



NOTICE OF INTENT (NOI) FORM INSTRUCTIONS

HOT MIX ASPHALT GENERAL PERMIT (HMAGP)

All questions must be answered for the Notice of Intent (NOI) Form to be considered complete. This form may be used to obtain new coverage or recoverage or update information previously submitted for a modification. Make sure to indicate the intent at the top of the first page of the form under “Coverage Action Requested.”

Submittal Requirements: For coverage under the HMAGP, this form must be completed and returned to MDEQ at least **60 days prior to beginning construction** for a new facility and **within 60 days** of the date on the “Letter of Instruction” for recoverage of an existing facility. All forms must be submitted via hard copy to the address below, but may also be submitted online at www.mdeq.ms.gov/hmagp:

Air II Branch Manager, Environmental Permits Division
Mississippi Department of Environmental Quality
PO Box 2261
Jackson, MS 39225-2261

ADDITIONAL REQUIREMENTS:

Registration with Mississippi Secretary of State: If the company seeking coverage is a corporation, a limited liability company, a partnership, or a business trust, attach proof of registration with the Mississippi Secretary of State and/or the Certificate of Good Standing (official or unofficial copy). This registration or Certificate of Good Standing must be dated within 12 months of the date of the submittal of the NOI Form. Coverage will be issued in the company name as it is registered with the Mississippi Secretary of State.

Storm Water Pollution Prevention Plan (SWPPP): A facility seeking initial coverage must include a SWPPP with the NOI. For a facility requesting recoverage or a modification, if the facility’s SWPPP is not current or is ineffective in controlling storm water pollutants, then an amended SWPPP must be submitted with the NOI. If an electronic copy is submitted, a hard copy should also be mailed to the address above for MDEQ’s files.

Notice of Termination: If an existing facility is out of business or no longer active, please request termination of coverage by completing the Notice of Termination (NOT) Form found at www.mdeq.ms.gov/hmagp. Facilities that continue to discharge storm water from industrial activities and/or operate air emissions equipment without applicable permit coverage are in violation of state law.

Storm Water from Construction Activities: Storm water discharges from regulated construction activities **are not** addressed in the HMAPG. An appropriate Storm Water Construction Notice of Intent must be completed and, if applicable, submitted to MDEQ with this NOI. Construction activities, including clearing, excavating, and other land disturbing activities, equal to or greater than one (1) acre but less than five (5) acres require compliance with the Small Construction General Permit and completion of a Small Construction Notice of Intent (SCNOI). Construction activities equal to or greater than five (5) acres require compliance with the Large Construction General Permit and submittal of a Large Construction Notice of Intent (LCNOI). These General Permits, NOIs, and other required forms can be found at the following link: www.mdeq.ms.gov/construction-stormwater/.

DETAILED INSTRUCTIONS

Below are more detailed instructions regarding specific entries on the Notice of Intent Form:

Coverage Action Requested	
1.	Coverage Action Requested: Mark the applicable action requested: New (Initial) Coverage, Recoverage, or Modification. If completing the NOI Form to address a modification, ensure the Change Request Form is also submitted. (See www.mdeq.ms.gov/hmagp/ for a copy of this form.)
Facility Information	
2.	Company Name / Facility Name: The Company Name should be the exact legal name as that registered with the Mississippi Secretary of State’s (SOS) office for a corporation, LLC, partnership or other entity required to register. Remember to submit a Certificate of Good Standing, which can typically be printed from the following SOS website: https://corp.sos.ms.gov/corp/portal/c/page/corpBusinessIdSearch/portal.aspx . You may add a name commonly used to identify the facility as the Facility Name (e.g., Company Name: ABC Corporation, Facility Name: Jackson Plant).
3.	Contact Information: Provide a contact with the company who is responsible for environmental matters and can be reached for questions regarding the NOI Form.
4.	Physical Site Address: This is the location at which the HMA facility is located.
5.	Mailing Address: The address to which MDEQ should direct any written correspondence on environmental matters, generally the address of the contact provided.
6.	GPS Coordinates: Provide the latitude and longitude of the plant entrance in degrees/minutes/seconds (e.g., 32°17’03” N, 90°14’33” W). Note the collection method, or source of the latitude/longitude, which may be GPS unit, Google Earth, or other mapping tool.
Asphalt Plant Information	
7.	Manufactured Date of Asphalt Plant: Date the asphalt plant (i.e., the mixer/dryer) was manufactured, reconstructed, or modified. A plant is considered reconstructed if the cost of reconstruction exceeded 50% of the capital cost of a new plant. A plant is considered modified if the modification increased the plant’s maximum hourly production rate. For a proposed new plant you may indicate “TBD” if the date is not known yet.
8.	Date plant was last relocated: The date the plant was moved to its current site. If a new plant, you may indicate “N/A.”
9.	Date of most recent PM stack test: Indicate the date(s) the PM stack test was actually performed on the outlet of the dryer baghouse, which should match the date in the test report on file at MDEQ. If the plant has not been tested at the current permitted location, indicate “None.” If a new plant, you may indicate “N/A.”
10.	Is the Asphalt Plant currently at the site? Indicate whether there is an asphalt plant located at the permitted site at the time the NOI Form is submitted. If there is no plant at the permitted site, indicate the date it was removed from the site or mark “N/A” if it is a proposed new plant. If you mark “N/A”, MDEQ will assume the plant has not yet been constructed (or installed). MDEQ is using this information to better track air emissions requirements and schedule air inspections. See ACT 2, Condition S-8 and ACT 3, Condition S-1 of the permit for submittal requirements pertaining to removal or relocation of a plant and construction of a plant, respectively.
11.	Asphalt Dryer Rated Capacity and Dryer Fuels Used: Indicate the maximum rated capacity of the dryer, based on manufacturer’s information, in MMBtu/hr, and mark all fuels that may be burned in the dryer. See ACT 3, Conditions L-3 and R-1 of the permit for requirements pertaining to fuels.
Rock / RPA Crusher Information	
12.	Rock/RAP Crusher Information: Indicate if you own and operate a Rock or RAP Crusher at the permitted site. If a Rock Crusher may be brought to your site on a temporary basis and operated by another entity, mark “No.” The owner or operator of the Rock Crusher is responsible for obtaining any permits to operate their crusher at your site (or sites throughout the state). If you own and operate a Rock or RAP Crusher, complete the entire section. Otherwise, <u>do not</u> complete the remaining questions.

13.	<p>Will crushed material be provided to a plant other than the co-located HMA plant? If the Rock or RAP Crusher may supply crushed material to another HMA plant (or other site) that is not addressed in this Recoverage Form, indicate “YES.” In such cases, the amount of crushed material is limited in ACT 3, Condition L-3(4) of the permit.</p>
14.	<p>Crusher Type & Rated Cumulative Capacity: The definitions of “fixed” and “portable” rock crushers are provided below:</p> <ul style="list-style-type: none"> • Fixed plant means any processing plant at which the processing equipment is attached by a cable, chain, turnbuckle, bolt or other means (except electrical connections) to any anchor, slab, or structure including bedrock. • Portable plant means any processing plant that is mounted on any chassis or skids and may be moved by the application of a lifting or pulling force. In addition, there shall be no cable, chain, turnbuckle, bolt or other means (except electrical connections) by which any piece of equipment is attached or clamped to any anchor, slab, or structure, including bedrock that must be removed prior to the application of a lifting or pulling force for the purpose of transporting the unit. <p>The rated cumulative capacity is the total capacity of all initial crushers and should be provided by the manufacturer of the crusher.</p>
15.	<p>Date Rock/RAP Crusher Manufactured and date of modification/reconstruction of the Rock/RAP Crusher: If the Rock or RAP Crusher has been modified (i.e., its rated capacity increased) or has been reconstructed (i.e., cost to repair/replace parts exceeded 50% of capital cost for a new crusher), indicate the date modification or reconstruction occurred. Otherwise, mark “N/A.” See ACT 3, Condition L-6 for specific requirements pertaining to Rock/RAP Crushers based on capacity, type, and date of construction, reconstruction, or modification. If the Rock/RAP Crusher is subject to NSPS Subpart OOO, indicate the dates of the most recent PM test (if required) and/or Opacity test.</p>
Other Air Emission Sources	
16.	<p>Stationary Emergency Engines: “Stationary” engines are considered engines that remain in the same location at the facility for more than 12 months and meet the requirements of ACT 3, Condition L-7 of the HMAGP.</p> <p>Nonroad Engines: “Nonroad” engines do not remain in the same location at the facility for more than 12 months and such engines are designed to be transported by wheels, skids, carrying handles, dolly, trailer, platform, etc.</p> <p>Typical examples of either category may be emergency and non-emergency generators and firewater pump engines. The permit only allows for stationary emergency engines, such as those used with emergency generators and firewater pumps, and nonroad (mobile) engines, such as those used with portable generators or mobile welding equipment and pressure washers. If there are any stationary emergency engines or nonroad engines used to provide power to the asphalt manufacturing process, list the fuel burned (e.g., diesel or natural gas), the rated horsepower of the engine (not the output power of the generator), and the manufactured date of the engine. The requirements for stationary emergency engines and nonroad engines are addressed in ACT 3, Conditions L-7 and L-8, respectively. No information is required for other nonroad engines or mobile equipment such as welders, portable water pumps, pressure washers, etc.</p>
17.	<p>Gasoline Dispensing Operations:</p> <p>“Gasoline Dispensing Operations” are defined as any stationary facility which dispenses gasoline into the fuel tank of a motor vehicle, motor vehicle engine, nonroad vehicle, or nonroad engine, including a nonroad vehicle or nonroad engine used solely for competition. These facilities include, but are not limited to, facilities that dispense gasoline into on- and off-road, street, or highway motor vehicles, lawn equipment, boats, test engines, landscaping equipment, generators, pumps, and other gasoline-fueled engines and equipment.</p> <p>Such operations are limited to dispensing less than 10,000 gallons per month of gasoline and are subject to best management practices addressed in ACT 3, Condition L-9 of the permit.</p>
Storm Water from Industrial and Construction Activities	
18.	<p>Nearest Named Waterbody: The nearest named waterbody should be the first named waterbody receiving storm water runoff from the site. It can be found from online topographical maps or EPA’s WATERS GeoViewer: https://www.epa.gov/waterdata/waters-geoviewer.</p>
19.	<p>Is a copy of the SWPPP attached? If no, last Revision Date? For new plants, a SWPPP addressing storm water runoff contacting industrial activities must be submitted. For recoverages or modifications, if the SWPPP has been revised to address changes to the General Permit or modifications to the facility, it must also be submitted. If the SWPPP is not attached, indicate the date it was last revised.</p>

20.	Note that the requirements regarding the contents of the SWPPP are found in ACT 4 of the permit. If these requirements are not already addressed in the SWPPP, then the SWPPP should be revised and must be submitted before Coverage can be issued. We are asking everyone to please submit a hard copy and electronic copy (if available) of their most recent SWPPP regardless of whether changes are required.
21.	<p>Construction Activities: The General Permit no longer covers construction activities requiring a construction storm water general permit (i.e., land disturbing activities of 1.0 acre or more). If you mark “Yes,” you must determine if you need a Small (1.0 to < 5.0 acres) or Large (\geq 5.0 acres) Construction Storm Water General Permit. Coverage for the Large Construction Storm Water will require submittal of a LCNOI with SWPPP, and the Large Construction Storm Water General Permit will be issued in conjunction with coverage under the Hot Mix Asphalt General Permit. The Small Construction Storm Water General Permit requires you maintain the SCNOI and Construction SWPPP at your site, but not submit those. Forms and related information for the Construction Storm Water General Permits are available at www.mdeq.ms.gov/construction-stormwater.</p>
20.	<p>The NOI Form must be signed by a Responsible Official. Generally, an Environmental or EHS Manager does not qualify. A facility manager may or may not qualify based on (1)(b) below. A Responsible Official is defined as follows:</p> <p>(1) For a corporation by a responsible corporate officer. For this permit, a responsible corporate officer means:</p> <ul style="list-style-type: none"> (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; <p>(2) For a partnership or sole proprietorship by a general partner or the proprietor, respectively; or</p> <p>(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:</p> <ul style="list-style-type: none"> (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.