p>Recordkeeping.</p> <p>The applicant/permittee must create, maintain for five years, and make available to the Permit Board, upon request, the following records:</p> <p>(A) All applicable records identified pursuant Condition No. S-1(I) found on page 29;</p> <p>(B) In addition, all CAFOs subject to 40 CFR 412 must comply with record keeping requirements as specified in 40 CFR 412.47(b) and (c). These requirements are also specified in Condition No. R-1 (production area), page 28 and Condition No. R-1 (land application area), page 31. [40 CFR Part 122.42(e)(2)(i), WPC-1 Chapter One Section IV.A(29)(a)]</p> |
| R-2 | <p>Record Content.</p> <p>For each measurement or sample taken pursuant to the requirements of this permit, the applicant/permittee shall maintain records of all information obtained from such monitoring including:</p> <p>(A) The exact place, date, and time of sampling;</p> <p>(B) The dates the analyses were performed;</p> <p>(C) The person(s) who performed the analyses;</p> <p>(D) The analytical techniques, procedures or methods used; and</p> <p>(E) The results of all required analyses. [WPC-1 Chapter 1 Section IV.A(29)(a)]</p> |
| R-3 | <p>Requirements Relating to Transfer of Manure or Process Wastewater to Other Persons.</p> <p>All CAFOs must retain for five years records of the date, recipient name and address, nutrient content information, and approximate amount of manure, litter, or process wastewater transferred to another person. [WPC-1 Chapter 1 Section IV.A(29)(a), 40 CFR Part 122.42(e)(3)]</p> |

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Record-Keeping Requirements:

| Condition No. | Condition |
|---------------|--|
| R-4 | Nutrient Management Plan (NMP). A copy of the CAFO's site-specific nutrient management plan must be maintained on site and made available to the Permit Board upon request. [40 CFR Part 122.42(e)(2)(ii), WPC-1 Chapter 1 Section IV.A(29)(a)] |

Submittal/Action Requirements:

| Condition No. | Condition |
|---------------|--|
| S-1 | Annual Reporting Requirements for CAFOs. The permittee must Submit periodic report: Due annually by the 15th of January to the Permit Board. The annual report must include: (A) The number and type of animals (broilers and/or layers), whether in open confinement or housed under roof; (B) Estimated amount of total manure, litter, and process wastewater generated by the CAFO in the previous 12 months (tons or gallons as appropriate); (C) Estimated amount of total manure, litter, and process wastewater transferred to other person by the CAFO in the previous 12 months (tons or gallons as appropriate); (D) Total number of acres for land application covered by the nutrient management plan developed in accordance with Condition No. S-1 found on page 29; (E) Total number of acres under control of the CAFO that were used for land application of manure, litter, and process wastewater in the previous 12 months; (F) Summary of all manure, litter, and process wastewater discharges from the production area that have occurred in the previous 12 months, including date, time, and approximate volume; and (G) A statement indicating whether the current version of the CAFO's nutrient management plan was developed or approved by a certified nutrient management planner. (H) A statement indicating the permittee's intent to continue the regulated activity into the next reporting period. |

Note: A discharge of a process wastewater is considered a violation of this permit. [40 CFR Part 122.42(e)(4), 40 CFR Part 412.43(a)]

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Submittal/Action Requirements:

| Condition No. | Condition |
|---------------|--|
| S-2 | Requirements Relating to Transfer of Manure or Process Wastewater to Other Persons. Prior to transferring manure, litter, or process wastewater to other persons, Large CAFOs must provide the recipient of the manure, litter, or process wastewater with the most current nutrient analysis. The analysis provided must be consistent with the requirements of 40 CFR 412. [40 CFR Part 122.42(e)(3)] |

Narrative Requirements:

Definitions:

| Condition No. | Condition |
|---------------|---|
| T-1 | Definitions: Animal Feeding Operation ("AFO"). "AFO" means a lot or facility (other than an aquatic animal production facility) where the following conditions are met: (A) Animals (other than aquatic animals) have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and (B) Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. [40 CFR Part 122.23(b)(1)] |
| T-2 | Definitions: Applicant/Permittee. "Applicant/Permittee" means the owner or operator of any facility or activity subject to any of the regulations cited in this permit. [Small Construction General Permit (MSR15) March 11, 2003] |
| T-3 | Definitions: Best Management Practices ("BMPs"). "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 State. 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. [Small Construction General Permit (MSR15) March 11, 2003] |

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Narrative Requirements:

Definitions:

| Condition No. | Condition |
|---------------|---|
| T-4 | <p>Definitions: Commencement of Construction Activities.</p> <p>"Commencement of Construction Activities" means the initial disturbance of soils associated with clearing, grading, or excavating activities or other construction-related activities. [Small Construction General Permit (MSR15) March 11, 2003]</p> |
| T-5 | <p>Definitions: Commercial and Industrial Solid Waste Incineration ("CISWI") Unit.</p> <p>"CISWI Unit" means any combustion device that combusts commercial and industrial waste. The boundaries of a CISWI Unit are defined as, but not limited to, the commercial or industrial solid waste fuel feed system, grate system, flue gas system, and bottom ash. The CISWI Unit does not include air pollution control equipment or the stack. The CISWI Unit boundary starts at the commercial and industrial solid waste hopper (if applicable) and extends through two areas:</p> <p>(A) The combustion unit flue gas system, which ends immediately after the last combustion chamber; and</p> <p>(B) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system. [APC-S-1 Section 13.2(a)]</p> |
| T-6 | <p>Definitions: Commercial and Industrial Waste.</p> <p>"Commercial and Industrial Waste" means solid waste combusted in an enclosed device using controlled flame combustion without energy recovery that is a distinct operating unit of any commercial or industrial facility (including field-erected, modular, and custom built incineration units operating with starved or excess air), or solid waste combusted in an air curtain incinerator without energy recovery that is a distinct operating unit of any commercial or industrial facility. [APC-S-1 Section 13.2(b)]</p> |
| T-7 | <p>Definitions: Concentrated Animal Feeding Operation ("CAFO").</p> <p>"CAFO" means an AFO that is defined as a Large CAFO or as a Medium CAFO, or that is designated as a CAFO in accordance with 40 CFR 122.23(c). Two or more AFOs under common ownership are considered to be a single AFO for the purposes of determining the number of animals at an operation, if they adjoin each other or if they use a common area or system for the disposal of wastes. [40 CFR Part 122.23(b)(2)]</p> |
| T-8 | <p>Definitions: Construction Activity.</p> <p>"Construction Activity" includes clearing, grading, and excavating resulting in a land disturbance that will disturb one (1) or more acres. [Small Construction General Permit (MSR15) March 11, 2003]</p> |

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Narrative Requirements:

Definitions:

| Condition No. | Condition |
|---------------|---|
| T-9 | <p>Definitions: Construction Activity BMPs.</p> <p>"Construction Activity BMPs" are management practices to prevent or reduce the discharge of pollutants, specifically from construction activities, to waters of the State. [Small Construction General Permit (MSR15) March 11, 2003]</p> |
| T-10 | <p>Definitions: Control Measure.</p> <p>"Control Measure" as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the State. [Small Construction General Permit (MSR15) March 11, 2003]</p> |
| T-11 | <p>Definitions: Discharge of Storm Water Associated with Construction Activity.</p> <p>"Discharge of Storm Water Associated with Construction Activity" as used in this permit, refers to a discharge of pollutants in storm water runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavation), construction materials, or equipment storage or maintenance (e.g., fill piles, borrow area, concrete truck washout, fueling), or other industrial storm water directly related to the construction process (e.g., concrete) are located. [Small Construction General Permit (MSR15) March 11, 2003]</p> |
| T-12 | <p>Definitions: Executive Director.</p> <p>"Executive Director" means the Executive Director of the Department of Environmental Quality. [WPC-1 Chapter 1 Section I.A(24)]</p> |
| T-13 | <p>Definitions: Facility or Activity.</p> <p>"Facility or Activity" means any NPDES "point source" or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program and State of Mississippi air permitting program. [Small Construction General Permit (MSR15) March 11, 2003]</p> |
| T-14 | <p>Definitions: Incinerator.</p> <p>"Incinerator" means a combustion device specifically designed for the destruction by high temperature burning of solid, semi-solid, liquid or gaseous combustible wastes and from which the solid residues contain little or no combustibles. [APC-S-1 Section 2.13]</p> |

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Narrative Requirements:

Definitions:

| Condition No. | Condition |
|---------------|---|
| T-15 | <p>Definitions: Land Application Area.</p> <p>The term "Land Application Area" means land under the control of an AFO owner or operator, whether it is owned, rented, or leased, to which manure, litter, or process wastewater from the production area is or may be applied. [40 CFR Part 122.23(b)(3)]</p> |
| T-16 | <p>Definitions: Large Concentrated Animal Feeding Operation ("Large CAFO").</p> <p>An AFO is defined as a "Large CAFO" if it stables or confines as many as or more than the numbers of animals specified in any of the following categories:</p> <p>(A) 125,000 chickens (other than laying hens), if the AFO uses other than a liquid manure handling system; or</p> <p>(B) 82,000 laying hens, if the AFO uses other than a liquid manure handling system. [40 CFR Part 122.23(b)(4)]</p> |
| T-17 | <p>Definitions: Manure.</p> <p>The term "Manure" is defined to include manure, bedding, compost, and raw materials or other materials commingled with manure or set aside for disposal. [40 CFR Part 122.23(b)(5)]</p> |
| T-18 | <p>Definitions: Medium Concentrated Animal Feeding Operation ("Medium CAFO").</p> <p>The term "Medium CAFO" includes any AFO with the type and number of animals that fall within any of the ranges listed in paragraph (A) below:</p> <p>(A) The type and number of animals that it stables or confines falls within any of the following ranges:</p> <p>(1) 37,500 to 124,999 chickens (other than laying hens), if the AFO uses other than a liquid manure handling system; or</p> <p>(2) 25,000 to 81,999 laying hens, if the AFO uses other than a liquid manure handling system; and</p> <p>(B) Either one of the following conditions are met:</p> <p>(1) Pollutants are discharged into waters of the State through a man-made ditch, flushing system, or other similar man-made device; or</p> <p>(2) Pollutants are discharged directly into waters of the State which originate outside of and pass over, across, or through the facility or otherwise come into direct contact with the animals confined in the operation. [40 CFR Part 122.23(b)(6)]</p> |

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Narrative Requirements:

Definitions:

| Condition No. | Condition |
|---------------|--|
| T-19 | <p>Definitions: Modification.</p> <p>"Modification" means any physical change in, or change in the method of operation of, an affected facility which increases the amount of any air pollutant emitted by such facility or which results in the emission of any air pollutant not previously emitted, except that:</p> <p>(A) Routine maintenance, repair, and replacement shall not be considered physical changes, and</p> <p>(B) An increase in the production rate or hours of operation shall not be considered a change in the method of operation, unless it is prohibited by a permit. [APC-S-1 Section 2.14]</p> |
| T-20 | <p>Definitions: Multiple Chamber Incinerator.</p> <p>"Multiple Chamber Incinerator" means any article, machine, equipment, contrivance, structure, or any part thereof used to dispose of combustible refuse by burning, which consists of three or more refractory walls, interconnected by gas passage points or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned. [APC-S-1 Section 2.15]</p> |
| T-21 | <p>Definitions: Opacity.</p> <p>"Opacity" means the degree to which emissions reduce the transmission of light and obscure the background. [APC-S-1 Section 2.16]</p> |
| T-22 | <p>Definitions: Particulate Matter.</p> <p>"Particulate Matter" means any airborne finely divided solid or liquid material with an aerodynamic diameter smaller than 100 micrometers. [APC-S-1 Section 2.18]</p> |
| T-23 | <p>Definitions: Pathological Waste.</p> <p>"Pathological Waste" means waste material consisting of only animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable). [40 CFR 60.2875]</p> |

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| T-24 | <p>Definitions: Pollution.</p> <p>"Pollution" means such contamination, or other alteration of the physical, chemical, or biological properties, of any waters of the State, including change in temperature, taste, color, turbidity, or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive, or other substance or leak into any waters of the State, unless in compliance with a valid permit issued by the Permit Board. [WPC-1 Chapter 1 Section I.A(50)]</p> |
| T-25 | <p>Definitions: Process Wastewater.</p> <p>"Process Wastewater" means water directly or indirectly used in the operation of the AFO for any or all of the following: spillage or overflow from animal or poultry watering systems; washing, cleaning, or flushing pens, barns, manure pits, or other AFO facilities; direct contact swimming, washing, or spray cooling of animals; or dust control. Process wastewater also includes any water which comes into contact with any raw materials, products, or byproducts including manure, litter, feed, milk, eggs, or bedding. [40 CFR Part 122.23(b)(7)]</p> |
| T-26 | <p>Definitions: Production Area.</p> <p>"Production Area" means that part of an AFO that includes the animal confinement area, the manure storage area, the raw materials storage area, and the waste containment areas. The animal confinement area includes but is not limited to open lots, housed lots, feedlots, confinement houses, stall barns, free stall barns, milkrooms, milking centers, cowyards, barnyards, medication pens, walkers, animal walkways, and stables. The manure storage area includes but is not limited to lagoons, runoff ponds, storage sheds, stockpiles, under house or pit storages, liquid impoundments, static piles, and composting piles. The raw materials storage area includes but is not limited to feed silos, silage bunkers, and bedding materials. The waste containment area includes but is not limited to settling basins, and areas within berms and diversions which separate uncontaminated storm water. Also included in the definition of production area is any egg washing or egg processing facility, and any area used in the storage, handling, treatment, or disposal of mortalities. [40 CFR Part 122.23(b)(8)]</p> |
| T-27 | <p>Definitions: Recreational Area.</p> <p>"Recreational Area" means:</p> <p>(A) A national, state, county, or city designated park; or</p> <p>(B) An outdoor recreational area, such as a golf course or swimming pool, owned by a city, county, or other public agency. [APC-S-1 Section 2.24]</p> |

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| T-28 | <p>Definitions: Residential Area.</p> <p>"Residential Area" means:</p> <p>(A) 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</p> <p>(B) 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</p> <p>(C) 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. [APC-S-1 Section 2.25]</p> |
| T-29 | <p>Definitions: Runoff Coefficient.</p> <p>"Runoff Coefficient" means the fraction of total rainfall that will appear at the conveyance as runoff (see values in Condition No. T-37 found on page 18). [Small Construction General Permit (MSR15) March 11, 2003]</p> |
| T-30 | <p>Definitions: Small Concentrated Animal Feeding Operation ("Small CAFO").</p> <p>A "Small CAFO" is an AFO that is designated as a CAFO and is not a Medium CAFO. [40 CFR Part 122.23(b)(9)]</p> |
| T-31 | <p>Definitions: Smoke.</p> <p>"Smoke" means small gasborne particles resulting from incomplete combustion and consisting predominantly, but not exclusively, of carbon, ash, and other combustible material. [APC-S-1 Section 2.27]</p> |
| T-32 | <p>Definitions: Solid Waste.</p> <p>"Solid Waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, agricultural operations, and from community activities but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, as amended (42 U.S.C. 1342), or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2014). [APC-S-1 Section 13.2(c)]</p> |

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| T-33 | <p>Definitions: Startup.</p> <p>"Startup" means the bringing into operation from a non-operative condition. Relative to fuel-burning equipment, a startup shall be construed to occur only when a unit is taken from a non-fired to a fired state. [APC-S-1 Section 2.31]</p> |
| T-34 | <p>Definitions: Storm Water.</p> <p>"Storm Water" means rainfall runoff, snowmelt runoff, and surface runoff. [Small Construction General Permit (MSR15) March 11, 2003]</p> |
| T-35 | <p>Definitions: Storm Water Pollution Prevention Plan ("SWPPP").</p> <p>"SWPPP" means a plan that includes site map(s), an identification of construction/contractor activities that could cause pollutants in the storm water, and a description of measures or practices to control these pollutants. [Small Construction General Permit (MSR15) March 11, 2003]</p> |
| T-36 | <p>Definitions: Successful Completion.</p> <p>Successful Completion of all permanent erosion and sediment controls means when land disturbing construction activities have been completed and disturbed areas have been stabilized with no significant erosion occurring. [Small Construction General Permit (MSR15) March 11, 2003]</p> |

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T-37 Definitions: Values of Runoff Coefficient C:

Lawns:

Sandy soil, flat 2% 0.05-0.10

Sandy soil, average, 2-7% 0.10-0.15

Sandy soil, steep, 7% 0.15-0.20

Heavy soil, flat, 2% 0.13-0.17

Heavy soil, average, 2-7% 0.18-0.22

Heavy soil, steep, 7% 0.25-0.35

Residential:

Single family areas 0.30-0.50

Multi units, detached 0.40-0.60

Multi units, attached 0.60-0.75

Business:

Downtown areas 0.70-0.95

Neighborhood areas 0.50-0.70

Other:

Parks, cemeteries 0.10-0.25

Playgrounds 0.20-0.35

Railroad yard areas 0.20-0.40

Unimproved areas 0.10-0.30. [Small Construction General Permit (MSR15) March 11, 2003]

Streets:

Asphalt 0.70-0.95

Concrete 0.80-0.95

Brick 0.70-0.85

Drives and walks 0.75-0.85

Roofs 0.75-0.95

Residential:

Suburban 0.25-0.40

Apartment dwelling areas 0.50-0.70

Industrial:

Light areas 0.50-0.80

Heavy areas 0.60-0.90

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| T-38 | <p>Penalties.</p> <p>Any person found by the commission violating any of the provisions of Sections 49-17-1 through 49-17-43, or any rule or regulation or written order of the commission in pursuance thereof or any condition or limitation of a permit, except a permit required under the Solid Wastes Disposal Law of 1974 (Sections 17-17-1 through 17-17-47), shall be subject to a civil penalty of not more than Twenty-five Thousand Dollars (\$25,000.00), for each violation, such penalty to be assessed and levied by the commission after a hearing as provided in Section 49-17-33. Each day upon which a violation occurs shall be deemed a separate and additional violation. [Miss. Code Ann. 49-17-17]</p> |
| T-39 | <p>Protection of Confidential Information.</p> <p>Information obtained by the commission concerning environmental protection including but not limited to information contained in applications for air emission equipment construction permits and water permits shall be public information and shall be made available upon proper request. Other information obtained by the commission, department, or permit board in the administration of Sections 49-17-1 through 49-17-43 concerning trade secrets, including, but not limited to, marketing or financial information, processes, devices, methods of manufacture, or production capabilities or amounts shall be kept confidential, if and only if:</p> <ul style="list-style-type: none">(A) A written confidentiality claim is made when the information is supplied;(B) Such confidentiality claim allows disclosure of the confidential information to authorized department employees and/or the United States Environmental Protection Agency (EPA); and(C) Such confidentiality claim is determined by the commission to be valid. <p>If the confidentiality claim is denied, the information sought to be covered thereby shall not be released or disclosed, except to the Environmental Protection Agency, until the claimant has been notified in writing and afforded an opportunity for a hearing and appeal therefrom, as with other orders of the commission. Disclosure of confidential information by the EPA should be governed by federal law and EPA regulations. Anyone making unauthorized disclosure of information determined to be confidential as herein provided shall be liable in a civil action for damages arising therefrom and shall also be guilty of a misdemeanor punishable as provided by law.</p> <p>See also, Mississippi Water Regulations WPC-1. [Miss. Code Ann. 49-17-17, WPC-1 Chapter 1 Section III.F]</p> |

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| T-40 | <p>Duty to Comply.</p> <p>The applicant/permittee must comply with all conditions of this permit. Any noncompliance with any NPDES wastewater regulations constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application; and/or for requiring an applicant/permittee to apply for and obtain an individual NPDES permit. [WPC-1 Chapter 1 Section IV.A(2)]</p> |
| T-41 | <p>Compliance Schedules.</p> <p>Within 14 days after either an interim or final date of compliance specified in this permit, the applicant/permittee shall provide the Permit Board with written notice of his compliance or noncompliance with the requirements or conditions specified to be completed by that date. Failure to submit the written notice to the Permit Board shall be considered a violation of the compliance requirements of the permit, for which the Commission may be asked to take enforcement action. [WPC-1 Chapter 1 Section IV.A(10)]</p> |
| T-42 | <p>Closure Requirements.</p> <p>Should the applicant/permittee decide to permanently close and abandon the premises upon which it operates, it shall provide a Closure Plan to the Permit Board no later than 90 days prior to doing so. This Closure Plan shall address how and when all manufactured products, by-products, raw materials, stored chemicals, and solid and liquid waste and residues will be removed from the premises or permanently disposed of on site such that no potential environmental hazard to the waters of the State will be presented. Closure plan(s) submitted to and approved by Mississippi Department of Environmental Quality for compliance with other environmental regulations will satisfy the closure requirements for those items specifically addressed in the closure plan(s) as long as the closure does not present a potential for environmental hazard to waters of the State. [WPC-1 Chapter 1 Section IV.A(11)]</p> |
| T-43 | <p>Spill Prevention and Best Management Plans.</p> <p>Any applicant/permittee which has above ground bulk storage capacity, of more than 1320 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. [WPC-1 Chapter 1 Section IV.A(12)]</p> |

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| T-44 | <p>Facility Expansion and/or Modification.</p> <p>Any facility expansion, production increases, process modifications, changes in discharge volume or location, or other changes in operations or conditions of the applicant/permittee which may result in a new or increased discharge of waste, shall be reported to the Permit Board by submission of a new application for a permit pursuant to Section II.A. of the Mississippi Wastewater Regulations, or if the discharge does not violate effluent limitations specified in the permit, by submitting to the Permit Board a notice of a new or increased discharge. [WPC-1 Chapter 1 Section IV.A(14)]</p> |
| T-45 | <p>Planned Changes.</p> <p>The applicant/permittee shall give notice to the Permit Board as soon as possible of any planned physical alterations or additions, including but not limited to, a change of operation to the permitted facility. Notice is required in the circumstances that follow:</p> <p>(A) The alteration or addition to a permitted facility may meet one of the criteria for determining whether the facility is a new source in 40 CFR 122.29(b);</p> <p>(B) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to either effluent limitations in the permit or notification requirements under 40 CFR 122.42(a)(1); or</p> <p>(C) The alteration or addition results in a significant change in the applicant's/permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan or an approved nutrient management plan. [WPC-1 Chapter 1 Section IV.A(15)(a)]</p> |
| T-46 | <p>Anticipated Noncompliance.</p> <p>The applicant/permittee 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. [WPC-1 Chapter 1 Section IV.A(15)(b)]</p> |
| T-47 | <p>Duty to Provide Information.</p> <p>The applicant/permittee shall furnish to the Permit Board, within a reasonable time, any information which the Permit Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The applicant/permittee shall also furnish to the Permit Board upon request, copies of records required to be kept by the permit. [APC-S-2 Section II.B(16)(d), WPC-1 Chapter 1 Section IV.A(16)]</p> |

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| T-48 | <p>Inspection and Entry.</p> <p>The applicant/permittee shall allow any authorized Commission representative to enter upon the permittee's premises at any reasonable time, to have access to and copy any applicable records, to inspect process facilities, treatment works, monitoring methods or equipment or to take samples, as authorized by Section 49-17-21 of Mississippi Code. [Miss. Code Ann. 49-17-17, WPC-1 Chapter 1 Section IV.A(17)]</p> |
| T-49 | <p>MDEQ personnel will attempt to observe all standard biosecurity measures when performing inspections authorized in the above Condition No. T-48. [WPC-1 Chapter One IV.A(17)]</p> |
| T-50 | <p>Proper Operation and Maintenance.</p> <p>The applicant/permittee shall at all times properly operate, maintain, and when necessary, promptly replace all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the applicant/permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures. Proper replacement includes maintaining an adequate inventory of replacement equipment and parts for prompt replacement when necessary to maintain continuous collection and treatment of wastewater. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by an applicant/permittee only when the operation is necessary to achieve compliance with the conditions of the permit. The Permit Board may require regular reporting of internal operational and maintenance parameters where necessary to confirm proper operation of a waste treatment system. [WPC-1 Chapter 1 Section IV.A(18)]</p> |
| T-51 | <p>Duty to Mitigate.</p> <p>The applicant/permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of the permit which has a reasonable likelihood of adversely affecting human health or the environment. [WPC-1 Chapter 1 Section IV.A(19)]</p> |
| T-52 | <p>Bypassing.</p> <p>The applicant/permittee shall comply with the terms and conditions regarding bypass found in 40 CFR 122.41(m). [WPC-1 Chapter 1 Section IV.A(20)]</p> |
| T-53 | <p>Removed Substances.</p> <p>Solids, sludges, filter backwash, or other residuals removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent such materials from entering state waters and in a manner consistent with the Mississippi Solid Waste Disposal Act, the Federal Resource Conservation and Recovery Act, and the Mississippi Water Pollution Control Act. [WPC-1 Chapter 1 Section IV.A(21)]</p> |

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| T-54 | <p>Power Failure.</p> <p>If electric power is required, in order to maintain compliance with the conditions and prohibitions of the permit, the applicant/permittee shall either:</p> <p>(A) Provide an alternative power source to operate the wastewater control facilities; or, if such alternative power source is not in existence, and no date for its implementation appears in the permit,</p> <p>(B) Halt, reduce, or otherwise control production and/or all wastewater flows upon reduction, loss, or failure of the primary source of power to the wastewater control facilities. [WPC-1 Chapter 1 Section IV.A(22)]</p> |
| T-55 | <p>Oil and Hazardous Substance Liability.</p> <p>Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the applicant/permittee from any responsibilities, liabilities, or penalties to which the applicant/permittee is or may be subject to under Section 311 of the Federal Act or the applicable provisions under Mississippi law pertaining to the transportation, storage, treatment, or spillage of oil or hazardous substances. [WPC-1 Chapter 1 Section IV.A(23)]</p> |
| T-56 | <p>Criminal and Civil Liability.</p> <p>(A) Any person who violates a term, condition, or schedule of compliance contained within the permit or the Mississippi Water Pollution Control Law is subject to the actions defined by law.</p> <p>(B) Except as provided in permit conditions on "By-passing" and "Upsets" (WPC-1 Section IV.A.20 and 27) nothing in a permit shall be construed to relieve the applicant/permittee from civil or criminal penalties for noncompliance.</p> <p>(C) It shall not be the defense of the applicant/permittee 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 the permit. [WPC-1 Chapter 1 Section IV.A(24)]</p> |
| T-57 | <p>Severability.</p> <p>The provisions of a permit are severable. If any provision of a permit, or the application of any provision of a permit to any circumstances, is challenged or held invalid, the validity of the remaining permit provisions and/or portions thereof or their application to other persons or sets of circumstances, shall not be affected thereby. [WPC-1 Chapter 1 Section IV.A(25), APC-S-2 Section I.C(7), APC-S-1 Section 11]</p> |

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| T-58 | <p>Toxic Pollutants.</p> <p>The applicant/permittee shall comply with any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) established under Section 307(a) of the Federal Water Pollution Act. The applicant/permittee shall comply with the applicable provisions of 40 CFR 122.42. [WPC-1 Chapter 1 Section IV.A(26)]</p> |
| T-59 | <p>Upsets.</p> <p>The permittee shall meet the conditions of 40 CFR 122.41(n) regarding "Upsets" and as follows:</p> <p>(A) Definition. "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 applicant/permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.</p> <p>(B) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (C) of this section are met. Any determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, shall not constitute final administrative action subject to judicial review.</p> <p>(C) Conditions necessary for demonstration of upset. An applicant/permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:</p> <ol style="list-style-type: none">(1) An upset occurred and that the permittee can identify the cause(s) of the upset;(2) The permitted facility was at the time being properly operated;(3) The applicant/permittee submitted notice of the upset as required in 40 CFR 122.41(L)(6)(ii)(B)(24-hour notice of noncompliance); and(4) The applicant/permittee complied with any remedial measures required under 40 CFR 122.41(d) (Duty to Mitigate). <p>(D) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof. [WPC-1 Chapter 1 Section IV.A(27)]</p> |

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| T-60 | <p>Test Procedures.</p> <p>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 or alternative procedures approved and/or promulgated by EPA. For those parameters listed in Exhibit D of the Mississippi Wastewater Permit Regulations, the applicant/permittee shall use approved methods with minimum quantification levels as sensitive as those found in Exhibit D of the regulations. [WPC-1 Chapter 1 Section IV.A(28)(d)]</p> |
| T-61 | <p>Monitoring and Records.</p> <p>Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored wastewater. [WPC-1 Chapter 1 Section IV.A(28)(e)]</p> |
| T-62 | <p>Availability of Records.</p> <p>Except for data determined to be confidential under the Mississippi Water Pollution Control Law, all reports prepared in accordance with the terms of this permit shall be available for public inspection and copying during normal business hours at the office of the Mississippi Department of Environmental Quality Office of Pollution Control. [WPC-1 Chapter 1 Section II.F(2), APC-S-2 Section IV.D]</p> |
| T-63 | <p>Falsifying Reports.</p> <p>Any applicant/permittee 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 Mississippi Code. [WPC-1 Chapter 1 Section IV.A(29)(d)]</p> |

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| T-64 | <p>Twenty-Four Hour Reporting.</p> <p>(A) The applicant/permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the applicant/permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the applicant/permittee 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.</p> <p>(B) The following shall be included as information which must be reported within 24 hours under this paragraph.</p> <p>(1) Any unanticipated bypass which exceeds any effluent limitation in the permit.</p> <p>(2) Any upset which exceeds any effluent limitation in the permit.</p> <p>(3) 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. [WPC-1 Chapter 1 Section IV.A(29)(e), 40 CFR 122.41(l)(6)]</p> |
| T-65 | <p>Other Noncompliance.</p> <p>The applicant/permittee shall report all instances of noncompliance not reported under Condition No. T-64 above, 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 information listed in Condition No. T-64(A). [WPC-1 Chapter 1 Section IV.A(29)(f)]</p> |
| T-66 | <p>Other Information.</p> <p>Where the permittee 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. [WPC-1 Chapter 1 Section IV.A(29)(g)]</p> |
| T-67 | <p>Transfer of Ownership or Control.</p> <p>Coverage granted under this permit is not transferable to any person except after proper notice and approval by the Permit Board. In the event of any change in control or ownership of facilities from which the authorized activities emanate, the applicant/permittee shall notify the Mississippi Environmental Quality Permit Board at least thirty (30) days in advance of the proposed transfer date. The notice should include a written agreement between the existing and new applicants/permittees containing a specific date for the transfer of permit responsibility, coverage, and liability. [WPC-1 Chapter 1 Section V.C(2), APC-S-2 Section XIII]</p> |

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| T-68 | Property Rights. A permit issued by the Permit Board does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, State, or local laws or regulations. [APC-S-2 Section II.B(16)(c), WPC-1 Chapter 1 Section V.E] |
| T-69 | All engineering plans and specifications required by DEQ must bear the signature, registration number, and seal of a professional engineer registered in the State of Mississippi. [APC-S-2 Section III.A, WPC-1 Chapter 1 Section VI.B(7)] |
| T-70 | It is the responsibility of the applicant/permittee to obtain all other approvals, permits, clearances, easements, agreements, etc., which may be required including, but not limited to, all required local government zoning approvals or permits. [APC-S-2 Section I.C(6), WPC-1 Chapter 1 Section V.E] |

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CAFO1 (Poultry Production Area) NPDES Requirements:

Record-Keeping Requirements:

| Condition No. | Condition |
|---------------|--|
| R-1 | <p>Record Keeping Requirements for the Production Area.</p> <p>Each CAFO must maintain on-site for a period of five years from the date they are created a complete copy of the information required by 40 CFR 122.21(i)(1) and 40 CFR 122.42(e)(1)(ix) and the records specified in paragraphs (A) through (E) of this section. The CAFO must make these records available to the Executive Director and, in an authorized State, the Regional Administrator, or his or her designee, for review upon request.</p> <p>(A) Records documenting the inspections required under Condition No. S-2 found on page 29;</p> <p>(B) Records documenting any actions taken to correct deficiencies required under Condition No. S-3 found on page 30. Deficiencies not corrected within 30 days must be accompanied by an explanation of the factors preventing immediate correction;</p> <p>(C) Records of mortalities management and practices used by the CAFO to meet the requirements of Condition No. T-1 found on page 30.</p> <p>(D) Records documenting the current design of any manure or litter storage structures, including volume for solids accumulation, design treatment volume, total design volume, and approximate number of days of storage capacity; and</p> <p>(E) Records of the date, time, and estimated volume of any overflow. [40 CFR 412.47(b)]</p> |

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Submittal/Action Requirements:

| Condition No. | Condition |
|---------------|---|
| S-1 | <p>Requirements to Develop and Implement a Nutrient Management Plan.</p> <p>At a minimum, a nutrient management plan must include best management practices and procedures necessary to implement applicable effluent limitations and standards. The nutrient management plan must, to the extent applicable:</p> <ul style="list-style-type: none">(A) Ensure adequate storage of manure, litter, and process wastewater, including procedures to ensure proper operation and maintenance of the storage facilities;(B) Ensure proper management of mortalities (i.e., dead animals) to ensure that they are not disposed of in a liquid manure, storm water, or process wastewater storage or treatment system that is not specifically designed to treat animal mortalities;(C) Ensure that clean water is diverted, as appropriate, from the production area;(D) Prevent direct contact of confined animals with waters of the State;(E) Ensure that chemicals and other contaminants handled on-site are not disposed of in any manure, litter, process wastewater, or storm water storage or treatment system unless specifically designed to treat such chemicals and other contaminants;(F) Identify appropriate site specific conservation practices to be implemented, including as appropriate buffers or equivalent practices, to control runoff of pollutants to waters of the State;(G) Identify protocols for appropriate testing of manure, litter, process wastewater, and soil;(H) Establish protocols to land apply manure, litter, or process wastewater in accordance with site specific nutrient management practices that ensure appropriate agricultural utilization of the nutrients in the manure, litter, or process wastewater; and(I) Identify specific records that will be maintained to document the implementation and management of the minimum elements described in items (A) through (H) of this condition. [40 CFR Part 122.42(e)(1)] |
| S-2 | <p>Visual Inspection.</p> <p>There must be routine visual inspections of the CAFO production area. At a minimum, the following must be visually inspected:</p> <ul style="list-style-type: none">(A) Weekly inspections of all storm water diversion devices, runoff diversion structures, and devices channelling contaminated storm water to the wastewater and manure storage and containment structure;(B) Daily inspection of water lines, including drinking water or cooling water lines; and(C) Weekly inspections of the manure, litter, and process wastewater impoundments. [40 CFR 412.37(a)(1)] |

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Submittal/Action Requirements:

| Condition No. | Condition |
|---------------|---|
| S-3 | Corrective Action. Any deficiencies found as a result of the inspections required in Condition S-2 found on page 29 must be corrected as soon as possible. [40 CFR 412.37(a)(3)] |

Narrative Requirements:

| Condition No. | Condition |
|---------------|--|
| T-1 | Mortality Handling. Mortalities must not be disposed of in any liquid manure or process wastewater system, and must be handled in such a way as to prevent the discharge of pollutants to surface water, unless alternative technologies pursuant to 40 CFR 412.31(a)(2) and approved by the Executive Director are designed to handle mortalities. [40 CFR 412.37(a)(4)] |
| T-2 | Mortality Handling. Mortalities must be disposed in accordance with all applicable requirements as set forth by the State Board of Animal Health. [WPC-1] |

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CAFO2 (Land Application Area) NPDES Requirements:

Record-Keeping Requirements:

| Condition No. | Condition |
|---------------|--|
| R-1 | <p>Recordkeeping Requirements for the Land Application Areas.</p> <p>Each CAFO must maintain on-site a copy of its site specific nutrient management plan. Each CAFO must maintain on-site for a period of five years from the date they are created a complete copy of the information required by 40 CFR 412.4 and 40 CFR 122.42(e)(1)(ix) and the records specified in paragraphs (A) through (J) below. The CAFO must make these records available to the Executive Director and, in an authorized State, the Regional Administrator, or his or her designee, for review upon request.</p> <ul style="list-style-type: none">(A) Expected crop yields;(B) The date(s) manure, litter, or process waste water is applied to each field;(C) Weather conditions at time of application and for 24 hours prior to and following application;(D) Test methods used to sample and analyze manure, litter, process wastewater, and soil;(E) Results from manure, litter, process wastewater, and soil sampling;(F) Explanation of the basis for determining manure application rates, as provided in the technical standards established by the Executive Director.(G) Calculations showing the total nitrogen and phosphorus to be applied to each field, including sources other than manure, litter, or process wastewater;(H) Total amount of nitrogen and phosphorus actually applied to each field, including documentation of calculations for the total amount applied;(I) The method used to apply the manure, litter, or process wastewater; and(J) Date(s) of manure application equipment inspection. [40 CFR 412.47(c)] |

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Submittal/Action Requirements:

Best Management Practices:

| Condition No. | Condition |
|---------------|--|
| S-1 | <p>Best Management Practices: Inspect Land Application Equipment for Leaks.</p> <p>The operator must periodically inspect equipment used for land application of manure, litter, or process wastewater. [40 CFR 412.4(c)(4)]</p> |

Narrative Requirements:

Best Management Practices:

| Condition No. | Condition |
|---------------|---|
| T-1 | <p>Best Management Practices: Specialized Definitions.</p> <p>(A) "Setback" means a specified distance from surface waters or potential conduits to surface waters where manure, litter, and process wastewater may not be land applied. Examples of conduits to surface waters include but are not limited to: open tile line intake structures, sinkholes, and agricultural well heads.</p> <p>(B) "Vegetated Buffer" means a narrow, permanent strip of dense perennial vegetation established parallel to the contours of and perpendicular to the dominant slope of the field for the purposes of slowing water runoff, enhancing water infiltration, and minimizing the risk of any potential nutrients or pollutants from leaving the field and reaching surface waters.</p> <p>(C) "Multi-Year Phosphorus Application" means phosphorus applied to a field in excess of the crop needs for that year. In multi-year phosphorus applications, no additional manure, litter, or process wastewater is applied to the same land in subsequent years until the applied phosphorus has been removed from the field via harvest and crop removal. [40 CFR 412.4(b)]</p> |

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Narrative Requirements:

Best Management Practices:

| Condition No. | Condition |
|---------------|---|
| T-2 | <p data-bbox="226 542 936 563">Best Management Practices: Determination of Application Rates.</p> <p data-bbox="226 602 1877 686">Application rates for manure, litter, and other process wastewater applied to land under the ownership or operational control of the CAFO must minimize phosphorus and nitrogen transport from the field to surface waters in compliance with the technical standards for nutrient management established by the Executive Director. Such technical standards for nutrient management shall:</p> <p data-bbox="226 725 1953 810">(A) Include a field-specific assessment of the potential for nitrogen and phosphorus transport from the field to surface waters, and address the form, source, amount, timing, and method of application of nutrients on each field to achieve realistic production goals, while minimizing nitrogen and phosphorus movement to surface waters; and</p> <p data-bbox="226 849 1948 930">(B) Include appropriate flexibilities for any CAFO to implement nutrient management practices to comply with the technical standards, including consideration of multi-year phosphorus application on fields that do not have a high potential for phosphorus runoff to surface water, phased implementation of phosphorus-based nutrient management, and other components, as determined appropriate by the Executive Director. [40 CFR 412.4(c)(2)]</p> |
| T-3 | <p data-bbox="226 959 831 980">Best Management Practices: Manure and Soil Sampling.</p> <p data-bbox="226 1019 1969 1073">Manure must be analyzed a minimum of once annually for nitrogen and phosphorus content, and soil analyzed a minimum of once every five years for phosphorus content. The results of these analyses are to be used in determining application rates for manure, litter, and other process wastewater. [40 CFR 412.4(c)(3)]</p> |
| T-4 | <p data-bbox="226 1102 793 1123">Best Management Practices: Setback Requirements.</p> <p data-bbox="226 1162 1955 1247">Unless the CAFO exercises one of the compliance alternatives provided for in paragraph (A) or (B) below, manure, litter, and process wastewater may not be applied closer than 100 feet to any down-gradient surface waters, open tile line intake structures, sinkholes, agricultural well heads, or other conduits to surface waters.</p> <p data-bbox="226 1286 1953 1339">(A) Vegetated Buffer Compliance Alternative. As a compliance alternative, the CAFO may substitute the 100-foot setback with a 35-foot wide vegetated buffer where applications of manure, litter, or process wastewater are prohibited.</p> <p data-bbox="226 1378 1934 1455">(B) Alternative Practices Compliance Alternative. As a compliance alternative, the CAFO may demonstrate that a setback or buffer is not necessary because implementation of alternative conservation practices or field-specific conditions will provide pollutant reductions equivalent or better than the reductions that would be achieved by the 100-foot setback. [40 CFR 412.4(c)(5)]</p> |

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MAFO1 (Construction Activity) NPDES Storm Water Requirements:

Limitation Requirements:

| Condition No. | Parameter | Condition |
|---------------|-----------|---|
| L-1 | | Non-Numeric Limitations. Storm water 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; and (D) chemicals in concentrations that would cause violation of State Water Quality Criteria in the receiving waters. [Small Construction General Permit (MSR15) March 11, 2003] |

Record-Keeping Requirements:

| Condition No. | Condition |
|---------------|--|
| R-1 | Documentation of Inspections. All inspections required by Condition No. S-4 found on page 36 must be documented and certified according to Condition No. T-6 found on page 3. A Construction Storm Water Inspection Form is provided in Appendix A for this purpose. Documentation must include the day and time the inspection was performed, who performed the inspection, any deficiencies noted, and corrective action needed. Documentation of all inspections must be kept with the SWPPP. Inspections must continue until such time that planned construction activities have been completed, land disturbing activities have ceased, and disturbed areas have been stabilized with no significant erosion occurring. [Small Construction General Permit (MSR15) March 11, 2003] |

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Submittal/Action Requirements:

| Condition No. | Condition |
|---------------|--|
| S-1 | <p>Public Notice Requirements.</p> <p>The coverage recipient shall display proof of coverage at a conspicuous place accessible by the public on or at the edge of the construction site. Information on the "Proof of Coverage Form" shall include permit coverage number, project contact name, project contact phone number, project description, and SWPPP location (only necessary if the site is inactive or does not have an on-site location) and MDEQ's phone number. A form is provided in Appendix B for this purpose and must be protected from weather while posted. [Construction General Permit (MSR10) issued March 28, 2000]</p> |
| S-2 | <p>SWPPP Development.</p> <p>A SWPPP shall be developed and implemented by the applicant proposing a construction project. The SWPPP must include a description of appropriate control measures (i.e., Construction Activity BMPs) that will be implemented to control pollutants in storm water discharges.</p> <p>(A) The SWPPP shall be retained at the permitted site or locally available. A copy of the SWPPP must be made available to the MDEQ inspectors for review at the time of an on-site inspection.</p> <p>(B) Construction activity BMPs shall be in place upon commencement of construction.</p> <p>(C) The Executive Director of MDEQ may notify the applicant at any time that the SWPPP does not meet the minimum requirements of this permit. After notification, the applicant shall amend the SWPPP, implement the changes, and certify in writing to the Executive Director that the requested changes have been made. Unless otherwise provided by the Executive Director, the requested changes shall be made within 15 days.</p> <p>(D) The applicant shall amend the SWPPP and implement the changes before there is a change in construction, operation, or maintenance, which may potentially effect the discharge of pollutants to State waters.</p> <p>(E) The applicant shall amend the SWPPP and implement the changes if the SWPPP proves to be ineffective in controlling storm water pollutants including, but not limited to, significant sediment leaving the site and non-functioning construction activity BMPs. [Small Construction General Permit (MSR15) March 11, 2003]</p> |

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Submittal/Action Requirements:

| Condition No. | Condition |
|---------------|---|
| S-3 | <p>Implementation Requirements.</p> <p>The applicant shall:</p> <ul style="list-style-type: none">(A) Implement the SWPPP as required;(B) Install downslope and perimeter controls before any major land disturbing activities;(C) Install needed erosion controls even if they may be located in the way of subsequent activities, such as utility installation, grading, or construction. It shall not be an acceptable defense that controls were not installed because subsequent activities would require their replacement or cause their destruction;(D) Implement controls as needed to prevent erosion and adverse impacts to receiving streams and shall install additional and/or alternative erosion and sediment controls when existing controls prove to be ineffective in preventing sediment from leaving the site;(E) Maintain all erosion and sediment controls (As a minimum accumulated sediment shall be removed from controls when it reaches 1/3 to 1/2 the height of the control and properly disposed. Nonfunctioning controls shall be repaired, replaced, or supplemented with functional controls within 24 hours of discovery or as soon as field conditions allow);(F) Implement the appropriate temporary or permanent vegetative practices within seven calendar days when a disturbed area will be left undisturbed for thirty days or more;(G) Minimize off-site vehicle tracking of sediments;(H) Remove any off-site accumulations of sediment at a frequency sufficient to minimize offsite impacts (e.g., fugitive sediment in street could be washed into storm sewers by the next rain and/or pose a safety hazard to users of public streets);(I) Have daily access to nearby rain gage data or set up a rain gage on-site during construction to comply with Condition No. S-4 found below; and(J) Comply with applicable State or local waste disposal, sanitary sewer, or septic system regulations. [Construction General Permit (MSR10) issued March 28, 2000, Small Construction General Permit (MSR15) March 11, 2003] |
| S-4 | <p>Inspection Requirements.</p> <p>Inspection of all erosion controls and other SWPPP requirements shall be performed during land disturbing activities. Inspections shall be performed:</p> <ul style="list-style-type: none">(A) at least once a week;(B) within 24 hours of the end of a storm event of a half-inch or greater; and(C) as often as is necessary to ensure that appropriate erosion and sediment controls have been properly constructed and maintained and determine if additional or alternative control measures are required. [Small Construction General Permit (MSR15) March 11, 2003] |

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Submittal/Action Requirements:

| Condition No. | Condition |
|---------------|--|
| S-5 | <p>Reporting.</p> <p>The inspections described in Condition No. S-4 found on page 36, must be documented on copies of the Report and Certification Form provided in Appendix A. The completed inspection forms must be kept with the SWPPP until such time the construction project is ready for termination of reporting and permit coverage as described in Condition No. S-6 below. [Construction General Permit (MSR10) issued March 28, 2000]</p> |
| S-6 | <p>Termination of Storm Water Construction Activity Reporting and Permit Coverage.</p> <p>Upon successful completion of all permanent erosion and sediment controls for a covered project, a completed Notice of Termination (NOT) of Coverage form (provided in Appendix C) shall be submitted to the OPC. All monthly inspection forms described in Condition No. S-5 above and provided in Appendix A must be attached. Upon receiving the completed NOT and associated inspection forms the OPC will inspect the site. If no sediment and erosion control problems are identified and adequate permanent controls are established the applicant will receive a Construction Storm Water Coverage termination letter from the OPC. Duty to comply with construction storm water requirements is not terminated until done so in writing by the OPC. [Construction General Permit (MSR10) issued March 28, 2000]</p> |

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Narrative Requirements:

| Condition No. | Condition |
|---------------|---|
| T-1 | <p>Allowable Non-Storm Water Discharges.</p> <p>Applicants/Permittees are authorized for the following non-storm water discharges. Except for flows from fire fighting activities, sources of non-storm water below that are combined with storm water discharges associated with construction activity must be identified in the Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge:</p> <ul style="list-style-type: none">(A) Discharges from fire-fighting activities;(B) Fire hydrant flushings;(C) Waters used to wash vehicles where detergents are not used;(D) Water used to control dust;(E) Potable water sources including water line flushings;(F) Routine external building wash down that does not use detergents;(G) 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;(H) Uncontaminated air conditioning or compressor condensate;(I) Uncontaminated ground water or spring water; and/or(J) Foundation or footing drains where flows are not contaminated with process materials such as solvents. [Small Construction General Permit (MSR15) March 11, 2003] |
| T-2 | <p>Compliance with Local Storm Water Ordinances.</p> <p>(A) In addition to the requirements of this permit, the SWPPP shall be in compliance with all local storm water ordinances and shall provide a brief description of applicable local erosion and sediment controls and post-construction BMPs.</p> <p>(B) When storm water discharges into a municipal storm sewer system, the applicant/permittee must make the SWPPP available to the municipal authority upon request. [Small Construction General Permit (MSR15) March 11, 2003]</p> |
| T-3 | <p>SWPPP Details:</p> <p>The SWPPP shall identify the applicant/permittee as defined in Condition No. T-2 found on page 10. The applicant's name, complete mailing address, and telephone number(s) shall be identified on the plan. [Small Construction General Permit (MSR15) March 11, 2003]</p> |

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Narrative Requirements:

| Condition No. | Condition |
|---------------|--|
| T-4 | <p>SWPPP Details:</p> <p>Erosion and Sediment Controls.</p> <p>The applicant/permittee shall list and describe controls appropriate for the construction activities and the procedures for implementing such controls. Controls shall be designed to retain sediment onsite and should:</p> <ul style="list-style-type: none">(A) Divert upslope water around disturbed areas;(B) Limit exposure of disturbed areas to the shortest time possible;(C) Disturb the smallest area possible;(D) Preserve existing vegetation where possible, especially trees;(E) Preserve vegetated buffer zones around any creek, drain, lake, pond, or wetland;(F) Slow rainfall runoff velocities to prevent erosive flows;(G) Avoid disturbing sensitive areas such as;<ul style="list-style-type: none">- steep and/or unstable slopes,- land upslope of surface waters,- areas with erodible soils, and- existing drainage channels;(H) Transport runoff down steep slopes through lined channels or piping;(I) Minimize the amount of cut and fill;(J) Re-vegetate disturbed areas as soon as possible;(K) Implement best management practices to mitigate adverse impacts from storm water runoff;(L) Remove sediment from storm water before it leaves the site by allowing runoff to pond in controlled areas to drop out sediment; and(M) Filter runoff by using natural vegetation, brush barriers, silt fences, hay bales, etc. [Small Construction General Permit (MSR15) March 11, 2003] |

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Narrative Requirements:

| Condition No. | Condition |
|---------------|---|
| T-5 | <p>SWPPP Details:</p> <p>Erosion and Sediment Controls.</p> <p>At a minimum, the controls must be in accordance with the standards set forth in "Planning and Design Manual for the Control of Erosion, Sediment & Stormwater," or other recognized manual of design as appropriate for Mississippi. The planning and design manual can be obtained by calling (601) 961-5171 or may be found electronically at Mississippi State's educational web site at http://abe.msstate.edu/csd/p-dm/. In addition, Mississippi's "Storm Water Pollution Prevention Plan (SWPPP) Guidance Manual for Construction Activities" is available by calling (601) 961-5171 or on the MDEQ website at www.deq.state.ms.us. [Small Construction General Permit (MSR15) March 11, 2003]</p> |
| T-6 | <p>SWPPP Details:</p> <p>The erosion and sediment controls shall address vegetative practices.</p> <p>Vegetative practices shall be designed to preserve existing vegetation where possible and revegetate disturbed areas as soon as practicable after grading or construction. Such practices may include surface roughening, temporary seeding, permanent seeding, mulching, sod stabilization, vegetative buffer strips, and protection of trees. When a disturbed area will be left undisturbed for thirty days or more, the appropriate temporary or permanent vegetative practices shall be implemented within seven calendar days. [Small Construction General Permit (MSR15) March 11, 2003]</p> |
| T-7 | <p>SWPPP Details:</p> <p>The erosion and sediment controls shall address structural practices.</p> <p>Structural practices shall divert flows from exposed soils, store flows, or otherwise limit runoff from exposed areas. Such practices may include construction entrance/exit, straw bale dikes, silt fences, earth dikes, brush barriers, drainage swales, check dams, subsurface drains, pipe slope drains, level spreaders, drain inlet protection, outlet protection, detention/retention basins, sediment traps, temporary sediment basins, or equivalent sediment controls.</p> <p>For drainage locations (a drainage point at boundary of land disturbing activity) that serve an area with 10 or more disturbed acres at one time, a temporary (or permanent) sediment basin providing at least 1800 cubic feet (67 cubic yards) of storage per acre drained shall be provided until final stabilization of the site. Sediment basins must be installed before major site grading. When sediment basins can not be installed, a written rationale explaining why must be included in the SWPPP. [Small Construction General Permit (MSR15) March 11, 2003]</p> |

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Narrative Requirements:

| Condition No. | Condition |
|---------------|--|
| T-8 | <p data-bbox="226 542 407 570">SWPPP Details:</p> <p data-bbox="226 602 1142 630">The erosion and sediment controls shall address post construction control measures.</p> <p data-bbox="226 662 1969 781">Post construction control measures shall be installed to control pollutants in storm water after construction is complete. These controls include, but are not limited to on-site infiltration of runoff, flow attenuation using open vegetated swales, exfiltration trenches and natural depressions, constructed wetlands, and retention/detention structures. Where needed, velocity dissipation devices shall be placed at detention or retention pond outfalls and along the outfall channel to provide a non-erosive flow. Justification may be required where control measures are not used. [Small Construction General Permit (MSR15) March 11, 2003]</p> |
| T-9 | <p data-bbox="226 805 407 833">SWPPP Details:</p> <p data-bbox="226 865 558 893">Non-Storm Water Discharges.</p> <p data-bbox="226 925 1906 1011">Except for flows from fire fighting activities, sources of non-storm water listed in Condition No. T-1 found on page 38 that are combined with storm water discharges associated with construction activity must be identified in the SWPPP. The SWPPP must identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. [Small Construction General Permit (MSR15) March 11, 2003]</p> |

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Narrative Requirements:

| Condition No. | Condition |
|---------------|--|
| T-10 | <p>SWPPP Details:</p> <p>Housekeeping Practices.</p> <p>(A) The applicant/permittee shall describe and list practices appropriate to prevent pollutants from entering storm water from construction sites due to poor housekeeping. The applicant/permittee shall:</p> <ol style="list-style-type: none">(1) designate areas for equipment maintenance and repair and concrete chute wash off;(2) provide waste receptacles at convenient locations;(3) provide regular collection of waste;(4) provide protected storage areas for chemicals, paints, solvents, fertilizers, and other potentially toxic materials;(5) provide adequately maintained sanitary facilities; and(6) provide secondary containment around on-site fuel tanks. <p>(B) 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:</p> <ol style="list-style-type: none">(1) Mississippi Emergency Management Agency (601) 352-9100(2) National Response Center (800) 424-8802. [Small Construction General Permit (MSR15) March 11, 2003] |
| T-11 | <p>SWPPP Details:</p> <p>Prepare Scaled Site Map.</p> <p>The applicant/permittee shall prepare a scaled site map showing total area of the site, original and proposed contours (if practicable), direction of flow of storm water runoff, adjacent receiving water bodies, north arrow, all erosion & sediment controls (vegetative and structural), post construction control measures as described in Condition Nos. T-6 through T-8 found on pages 40 and 41, and an estimate of the pre and post construction runoff coefficients of the site (see runoff coefficients in Condition No. T-37 found on page 18) and the increase in impervious area. [Small Construction General Permit (MSR15) March 11, 2003]</p> |

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Narrative Requirements:

| Condition No. | Condition |
|---------------|---|
| T-12 | <p>SWPPP Details:</p> <p>Implementation Sequence.</p> <p>The applicant/permittee shall prepare an orderly listing which coordinates the timing of all major land-disturbing activities together with the necessary erosion and sedimentation control measures planned for the project. [Small Construction General Permit (MSR15) March 11, 2003]</p> |
| T-13 | <p>SWPPP Details:</p> <p>Implementation of Controls.</p> <p>The SWPPP shall require the applicant/permittee, in disturbing an area, to implement controls as needed to prevent erosion and adverse impacts to receiving streams (see Condition No. S-3(C)&(D) found on page 36). [Construction General Permit (MSR10) issued March 28, 2000]</p> |
| T-14 | <p>SWPPP Details:</p> <p>Maintenance and Weekly Inspections.</p> <p>Describe procedures to maintain vegetation, erosion and sediment controls, and other protective measures. Procedures shall provide that all erosion controls are inspected at least once every seven-calendar days (see Condition Nos. S-4 and S-5 found on pages 36 and 37). [Construction General Permit (MSR10) issued March 28, 2000]</p> |

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MAFO2 (Mortality Disposal) Incinerator Requirements:

Limitation Requirements:

| Condition No. | Parameter | Condition |
|---------------|--------------------|---|
| L-1 | Particulate Matter | <p>Particulate Matter: Emissions from Incineration.</p> <p>The maximum discharge of particulate matter from any incinerator covered by this general permit, shall not exceed 0.2 grains per standard dry cubic foot of flue gas calculated to twelve percent (12%) carbon dioxide by volume for products of combustion. This limitation shall apply when the incinerator is operating at design capacity. The carbon dioxide produced by combustion of any auxiliary fuels shall be excluded from the calculation to twelve percent (12%) carbon dioxide. After May 8, 1970, any new equipment shall be of the multiple chamber type or its equivalent for emission control. In critical areas where an installation is in close proximity to a residential area, the maximum discharge of particulate matter shall be limited to emissions of 0.1 grains per standard dry cubic foot of flue gases calculated to twelve percent (12%) carbon dioxide by volume for products of combustion. [APC-S-1 Section 3.8]</p> |
| L-2 | Opacity | <p>Opacity: Smoke.</p> <p>(A) No person shall cause, permit, or allow the emission of smoke from a point source into the open air from any manufacturing, industrial, commercial or waste disposal process which exceeds forty (40) percent opacity subject to the exceptions provided in (B).</p> <p>(B) Startup operations may produce emissions which exceed 40% opacity for up to fifteen (15) minutes per startup in any one hour and not to exceed three (3) startups per stack in any twenty-four (24) hour period. [APC-S-1 Section 3.1]</p> |
| L-3 | Opacity | <p>Opacity: Equivalent Opacity.</p> <p>No person shall cause, allow, or permit the discharge into the ambient air from any point source or emissions, any air contaminant of such opacity as to obscure an observer's view to a degree in excess of 40% opacity, equivalent to that provided in Condition No. L-2(A) found above. This shall not apply to vision obscuration caused by uncombined water droplets. [APC-S-1 Section 3.2]</p> |

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Limitation Requirements:

| Condition No. | Parameter | Condition |
|---------------|----------------|--|
| L-4 | Sulfur Dioxide | <p>Sulfur Dioxide: Emissions from Fuel Burning.</p> <p>(A) The maximum discharge of sulfur oxides from any fuel burning installation in which the fuel is burned primarily to produce heat or power by indirect heat transfer shall not exceed 4.8 pounds (measured as sulfur dioxide) per million BTU heat input.</p> <p>(B) No person shall cause or permit the burning of fuel in any fuel burning equipment that results in an average emission of sulfur dioxide from any calendar year at a rate greater than was emitted by said fuel burning equipment for the corresponding calendar year 1970 unless otherwise authorized by the Commission. Installations under construction on January 25, 1972, are excluded from this requirement.</p> <p>(C) The maximum discharge of sulfur dioxide from any modified fuel burning unit whose generation capacity is less than 250 million BTU per hour and in which the fuel is burned primarily to produce heat or power by indirect heat transfer shall not exceed 2.4 pounds (measured as sulfur dioxide) per million BTU heat input. For the purposes of Section 4 of these regulations only, "modification" shall mean any physical change in an Air Contaminant Source which increases the amount of any air pollutant (to which a standard applies) emitted by such source or which results in the emission of any air pollutant (to which a standard applies) not previously emitted. [APC-S-1 Section 4.1]</p> |

Record-Keeping Requirements:

| Condition No. | Condition |
|---------------|---|
| R-1 | <p>Pathological Waste.</p> <p>Record information required in Condition Nos. T-5 and T-6 found on page 47 on a calendar quarter basis. [APC-S-1 Section 13.2(d)(1), 40 CFR 60.2020(a)]</p> |

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Submittal/Action Requirements:

| Condition No. | Condition |
|---------------|---|
| S-1 | Certification of Construction. Prior to startup of air emissions equipment at this source, the permittee must submit certification that construction was completed in accordance with the approved plans and specifications. [APC-S-2 Section V.D] |

Narrative Requirements:

| Condition No. | Condition |
|---------------|---|
| T-1 | The necessary facilities shall be constructed so that 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 without the proper environmental permits. [Miss. Code Ann. 49-17-29] |
| T-2 | Except as otherwise noted herein, stack emissions testing for demonstration of compliance with the regulations herein may be performed in accordance with the Test Methods of the U. S. Environmental Protection Agency in place at the time testing is performed or as otherwise approved by the staff of the Mississippi Office of Pollution Control and the U. S. Environmental Protection Agency. [APC-S-1 Section 1.2] |
| T-3 | In the event of a conflict between any of the requirements of this permit and/or applicable requirements of any other regulation or law, the more stringent requirements shall be applied. [APC-S-1 Section 1.3] |
| T-4 | The air pollution control facilities shall be constructed such that diversion from or bypass of collection and control facilities is not permitted except as provided for in Regulation APC-S-1, "Air Emission Regulations for the Prevention, Abatement, and Control of Air Contaminants," Section 10. [APC-S-1 Section 10] |

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Narrative Requirements:

| Condition No. | Condition |
|---------------|--|
| T-5 | <p>Commercial and Industrial Solid Waste Incinerator (CISWI).</p> <p>Incinerator commencing constructed on or before November 30, 1999 (existing source).</p> <p>Incineration units burning 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of pathological waste as defined in 40 CFR 60.2875 are not subject to the requirements of APC-S-1, Section 13 if the owner or operator of the CISWI unit meets the two requirements specified in (A) and (B) below:</p> <p>(A) Notify the Executive Director that the unit meets these criteria; and</p> <p>(B) Keep records on a calendar quarter basis of the weight of pathological waste burned and the weight of all other fuels and wastes burned in the unit. [APC-S-1 Section 13.2(d)(1)]</p> |
| T-6 | <p>Commercial and Industrial Solid Waste Incinerator (CISWI).</p> <p>Incinerator commencing constructed after November 30, 1999 (new source).</p> <p>Pathological waste incineration units. Incineration units burning 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of pathological waste as defined in 40 CFR 60.2265 are not subject to this subpart if you meet the two requirements specified in paragraphs (A) and (B) below:</p> <p>(A) Notify the Executive Director that the unit meets these criteria; and</p> <p>(B) Keep records on a calendar quarter basis of the weight of pathological waste burned and the weight of all other fuels and wastes burned in the unit. [40 CFR 60.2020(a)]</p> |

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Narrative Requirements:

| Condition No. | Condition |
|---------------|--|
| T-7 | <p>Sampling Ports.</p> <p>(A) New Equipment: The owner or operation of any new air pollution control equipment, obtained after May 8, 1970, and vented to the atmosphere, shall have necessary sampling ports and ease of accessibility.</p> <p>(B) Existing Equipment: The owner or operator of air pollution control equipment that is in existence prior to May 8, 1970, shall provide the necessary sampling ports and ease of accessibility when deemed necessary by the Permit Board. [APC-S-1 Section 3.9]</p> |
| T-8 | <p>More Restrictive Emission Limits.</p> <p>The Commission reserves the right to prescribe more stringent emission limits as it deems necessary in problem areas. The expansion, alteration, or establishment of a new industry may also result in the prescription of more stringent emission limits. [APC-S-1 Section 3.10]</p> |
| T-9 | <p>Any new stationary source must obtain permit to construct coverage before beginning construction. Certain modifications to stationary sources as provided by APC-S-2 Section XI must have additional permit to construct coverage before beginning construction or modification. [APC-S-2 Section I.C(2)]</p> |
| T-10 | <p>The issuance of permit coverage does not release the applicant/permittee from liability for constructing or operating air emissions equipment in violation of any applicable statute, rule, or regulation of state or federal environmental authorities. [APC-S-2 Section II.B(8)]</p> |
| T-11 | <p>All air pollution control facilities shall be designed and constructed such as to allow proper operation and maintenance of the facilities. [APC-S-2 Section V.A]</p> |
| T-12 | <p>The construction of the stationary source shall be performed in such a manner so as to reduce fugitive dust emission from construction activities to a minimum. [APC-S-2 Section V.A(4)]</p> |
| T-13 | <p>Upon certification of construction, coverage to Operate Air Emissions Equipment issued under this multimedia general permit shall be effective. The applicant/permittee must achieve and maintain the emission standards set forth in the general permit, and through the operation of said stationary source, will not interfere with the attainment and maintenance of State and National Ambient Air Quality Standards then in effect. Failure to establish that the stationary source can achieve and maintain the emission standards set forth in the general permit subjects the applicant/permittee to potential prosecution and penalty for operating in violation of this general permit. [APC-S-2 Section V.A(5)]</p> |
| T-14 | <p>The granting of coverage under a general permit does not imply or express exclusion from the requirements of any emission-limiting regulation. [APC-S-2 Section XI.A(8)]</p> |

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Narrative Requirements:

| Condition No. | Condition |
|---------------|---|
| T-15 | Approval to construct will expire should construction not begin within eighteen months of coverage, or should construction be suspended for eighteen months. [APC-S-2 Section V.C] |
| T-16 | Should the Executive Director of the Mississippi Department of Environmental Quality declare an Air Pollution Emergency Episode, the permittee will be required to operate in accordance with the permittee's previously approved Emissions Reduction Schedule. [APC-S-3 Section 5.2] |

GENERAL INFORMATION

Poultry Concentrated Animal Feeding Operations (CAFOs)
Disposing of Manure and Mortality Wastes
After receiving official notice of coverage, an individual operation
Any Location, MS
Every County

Alternate/Historic Identifiers

Location Description:

Relevant Documents:

Appendix A -- Inspection and Certification Form for Construction Erosion and Sediment Controls
Appendix B -- Proof of Coverage Under a State of Mississippi Storm Water Construction Permit
Appendix C -- Notice of Termination (NOT) of Storm Water Construction Coverage

Emissions Inventory ID: 171427

Appendix A

INSPECTION AND CERTIFICATION FORM FOR CONSTRUCTION EROSION AND SEDIMENT CONTROLS

Inspections must be done weekly and after a half-inch rainfall event. Coverage number (MSG15 _ _ _ _)

(Please Print)

Name: _____
Project Name: _____
Project Street Address: _____
Project City and County: _____
Startup Date: _____
Mailing Address: _____
Mailing City/State/Zip _____
Telephone Number _____

Inspection Log

Table with 4 columns: Date and Time, After a Half-Inch Rain?, Any Deficiencies Observed?, Inspector(s). It contains five rows of blank lines for data entry.

Deficiencies Noted During any Inspection (give date(s); attach additional sheets if necessary):

Corrective Action Taken or Planned (give date(s)); (attach additional sheets if necessary):

Based upon this inspection which I or personnel under my direct supervision conducted, I certify that all erosion and sediment controls have been implemented and maintained, except for those deficiencies noted above, in accordance with the Storm Water Pollution Prevention Plan filed with the Office of Pollution Control and sound engineering practices as required by the above referenced permit.

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 gather and evaluate the information submitted. Based on my inquiry of the person or persons 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 fines and imprisonment for knowing violations.

Authorized Name (Print) _____ Signature _____ Date _____

Proof of Coverage Under a State of Mississippi's Storm Water Construction Permit

Use this form to display proof of coverage under a Mississippi Storm Water Construction Permit at a conspicuous site (accessible to the public) on or at the edge of the construction site. If the construction project is a linear construction project (e.g., pipeline, highway, etc.), the proof of coverage must be placed in a publicly accessible location near where construction is actively underway and moved as necessary. If exposed to the weather please laminate before posting.

Multimedia General Pollution Control Permit No. MSG15 _____

(Print all Information)

Project Contact Name: _____

Company Name: _____

Tel. # _____

Project Name: _____

Project Description: _____

Storm Water Pollution Prevention Plan Location: _____

To report complaints concerning sediment, trash or other pollutants call:
Mississippi Department of Environmental Quality

601-961-5171

or write:

**Environmental Compliance and Enforcement Division, Office of Pollution Control,
P.O. Box 10385, Jackson, Mississippi 39289-0385**

Notice of Termination (NOT) of Coverage of the Construction Storm Water Requirements

(Use this form to request coverage termination, after construction or disturbance activities have ceased and upon successful completion of all permanent erosion and sediment controls. All monthly inspection forms must be attached.)

Multimedia General Pollution Control Permit No. MSG15 _____ County: _____
(Fill in your Certificate of Coverage Number & County where Project is Located)

Owner Name (please print): _____

Company Name: _____

Mailing Address: (Street/P.O. Box) _____

(City): _____, (State) _____ (Zip) _____

Tel. # _____

Prime Contractor Name (please print): _____

Company Name: _____

Mailing Address: (Street/P.O. Box) _____

(City): _____, (State) _____ (Zip) _____

Tel. # _____

Project Name (please print): _____

Physical Project Location: Street: _____

City: _____ County: _____

Date of successful completion of all permanent erosion and sediment controls (site stabilized): _____

Based upon inspection(s) of the permitted site which I or personnel under my direct supervision conducted, I certify under penalty of law that construction or disturbance activities have ceased, all erosion and sediment controls have been implemented and maintained, that disturbed soils have been stabilized, all temporary erosion and sediment control measures have been removed and all permanent erosion and sediment controls have been successfully completed. I understand that by submitting this notice of termination, that I am no longer authorized to discharge storm water associated with construction activity by Mississippi's Construction NPDES Storm Water General Permit, and that discharging pollutants in storm water associated with construction activity, not authorized by coverage under Mississippi's Construction NPDES Storm Water General Permit, to waters of the United States is unlawful under the Clean Water Act. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of Mississippi's Construction NPDES Storm Water General Permit or the Clean Water Act. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

(Permittee/Authorized Name [Print]) (Telephone Number) (Signature) (Date Signed)