



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



WET DECK LOG SPRAY GENERAL PERMIT (WDLS GP)

THIS CERTIFIES THAT

Facilities issued a certificate of permit coverage under this permit are granted permission to discharge wastewater and stormwater associated with industrial activities into state waters in accordance with the National Pollutant Discharge Elimination System (NPDES); in accordance with effluent limitations, inspection requirements and other conditions set forth in herein. This permit is issued in accordance with the provisions of the Mississippi Air and Water Pollution Control Law (Section 49-17-1 et seq., Mississippi Code of 1972), and the regulations and standards adopted and promulgated thereunder, and under authority granted pursuant to Section 402(b) of the Federal Water Pollution Control Act.

Mississippi Environmental Quality Permit Board

PUBLIC NOTICE DRAFT PERMIT 10/27/2021

Authorized Signature

Mississippi Department of Environmental Quality

Issued:

Permit No. MSG17

Expires:

Agency Interest # 23227

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ACT 1 - Permit Area, Eligibility and Authorization:

T-1 PERMIT AREA:

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

T-2 ELIGIBILITY AND AUTHORIZATION:

- (1) This permit covers wet deck log spray facilities with recirculation systems that are operated in a no discharge manner and only discharge intermittently as a direct result of rainfall.
- (2) This permit authorizes:
 - (a) Discharges from WDLs recirculation ponds include water sprayed on the timber in the wet deck storage area and storm water run-off from the timber wet deck storage area.
 - (b) Discharges from WDLs recirculation ponds may also include boiler blowdown and exterior equipment and vehicle wash waters where no internal washing or engine washing occurs and where no detergents or chemicals are used. These discharges must be small in volume and not interfere with the no discharge operation of the system. These discharges should be eliminated or reduced to the extent feasible. The Permit Board staff will review these discharges on a case by case basis and may require the coverage recipient to apply for and obtain an individual NPDES Permit as provided in ACT 2, S-4.
 - (c) Discharges of storm water exposed to industrial activities and allowable non-storm water discharges identified in ACT 1, T-2(6), that do not drain to and discharge from the WDLs recirculation pond are covered under this GP in accordance with ACT 5.
- (3) Coverage under this permit will not be granted until all other required MDEQ permits, certifications, and approvals are satisfactorily addressed.
- (4) A facility is eligible for coverage under this general permit for discharges of pollutants of concern to water bodies for which there is an EPA-approved Total Maximum Daily Load (TMDL) if measures and controls are incorporated that are consistent with the assumptions and requirements of such TMDL. To be eligible for coverage under this general permit, the facility must incorporate in the Stormwater Pollution Prevention Plan (SWPPP) and/or effluent limitation any conditions applicable to any discharge(s) necessary for consistency with the assumptions and requirements of such TMDL. If a specific wasteload allocation is established that would apply to the facility's discharge subsequent to coverage issuance, the facility must implement steps necessary to meet that allocation.
- (5) A facility is eligible for coverage under this general permit for discharges of pollutants of concern to impaired water bodies on MDEQ's 303(d) list, provided best management practices (BMPs) are employed that prohibit further impairment of the designated and/or existing beneficial uses in the receiving water body. No discharge will be allowed if the pollutant that is proposed to be discharged will cause or contribute to an existing impairment of a Section 303(d) listed water.

ACT 1 - Permit Area, Eligibility and Authorization (continued):**T-2 ELIGIBILITY AND AUTHORIZATION (continued):**

- (6) Non-Storm Water Discharges listed below are allowed provided they do not cause or contribute to a violation of water quality standards:
- (a) Discharges from actual fire-fighting activities
 - (b) Fire hydrant flushings
 - (c) Water used to control dust
 - (d) Potable water sources including uncontaminated water line flushing
 - (e) Routine external building wash down that does not use detergents
 - (f) Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed and where surface waters are not impacted by pollutants associated with industrial activities and hazardous cleaning products)
 - (g) Uncontaminated air conditioning or compressor condensate
 - (h) Uncontaminated ground water or spring water
 - (i) Foundation or footing drains where flows are not contaminated with process materials such as solvents
 - (j) Uncontaminated excavation dewatering
 - (k) Landscape irrigation
 - (l) Vehicle wash waters where surface waters are not impacted by pollutants associated with industrial activities and hazardous cleaning products

The above non-stormwater discharges should be eliminated or reduced to the extent feasible. The Permit Board staff will review the above discharges on a case by case basis and may require the coverage recipient to apply for and obtain an individual NPDES Permit as provided in ACT 2, S-4. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-3 THIS PERMIT DOES NOT AUTHORIZE:

- (1) Discharges which result in violation of State Water Quality Standards. If a discharge authorized under this permit is later determined to cause or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard, MDEQ will notify the regulated entity of such water quality violation(s) in writing and will provide the information used by MDEQ to make this determination. The regulated entity must take all necessary actions required to ensure future discharges do not cause or contribute to the violation of a water quality standard. If such violations remain or re-occur, then additional measures, such as the addition of BMPs or the requirement to obtain an individual permit, may be required by the Permit Board. Compliance with this requirement does not preclude any enforcement activity as provided by the Clean Water Act for the underlying violation.
- (2) Activities that affect waters of the State, including wetlands, without obtaining the necessary U.S. Army Corps of Engineers' (COE) individual Section 404 permit or coverage under a COE nationwide or general permit. Appropriate documentation must be submitted with the WDLs NOI.

ACT 1 - Permit Area, Eligibility and Authorization (continued):

T-3 THIS PERMIT DOES NOT AUTHORIZE (continued):

- (3) Discharges or discharge-related activities that are likely to jeopardize the continued existence of any species that is listed as endangered or threatened under the Endangered Species Act (ESA) or result in the adverse modification or destruction of habitat that is designated as critical under the ESA. Coverage under this permit is available only if the regulated entity's stormwater discharges, allowable non-stormwater discharges, and discharge-related activities are not likely to jeopardize the continued existence of any species that is listed as endangered or threatened ("listed") under the ESA or result in the adverse modification or destruction of habitat that is designated as critical under the ESA ("critical habitat"). Submission of a signed NOI will be deemed to constitute the regulated entity's certification of eligibility.
- (4) Activities which directly and adversely affect properties listed or eligible for listing in the National Register of Historic Places, unless the regulated entity is in compliance with requirements of the National Historic Preservation Act and has coordinated any necessary activities to avoid or minimize such direct and adverse impacts with the appropriate State Historic Preservation Officer. Submission of a signed NOI will be deemed to constitute the regulated entity's certification of eligibility. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 2 - Coverage, Recoverage, Modifications, and Terminations :**S-1 OBTAINING COVERAGE:**

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

- (1) A WDLS NOI at least thirty (30) days prior to the commencement of the regulated activity. The WDLS NOI is available online at <https://www.mdeq.ms.gov/wdlsgrp/>, can be obtained from the MDEQ office at the address in ACT 2, T-1 or by calling 601-961-5171.
- (2) A United States Geological Survey (USGS) topographic map, or photocopy, extending at least one-half mile beyond the facility property boundaries, with the site location outlined or highlighted.
- (3) A detailed scaled map prepared in accordance with ACT 5, T2-(6).
- (4) A Storm Water Pollution Prevention Plan (SWPPP) in accordance with ACT 5, for any discharges of storm water exposed to industrial activities or materials or discharges of allowable non-storm water identified in ACT 1, T-2(6) that do not drain to the WDLS recirculation pond.
- (5) Plans and Specifications if required by ACT 2, S-5.
- (6) Information for any chemical product addition to the cooling water and/or boiler water in accordance with ACT 4, S-6.

MDEQ may also require submittal of the following:

- (7) Appropriate documentation concerning future disposal of sanitary sewage and sewage collection system construction.
- (8) Appropriate documentation from the MDEQ Office of Land & Water concerning dam construction and low flow requirements.

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

S-2 MODIFICATION NOTIFICATION:

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

- (1) Any planned changes in project operations that may affect discharges in accordance with ACT 4, S-1;
- (2) Any planned changes of company name or ownership in accordance with ACT 4, S-8, or
- (3) Any changes in information previously submitted in the WDLS NOI. [11 Miss. Admin. Code Pt. 6, Ch. 1, Subch. 1.]

ACT 2 - Coverage, Recoverage, Modifications, and Terminations (continued):**S-3 OBTAINING RECOVERY:**

Once the WDLS GP is reissued MDEQ will provide a letter of instruction to active coverage recipients outlining the process for obtaining coverage under the reissued permit. Failure to comply with the provisions of the letter of instruction may constitute a violation of the conditions of this permit.

Persons desiring recovery under this general permit must submit the following:

- (1) A Recovery Form within sixty (60) days of the letter of instruction date. The WDLS NOI is available online at <https://www.mdeq.ms.gov/wdlsqp/>, can be obtained from the MDEQ office at the address given in ACT 2, T-1 or by calling 601-961-5171.
- (2) All previously approved boiler chemical additive approval notifications. The name of the chemical, the date of the facility's notification, and the date of MDEQ's approval letter must be provided. For covered facilities requesting the use of a new chemical additive, see the requirements in ACT 4, S-6.

If the permit is not reissued prior to the expiration date, continued coverage under this permit will be allowed in accordance with ACT 4, T-29. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

S-4 REQUIRING AN INDIVIDUAL PERMIT OR ALTERNATIVE GENERAL PERMIT:

- (1) The Permit Board may require any coverage recipient to apply for and obtain either an individual or an alternative general NPDES permit. Any interested person may petition the Permit Board to take action under this paragraph. The Permit Board may require any coverage recipient to apply for an individual NPDES permit only if the coverage recipient has been notified in writing. Such notice shall include reasons for the Permit Board's decision, an application form and a filing deadline. The Permit Board may grant additional time at its discretion. If a coverage recipient fails to submit a requested application in a timely manner, coverage under this permit is automatically terminated at the end of the day specified for application submittal.
- (2) Any coverage recipient may request to be excluded from permit coverage by applying for an individual permit or coverage under another general permit. The applicant shall submit the appropriate individual application or Notice of Intent.
- (3) Coverage under this permit is automatically terminated on the issuance date of the respective alternative individual or general permit. When the request for an alternative individual or general permit is denied, coverage under this permit continues unless terminated by the Permit Board. [11 Miss. Admin. Code Pt. 6, Ch.1.]

ACT 2 - Coverage, Recoverage, Modifications, and Terminations (continued):**S-5 PLANS AND SPECIFICATIONS:**

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

S-6 CLOSURE AND TERMINATION REQUIREMENTS:

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

T-1 WHERE TO SUBMIT THE WDLS NOI, RECOVERAGE, AND NOT FORMS:

Complete and appropriately signed WDLS NOI Forms must be submitted to:
Chief, Environmental Permits Division
Mississippi Department of Environmental Quality
Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225

In addition to mailing paper, electronic submittals are also recommended. Electronic submittals can be submitted at the following link: <https://www.mdeq.ms.gov/wdlsqp/>. After December 20, 2025, these forms shall be submitted by the coverage recipient electronically as instructed by MDEQ. [11 Miss. Admin. Code Pt. 6, Ch. 1., 40 CFR Part 122.26(g)(1)(iii), 40 CFR Part 122.28(b)(2), 40 CFR Part 122.64(c)]

ACT 3 - Process Wastewater Requirements:

- L-1 The wet deck log spray recirculation system should be operated in a manner which maximizes freeboard and maintains a minimum of two feet of freeboard in the wet deck log spray recirculation pond. [11 Miss. Admin. Code Pt. 6, Ch. 1, Subch. 1.]
- L-2 There shall be no discharge of process wastewater from the wet deck log spray recirculation pond other than water which is sprayed onto the timber and storm water run-off from the timber wet deck storage area. [11 Miss. Admin. Code Pt. 6, Ch. 1, Subch. 1.]
- L-3 There shall be no discharge of debris from this facility into waters of the State. Debris is defined as woody material such as bark, twigs, branches, heartwood, or sapwood that will not pass through a 1-inch (2.54 cm) diameter round opening. [11 Miss. Admin. Code Pt. 6, Ch. 1, Subch. 1.]
- L-4 There shall be no discharge of floating solids or visible foam in other than trace amounts. [11 Miss. Admin. Code Pt. 6, R 2.2.A(2).]
- L-5 The discharges shall not cause the occurrence of a visible sheen on the surface of the receiving waters. [11 Miss. Admin. Code Pt. 6, R 2.2.A(2).]
- L-6 Samples taken in compliance with the monitoring requirements specified in this permit shall be taken at the nearest accessible point after final treatment but prior to mixing with the receiving stream or as otherwise specified in this permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(28).]
- S-1 Such discharges shall be limited and monitored by the coverage recipient as specified below:

Parameter	Discharge Limitations					Monitoring Requirements		
	Quantity / Loading		Quality / Concentration			Sampling Frequency	Sample Type	Which Months
	Annual Average	Daily Maximum	Minimum	Annual Average	Daily Maximum			
<i>Flow, Effluent</i>	Report MGD	Report MGD	*****	*****	*****	Semi-annual	Instantaneous	Jan-Dec
<i>pH, Effluent</i>	*****	*****	6.0 SU	*****	9.0 SU	Semi-annual	Grab	Jan-Dec

S-2 DISCHARGE MONITORING REPORT (DMR) SUBMITTAL:

Monitoring results obtained during the previous calendar year shall be summarized and reported on an annual Discharge Monitoring Report (DMR) due no later than January 28th following the completed reporting period. DMRs shall be submitted electronically using the MDEQ NetDMR system. DMRs and all other reports required herein, shall be signed in accordance with the Mississippi Wastewater Regulations. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(15)(c).]

T-1 REPRESENTATIVE SAMPLING:

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored wastewater. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(28)(e).]

ACT 4 - Standard Requirements Applicable to All Water Permits:**R-1 RECORDING OF RESULTS:**

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall maintain records of all information obtained from such monitoring including:

- (1) The exact place, date, and time of sampling;
- (2) The dates the analyses were performed;
- (3) The person(s) who performed the analyses;
- (4) The analytical techniques, procedures or methods used; and
- (5) The results of all required analyses. [11 Miss. Admin. Code Pt. 6, Ch. 1.; 11 Miss. Admin. Code Pt. 2, Ch. 2.]

R-2 RECORDS RETENTION:

All records and results of monitoring activities required by this permit, including calibration and maintenance records, shall be retained by the permittee for a minimum of three (3) years, unless otherwise required or extended by the Permit Board, copies of which shall be furnished to the Department upon request. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

R-3 REPORTING – MONITORING REPORTS:

- (1) If the permittee monitors any pollutant as prescribed in the permit more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Permit Board. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(15)(c)(2).]
- (2) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Permit Board in the permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(15)(c)(3).]

R-4 REPORTING – AVERAGING BELOW DETECTABLE ANALYSES:

If the results for a given sample analysis are such that any parameter (other than fecal coliform) is not detected at or above the minimum level (ML) for the test method used, a value of zero will be used for that sample in calculating an arithmetic mean value for the parameter. If the resulting calculated arithmetic mean value for that reporting period is zero, the permittee shall report "NODI = B" on the DMR. For fecal coliform, a value of 1.0 shall be used in calculating the geometric mean. If the resulting fecal coliform mean value is 1.0, the permittee shall report "NODI = B" on the DMR. For each quantitative sample value that is not detectable, the test method used and the minimum level for that method for that parameter shall be attached to and submitted with the DMR. The permittee shall then be considered in compliance with the appropriate effluent limitation and/or reporting requirement. [11 Miss. Admin. Code Pt. 6, R. 1.2.6.G(4).]

ACT 4 - Standard Requirements Applicable to All Water Permits (continued):**R-5 MAINTAINING ELECTRONIC DOCUMENTS:**

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

S-1 REPORTING REQUIREMENTS – PLANNED CHANGES:

The 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:

- (1) 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); or
- (2) 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).
- (3) The alteration or addition results in a significant change in the 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; [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(15)(a).]

S-2 REPORTING REQUIREMENTS – ANTICIPATED NONCOMPLIANCE:

The 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. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(15)(b).]

S-3 NONCOMPLIANCE NOTIFICATION – OTHER NONCOMPLIANCE:

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

All reports required by this condition which are submitted after December 20, 2025, shall be submitted by the coverage recipient electronically as instructed by MDEQ. [11 Miss. Admin. Code Pt. 6, Ch. 1. 1.1.4.A(29)(f).]

ACT 4 - Standard Requirements Applicable to All Water Permits (continued):**S-4 NONCOMPLIANCE NOTIFICATION – OTHER INFORMATION:**

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. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(29)(g).]

S-5 NONCOMPLIANCE NOTIFICATION – TWENTY-FOUR HOUR ORAL AND FIVE DAY WRITTEN REPORTING:

- (1) The 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 permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the 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.
- (2) The following shall be included as information which must be reported within 24 hours under this paragraph.
 - (a) Any unanticipated bypass which exceeds any effluent limitation in the permit.
 - (b) Any upset which exceeds any effluent limitation in the permit.
 - (c) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Permit Board in the permit to be reported within 24 hours.
- (3) The Executive Director may waive the written report on a case-by-case basis for reports under paragraph (1) of this section if the oral report has been received within 24 hours.

All reports required by this condition which are submitted after December 20, 2025, shall be submitted by the coverage recipient electronically as instructed by MDEQ. [11 Miss. Admin. Code Pt. 6, Ch. 1. 1.1.4.A(29)(e).]

S-6 REQUIREMENTS REGARDING COOLING AND BOILER WATER ADDITIVES:

Notification shall be made to the permitting authority in writing not later than sixty (60) days prior to initiating the addition of any chemical product to the cooling water and/or boiler water which is subject to discharge, other than those previously approved and/or used. Such notification should include, but not be limited to:

- (1) Name and composition of the proposed additive
- (2) Proposed discharge concentration
- (3) Dosage addition rates
- (4) Frequency of use
- (5) EPA registration, if applicable, and
- (6) Aquatic species toxicological data

Written approval must be received from the permitting authority prior to initiating use. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(14).]

ACT 4 - Standard Requirements Applicable to All Water Permits (continued):**S-7 BYPASSING NOTICE:**

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

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

All reports required by this condition which are submitted after December 20, 2025, shall be submitted by the coverage recipient electronically as instructed by MDEQ. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(20);40 CFR 122.41(m)(3)]

S-8 TRANSFER OF OWNERSHIP OR CONTROL:

Coverage under this permit is not transferable to any person except after notice to and approval by the Permit Board. The Permit Board may require the coverage recipient to obtain another NPDES permit. Transfer of coverage requests shall be submitted to the Permit Board using the Transfer and/or Name Change Form which is available online at <https://www.mdeq.ms.gov/wdlsqp/>. [11 Miss. Admin. Code Pt. 6, R. 1.1.5.C.]

T-1 PERMIT EFFECTIVE DATE:

The permittee shall achieve compliance with the effluent limitations specified for discharge in accordance with the following schedule: Upon permit issuance. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(9).]

T-2 SIGNATORY REQUIREMENTS – CERTIFICATION:

All applications, reports, or information submitted to the Permit Board shall be signed and certified. Any person signing a document under the signatory requirements stated in this permit shall make the following certification:

"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." [11 Miss. Admin. Code Pt. 6, R. 1.1.2.C.]

T-3 SIGNATORY REQUIREMENTS – CHANGE TO AUTHORIZATION:

If an authorization under the signatory requirements of this permit is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the signatory requirements of this permit must be submitted to the Permit Board prior to or together with any reports, information, or applications. [11 Miss. Admin. Code Pt. 6, R. 1.1.2.C.]

ACT 4 - Standard Requirements Applicable to All Water Permits (continued):**T-4 SIGNATORY REQUIREMENTS – APPLICATION SIGNATURES:**

All WDLS NOIs and Recoverage Forms shall be signed as follows:

- (1) For a corporation by a responsible corporate officer. For this permit, a responsible corporate officer means:
 - (a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - (b) The manager of one or more manufacturing, production or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
- (2) For a partnership or sole proprietorship by a general partner or the proprietor, respectively; or
- (3) For a municipal, State, Federal, or other public agency by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:
 - (a) The chief executive officer of the agency, or
 - (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency. [11 Miss. Admin. Code Pt. 6, R. 1.1.2.C(1).]

T-5 SIGNATORY REQUIREMENTS – REPORTS AND OTHER INFORMATION:

All reports required by the permit and other information requested by the Permit Board shall be signed by a person described by the application signature requirements in this permit or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- (1) The authorization is made in writing by a person described by the application signature requirements;
- (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
- (3) The written authorization is submitted to the Permit Board. [11 Miss. Admin. Code Pt. 6, R. 1.1.2.C(2).]

ACT 4 - Standard Requirements Applicable to All Water Permits (continued):**T-6 AVAILABILITY OF RECORDS:**

Except for information deemed to be confidential under the Mississippi Code Ann. 49-17-39 and 40 CFR 123.41, file information relating to this permit shall be made available for public inspection and copying during normal business hours at the office of the Department of Environmental Quality in Jackson, Mississippi. Written request must be provided in accordance with policies developed by the Commission and must state, specifically, records proposed for review, date proposed for review and copying requirements. [11 Miss. Admin. Code Pt. 6, R. 1.1.3.E.]

T-7 PROTECTION OF CONFIDENTIAL INFORMATION:

- (1) Pursuant to Miss. Code Ann. ' 49-17-39 and 40 CFR 123.41, the Permit Board shall make available to the public all information contained on any form and all public comments on such information. Effluent data and information concerning air or water quality shall also be made available to the public. Information that is determined by the Commission to be trade secrets shall not be disclosed to the public without prior consent of the source of such information. When a claim of confidentiality is made by a person in accordance with the provisions of Miss. Code Ann. ' 49-17-39, a recommendation on the questions of confidentiality shall be made by the Commission and forwarded to the Regional Administrator (or his/her designee) of EPA for his concurrence in such determination of confidentiality.
- (2) A copy of a State, UIC, or NPDES permit application, public notice, fact sheet, draft permit and other forms relating thereto, including written public comment and other reports, files and information relating to the application not classified as confidential information by the Commission pursuant to Part II. B.13.a), shall be available for public inspection and copying during normal business hours at the office of the Department in Jackson, Mississippi.
- (3) Upon determination by the Commission that information submitted by a permit applicant is entitled to protection against disclosure as trade secrets, the information shall be so labeled and otherwise handled as confidential. Copies of the information and a notice of the Commission's action shall be forwarded to the Regional Administrator (or his/her designee). In making its determination of entitlement to protection as a trade secret, the Commission shall follow the procedure set forth in Miss. Code Ann. ' 49-17-39. In the event the Commission denies the claim of confidentiality, the applicant shall have, upon notification thereof, the right to appeal the Commission's determination in the same manner provided for other orders of the Commission. No disclosure, except to EPA, shall be allowed until any appeal from the determination of the Commission is completed. [11 Miss. Admin. Code Pt. 6, R. 1.1.3.F.]

T-8 DUTY TO COMPLY:

The permittee must comply with all conditions of this permit. Any permit noncompliance 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. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(2).]

ACT 4 - Standard Requirements Applicable to All Water Permits (continued):**T-9 SPILL PREVENTION AND BEST MANAGEMENT PLANS:**

Any 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. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(12)(a).]

T-10 FACILITY EXPANSION AND/OR MODIFICATION:

Any facility expansion, production increases, process modifications, changes in discharge volume or location or other changes in operations or conditions of the 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. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(14).]

T-11 DUTY TO PROVIDE INFORMATION:

The applicant shall furnish to the Permit Board, within a reasonable time, any information that the Permit Board may request to determine compliance with this permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(16).]

T-12 PROPER OPERATION AND MAINTENANCE:

The 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 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 that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(18).]

T-13 DUTY TO MITIGATE:

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of the permit that has a reasonable likelihood of adversely affecting human health or the environment. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(19).]

ACT 4 - Standard Requirements Applicable to All Water Permits (continued):**T-14 INSPECTION AND ENTRY:**

The permittee shall allow any authorized Commission representative to enter 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 the Code. In the event of investigation during an emergency response action, a reasonable time shall be any time of the day or night. Follow-up investigations subsequent to the conclusion of the emergency event shall be conducted at reasonable times. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(17).]

T-15 BYPASS NOT EXCEEDING LIMITATIONS:

The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the notice and prohibition provisions of the bypass requirements in this permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(20).;40 CFR 122.41(m)(2)]

T-16 BYPASS PROHIBITION:

Bypass is prohibited and enforcement action may be taken against a coverage recipient for a bypass, unless:

- (1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the coverage recipient should, in the exercise of reasonable engineering judgment, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
- (3) The coverage recipient shall submit notices per ACT 4, S-7.

The Commission may approve an anticipated bypass, after considering its adverse affects, if the Commission determines that it will meet the three conditions listed above. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(20).;40 CFR 122.41(m)(4)]

T-17 REMOVED SUBSTANCES:

Solids, sludges, filter backwash, or other residuals removed in the course of treatment or control of wastewater 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. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(21).]

ACT 4 - Standard Requirements Applicable to All Water Permits (continued):**T-18 POWER FAILURES:**

If electric power is required, in order to maintain compliance with the conditions and prohibitions of the permit, the permittee shall either:

- (1) 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,
- (2) 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. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(22).]

T-19 OIL AND HAZARDOUS SUBSTANCE LIABILITY:

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under Section 311 of the Federal Water Pollution Control Act and applicable provisions under Mississippi Law pertaining to transportation, storage, treatment, or spillage of oil or hazardous substances. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(23).]

T-20 CIVIL AND CRIMINAL LIABILITY:

- (1) Any person who violates a term, condition or schedule of compliance contained within this permit or the Mississippi Water Pollution Control Law is subject to the actions defined by law.
- (2) Except as provided in permit conditions on "Bypassing" and "Upsets" (Part II. A.7 and 8), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.
- (3) It shall not be the defense of the 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 this permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(24).]

T-21 SEVERABILITY:

The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstances, is challenged or held invalid, the validity of the remaining permit provisions and/or portions thereof or their application to other persons or sets of circumstances, shall not be affected thereby. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(25).]

T-22 TOXIC POLLUTANTS NOTIFICATION REQUIREMENTS:

The coverage recipient 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 Control Act. The permittee shall comply with the applicable provisions of 40 CFR 122.42. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(26).]

ACT 4 - Standard Requirements Applicable to All Water Permits (continued):**T-23 UPSETS:**

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the "conditions necessary for demonstration of upset" requirements of this permit 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.

A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:

- (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 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 permittee complied with any remedial measures required under 40 CFR 122.41(d) (Duty to Mitigate).

In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(27)(b)-(d).]

T-24 FALSIFYING REPORTS:

Any 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 the Code. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(29)(d).]

T-25 TEST PROCEDURES:

Test procedures for the analysis of pollutants shall include those set forth in 40 CFR 136 or alternative procedures approved and/or promulgated by EPA. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(30).]

T-26 PROPERTY RIGHTS:

The issuance of this permit 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. [11 Miss. Admin. Code Pt. 6, R. 1.1.5.E.]

ACT 4 - Standard Requirements Applicable to All Water Permits (continued):**T-27 REOPENER CLAUSE:**

This permit shall be modified, or alternately, revoked and reissued, to comply with any applicable effluent standard, limitation or storm water regulation issued or approved under Section 301(b)(2)(C), and (D), 304(b)(2), 307(a)(2) and 402(p) of the Federal Water Pollution Control Act if the effluent standard, limitation or regulation so issued or approved:

- (1) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
- (2) Controls any pollutant not limited in the permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.F(1).]

T-28 PERMIT ACTIONS:

The permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a modification of planned changes or anticipated noncompliance, does not stay any permit condition. [11 Miss. Admin. Code Pt. 6, R. 1.1.5.C(5).]

T-29 CONTINUATION OF EXPIRED GENERAL PERMIT:

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

- (1) Recoverage under the reissued general permit;
- (2) Submittal of a Notice of Termination Form and receipt of written concurrence;
- (3) Issuance of an individual permit for the project's discharge;
- (4) A formal permit decision by the Permit Board to not reissue the general permit, at which time the coverage recipient must seek coverage under an alternative general permit or an individual permit.

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

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

A SWPPP shall be developed and implemented for any discharges of storm water exposed to industrial activities or materials or discharges of allowable non-storm water identified in ACT 1, T-2(6) that do not drain to the WDLs recirculation pond. A SWPPP shall be prepared in accordance with sound engineering practices and shall identify potential sources of pollution, which may reasonably be expected to affect the quality of stormwater discharges associated with industrial activity from the facility. The SWPPP shall describe and ensure the implementation of BMPs which will reduce pollutants in stormwater discharges and assure compliance with the terms and conditions of this permit. For assistance in developing a SWPPP, applicants are encouraged to reference the Mississippi Storm Water Pollution Prevention Plan (SWPPP) Guidance Manual for Industrial Facilities or other recognized reference manual of design, such as EPA's "Developing Your Storm Water Pollution Prevention Plan" (February, 2009), which are available at: <https://www.mdeq.ms.gov/isgpp/>. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

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

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

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

ACT 5 (Wet Deck Log Spray) Industrial Stormwater Requirements (continued):

T-2 MINIMUM SWPPP COMPONENTS - DESCRIPTION OF POTENTIAL POLLUTANT SOURCES (continued):

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

ACT 5 (Wet Deck Log Spray) Industrial Stormwater Requirements (continued):**T-3 MINIMUM SWPPP COMPONENTS - DESCRIPTION OF STORMWATER MANAGEMENT CONTROLS:**

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

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

ACT 5 (Wet Deck Log Spray) Industrial Stormwater Requirements (continued):**T-3 MINIMUM SWPPP COMPONENTS - DESCRIPTION OF STORMWATER MANAGEMENT CONTROLS (continued):**

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

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

The coverage recipient shall:

- (1) Implement the SWPPP and retain a copy of the SWPPP at the permitted site. Failure to implement the SWPPP is a violation of permit requirements. A copy of the SWPPP must be made available to the MDEQ inspectors for review at the time of an on-site inspection.
- (2) Comply with the terms of the SWPPP upon commencement of the regulated activity.
- (3) If notified at any time by the Executive Director of the MDEQ that the SWPPP does not meet the minimum requirements, amend the SWPPP and certify in writing to the Executive Director that the requested changes have been made. Unless otherwise provided, the coverage recipient shall have 30 days to make the requested changes.
- (4) Amend the SWPPP whenever there is a change in design, construction, operation, or maintenance, which may increase the discharge of pollutants to waters of the State or the SWPPP proves to be ineffective in controlling stormwater pollutants. The coverage recipient shall submit it to the MDEQ within 30 days of amendment.
- (5) If after coverage issuance, a specific wasteload allocation is established that would apply to the facility's discharge, the facility must implement steps necessary to meet that allocation.
- (6) Submit any new stormwater sampling data within 90 days of sampling. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-5 SWPPP COMPLIANCE WITH LOCAL STORMWATER ORDINANCES:

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

ACT 5 (Wet Deck Log Spray) Industrial Stormwater Requirements (continued):**T-6 MONTHLY SITE INSPECTIONS:**

All areas contributing to stormwater discharges associated with industrial activity as identified in ACT 5, T-2(1) must be visually inspected as often as needed but no less than once monthly. The inspection must evaluate whether the SWPPP adequately minimizes pollutant loadings and is properly implemented in accordance with the terms of this permit or whether additional control measures are needed. This includes observing stormwater discharges for obvious industrial stormwater pollution such as color, lack of clarity, floating solids, settled solids, suspended solid, foam, and oil sheens.

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

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

T-7 ANNUAL SWPPP EVALUATION:

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

T-8 NON-NUMERIC LIMITATIONS:

Stormwater discharges shall be free from:

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

ACT 5 (Wet Deck Log Spray) Industrial Stormwater Requirements (continued):**T-9 PERSONNEL TRAINING PROGRAM REQUIREMENTS:**

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

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

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

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

ACT 6 (Wet Deck Log Spray) Definitions:

- T-1 The permittee shall refer to 11 Miss. Admin. Code Pt. 6, Ch. 1, Subch. 1. Section I.A. for definitions of any permit term not specified in this permit. [11 Miss. Admin. Code Pt. 6, Ch. 1, Subch. 1. Section I.A.]
- T-2 ANNUAL AVERAGE OR YEARLY AVERAGE means the average of "daily discharges" over a calendar year, calculated as the sum of all "daily discharges" measured during the calendar year divided by the number of "daily discharges" measured during the calendar year. The yearly average for fecal coliform bacteria is the geometric mean of "daily discharges" during the calendar year. In computing the geometric mean for fecal coliform bacteria, the value one (1) shall be substituted for sample results of zero. [WPC-1 Chapter One Section I.A.]
- T-3 BEST MANAGEMENT PRACTICES (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. [11 Miss. Admin. Code Pt. 6, Ch. 1, Subch. 1. Section I.A.]
- T-4 BYPASS means the intentional diversion of waste streams from any portion of a treatment facility. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(20).]
- T-5 CONTROL MEASURE as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the United States. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-6 DAILY DISCHARGE means the "discharge of a pollutant" measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily average" is calculated as the average measurement of the discharge of the pollutant over the day. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-7 DAILY MAXIMUM means the highest "daily discharge" over a calendar month. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(16).]
- T-8 EXECUTIVE DIRECTOR means the Executive Director of the Department of Environmental Quality. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-9 FACILITY or ACTIVITY means any NPDES "point source" or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-10 GRAB SAMPLE is a sample that is taken from a wastestream on a one-time basis without consideration of the flow rate of the wastestream and without consideration of time. Samples should be collected from the center of the flow channel, where turbulence is at a maximum. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-11 INFEASIBLE means there is a site-specific constraint that makes a control technology impossible and/or not reasonable to implement, or that implementing the control would be cost-prohibitive. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 6 (Wet Deck Log Spray) Definitions (continued):

- T-12 MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States, (ii) Designed or used for collecting or conveying storm water, (iii) Which is not a combined sewer, and (iv) Which is not part of a Publicly Owned Treatment Works (POTW). [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-13 NORMAL WORKING HOURS, for the purpose of this permit, means the hours that personnel are typically working at the project site (e.g., daylight hours, Monday through Friday, except recognized holidays). [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-14 PERMIT BOARD means the Mississippi Environmental Quality Permit Board established pursuant to Miss. Code Ann. 49-17-28. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-15 POLLUTANT is defined at 40 CFR 122.2. A partial listing from this definition includes: dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, sediment, silt, cellar dirt, and industrial or municipal waste. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-16 PROCESS WASTEWATER means any water, which during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product. (40 CFR 122.2). The terms specifically excludes non-contact cooling water, material storage yard runoff, boiler blowdown, and fire control water (40 CFR 429.11). [11 Miss. Admin. Code Pt. 6, Ch. 1, Subch. 1.]
- T-17 SEVERE PROPERTY DAMAGE means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(20).]
- T-18 SIGNIFICANT MATERIALS includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to Section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharges. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 6 (Wet Deck Log Spray) Definitions (continued):

- T-19 SIGNIFICANT SPILL OR LEAK is defined by EPA to include releases within a 24-hour period of hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act and Section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Reportable quantities are set amounts of substances in pounds, gallons, or other units and are listed in 40 CFR Part 117 and 40 CFR Part 302. Releases are defined to include any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-20 STORMWATER means rainfall runoff, snowmelt runoff, and surface runoff. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-21 STORMWATER DISCHARGE ASSOCIATED WITH INDUSTRIAL ACTIVITY means the discharge from any conveyance which is used for collecting and conveying stormwater and which has come in contact with material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products or industrial machinery. The categories considered to be engaging in "industrial activity" are in 40 CFR 122.26 (b) (14) (i - xi). [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-22 STORMWATER POLLUTION PREVENTION PLAN "SWPPP" means a plan that includes site map(s), an identification of industrial activities that could cause pollutants in the stormwater, and a description of measures or practices to control these pollutants. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-23 SUBMITTED means the document is postmarked on or before the applicable deadline, except as otherwise specified. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-24 TOTAL MAXIMUM DAILY LOAD (TMDL) means the maximum daily amount of a pollutant that can enter a water body so that the water body will meet and continue to meet state water quality standards. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-25 UPSET means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the coverage recipient. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(27)(a)]
- T-26 WATERS OF THE STATE means all waters within the jurisdiction of this State, including all streams, lakes, ponds, wetlands, impounding reservoirs, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, situated wholly or partly within or bordering upon the State, and such coastal waters as are within the jurisdiction of the State, except lakes, ponds, or other surface waters which are wholly landlocked and privately owned, and which are not regulated under the Federal Clean Water Act (33 U.S.C. 1251 et seq.). [11 Miss. Admin. Code Pt. 6, Ch. 1.]