



State of Mississippi
Mississippi Department of Environmental Quality (MDEQ)



MINING STORM WATER, DEWATERING, and NO DISCHARGE GENERAL PERMIT

THIS CERTIFIES THAT

FACILITIES OR PROJECTS ISSUED A CERTIFICATE OF PERMIT COVERAGE UNDER THIS PERMIT ARE GRANTED PERMISSION TO DISCHARGE STORM WATER ASSOCIATED WITH MINING AND MINE DEWATERING ACTIVITIES INTO STATE WATERS IN ACCORDANCE WITH THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES); IN ADDITION RECIRCULATION SYSTEMS WITH NO DISCHARGE ARE ALSO AUTHORIZED

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 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

Authorized Signature

Mississippi Department of Environmental Quality

Issued:
Expires:

*****DRAFT MDEQ PERMIT*****

Permit No. MSR32

Mining General Permit

Table of Contents

ACT 1 - Introduction and Surface Mining and Reclamation Permit Applicability.....1

ACT 2 - Permit Area, Eligibility, and Authorization.....2

ACT 3 - Limits, Monitoring, Inspections, Record Keeping, and Submittals.....5

ACT 4 - Stormwater Prevention Pollution Prevention Plan (SWPPP) Development, Content, and Implementation.....9

ACT 5 - Standard Requirements Applicable To All Water Permits.....15

ACT 6 - Definitions.....25

ACT 7 - Wastewater Recirculation Systems with No Discharge to Surface Waters.....28

ACT 8 - Mine Dewatering.....29

ACT 1 – Introduction and Surface Mining and Reclamation Permit Applicability:

T-1 INTRODUCTION:

This Mining Storm Water, Dewatering, and No Discharge General Permit (Mining General Permit or MGP) authorizes mining storm water and dewatering discharges and operation of wastewater recirculation systems with no discharge. This permit also authorizes storm water discharges from other mining activities, designated by the Executive Director, based on the potential for contribution to an excursion of a water quality standard or for significant contribution of pollutants to waters of the State.

Mining storm water is a discharge associated with mining activities, listed in 40 CFR 122.26 (b) (14) (iii), that discharge storm water contaminated by contact or that has come into contact with, any overburden, raw materials, intermediate products, finished products, byproducts or waste products located on the site.

Dewatering discharges include the pumping, draining or removing of water that is impounded or that collects in the mine. If such impounded water is commingled with process generated wastewater, the mixture shall be managed and permitted as process generated wastewater. Wastewater recirculation systems with no discharge include wash operations with closed loop recirculation systems with no discharge of wastewater and hydraulic dredge operations with closed loop recirculation systems with no discharge of dredge wastewater. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-2 SURFACE MINING AND RECLAMATION APPLICABILITY:

In addition to the requirements of this permit, any person engaging in mining operations in the State of Mississippi shall be required to conform to and comply with all applicable provisions of the Mississippi Surface Mining and Reclamation Rules and Regulations under the Authority of Miss. Code Ann Section 53-7-11, et seq. Mining operations shall be subject to the prohibitions on mining in certain areas, known as Lands Unsuitable for Surface Mining, contained in Miss. Code Ann. Sections 53-7-49 and 53-7-51 and Chapter 4 of the Mississippi Surface Mining and Reclamation Rules and Regulations. Unless exempt, surface mining operations shall require an Office of Geology Mining Permit issued in accordance with the Mississippi Surface Mining and Reclamation Rules and Regulations.

A mining operation with an area equal to or less than four (4) acres and is greater than one thousand three hundred and twenty (1320) feet from any other affected area is an "Exempt Operation" under the Mississippi Surface Mining Reclamation Rules and Regulations, if:

- (1) The operation began before July 1, 2002, and the operator notified the Department of the commencement, expansion or resumption of the operation before July 1, 2002; or
- (2) The operation commenced after July 1, 2002, and the operator notified the Department at least seven (7) calendar days before commencement or expansion of the operation. The seven day notice prior to mining requirement shall be waived and the operator may begin mining immediately after notifying the Department [if all applicable permits and permit coverages have been obtained] and if:
 - (A) The operator agrees, in the notification, to reclaim the mine site in accordance with the minimum standards adopted by the Mississippi Commission on Environmental Quality (Commission); or
 - (B) The exempted operation is conducted for Mississippi Department of Transportation (MDOT) projects or state aid road construction projects funded in whole or in part by public funds. [11 Miss. Admin. Code Pt. 8, Ch. 1.]

Mining operations exempt from obtaining an Office of Geology Surface Mining Permit must submit a "Notice of Exempt Operations" form to the Office of Geology. The form may be obtained by calling 601-961-5171 or found on the MDEQ web site at <https://www.mdeq.ms.gov/mining-stormwater> . [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 2 – Permit Area, Eligibility, and Authorization:

T-1 PERMIT AREA:

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

T-2 ELIGIBILITY:

- (1) This permit may cover discharges composed of storm water, impounded water (mine dewatering) from active and inactive mining operations, and wastewater recirculation systems with no discharge. This permit may cover all new, existing, and abandoned mining facilities in the State of Mississippi, which include, but are not limited to, Standard Industrial Classifications (SIC) 1442-Construction Sand and Gravel, (SIC) 1453-Fire Clay-Manufacturing, (SIC) 1455-Kaolin and Ball Clay, or (SIC) 1459-Clay, Ceramic, and Refractory Minerals, Not Elsewhere Classified. Authorized activities under this permit may also include borrow sites that require a permit under State Law.
- (2) ACTs 1 through 6 of this permit apply to all covered activities. The ACTs listed below are applicable to specific mining activities and must be followed in addition to the requirements of ACTs 1 through 6 of this permit. Borrow sites including excavation areas where soil material is removed to be fill for another site are subject to these sections. ACT 8 may apply to borrow sites with prior approval.

ACT 7 - Wastewater Recirculation Systems with No Discharge

ACT 8 - Mine Dewatering

- (3) A facility is eligible for coverage under this permit for discharges of pollutants of concern to water bodies for which there is a Total Maximum Daily Load (TMDL) established or approved by EPA if measures and controls are incorporated that are consistent with the assumptions and requirements of such TMDL. To be eligible for coverage under this permit, the facility must incorporate in the SWPPP and/or effluent limitation any conditions applicable to any discharge(s) necessary for consistency with the assumptions and requirements of such TMDL. If, after coverage issuance, a specific waste load allocation is established that would apply to the facility's discharge, the facility must implement steps necessary to meet that allocation within three (3) months from the final TMDL approval date. MDEQ's approved TMDL list may be found at the link listed in paragraph (4) below. In addition, MDEQ's "Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas (Three Volumes)" identifies specific controls that may be used to address consistency with any applicable TMDLs. The manual can be found at <https://www.mdeq.ms.gov/mining-stormwater>. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- (4) A project is eligible for coverage under this general permit for discharges of storm water 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. To be eligible for coverage under this general permit, the owner or operator must indicate on the MNOI that the project discharges to a 303(d) listed receiving water and incorporate appropriate BMPs in its SWPPP. MDEQ's 303(d) list of impaired water bodies may be found on MDEQ's website at <https://opcgis.deq.state.ms.us/tmdls/>

ACT 2 – Permit Area, Eligibility, and Authorization (continued):

T-2 ELIGIBILITY (continued):

(5) Allowable Non-Storm Water Discharges:

- (A) Discharges from actual fire-fighting activities
- (B) Fire hydrant flushing
- (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
- (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) Landscape irrigation
- (K) Water used to wash vehicles, wheel wash water and other wash waters where detergents are not used.

The above non-storm water 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 either an individual or an alternative general NPDES permit as provided in ACT 3, S-4. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-3 THIS PERMIT DOES NOT AUTHORIZE:

- (1) Discharges from coal or metal mining activities are not authorized under this permit.
- (2) 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.
- (3) Activities that affect waters of the State, including wetlands, without obtaining the necessary U.S. Army Corps of Engineers (COE) approval. This may include a COE individual Section 404 permit or coverage under a COE nationwide or general permit. Appropriate documentation must be submitted with the Mining Notice of Intent (MNOI).
- (4) 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 storm water and dewatering discharges, allowable non-storm water 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 MNOI, if applicable, will be deemed to constitute the regulated entity's certification of eligibility. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 2 – Permit Area, Eligibility, and Authorization (continued):

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

- (5) Discharges which include mine process generated wastewater or wastewater associated with dredging and/or washing operations are not covered under this permit.

- (6) 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 3 – Siting Criteria, Coverages, Recoverages, Modifications, and Terminations:**L-1 SITING CRITERIA FOR MINING ACTIVITIES:**

When a mining activity is adjacent to a stream, a buffer zone (natural or undisturbed greenbelt on the perimeter of a land disturbing activity) shall be maintained between the edge of the mining activity and the highest point of the top bank of the stream. The buffer zone shall not be disturbed by any mining activities. Mining activity includes, but is not limited to, extraction operations, stockpiling of overburden, fill dirt, or sand and gravel, and sedimentation ponds. The buffer zone requirements for mining activity adjacent to streams are as follows:

- (1) Intermittent Streams. Mining activities adjacent to intermittent streams shall normally have a 50-foot buffer zone. Intermittent streams will generally be indicated by a broken blue line on the latest version of the United States Department of the Interior Geological Survey Quadrangle Map (Scale 1:24,000, 7.5 minute series).
- (2) Perennial Streams. Mining activities adjacent to perennial streams shall normally have a 150-foot buffer zone. Perennial streams will generally be indicated by a solid blue line on the latest version of the United States Department of the Interior Geological Survey Quadrangle Map (Scale 1:24,000, 7.5 minute series). When a perennial stream is also classified as a navigable waterway, the requirements regarding navigable waterways shall be applied.
- (3) Navigable Waterways. Mining activities adjacent to navigable waterways shall normally have a 300-foot buffer zone. Navigable waterways are defined and designated by the U. S. Army Corps of Engineers pursuant to Section 10 of the Rivers and Harbors Act. [11 Miss. Admin. Code Pt. 6, R. 1.3.4.C(3).]

S-1 OBTAINING COVERAGE:

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

- (1) A Mining Notice of Intent (MNOI) form at least 30 days prior to the anticipated commencement of regulated activities. Beginning December 21, 2025, applicants must submit the MNOI electronically as required by 40 CFR 127.16.
- (2) A site-specific Storm Water Pollution Prevention Plan (SWPPP), developed in accordance with ACT 4 of this permit and a United States Geological Survey (USGS) quadrangle map or color photocopy, extending at least one-half mile beyond the facility property boundaries with the site location and outfalls outlined, highlighted, or otherwise indicated. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- (3) A "Notice of Exempt Operations" (NOE) Form or proof of submission of NOE to the Office of Geology.
- (4) Proof of submission of the MRD-3 Surface Mining Application to the Office of Geology.

Additional Submittals required with the MNOI may include:

- (5) Mining operations exempt from obtaining an Office of Geology Surface Mining Permit must submit a "Notice of Exempt Operations" form with the MNOI.
- (6) Appropriate Section 404 documentation from U.S. Army Corps of Engineers, and/or
- (7) Appropriate documentation from the Office of Land & Water concerning dam construction and low flow requirements.
- (8) Appropriate plans for affecting waters of the State of Mississippi [11 Miss. Admin. Code Pt. 6, R.1]

ACT 3 – Siting Criteria, Coverages, Recoverages, Modifications, and Terminations (continued):

S-1 OBTAINING COVERAGE (continued):

Coverage under this permit will not be granted until all other required MDEQ permits, certifications and approvals are satisfactorily addressed. Discharges without notification of coverage under this permit, issuance of an individual National Pollutant Discharge Elimination System (NPDES) Permit, or a State No Discharge Permit constitutes a violation of the Mississippi Air and Water Pollution Control Law (Miss. Code Ann. Section 49-17-29(2)(b)). [11 Miss. Admin. Code Pt. 6, Ch. 1. and 11 Miss. Admin. Code Pt. 8, Ch. 1.]

S-2 WHERE TO OBTAIN AND SUBMIT THE MGP AND MGP FORMS:

Forms may be obtained from the MDEQ at the address shown below, by calling 601-961-5171, or found on the MDEQ web site at <https://www.mdeq.ms.gov/mining-stormwater>.

Complete and appropriately signed MNOI 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/mining-stormwater>. 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.]

S-3 HOW TO OBTAIN RECOVERY UNDER THE REISSUED PERMIT:

Once the MGP is reissued, the Recovery Form and letter of instruction will be posted on MDEQ's website at www.mdeq.ms.gov/mining-stormwater. A courtesy Letter of Instruction be sent to active coverage recipients. In order for a coverage recipient to be covered by the reissued MGP, the Recovery Form must be completed and returned to the MDEQ in accordance with the provisions of the Letter of Instruction. Resubmittal of the SWPPP is not required if the SWPPP is on-site or locally available, current and adequately addresses the sources of pollution at the facility. Some SWPPP's may require amendment to meet the conditions of the reissued MGP (i.e., modification of sediment basin outfall design). [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 3 – Siting Criteria, Coverages, Recoverages, Modifications, and Terminations (continued):**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, upon request. If a coverage recipient fails to submit a requested application in a timely manner, coverage under this permit will automatically terminate 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 an individual application (EPA Forms 1 and 2D for new discharges, EPA Forms 1 and 2C for existing discharges, EPA Forms 1 and 2F for storm water discharges) or appropriate general permit Notice of Intent Form.
- (3) Coverage under this permit is automatically terminated on the issuance date of the respective alternative individual permit or general permit coverage. When the request for an alternative individual permit or general permit coverage is denied, coverage under this permit continues unless terminated by the Permit Board. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

S-5 ADDITIONAL NOTIFICATION:

The coverage recipient must notify the Permit Board at least 30 days before any planned changes of ownership or whenever there are any changes in information and/or methods of operation described in a previous MNOI or Major Modification Form submittal. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

S-6 FACILITY EXPANSION AND/OR MODIFICATION NOTIFICATION:

- (1) Any proposed facility or project expansion, production increases, process modifications, changes in discharge volume or location, or other changes in operations or conditions of the covered facility 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 11 Miss. Admin. Code Pt. 6, R. 1.1.2.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.
- (2) The following activities require the submittal of a "Major Modification Form for Mining General Permit" Form.
 - SWPPP details have been developed for subsequent phases of an existing coverage
 - Footprint identified in the original MNOI is proposed to be enlarged
 - Mine dewatering is proposed
 - Mine dewatering has been discontinued
 - Closed loop wash with hydraulic dredge operations is proposed
 - Closed loop wash without hydraulic dredge operations is proposed
 - Closed loop wash with hydraulic dredge operations have been discontinued
 - Closed loop wash without hydraulic dredge operations has been discontinued.

ACT 3 – Siting Criteria, Coverages, Recoverages, Modifications, and Terminations (continued):

S-6 FACILITY EXPANSION AND/OR MODIFICATION NOTIFICATION (continued):

- (3) Proposed expansion of an "Exempt Operation" beyond a total of four (4) acres being mined requires the filing of a Mining Permit Application Form (MRD-3) with the Office of Geology, Mining and Reclamation Division.
- (4) Proposed changes may require termination of the General Permit coverage or application for an individual permit. [11 Miss. Admin. Code Pt. 6, Ch. 1. and 11 Miss. Admin. Code Pt. 8, Ch. 1.]

S-7 TERMINATION OF COVERAGE:

Coverage shall be terminated at the request of the coverage recipient only after mining activities have permanently stopped, vegetation has been successfully established, and any permanent controls are stable. Inspections must continue until such time the coverage recipient has received written notice of coverage termination by MDEQ.

- (1) For non-exempt mining operations, a complete Notice of Termination (NOT) form, a copy of the Permit Board Order, authorizing 90% or final release of the mining performance bond, and colored photographs of the stabilized site shall be submitted to MDEQ.
- (2) For exempt mining operations, within 30 days of final stabilization (see Definition of Final Stabilization in ACT 6) for a covered site, a completed NOT form and colored photographs of the stabilized site shall be submitted to the Permit Board. Upon receiving completed documentation, the MDEQ staff may inspect the site. If no sediment and erosion control problems are identified and adequate permanent controls are established, the coverage recipient will receive a termination letter. Coverage is not terminated until notified in writing by MDEQ. Failing to submit a NOT is a violation of permit conditions.

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.]

ACT 4 – Stormwater Pollution Prevention Plan (SWPPP) Development, Content, and Implementation:

T-1 SWPPP DEVELOPMENT:

The owner or operator of a mining operation shall develop and implement a site-specific storm water pollution prevention plan (SWPPP). The SWPPP shall be developed with sound engineering and best management practices. The SWPPP shall identify all potential pollution sources that may affect the quality of storm water associated with mining. The SWPPP shall describe and ensure the implementation of best management practices, which will reduce pollutants in storm water discharges and assure compliance with the terms and conditions of this permit. The plan shall:

- (1) Be signed per ACT 5, T-2.
- (2) Be located at the mining site for which it was approved or locally available.
- (3) Provide for compliance with the terms of the plan upon commencement of mining activities.
- (4) Be submitted to the appropriate municipal or county authority upon request, if storm water from the mining site discharges into a municipal separate storm sewer system.
- (5) Be modified by the coverage recipient if MDEQ staff determines it does not meet the requirements of this permit or it has been determined that the plan does not adequately protect waters of the State after commencement of mining operations. The coverage recipient shall have thirty (30) days to modify the SWPPP and submit it to MDEQ after having been notified. The modified SWPPP shall be implemented after MDEQ notifies the coverage recipient that the revised SWPPP is acceptable or coverage has been issued.
- (6) Be amended thirty (30) days prior to a change in the size, design, construction, operation, or maintenance of the mining facility. Any change to the size, design, construction, operation, or maintenance of the mining facility will be allowed only after the amended SWPPP has been approved and the coverage recipient has been notified in writing by MDEQ. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-2 EROSION AND SEDIMENT CONTROLS:

The owner or operator shall design, install, and maintain controls in accordance with the standards set forth in the most recent edition of Mississippi's "Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas (Three Volumes)," other recognized manuals for storm water controls design, or provide a design that has been certified by a Mississippi registered professional engineer. "Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas (Three Volumes)" can be accessed at <https://www.mdeq.ms.gov/mining-stormwater>. These controls shall be appropriate for the mining activities, which may include but not be limited to removing, stockpiling, and restoring any overburden; removing, processing, stockpiling and shipping mined material; and storing or disposing of any waste product generated during the mining activity. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

- T-3 The SWPPP shall list and describe site-specific controls appropriate for the mining/construction activities as well as the procedures for implementing such controls. Controls shall be designed, installed, and maintained to retain sediment on-site and to minimize the discharge of pollutants. If any of the below controls cannot be implemented on the site, the SWPPP must include written justification as to why site-specific constraints and/or costs make the control(s) infeasible. At a minimum, such controls must be designed, installed and maintained to:

ACT 4 – Stormwater Pollution Prevention Plan (SWPPP) Development, Content, and Implementation (continued):

T-3 (continued):

- (1) Control storm water volume and velocity within the site to minimize soil erosion;
- (2) Control storm water discharges, including both peak flow rates and total storm water volume, to minimize erosion at outlets and to minimize downstream channel and stream bank erosion;
- (3) Minimize the amount of soil exposed during mining activity;
- (4) Minimize the disturbance of steep slopes;
- (5) Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting storm water runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
- (6) Provide and maintain natural buffers around surface waters, direct storm water to vegetated areas to increase sediment removal and maximize storm water infiltration, unless infeasible (see buffer zone requirements in ACT9);
- (7) Minimize soil compaction and, unless infeasible, preserve topsoil;
- (8) Direct storm water to vegetated areas, brush barriers, silt fences, straw wattles , etc. to aid in the filtration, infiltration, velocity reduction and diffusion of the discharge;
- (9) Transport runoff down steep slopes through lined channels or piping;
- (10) Minimize off-site vehicle tracking of sediments. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-4 As a minimum, the controls must be in accordance with the standards set forth in the most current edition of the "Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas (Three Volumes)" or other recognized manual of design. The SWPPP shall address the following minimum components.

- (1) A scaled site map shall be prepared showing boundaries of property and proposed mining site, buffer zone compliance, original and proposed contours (if practicable), drainage patterns, adjacent receiving water bodies, north arrow, all erosion and sediment controls (vegetative and structural), outfalls, and the location of housekeeping practices.
- (2) Vegetative practices shall be designed to preserve existing vegetation where possible and re-vegetate disturbed areas as soon as practicable after clearing, grading, excavating or other land disturbing activities. Such practices may include, but are not limited to, surface roughening, temporary seeding, permanent seeding, mulching, sod stabilization, vegetative buffer strips, protection of trees, and topsoil preservation. When a disturbed area not actively being mined will be left undisturbed for 30 days or more, the appropriate temporary or permanent vegetative practices shall be implemented immediately. For purposes of this permit, "immediately" is interpreted to mean no later than the next work day. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- (3) Structural practices shall divert flows from exposed soils, store flows or otherwise limit runoff from exposed areas. Such practices may include, but are not limited to, construction entrance/exit, 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. Because mining is generally of long duration, temporary measures such as hay bales will not, as a stand-alone practice, be accepted to satisfy structural requirements due to their associated high maintenance frequency. However, they may be used in conjunction with other structural practices, such as strengthening silt fences.

ACT 4 – Stormwater Pollution Prevention Plan (SWPPP) Development, Content, and Implementation (continued):

T-4 (continued):

- (4) Construction entrances/exits (see definition) shall be installed wherever traffic will be leaving a construction site and moving directly onto a paved public road. Restrict vehicle to properly designed exit points. Use appropriate stabilization techniques at all points that exit onto paved roads. Implement additional track-out controls as necessary to ensure that sediment removal occurs prior to vehicle exit. Where sediment has been tracked-out from the site onto paved roads, sidewalks, or other paved areas outside the site, remove deposited sediment “immediately” by the end of the next work day. Remove the track-out by sweeping, shoveling, or vacuuming these surfaces, or by similarly effective means of sediment removal. Hosing or sweeping track-out sediment into any stormwater conveyance, storm drain inlet, of Waters of the State is prohibited.
- (5) A sediment barrier shall be constructed along all downgradient perimeter areas prior to the beginning of any mining operations and be maintained throughout the span of mining operations. Perimeter controls including natural undisturbed areas shall be maintained and supplemented with silt fence and fiber rolls around project perimeter to minimize the potential for sediment to leave the site. If not feasible to maintain natural undisturbed areas, a silt fence or similar controls, such as fiber rolls, are sufficient.
- (6) Temporary (or permanent) sediment basins, if used, shall provide at least 3600 cubic feet (133 cubic yards) of storage per acre drained and shall be provided until final stabilization of the site. Sediment basins must be installed before major site grading and utilize outlet structures that withdraw water from the surface.
- (7) A description of post-mining control measures for "Exempt Operations." Post-mining control measures shall be installed to control pollutants in storm water after mining is complete. These controls include, but are not limited to, one or more of the following: on-site infiltration of runoff, flow attenuation using open vegetated swales and natural depressions, constructed wetlands, lakes, ponds and retention/detention structures. Velocity dissipation devices shall be placed at detention or retention pond outfalls and along the outfall channel to provide for a non-erosive flow. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-5 NON-STORM WATER DISCHARGE MANAGEMENT:

The SWPPP must identify any allowable non-storm water discharges, identified in ACT 2, T-2(5), except for flows from actual fire-fighting, which are combined with storm water discharges associated with mining activity at the site. Non-storm water discharges should be eliminated or reduced to the extent feasible. The SWPPP must identify and ensure the implementation of appropriate Best Management Practices (BMPs) for the non-storm water component of the discharge. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-6 IMPLEMENTATION OF CONTROLS:

The SWPPP shall require the owner or operator during mining preparation (e.g. clearing and grubbing) to implement controls necessary to mitigate erosion and adverse impacts to offsite areas and receiving streams, including implementation of perimeter controls. During and after mining, vegetative and structural practices shall be maintained as set forth in the approved SWPPP. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-7 IMPLEMENTATION SEQUENCE:

The owner or operator shall prepare an implementation sequence which coordinates the timing of all major land-disturbing activities together with the necessary erosion and sedimentation control measures planned for the project. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 4 – Stormwater Pollution Prevention Plan (SWPPP) Development, Content, and Implementation (continued):**T-8 HOUSEKEEPING PRACTICES:**

The owner or operator shall describe and list practices appropriate to prevent pollutants from entering storm water from mining sites due to poor housekeeping. The owner or operator shall:

- (1) Designate areas for equipment maintenance and repair
- (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
- (6) Provide secondary containment around on-site fuel tanks
- (7) Implement spill and leak prevention practices and response procedures if spills and leaks do occur
- (8) Minimize the exposure of mining/construction materials and equipment

Releases into the environment of hazardous substances, oil, pollutants or contaminants which pose a threat to applicable water quality standards, or causes a film sheen or discoloration of waters of the State, shall be reported to the:

Mississippi Emergency Management Agency (601) 352-9100 or National Response Center 1-800-424-8802. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-9 SWPPP IMPLEMENTATION REQUIREMENTS:

The coverage recipient shall:

- (1) Implement the SWPPP and retain a copy of the SWPPP at the permitted site or locally available (see Definition). 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) Ensure that appropriate Best Management Practices (BMPs) are in place upon commencement of mining operations.
- (3) Amend the SWPPP if notified at any time by the Executive Director of MDEQ that the SWPPP does not meet the minimum requirements. A written certification must also be submitted to the Executive Director stating that the requested changes have been made. Unless otherwise provided, the requested changes shall be made within 15 days.
- (4) Amend the SWPPP whenever there is a change in design, construction, operation, or maintenance which may potentially affect the discharge of pollutants to waters of the State or if the SWPPP proves to be ineffective in controlling storm water pollutants. The amended SWPPP shall be submitted to MDEQ within 30 days of amendment.
- (5) Submit to MDEQ the Major Modification Form for subsequent phases, expansions and modifications of mining development that are proposed but were not included in the original SWPPP.

ACT 4 – Stormwater Pollution Prevention Plan (SWPPP) Development, Content, and Implementation (continued):

T-9 SWPPP IMPLEMENTATION REQUIREMENTS (continued):

- (6) Install needed erosion controls, even if they may be located in the way of subsequent activities. It shall not be an acceptable defense that controls were not installed because subsequent activities would require their replacement or cause their destruction. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- (8) Install additional and/or alternative erosion and sediment controls when existing controls prove to be ineffective in preventing sediment from leaving the site.
- (9) Minimize off-site vehicle tracking of sediments.
- (10) Comply with applicable State and local waste disposal, sanitary sewer or septic system regulations. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- (10) Maintain all erosion controls. Except for sediment basins, all accumulated sediment shall be removed from structural controls when sediment deposits reach one-third to one-half the height of the control. For sediment basins, accumulated sediment shall be removed when the capacity has been reduced by 50%. All removed sediment deposits shall be properly disposed. Non-functioning controls shall be repaired, replaced or supplemented with functional controls within 24 hours of discovery or as soon as field conditions allow.
- (11) Implement steps necessary to meet a specific wasteload allocation established subsequent to coverage issuance. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-10 REQUIREMENT TO IDENTIFY MINE BOUNDARIES:

Boundaries of areas issued a Certificate of Coverage under this permit shall be marked and durable posts shall be placed at the corners of the coverage area. The posts shall be painted or flagged to be readily visible during the life of the operation. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-11 INSPECTION REQUIREMENTS:

The coverage recipient shall perform inspections of all receiving streams (if feasible), outfalls, erosion and sediment controls, and other SWPPP requirements upon receipt of coverage and throughout permit coverage:

- (1) At least monthly
- (2) Within 24 hours after commencement of a rainfall event equal to or greater than a 2-year, 24-hour storm event (approximately 6-inches on the Gulf Coast to 4 inches at the Mississippi-Tennessee State Line)
- (3) As necessary to ensure that erosion controls have been constructed, maintained, and function adequately to satisfy the requirements of this permit and to ensure that pollutants are not leaving the site.

Monthly inspections shall be documented on copies of the Site Inspection Report and Certification Form (or equivalent form) and be kept locally available with the SWPPP. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 4 – Stormwater Pollution Prevention Plan (SWPPP) Development, Content, and Implementation (continued):**T-12 TRAINING PROGRAM REQUIREMENTS AND DOCUMENTATION:**

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.

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

- (1) SWPPP goals and plan components identified in this permit, including:
 - (A) Housekeeping and pollution prevention requirements,
 - (B) Spill prevention and response procedures,
 - (C) Installation, maintenance and inspection of erosion and sediment controls Best Management Practices (BMPs).
- (2) Procedures for monitoring compliance with mine dewatering requirements as prescribed in ACT 8 (if applicable);
- (3) Procedures to ensure compliance with the “no discharge” requirement of ACT 7 (if applicable);
- (4) 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).

Personnel training conducted to meet the requirements of this ACT shall be documented. Training records shall include employee's name, worker identification number, date of training, contents of training, and the employee's signature acknowledging that training was received. All training records shall be maintained for at least three years from the date of training. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-13 SWPPP COMPLIANCE WITH LOCAL STORM WATER ORDINANCES:

- (1) The SWPPP shall be in compliance with all local storm water ordinances.
- (2) When storm water 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 - 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 coverage recipient shall retain records for a minimum of three (3) years of all information obtained from such monitoring including:

- (1) The exact place, date and time of sampling;
- (2) The dates and times 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, R.1.1.4.A(29)(a).]

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, R.1.1.4.A(29)(a).]

R-3 REPORTING – MONITORING REPORTS:

- (1) If the coverage recipient 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).]

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.]

ACT 5 - Standard Requirements Applicable to All Water Permits (continued):**S-1 REPORTING REQUIREMENTS – PLANNED CHANGES:**

The coverage recipient 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); or
- (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 ANTICIPATED NONCOMPLIANCE:

The coverage recipient 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 – TWENTY-FOUR HOUR ORAL AND FIVE DAY WRITTEN REPORTING:

- (1) The coverage recipient 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.
 - (d) 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).]

ACT 5 - Standard Requirements Applicable to All Water Permits (continued):**S-4 NONCOMPLIANCE NOTIFICATION – OTHER NONCOMPLIANCE:**

The coverage recipient shall report all instances of noncompliance not reported under S-3 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 same information as listed in S-3(1) above.

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).]

S-5 NONCOMPLIANCE NOTIFICATION – OTHER INFORMATION:

Where the coverage recipient 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-6 BYPASSING NOTICE:

(1) 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.

(2) Unanticipated bypass – The coverage recipient shall submit notice of an unanticipated bypass as required by the requirements found in ACT 5, Condition S-4.

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. [40 CFR 122.41(m)(3); 11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(20).]

S-7 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/mining-stormwater>. [11 Miss. Admin. Code Pt. 6, R. 1.1.5.C.]

ACT 5 - Standard Requirements Applicable to All Water Permits (continued):

T-1 PERMIT EFFECTIVE DATE:

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

T-2 SIGNATORY REQUIREMENTS:

All MNOIs, Requests for Recoverage, Major Modification Forms, Requests for Transfer, and Requests for Termination 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;

Note: MDEQ does not require specific assignments or delegations of authority to responsible corporate officers identified in paragraph (1)(A) above. The Department will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Permit Board to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under paragraph (1)(B) above rather than to specific individuals.

(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, 1.1.2.C(1).]

T-3 SIGNATORY REUIREMENTS – REPORTS AND OTHER INFORMATION:

All SWPPPs, reports required by this permit, certifications, and other information requested by the Permit Board shall be signed by a person described in Condition T-1 above, or by a duly authorized representative of that person. A person is a duly authorized representative when:

- (1) The authorization is made in writing and submitted to the Permit Board by a person described in Condition T-1 above.
- (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated activity, such as: manager, operator of a well or well field, superintendent, person of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may be either a specified individual or position). [11 Miss. Admin. Code Pt. 6, R. 1.1.2.C(2).]

ACT 5 - Standard Requirements Applicable to All Water Permits (continued):**T-4 SIGNATORY REUIREMENTS – CHANGE TO AUTHORIZATION:**

If an authorization is no longer accurate because a different individual or position has permit responsibility, 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.]

T-5 SIGNATORY REUIREMENTS – CERTIFICATION:

Any person signing documents under this section shall make the following certification:

"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 gathered and evaluated 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-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.]

ACT 5 - Standard Requirements Applicable to All Water Permits (continued):

T-8 DUTY TO COMPLY:

The coverage recipient must comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action, coverage termination, revocation and reissuance, or modification, or denial of a renewal application. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(2).]

T-9 SPILL PREVENTION AND BEST MANAGEMENT PLANS:

Any coverage recipient 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 DUTY TO PROVIDE INFORMATION:

The coverage recipient shall furnish to the Permit Board, within a reasonable time, any relevant information which the Permit Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating coverage, or to determine compliance with this permit. The coverage recipient shall also furnish to the Permit Board, upon request, copies of records required to be kept by this permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(16).]

T-11 PROPER OPERATION AND MAINTENANCE:

The coverage recipient 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 coverage recipient to achieve compliance with the conditions of this permit. Proper operation and maintenance includes adequate laboratory controls with 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 backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with permit conditions. The Permit Board may require regular reporting of internal operational and maintenance parameters necessary to confirm proper operation of a waste treatment system. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(18).]

T-12 DUTY TO MITIGATE:

The coverage recipient shall take all reasonable steps to minimize or prevent any discharge in violation of this permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(19).]

ACT 5 - Standard Requirements Applicable to All Water Permits (continued):**T-13 INSPECTION AND ENTRY:**

The coverage recipient 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-14 BYPASS NOT EXCEEDING LIMITATIONS:

The coverage recipient 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-15 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 submitted notices per ACT 5, S-6.

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-16 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 waters of the State 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 5 - Standard Requirements Applicable to All Water Permits (continued):**T-17 POWER FAILURES:**

If electric power is required to maintain compliance with the conditions and prohibitions of the permit, the coverage recipient 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-18 OIL AND HAZARDOUS SUBSTANCE LIABILITY:

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

T-19 CIVIL AND CRIMINAL LIABILITY:

- (1) Any person who violates a term, condition or schedule of compliance contained within this permit or the Mississippi Air and Water Pollution Control Law is subject to the actions defined by law.
- (2) Except as provided in permit conditions on "Bypassing" and "Upsets," nothing in this permit shall be construed to relieve the coverage recipient from civil or criminal penalties for noncompliance.
- (3) It shall not be the defense of the coverage recipient 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-20 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 circumstance, 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-21 TOXIC POLLUTANTS NOTIFICATION REQUIREMENTS:

The 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 Act. The permittee shall comply with the applicable provisions of 40 CFR 122.42, which are incorporated herein and adopted by reference. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(26).]

ACT 5 - Standard Requirements Applicable to All Water Permits (continued):**T-22 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-23 FALSIFYING REPORTS:

Any coverage recipient 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 Miss. Code Ann. Section 49-17-43. [11 Miss. Admin. Code Pt. 6, 1.1.4.A(29)(d).]

T-24 PROPERTY RIGHTS:

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

T-25 PERMIT ACTIONS:

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the coverage recipient for a coverage modification, revocation and reissuance, or termination, or a certification of planned changes or anticipated noncompliance does not stay any permit condition. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 5 - Standard Requirements Applicable to All Water Permits (continued):

T-26 TRANSFER OF OWNERSHIP OR CONTROL:

This permit is not transferable to any person without proper modification of this permit following procedures found in 11 Miss. Admin. Code Pt. 6, R. 1.1.5.C. [11 Miss. Admin. Code Pt. 6, R. 1.1.5.C.]

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.
- (3) This permit shall be modified to reflect any additional or otherwise more stringent limitations and additional monitoring as determined to be necessary by the results of a Completed TMDL.
- (4) If there is evidence indicating potential or realized impacts on water quality due to discharges covered by this permit, the coverage recipient may be required to obtain an individual permit or an alternative general permit in accordance with ACT 3, S-4, or the permit may be modified to include different limitations and/or requirements. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.F(1).]

T-28 CONTINUATION OF EXPIRED GENERAL PERMIT:

If the MGP permit is not reissued prior to its expiration date, it will be administratively continued and remain in force and effect until the earliest of:

- (1) The date included in the Letter of Instruction if a Recoverage Form is not timely received by MDEQ in accordance with the provisions of ACT3 S-3 herein;
- (2) The date MDEQ issues recoverage under the reissued MGP if a Recoverage Form is timely received by MDEQ in accordance with the provisions of ACT3 S-3 herein;
- (3) Submittal of a Request for Termination and receipt of written concurrence;
- (4) Issuance of an individual permit for the project's discharge; or
- (5) A formal permit decision by the Permit Board to not reissue MGP, at which time the coverage recipient must seek coverage under an alternative general permit or an individual permit.

ACT 6 - 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, R. 1.1.1.A.]
- T-2 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 site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-3 BUFFER ZONE, as used in this permit, means a strip of dense undisturbed perennial vegetation, either original or reestablished, that borders perennial streams and rivers, ponds and lakes and wetlands. Buffer zones are established for the purposes of slowing water runoff, enhancing water infiltration, and minimizing the risk of any potential nutrients or pollutants from leaving the upland area and reaching surface waters. Buffer zones are most effective when storm water runoff is flowing into and through the buffer zone as shallow sheet flow, rather than in concentrated form such as in channels, gullies, or wet weather conveyances. Therefore, it is critical that the design of any development include management practices, to the maximum extent practical, that will result in storm water runoff flowing into and through the buffer zone as shallow sheet flow. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-4 BYPASS means the intentional diversion of wastestreams from any portion of the coverage recipient's treatment facility. [40 CFR Part 122.41(m)]
- T-5 CONSTRUCTION EXIT is a stone-base pad designed to provide a buffer area where mud-and caked-soil can be removed from the tires of vehicles to avoid transporting it onto public roads. This practice applies anywhere traffic will be leaving a mining site and moving directly onto a paved public road or street. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-6 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-7 EXECUTIVE DIRECTOR means the Executive Director of the Department of Environmental Quality. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(25).]
- T-8 FACILITY, ACTIVITY or OPERATIONS means any NPDES "point source" or "No Discharge" or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program or State No Discharge Requirements. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-9 FINAL STABILIZATION means all soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of at least 70% for the area has been established or equivalent measures have been employed. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-10 HAZARDOUS SUBSTANCES are defined in 40 CFR 116.4. [40 CFR 116.4]
- T-11 INACTIVE MINING OPERATIONS means mining sites that are not being actively mined, but have an identifiable owner or operator. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 6 – Definitions (continued):

- T-12 INFEASIBLE means not technologically possible, or not economically practicable and achievable in light of best industry practices. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-13 LOCALLY AVAILABLE means that the SWPPP is able to be produced within an hour of being requested by an inspector. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-14 MINE DEWATERING means any water that is impounded or that collects in the mine and is pumped, drained or otherwise removed from the mine through the efforts of the mine operator. For sand and gravel mines, this term shall also include wet pit overflows caused solely by direct rainfall and ground water seepage. However, if a mine is also used for treatment of process generated wastewater, discharges of commingled water from the facilities shall be deemed discharges of process generated wastewater. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-15 MINE PROCESS WASTEWATER means any wastewater used in the slurry transport of mined material, wastewater generated from the dredging and/or washing of mined material, air emissions control (excluding water used for dust suppression on roads which is evaporated or absorbed by soils such that no runoff to a receiving stream occurs), or processing exclusive of mining. The term shall also include any other water that becomes commingled with such wastewater in a pit, pond, lagoon, mine or other facility used for treatment of such wastewater. The term does not include wastewater used for the suction dredging of deposits in a body of water and returned directly to the body of water without being used for other purposes or combined with other wastewater. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-16 MINING OPERATIONS include clearing, grading, excavating and other land disturbing activities. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-17 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-18 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-19 PERMIT BOARD means the Mississippi Environmental Quality Permit Board established pursuant to Miss. Code Ann. 49-17-28. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(52).]
- T-20 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-21 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.]

ACT 6 – Definitions (continued):

- T-22 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. [40 CFR Part 122.41(m)]
- T-23 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.]
- T-24 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-25 STEEP SLOPES, as used in this permit, means slopes or grades steeper than (3:1). [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-26 STORM WATER means rainfall runoff, snowmelt runoff, and surface runoff. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-27 STORM WATER POLLUTION PREVENTION PLAN (SWPPP) means a plan that includes site map(s), an identification of mining-related activities that could cause pollutants in the storm water, and a description of measures or practices to control these pollutants. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
- T-28 SUBMITTED means the document is postmarked on or before the applicable deadline, except as otherwise specified. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(67).]
- T-29 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, R. 1.1.1.A(70).]
- T-30 TOXIC POLLUTANTS means any pollutant listed as toxic under Section 307(a)(1) or, in the case of "sludge use or disposal practices", any pollutant identified in regulations implementing Section 405(d) of the Clean Water Act. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(71).]
- T-31 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 preventive maintenance, or careless or improper operation. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(77).]
- T-32 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. Section 1251 et seq.). [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(85).]

ACT 7 - Wastewater Recirculation Systems with No Discharge to Surface Waters:

Mining activities that operate wash operations with a closed loop recirculation system and no discharge of wash wastewater, hydraulic dredge operation with a closed loop recirculation system and no discharge of dredge wastewater, or a combination of these operations must comply as follows:

T-1 STRUCTURAL INTEGRITY:

- (1) Any lagoon, sedimentation pond, or dredge pit must have an emergency discharge structure installed at least 24 inches above the normal operating fluid level, with said discharge structure being at least 24 inches below the lowest point on the top of the containment dike.
- (2) Dikes, levees and any other appurtenant structures must be constructed utilizing good engineering designs, standards, methodologies and materials. A professional engineer, registered in the State of Mississippi, shall certify the adequacy of construction.
- (3) Dikes or levees shall be maintained in good working order at all times. There shall be no leaks through dikes and any damaged dike shall be replaced or repaired immediately upon discovering any deficiency. All earthen dikes shall be maintained with adequate cover, such that the effects of erosion are minimized.
- (4) Dams and levees must be constructed within the guidelines of the Dam Safety Regulations, 11 Miss. Admin. Code Pt. 7, Ch. 3. unless the dam meets the exemption criteria as outlined in Rule 3.2.B(2)(a)-(c) of said regulations. Prior to coverage being granted under this permit, authorization to construct must be issued for dams or levees not meeting the exemption criteria. Please be aware that a dam or levee meeting the exemption criteria but having the potential to threaten downstream lives or man-made structures must also contact the Dam Safety Division.
- (5) The coverage recipient shall develop and maintain a daily inspection log for this facility. This log should include but not be limited to the following:
 - (A) Condition of all dikes or levees
 - (B) Observance of the area around the dike to indicate any water pollution problems
 - (C) Volume of wastewater accumulating within the impoundment
 - (D) Date, time and person making the inspection
 - (E) An indication that:
 - (i) Follow-up action is required
 - (ii) No Follow-up action is required. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT 8 - Limitations and Requirements for Mine Dewatering:

L-1 Such discharges shall be limited and monitored by the coverage recipient as specified below:

Parameter	Discharge Limitations							Monitoring Requirements		
	Quantity / Loading Average	Quantity / Loading Maximum	Quantity / Loading Units	Conc. / Quality Minimum	Conc. / Quality Average	Conc. / Quality Maximum	Conc. / Quality Units	Frequency	Sample Type	Which Months
<i>pH Effluent</i>	*****	*****	*****	6.0 Minimum	*****	9.0 Maximum	SU	Annually	Grab Sampling	Jan-Dec

L-2 NON-NUMERIC LIMITATION REQUIREMENTS:

Storm water discharges shall be free from:

- (1) Debris, oil, scum, visible foam, and other floating solids other than in trace amounts,
- (2) Occurrence of a visible sheen on the surface of the receiving waters,
- (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. 2.]

M-1 MONITORING REQUIREMENTS FOR MINE DEWATERING:

- (1) 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).]
- (2) 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).]
- (3) 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).]

S-1 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 EROSION AND SEDIMENT CONTROLS:

All water shall be discharged to well-vegetated and/or stabilized areas in a manner to prevent erosion of materials and soils into surface waters. This BMP shall be located on the site map required by ACT 4, T-4. The intake of dewatering devices should draw from the upper third of the water column to minimize solids in the discharge. [11 Miss. Admin. Code Pt. 6, Ch. 1.]