



State of Mississippi
Mississippi Department of Environmental Quality
(MDEQ) Office of Pollution Control (OPC)
Environmental Permits Division (EPD)



SMALL CONSTRUCTION STORM WATER GENERAL PERMIT

FOR LAND DISTURBING ACTIVITIES OF ONE (1) to LESS THAN FIVE (5) ACRES

TO DISCHARGE STORM WATER AND ALLOWABLE NON-STORM WATER FROM REGULATED CONSTRUCTION ACTIVITIES IN ACCORDANCE WITH THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

THIS CERTIFIES THAT

FACILITIES OR PROJECTS ISSUED A CERTIFICATE OF PERMIT COVERAGE UNDER THIS PERMIT ARE GRANTED PERMISSION TO DISCHARGE STORM AND/OR ALLOWABLE NON-STORM WATER FROM REGULATED CONSTRUCTION ACTIVITIES INTO STATE WATERS

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: MAY 20 2019

Expires: APR 30 2024

Permit No. MSR15

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ACT1 (Small Construction) Introduction:

Narrative Requirements:

Condition No.	Condition
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T-1 INTRODUCTION:

The Small Construction General Permit (SCGP) authorizes storm water discharges from construction activities disturbing one (1) acre to less than five (5) acres, or less than one acre if part of a "larger common plan of development or sale," where the total acreage is based on cumulative planned disturbance of less than 5 acres. Construction activities and construction activities part of a "larger common plan of development or sale" disturbing five acres or greater are regulated under the Large Construction General Permit.

Storm water discharges that enter waters of the state or storm water conveyance systems leading to waters of the state are subject to regulation and compliance with the conditions set forth in this permit. This permit also authorizes storm water discharges from any other construction activity 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. Upon issuance by the Permit Board on Environmental Quality, this permit will replace the previous Small Construction General Permit which expired on March 31, 2018.

Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, and original purpose of the facility (for example, the maintenance of existing ditches, channels, or other similar storm water conveyances, as well as routine grading of existing dirt roads, asphalt overlays of existing roads, re-clearing of vegetation in a right-of-way, and other similar maintenance activities).

ACT2 (Small Construction) Permit Applicability and Coverage:

Narrative Requirements:

Condition No.	Condition
T-1	<p>PERMIT AREA:</p> <p>The Small Construction General Permit covers all areas of the State of Mississippi. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>
T-2	<p>COVERED DISCHARGES:</p> <p>(1) Discharges composed entirely of stormwater and allowable non-stormwater identified in T-5 of this ACT from small construction activities including clearing, grading, excavating and other land disturbing activities equal to or greater than one (1) acre and less than five (5) acres. These discharges are designated as small construction activities under the National Pollutant Discharge Elimination System (NPDES) stormwater program and are covered under this permit. Small construction activities disturbing less than one (1) acre are designated if:</p> <p>(A) The project is part of a larger common plan of development or sale with a cumulative planned disturbance of equal to or greater than one (1) acre and less than five (5) acres (for example, individual or commercial lots that are part of a subdivision or a commercial development that initially impacts less than one (1) acre but will ultimately exceed the one (1) acre threshold, or</p> <p>(B) The Executive Director of the Mississippi Department of Environmental Quality (MDEQ) designates the construction activity based on the potential for contribution to a violation of a water quality standard or for significant contribution of pollutants to waters of the State. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p> <p>(2) A project is eligible for coverage under this general permit for discharges of pollutants of concern to water bodies for which there is a Total Maximum Daily Load (TMDL) established or approved by the Environmental Protection Agency (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 general permit, the project must incorporate in the Storm Water Pollution Prevention Plan (SWPPP) and/or effluent limitation any conditions applicable to any discharge(s) necessary for consistency with the assumptions and requirements of such TMDL. If, after coverage issuance, a specific wasteload allocation is established that would apply to the project's discharge, the project 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 (3) below. In addition, "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 our website, https://www.mdeq.ms.gov/water/surface-water/nonpoint-source-pollution-program/erosion-and-sediment-control-manual/</p>

ACT2 (continued):

Narrative Requirements:

Condition No.	Condition
T-3	<p>(3) 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/operator must indicate on the SCNOI 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, www.mdeq.ms.gov</p>
T-4	<p>ALLOWABLE NON-STORM WATER DISCHARGES:</p> <p>Owner or operators are authorized for the following non-storm water discharges. Except for flows from firefighting activities, sources of non-storm water below that are combined with storm water discharges associated with construction activity must be identified in the Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.</p> <ul style="list-style-type: none"> A. Discharges from fire-fighting activities B. Fire hydrant flushings C. Water used to control dust D. Potable water sources including water line flushings E. Routine external building wash down that does not use detergents F. Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless totally removed) and where detergents are not used 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. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-5	<p>PROHIBITED NON-STORM WATER DISCHARGES:</p> <ul style="list-style-type: none"> A. Wastewater from washout of concrete (unless managed by an appropriate control) B. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials C. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance D. Soaps or solvents used in vehicle and equipment washing E. Wastewater from sanitary facilities, including portable toilets F. Dewatering activities, including discharges from dewatering of trenches and excavations unless managed by BMPs. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT2 (continued):

Narrative Requirements:

Condition No.	Condition
T-6	<p>THIS PERMIT DOES NOT AUTHORIZE:</p> <p>(1) Discharges associated with construction activity that disturb five (5) or more acres that are covered under the Large Construction General Permit or that have been covered under an individual permit in accordance with ACT3, S-2 of this permit.</p> <p>(2) Discharges from construction sites that the Executive Director determines will cause, or have reasonable potential to cause or contribute to, violations of water quality standards. Where such determinations have been made, the Mississippi Environmental Quality Permit Board (Permit Board) will contact the owner or operator. The Permit Board may determine that an individual permit application is necessary in accordance with ACT3, S-2 of this permit. However, the Permit Board may authorize coverage under this permit after appropriate controls and implementation procedures, designed to bring the discharges into compliance with water quality standards, have been included in the Storm Water Pollution Prevention Plan.</p> <p>(3) Discharges to impaired receiving waters, unless the SWPPP specifically identifies Best Management Practices (BMPs) which ensure storm water will not cause or contribute to non-attainment of a water quality standard. In cases where the Permit Board becomes aware of potential impairment due to small construction activities, the Permit Board will require the submittal of the SWPPP in order to ascertain whether the selected BMPs are sufficient to comply with requirements of this permit or any other requirements of the Permit Board.</p> <p>(4) Activities that will affect waters of the state, including wetlands, without obtaining the necessary U.S. Army Corps of Engineers' (COE) individual Section 404 permit or coverage under a COE nationwide or general permit. If a Small Construction Notice of Intent (SCNOI) is requested by the Permit Board, appropriate COE documentation must be included. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p> <p>(5) Discharges that originate from the site after construction activities have been completed and the site has undergone final stabilization.</p> <p>(6) Discharges of hazardous substances or oil resulting from an on-site spill.</p> <p>(7) 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 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 SCNOI, or County Utility Authority approval, if applicable, will be deemed to constitute the regulated entity's certification of eligibility. [40 CFR 122.49]</p>

ACT3 (Small Construction) Obtaining Coverage:

Submittal/Action Requirements:

Condition	
No.	Condition
S-1	<p>HOW TO OBTAIN AUTHORIZATION:</p> <p>(1) If a Small Construction Notice of Intent (SCNOI) has not been requested by the Permit Board (SCNOI not submitted to MDEQ), Owners or operators are authorized to discharge storm water or allowable non-storm water associated with small construction activity under the terms and conditions of this permit upon commencement of small construction land disturbing activities (i.e., Construction may begin after the completion of the SCNOI and the development and implementation of the required Storm Water Pollution Prevention Plan (SWPPP)).</p> <p>(2) If a Small Construction Notice of Intent (SCNOI) has been requested by the Permit Board (SCNOI submitted to MDEQ). Owners or operators are authorized to discharge storm water or allowable non-storm water only after staff review and receipt of written notification of approval of coverage by the Permit Board Staff.</p> <p>Beginning December 21, 2020, applicants must submit the NOI electronically as required by 40 CFR 127.16 when requested by the Permit Board. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>
S-2	<p>REQUIRING AN INDIVIDUAL PERMIT:</p> <p>Upon receipt of a SCNOI, the Permit Board may require an alternate permit. The Permit Board may require any owner or operator of land disturbing activities of equal to or greater than one (1) acre and less than five (5) acres to apply for and obtain an individual NPDES permit. Any interested person may petition the Permit Board to take action under this paragraph. The Permit Board may require any small construction owner or operator to apply for an individual NPDES permit only if the owner or operator has been notified in writing. This notice shall include reasons for this decision, an application form and a filing deadline. The Permit Board may grant additional time upon request. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>

ACT4 (Small Construction) Small Construction Notice of Intent:

Submittal/Action Requirements:

Condition	
No.	Condition

S-1 SMALL CONSTRUCTION NOTICE OF INTENT (SCNOI):

Prior to the commencement of small construction activity, the owner or operator must complete a Small Construction Notice of Intent (SCNOI) provided at the end of this permit. The SCNOI and SWPPP described in ACT5 shall be submitted to the Mississippi Department of Environmental Quality (MDEQ) only upon request from MDEQ. However, the SCNOI and SWPPP must be maintained at the permitted site or locally available in case inspector review is necessary. Failure to complete a SCNOI prior to the commencement of construction activity or to submit a SCNOI when requested is a violation of State regulations. The SCNOI shall be retained by the owner or operator as required by ACT8, R-1 of this permit. Attachments to the SCNOI must include: A Storm Water Pollution Prevention Plan (SWPPP) and a U.S. Geological Survey quadrangle map or copy (only if required to be submitted to MDEQ) showing site location.

The owner(s) of the property and the operator(s) associated with the regulated construction activity on the property have joint and severable responsibility for compliance with the permit. Notwithstanding any permit condition to the contrary, the coverage recipient and any person who causes pollution of waters of the state or places waste in a location where they are likely to cause pollution, shall remain responsible under applicable federal and state laws and regulations, and applicable permits.

The SCNOI shall be signed in accordance with the provisions of ACT11, T-4 of this permit. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT4 (continued):

Narrative Requirements:

Condition	
No.	Condition
T-1	<p data-bbox="201 508 2016 542">WHERE TO SUBMIT THE SMALL CONSTRUCTION NOTICE OF INTENT (SCNOI), IF REQUESTED:</p> <p data-bbox="201 570 2016 604">If requested, complete and appropriately signed SCNOI forms must be submitted to:</p> <p data-bbox="201 634 2016 760">Chief, Environmental Permits Division MS Dept. of Environmental Quality, Office of Pollution Control P.O. Box 2261 Jackson, Mississippi 39225. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p> <p data-bbox="201 787 2016 821">For priority or overnight deliveries, the physical address is:</p> <p data-bbox="201 849 2016 909">515 East Amite Street Jackson, Mississippi 39201</p> <p data-bbox="201 937 2016 1000">Beginning December 21, 2020, applicants must submit the NOI electronically as required by 40 CFR 127.16 when requested by the Permit Board. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>

ACT5 (Small Construction) Storm Water Pollution Prevention Plan (SWPPP) Development and Content:

Submittal/Action Requirements:

Condition No.	Condition
S-1	<p data-bbox="199 511 493 544">SWPPP DEVELOPMENT:</p> <p data-bbox="199 576 2013 722">A site-specific SWPPP shall be developed requiring the design, installation, implementation and maintenance of effective pollution prevention measures by each owner or operator subject to this permit. A SWPPP shall be prepared in accordance with sound engineering practices and shall identify potential sources of pollution, which may reasonably be expected to affect the quality of storm water discharges associated with construction activity. The SWPPP shall describe and ensure the implementation of specific best management practices for the project site, which will reduce pollutants in storm water discharges and assure compliance with the terms and conditions of this permit.</p> <p data-bbox="199 755 2013 820">(1) The SWPPP shall be retained at the permitted site or locally available. A copy of the SWPPP must be made available to the MDEQ or MS4 inspectors for review at the time of an on-site inspection.</p> <p data-bbox="199 852 892 885">(2) BMPs shall be in place upon commencement of construction.</p> <p data-bbox="199 917 2013 998">(3) The Executive Director of MDEQ or designee will notify the owner or operator whenever he/she becomes aware that the SWPPP does not meet the minimum requirements of this permit. After notification, the owner or operator shall amend the SWPPP, implement the changes and certify in writing to the Executive Director that the requested changes have been made. Unless otherwise provided by the Executive Director, the requested changes shall be made within 15 days.</p> <p data-bbox="199 1031 2013 1096">(4) The owner or operator shall amend the SWPPP and implement the changes before there is a change in construction, operation, or maintenance, which may potentially affect the discharge of pollutants to waters of the state.</p> <p data-bbox="199 1128 2013 1183">(5) The owner or operator shall amend the SWPPP and implement the necessary changes within 15 days if the SWPPP proves to be ineffective in controlling storm water pollutants including, but not limited to, significant sediment leaving the site and non-functioning BMPs.</p>

ACT5 (continued):

Narrative Requirements:

Condition No.	Condition
T-1	<p data-bbox="199 513 422 540">SWPPP CONTENT:</p> <p data-bbox="199 574 411 602">Owner or Operator:</p> <p data-bbox="199 636 1944 695">The SWPPP shall identify the "owner or operator" as defined in ACT12 of this permit. The operator's name, complete mailing address, email address, and telephone number(s) shall be identified on the plan. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p> <p data-bbox="199 729 930 756">Erosion and Sediment Controls and Soil Stabilization Requirements:</p> <p data-bbox="199 790 1982 906">The SWPPP shall list and describe site-specific controls appropriate for the construction activities as well as the procedures for implementing such controls. Controls shall be designed to retain sediment on-site and to minimize the discharge of pollutants. If any of the below controls cannot be implemented on the project 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:</p> <ol data-bbox="199 940 1892 1182" style="list-style-type: none"> <li data-bbox="199 940 1104 967">(1) Control storm water volume and velocity within the site to minimize soil erosion; <li data-bbox="199 1002 1892 1060">(2) Control storm water discharges, including both peak flow rates and total storm water volume, to minimize channel and stream bank erosion and scour in the immediate vicinity of discharge points; <li data-bbox="199 1094 942 1122">(3) Minimize the amount of soil exposed during construction activity; <li data-bbox="199 1156 678 1183">(4) Minimize the disturbance of steep slopes.

ACT5 (continued):

Narrative Requirements:

Condition No.	Condition
T-2	<p data-bbox="199 509 554 540">SWPPP CONTENT (continued):</p> <p data-bbox="199 573 1995 662">(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;</p> <p data-bbox="199 695 1995 784">(6) Provide and maintain a 50-foot undisturbed natural buffer around waters of the United States; or provide and maintain an undisturbed natural buffer that is less than 50 feet and is supplemented by additional erosion and sediment controls which in combination achieves the sediment load reduction equivalent to a 50-foot undisturbed natural buffer. Direct storm water to vegetated areas and maximize storm water infiltration to reduce pollutant discharges, unless infeasible;</p> <p data-bbox="199 816 940 847">(7) Minimize soil compaction and, unless infeasible, preserve topsoil;</p> <p data-bbox="199 880 1976 911">(8) Direct storm water to vegetated areas, brush barriers, silt fences, hay bales, etc. to aid in the filtration, infiltration, velocity reduction and diffusion of the discharge;</p> <p data-bbox="199 943 974 974">(9) Transport runoff down steep slopes through lined channels or piping;</p> <p data-bbox="199 1006 911 1037">(10) Minimize the amount of cut and fill, and soil compaction; and</p> <p data-bbox="199 1070 764 1101">(11) Minimize off-site vehicle tracking of sediments.</p> <p data-bbox="199 1133 1995 1243">At 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 manuals of design as appropriate for Mississippi. The planning and design manual can be obtained by calling 601/961-5171 or may be found electronically on the MDEQ website, https://www.mdeq.ms.gov/water/surface-water/nonpoint-source-pollution-program/erosion-and-sediment-control-manual/.</p>

Narrative Requirements:

Condition	
No.	Condition

T-3 SWPPP CONTENT (continued):

The number and type of BMPs included in the SWPPP must reflect the specific conditions of the construction site. An effective SWPPP includes a combination of BMPs that are designed to work together. A combination of BMPs is listed below and must be included as minimum components of a SWPPP.

(1) Vegetative Practices shall be designed to preserve existing vegetation where feasible and initiate vegetative stabilization measures after land disturbing activities. Such practices may include, but are not limited to, temporary seeding, permanent seeding, mulching, sod stabilization, vegetative buffer strips, tree protection and topsoil preservation.

Soil stabilization-vegetative stabilization measures must be initiated whenever any clearing, grading, excavating or other land disturbing activities have temporarily or permanently ceased on any portion of the site and will not resume for a period of fourteen (14) days or more. The appropriate temporary or permanent vegetative practices shall be implemented immediately. For the purpose of this permit, "immediately" is interpreted to mean no later than the next work day.

The following specific practices must be included, unless infeasible (see Definitions). If any of the following practices are deemed infeasible, written justification must be included in the SWPPP.

(A) Buffer zones (see Definitions) shall be maintained between land disturbing activities and water bodies.

(B) Topsoil should be stockpiled and used in areas that will be re-vegetated. When final grade is reached it should be distributed to a minimum depth of 2 inches on 3:1 slopes and 4 inches on flatter slopes.

(C) Heavy equipment use in areas to be re-vegetated should be avoided. If compaction cannot be avoided, the top 4 inches of the soil bed should be tilled before re-vegetation. Any necessary fertilizer or other soil amendments should be added during the tilling process.

(2) 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. If a sedimentation basin is used, must be installed before initial site grading and utilize outlet structures that withdraw water from the surface and that are designed for a minimum 2-year, 24-hour storm event.

Narrative Requirements:

Condition No.	Condition
T-3	SWPPP CONTENT (continued): The following specific practices must be included, unless infeasible (see Definitions). If any of the following practices are deemed infeasible, written justification must be included in the SWPPP. (A) Steep Slopes (see Definitions) that cannot be avoided must have, at a minimum, silt fences or equivalent sediment controls for all down slope boundaries (and for those side slope boundaries deemed appropriate by individual site conditions), unless a sediment basin providing storage for a calculated volume of runoff from a 2-year, 24-hour storm or 3,600 cubic feet of storage per acre drained is provided. (B) Construction entrances/exits (see Definitions) shall be installed wherever traffic will be leaving a construction site and moving directly onto a paved public road. (C) Storm Drain Inlets-Inlets that could receive storm water from construction activities shall be protected by surrounding or covering with a filter material until final stabilization has been achieved. (D) Perimeter Controls-Natural areas shall be maintained and supplemented with silt fence and fiber rolls around project perimeter. If not feasible to maintain natural areas, a silt fence or similar controls, such as fiber rolls, are sufficient. (E) Phasing- Schedule or sequence construction activities so as to concentrate work in certain areas so as to minimize the amount of soil that is exposed at one time.

Narrative Requirements:

Condition	
No.	Condition
T-4	<p data-bbox="199 462 556 495">SWPPP CONTENT (continued):</p> <p data-bbox="199 527 2013 641">(3) Facilities discharging into impaired receiving waters (i.e., receiving stream segments which are listed on MDEQ's 303(d) List of Impaired Waters or segments for which a Total Daily Maximum Load (TMDL) has been approved) must identify the pollutant of concern(s) for the receiving stream in the SWPPP. If applicable, the SWPPP shall describe how the selected BMPs will ensure that discharges from the site will not cause or contribute to exceedance of the water quality standards in the receiving stream.</p> <p data-bbox="199 673 2013 795">(4) A description of any post-construction control measures. Post-construction control measures should be installed, as necessary, to control pollutants in storm water after construction 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, exfiltration trenches and natural depressions, constructed wetlands and retention/detention structures. Where needed, velocity dissipation devices shall be placed at detention or retention pond outfalls and along the outfall channel to provide for a non-erosive flow.</p> <p data-bbox="199 828 2013 919">(5) Proposed responsible parties (original coverage recipient or new owner or operator) shall be identified for individual lots or out-parcels that are part of a larger common plan of development or sale. If permit responsibility is retained by the original coverage recipient, a narrative description of sediment and erosion controls for subdivision lots is acceptable. Out-parcels in commercial developments must be included in the scaled site map referenced below.</p>

Narrative Requirements:

Condition	
No.	Condition

T-5 Housekeeping Practices:

The owner or operator shall design, install, implement and maintain practices appropriate to prevent pollutants from entering storm water from construction sites because of poor housekeeping. These practices must be listed in the SWPPP and located on the site map.

The owner or operator shall designate and report in the SWPPP areas for equipment maintenance and repair and concrete chute wash off; provide waste receptacles and regular collection of waste; provide adequately maintained sanitary facilities; provide protected storage areas for chemicals, paints, solvents, fertilizers, pesticides, herbicides, detergents and other potentially toxic materials; and implement spill and leak prevention practices and response procedures if spills and leaks do occur; minimize the exposure of building materials, building products, construction wastes, trash and landscape materials. These areas and specific potential pollutants shall be addressed in the SWPPP and located on the scaled site map.

The owner or operator shall provide a description of procedures for:

- (A) Sweeping or removal of sediment and other debris that has been tracked from the site or deposited from the site onto streets and other paved surfaces;
- (B) Removal of sediment or other pollutants that have accumulated in or near any sediment control measures, storm water conveyance channels, storm drain inlets, or water course conveyance within the construction site, and;
- (C) Removal of accumulated sediment that has been trapped by sediment control measures at the site, in accordance with applicable maintenance requirements covered under this permit.

The owner or operator shall also provide a description of the procedures for handling and disposing of wastes generated at the site, including, but not limited to, clearing and demolition debris, sediment removed from the site, construction and domestic waste, hazardous or toxic waste, and sanitary waste. [11 Miss. Admin. Code Pt. 6, R. 1]

Narrative Requirements:

Condition	
No.	Condition
T-6	<p>Prepare Scaled Site Map(s):</p> <p>If the construction project is a linear construction project (e.g., pipeline, road, etc.), a scaled site map is not required, however standard diagrams (e.g., cross sections showing dimensions and labeled components) of erosion and sediment controls to be used must be submitted. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>
T-7	<p>The owner or operator of a non-linear construction project shall prepare a scaled site map showing:</p> <ol style="list-style-type: none">(1) Boundaries of property and proposed construction activities, noting any phasing of construction activities,(2) Original and proposed contours (if feasible), with steep slopes (see Definitions) identified,(3) North arrow,(4) Drainage pattern arrows and storm water outfalls,(5) Location of sensitive areas, such as wetlands, perennial streams and adjacent receiving water bodies,(6) Natural buffer zones(7) Location of any storm drain inlets and any receiving MS4,(8) All erosion and sediment controls (vegetative and structural),(9) Any post-construction control measures, and(10) Location of housekeeping practices.

Narrative Requirements:

Condition	
No.	Condition
T-8	<p data-bbox="199 483 485 518">Implementation Sequence:</p> <p data-bbox="199 545 2013 609">The SWPPP shall outline an implementation sequence (including any phasing of construction activities), which coordinates the timing of all major land-disturbing activities together with the necessary erosion and sedimentation control measures planned for the project.</p>
T-9	<p data-bbox="199 638 506 672">Implementation of Controls:</p> <p data-bbox="199 699 2013 761">The SWPPP shall require the owner or operator, in disturbing an area, to implement controls as needed to prevent erosion and adverse impacts to waters of the State. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>

Narrative Requirements:

Condition	No.	Condition
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T-10 Maintenance and Weekly Inspections:

The SWPPP shall describe procedures to maintain vegetation, erosion and sediment controls and other protective measures. Procedures shall provide that all controls and outfalls/discharge points are inspected weekly for a minimum of four inspections per month in accordance with ACT6, S-4.

Any poorly functioning erosion controls or sediment controls, non-compliant discharges, or any other deficiencies observed during the inspections required under this permit shall be corrected as soon as possible, but not to exceed 24 hours of the inspection unless prevented by unsafe weather conditions as documented on the inspection form.

In the event of an unanticipated breach of a sediment basin/pond temporary containment measures shall be taken within 24 hours after the inspection. Permanent corrective measures shall be implemented within five (5) days of the inspection; however, if permanent corrective measures cannot be implemented within the timeframes provided herein the owner or operator shall contact MDEQ. [11 Miss. Admin. Code Pt. 6, R. 1]

T-11 Non-Storm Water Discharge Management:

The SWPPP must identify all allowable sources of non-storm water discharges listed in ACT2, T-5, except for flows from actual firefighting activities, which are combined with storm water discharges associated with large construction activity. Non-storm water discharges should be eliminated or reduced to the extent feasible. Wash waters must be treated in a sediment basin or alternate control that provides equivalent or better treatment prior to discharge. The SWPPP must identify and ensure the implementation of appropriate Best Management Practices (BMPs) for the non-storm water component of the discharge.

T-12 Final Stabilization:

The SWPPP shall describe procedures to achieve final stabilization (See Definitions) of all disturbed areas of the project site.

T-13 Example Storm Water Pollution Prevention Plans (SWPPPs):

Example SWPPPs are included in the Mississippi Storm Water Pollution Prevention Plan Guidance Manual for Construction Activities as well as the MDEQ Registration Form for Individual Residential Lots. The Mississippi Storm Water Pollution Prevention Plan Guidance Manual for Construction Activities is also available online at our website, <https://www.mdeq.ms.gov/water/surface-water/nonpoint-source-pollution-program/erosion-and-sediment-control-manual/>

US EPA also lists example SWPPPs on their website at: <https://www.epa.gov/npdes/developing-stormwater-pollution-prevention-plan-swppp>

Submittal/Action Requirements:

Condition	
No.	Condition
S-1	<p data-bbox="199 462 745 495">SWPPP IMPLEMENTATION REQUIREMENTS:</p> <p data-bbox="199 527 514 560">The coverage recipient shall:</p> <p data-bbox="199 584 2013 673">(1) Implement the site-specific SWPPP and retain a copy of the SWPPP at the permitted site. In cases where there is no office or shelter to maintain documents onsite, the SWPPP can be kept locally available (i.e., able to be produced within an hour of being requested by a state or local inspector). Failure to implement the SWPPP is a violation of permit requirements. A copy of the SWPPP must be made available to state or local inspectors for review at the time of an on-site inspection.</p> <p data-bbox="199 706 798 738">(2) Implement the following pre-construction activities:</p> <p data-bbox="199 771 2013 828">(A) Mark off areas of "disturbance", "no disturbance" (i.e. buffer zone), and "sensitive areas" (i.e., delineate and clearly flag or mark off areas such as steep slopes, wetlands, perennial streams and adjacent water bodies, or other sensitive areas),</p> <p data-bbox="199 860 882 893">(B) Preserve native topsoil on the site to the extent feasible, and</p> <p data-bbox="199 925 1396 958">(C) Limit construction stream crossings to the minimum necessary to provide access for the construction project.</p> <p data-bbox="199 982 1417 1015">(3) Ensure that appropriate Best Management Practices (BMPs) are in place upon commencement of construction.</p> <p data-bbox="199 1047 2013 1104">(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 the SWPPP proves to be ineffective in controlling storm water pollutants. The amended SWPPP shall be submitted within thirty (30) days of amendment.</p> <p data-bbox="199 1136 2013 1222">(5) Amend the SWPPP if notified at any time by the Executive Director of the MDEQ that the SWPPP does not meet the minimum requirements. Coverage recipient shall certify in writing to the Executive Director that the requested changes have been made. Unless otherwise provided, the requested changes shall be made within fifteen (15) days.</p>

Submittal/Action Requirements:

Condition No.	Condition
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S-2 SWPPP IMPLEMENTATION REQUIREMENTS (continued):

- (6) Install needed erosion controls even if they may be located in the way of subsequent activities, such as utility installation, grading or construction. It shall not be an acceptable defense that controls were not installed because subsequent activities would require their replacement or cause their destruction.
- (7) Install additional and/or alternative erosion and sediment controls when existing controls prove to be ineffective in preventing sediment from leaving the site.
- (8) Comply with applicable State or local waste disposal, sanitary sewer or septic system regulations.
- (9) Erosion and sediment controls shall be maintained at all times. 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 twenty-four (24) hours of discovery or as soon as field conditions allow.
- (10) If, after coverage issuance, a specific wasteload allocation is established that would apply to the facility's discharge, the facility must implement steps necessary to meet that allocation.

S-3 SWPPP COMPLIANCE WITH LOCAL STORM WATER ORDINANCES:

- (1) In addition to the requirements of this permit, 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 owner or operator must make the SWPPP available to the municipal authority upon request.

Submittal/Action Requirements:

Condition	No.	Condition
S-4		<p data-bbox="201 462 577 495">INSPECTION REQUIREMENTS:</p> <p data-bbox="201 527 2030 584">Inspection of all receiving streams (if feasible), outfalls, erosion and sediment controls and other SWPPP requirements shall be performed during permit coverage using a copy of the form provided in the general permit by qualified personnel (see Definitions).</p> <p data-bbox="201 617 1417 649">(1) after rain events that produce a discharge and at least weekly for a minimum of four inspections per month; and</p> <p data-bbox="201 682 1953 738">(2) As often as is necessary to ensure that appropriate erosion and sediment controls have been properly constructed and maintained and to determine if additional or alternative control measures are required.</p> <p data-bbox="201 771 1921 860">Before conducting the site inspection, the inspector should review Chapter 4, Inspector's Checklist and Troubleshooting Chart found in MDEQ's Field Manual for Erosion and Sediment Control on Construction Sites in Mississippi, available online at our website, https://www.mdeq.ms.gov/permits/environmental-permits-division/types-of-general-permits/</p> <p data-bbox="201 893 2030 950">MDEQ strongly recommends that coverage recipients perform a "walk through" inspection of the construction site daily to ensure controls are in place and will function properly. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>

Limitation Requirements:

Condition No.	Parameter	Condition
L-1		<p>NON-NUMERIC LIMITATIONS:</p> <p>Storm water discharges shall be free from:</p> <ol style="list-style-type: none">(1) Debris, oil, scum, and other floating materials other than in trace amounts,(2) Eroded soils and other materials that will settle to form objectionable deposits in receiving waters,(3) Suspended solids, turbidity and color at levels inconsistent with the receiving waters,4) Chemicals in concentrations that would cause violation of State Water Quality Criteria in the receiving waters. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT8 (Small Construction) Record Keeping:

Record-Keeping Requirements:

Condition No.	Condition
R-1	<p>RETENTION OF RECORDS:</p> <p>All records, reports, forms and information resulting from activities required by this permit shall be retained for a period of at least three (3) years from the date that the document(s) was generated. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>
R-2	<p>DOCUMENTATION OF INSPECTIONS:</p> <p>All inspections required by ACT6, S-4 of this permit must be documented on the Inspection and Certification Form provided at end of this permit. The form must be certified according to the signatory requirements outlined in ACT11, T-4, T-5 and T-6 of this permit. Documentation must include the day and time the inspection was performed, who performed the inspection, any deficiencies noted, and corrective action needed. Documentation of all inspections must be kept with the SWPPP. Inspections must continue until such time that planned construction activities have been completed, land disturbing activities have ceased and disturbed areas have been stabilized with no significant erosion occurring. To satisfy this requirement for linear projects, inspections may be conducted at representative locations for portions of the project that have been completed and stabilized.</p>

ACT9 (Small Construction) Termination of Permit Coverage:

Submittal/Action Requirements:

Condition	
No.	Condition
S-1	<p>TERMINATION OF PERMIT REQUIREMENTS:</p> <p>(1) If a SCNOI has not been requested by the Permit Board (SCNOI not submitted to MDEQ). Upon successful completion of all permanent erosion and sediment controls, inspections and reporting requirements are no longer required. The owner or operator must record the date of completion of all permanent erosion and sediment controls on the final inspection report.</p> <p>(2) If a SCNOI has been requested by the Permit Board (SCNOI submitted to MDEQ). Upon successful completion of all permanent erosion and sediment controls for a small construction project a written notification of such shall be submitted to the MDEQ. Permit requirements remain in effect until such time the coverage recipient receives written notice of coverage termination from MDEQ.</p>

ACT10 (Small Construction) Standard Requirements Applicable to All Water Permits:

Narrative Requirements:

Condition No.	Condition
T-1	<p>DUTY TO COMPLY:</p> <p>The coverage recipient must comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for coverage termination, revocation and reissuance, or modifications; or denial of a renewal application. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>
T-2	<p>DUTY TO MITIGATE:</p> <p>The owner or operator shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which is likely to adversely affect human health or the environment. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>
T-3	<p>DUTY TO PROVIDE INFORMATION:</p> <p>The owner or operator 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 this permit, or to determine compliance with this permit. The owner or operator shall also furnish to the Permit Board, upon request, copies of records required to be kept by this permit.</p>

Narrative Requirements:

Condition No.	Condition
T-4	<p data-bbox="199 545 577 578">SIGNATORY REQUIREMENTS:</p> <p data-bbox="199 607 934 639">All SCNOIs and Requests for Recoverage shall be signed as follows:</p> <p data-bbox="199 669 1375 701">(1) For a corporation by a responsible corporate officer. For this permit, a responsible corporate officer means:</p> <p data-bbox="199 730 1963 789">(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</p> <p data-bbox="199 818 2005 971">(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> <p data-bbox="199 1000 1984 1123">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.</p> <p data-bbox="199 1153 1638 1185">(2) For a partnership or sole proprietorship by a general partner or the proprietor, respectively; or. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p> <p data-bbox="199 1214 2005 1305">(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, Ch. 1.]</p>

ACT10 (continued):

Narrative Requirements:

Condition No.	Condition
T-5	<p data-bbox="199 511 693 544">DULY AUTHORIZED REPRESENTATIVE:</p> <p data-bbox="199 576 2013 641">All SWPPPs, reports required by this permit, certifications and other information requested by the Permit Board shall be signed by a person described in ACT 11, T-4 above, or by a duly authorized representative of that person. A person is a duly authorized representative when:</p> <ul style="list-style-type: none"> <li data-bbox="199 665 1480 698">(1) The authorization is made in writing and submitted to the Permit Board by a person described in ACT 11, T-4 above. <li data-bbox="199 722 2013 820">(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).
T-6	<p data-bbox="199 852 598 885">CHANGES IN AUTHORIZATION:</p> <p data-bbox="199 909 2013 998">If an authorization is no longer accurate because a different individual or position has permit responsibility, a new authorization satisfying the requirements of ACT 11 T-4, T-5 and T-6 must be submitted to the Permit Board prior to or together with any reports, information or applications signed by the representative. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>
T-7	<p data-bbox="199 1031 409 1063">CERTIFICATION:</p> <p data-bbox="199 1096 2013 1242">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, Ch. 1.]</p>
T-8	<p data-bbox="199 1274 787 1307">OIL AND HAZARDOUS SUBSTANCE LIABILITY:</p> <p data-bbox="199 1339 1627 1372">Nothing in this permit shall relieve the owner or operator from responsibilities, liabilities, or penalties under Section 311 of the CWA.</p>
T-9	<p data-bbox="199 1396 451 1429">PROPERTY RIGHTS:</p> <p data-bbox="199 1461 2013 1520">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.</p>

ACT10 (continued):

Narrative Requirements:

Condition No.	Condition
T-10	<p>SEVERABILITY:</p> <p>The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.</p>
T-11	<p>TRANSFERS:</p> <p>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 form provided at the end of this permit.</p>
T-12	<p>PROPER OPERATION AND MAINTENANCE:</p> <p>The owner or operator shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the owner or operator to achieve compliance with the conditions of this permit, including the Storm Water Pollution Prevention Plan. Proper operation and maintenance includes adequate laboratory controls with appropriate quality assurance procedures and requires the operation of backup or auxiliary facilities when necessary to achieve compliance with permit conditions. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>
T-13	<p>BYPASS PROHIBITION:</p> <p>Bypass (see 40 CFR 122.41(m)) is prohibited and enforcement action may be taken against an owner or operator for a bypass, unless: a) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; b) 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 owner or operator 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 c) The owner or operator submitted notices per ACT 11, T-17 and/or T-18.</p>

ACT10 (continued):

Narrative Requirements:

Condition No.	Condition
T-14	<p data-bbox="199 511 462 544">UPSET CONDITIONS:</p> <p data-bbox="199 576 2013 787">An upset is an exceptional incident in which there is unintentional and temporary noncompliance. An upset (see 40 CFR 122.41(n)) constitutes an affirmative defense to an action brought for noncompliance with technology-based permit limitations if a coverage recipient shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that: 1) An upset occurred and the coverage recipient can identify the specific cause(s) of the upset, 2) The permitted facility was at the time being properly operated, 3) The coverage recipient submitted notices per ACT 11, T-17 and/or T-18 and 4) The coverage recipient took remedial measures as required under ACT 11, T-2. In any enforcement proceeding, the coverage recipient has the burden of proof that an upset occurred. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.</p>
T-15	<p data-bbox="199 820 483 852">RELEASE REPORTING:</p> <p data-bbox="199 885 2013 941">Releases into the environment of hazardous substances, oil, and pollutants or contaminants, which pose a threat to applicable water quality standards or causes a film, sheen or discoloration of State waters, shall be reported to the:</p> <ul data-bbox="199 974 1102 1031" style="list-style-type: none"> - Mississippi Emergency Management Agency (601) 933-6362 or (800) 222-6362; or - National Response Center (800) 424-8802. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-16	<p data-bbox="199 1063 588 1096">NONCOMPLIANCE REPORTING:</p> <p data-bbox="199 1128 2013 1185">(1) Anticipated Noncompliance. The owner or operator shall give at least 10 days advance notice, if possible, before any planned noncompliance with permit requirements. Giving notice of planned or anticipated noncompliance does not immunize the owner or operator from enforcement for that noncompliance.</p> <p data-bbox="199 1218 2013 1334">(2) Unanticipated Noncompliance. The owner or operator shall notify the MDEQ orally within 24 hours from the time he or she becomes aware of unanticipated noncompliance. A written report shall be provided to the MDEQ within five (5) working days of the time he or she becomes aware of the circumstances. The report shall describe the cause, the exact dates and times, steps taken or planned to reduce, eliminate, or prevent reoccurrence and, if the noncompliance has not ceased, the anticipated time for correction.</p>

Narrative Requirements:

Condition No.	Condition
T-17	<p data-bbox="199 511 525 544">INSPECTION AND ENTRY:</p> <p data-bbox="199 568 2013 633">The owner or operator shall allow the Permit Board staff or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:</p> <ul style="list-style-type: none"> <li data-bbox="199 665 2013 698">(1) enter upon the owner's or operator's premises where a regulated activity is located or conducted or where records must be kept under the conditions of this permit; <li data-bbox="199 722 2013 755">(2) have access to and copy at reasonable times any records that must be kept under the conditions of this permit; and <li data-bbox="199 787 2013 820">(3) inspect at reasonable times any facilities or equipment. <li data-bbox="199 852 2013 909">(4) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-18	<p data-bbox="199 941 430 974">PERMIT ACTIONS:</p> <p data-bbox="199 998 2013 1063">This permit may be modified, revoked and reissued, or terminated for cause. A request by the owner or operator for permit or 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.]</p>
T-19	<p data-bbox="199 1096 451 1128">REOPENER CLAUSE:</p> <p data-bbox="199 1153 2013 1242">If there is evidence indicating potential or realized impacts on water quality due to construction activities covered by this permit, the owner or operator may be required to obtain an individual permit or an alternative general permit in accordance with ACT 3, S-2 or the permit may be modified to include different limitations and/or requirements. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>
T-20	<p data-bbox="199 1274 504 1307">PERMIT MODIFICATION:</p> <p data-bbox="199 1331 2013 1367">Permit modification or revocation will be conducted according to 40 CFR 122.62, 122.63, 122.64 and 124.5. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>

ACT10 (continued):

Narrative Requirements:

Condition	
No.	Condition
T-21	<p data-bbox="199 511 2009 544">CIVIL AND CRIMINAL LIABILITY:</p> <p data-bbox="199 568 2009 641">(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 the Mississippi Air and Water Pollution Control Law.</p> <p data-bbox="199 665 2009 738">(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.</p> <p data-bbox="199 763 2009 820">(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, Ch. 1.]</p>

ACT11 (Small Construction) Definitions:

Narrative Requirements:

Condition No.	Condition
T-1	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 practice to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-2	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, lakes, wetlands, etc. 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.
T-3	CFR means the Code of Federal Regulations.
T-4	COMMENCEMENT OF CONSTRUCTION ACTIVITIES means the initial disturbance of soils associated with clearing, grading, grubbing, or excavating activities or other construction-related activities. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-5	COMPACTION means the process by which the soil grains are rearranged to decrease void space and bring the grains into closer contact with one another and thereby increase the weight of solid material per cubic foot.
T-6	CONSTRUCTION ACTIVITY as used in this permit, includes construction activity as defined in 40 CFR part 122.26(b)(14)(x). This includes a disturbance to the land that results in the change in topography, existing soil cover (both vegetative and non-vegetative), or the existing topography that may result in accelerated storm water runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. Examples of construction activity may include clearing, grading, grubbing, filling and excavating. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-7	CONSTRUCTION ENTRANCE/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.
T-8	CONTROL MEASURE as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the State. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-9	CLEAN WATER ACT (CWA) refers to the Federal Water Pollution Control Act, 33 U.S.C. section 1251 et seq.

Narrative Requirements:

Condition No.	Condition
T-10	DISCHARGE OF STORM WATER ASSOCIATED WITH SMALL CONSTRUCTION ACTIVITY as used in this permit, refers to a discharge of pollutants in storm water runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavation), construction materials or equipment storage or maintenance (e.g., fill piles, borrow area, concrete truck washout, fueling), or other industrial storm water directly related to the construction process (e.g., concrete) are located.
T-11	EXECUTIVE DIRECTOR means the Executive Director of the Department of Environmental Quality. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-12	FACILITY OR ACTIVITY means any NPDES "point source" or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-13	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.
T-14	HIGHLY ERODIBLE SOILS can be identified in the State of Mississippi's County Soil Surveys developed by the National Resources Conservation Service (NRCS).
T-15	INFEASIBLE means not technologically possible, or not economically practicable, and achievable in light of best industry practices.
T-16	LARGE CONSTRUCTION ACTIVITY includes clearing, grading, grubbing, and excavating resulting in a land disturbance that will disturb equal to or greater than five (5) acres of land or will disturb less than five (5) acres of total land area but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than five (5) acres. Large construction activity is covered by the Large Construction General Permit. [11 Miss. Admin. Code Pt. 6, Ch. 1.]
T-17	LARGER COMMON PLAN OF DEVELOPMENT OR SALE means a contiguous area where multiple separate and distinct construction activities are occurring under one plan. The plan in a common plan of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that construction activities may occur on a specific plot. [11 Miss. Admin. Code Pt. 6, Ch. 1.]

ACT11 (continued):

Narrative Requirements:

Condition No.	Condition
T-18	<p>LINEAR PROJECT includes the construction of roads, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-19	<p>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).</p>
T-20	<p>NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) means the National Pollutant Discharge Elimination System, which is a program administered under the authority of the Clean Water Act that prohibits the discharge of pollutants into waters of the United States unless a special permit is issued. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>
T-21	<p>OWNER OR OPERATOR for the purpose of this permit and in the context of storm water associated with construction activity, means any party associated with a construction project that meets either of the following two criteria:</p> <p>(1) The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or</p> <p>(2) The party has day to day operational control of those activities at a project which are necessary to ensure compliance with a storm water pollution prevention plan for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with other permit conditions). This definition is provided to inform coverage recipients of MDEQ's interpretation of how the regulatory definitions of "owner or operator" and "facility or activity" are applied to discharges of storm water associated with construction activity. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>
T-22	<p>PERMIT BOARD means the Mississippi Environmental Quality Permit Board established pursuant to Miss. Code Ann. 49-17-28.</p>
T-23	<p>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.</p>

Narrative Requirements:

Condition	Condition
T-24	<p>QUALIFIED PERSONNEL means a person knowledgeable in the principles and practice of erosion and sediment controls who possesses the skills to assess conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges from the construction activity.</p>
T-25	<p>SCNOI is an acronym for Small Construction Notice of Intent. A Notice of Intent is the mechanism used to apply for coverage under a general permit.</p>
T-26	<p>SMALL CONSTRUCTION ACTIVITY is defined at 40 CFR 122.26(b)(15) and incorporated here by reference. A small construction activity includes clearing, grading, grubbing, and excavating resulting in a land disturbance that will disturb equal to or greater than one (1) acre and less than five (5) acres of land or will disturb less than one (1) acre of total land area but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than one (1) acre and less than five (5) acres. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>
T-27	<p>STATE LAW means The Mississippi Air and Water Pollution Control Law, specifically, Miss. Code Ann 49-17-1 through 49-17-43, and any subsequent amendments. [11 Miss. Admin. Code Pt. 6, R. 1].</p>
T-28	<p>STEEP SLOPES, as used in this permit, means slopes or grades steeper than (3:1).</p>
T-29	<p>STORM WATER ASSOCIATED WITH CONSTRUCTION ACTIVITY as used in this permit, refers to a discharge of pollutants in storm water from areas where soil disturbing activities (e.g., clearing, grading, grubbing, or excavation), construction materials or equipment storage or maintenance (e.g., stock piles, borrow area, concrete truck chute wash down, fueling) are located.</p>
T-30	<p>STORM WATER means rainfall runoff, snowmelt runoff, and surface runoff. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>
T-31	<p>STORM WATER POLLUTION PREVENTION PLAN (SWPPP) means a plan that includes site map(s), an identification of construction/contractor activities that could cause pollutants in the storm water, and a description of measures or practices to control these pollutants. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>
T-32	<p>SUCCESSFUL COMPLETION OF ALL PERMANENT EROSION AND SEDIMENT CONTROLS means when land disturbing construction activities have been completed and disturbed areas have been stabilized with no significant erosion occurring. [11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>

ACT11 (continued):

Narrative Requirements:

Condition No.	Condition
T-33	TEMPORARY STABILIZATION means practices such as seeding, mulching and erosion control blankets or mats that are used to stabilize exposed areas in which construction activity has been temporarily suspended. [11 Miss. Admin. Code Pt. 6, R. 1]
T-34	TOPSOIL means the top layer of undisturbed soil, consisting of a high percentage of organic matter, which is conducive to plant growth.
T-35	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.
T-36	TURBIDITY is an expression of the optical property that causes light to be scattered and absorbed rather than transmitted with no change in direction of flux level through the sample caused by suspended and colloidal matter such as clay, silt, finely divided organic and inorganic matter and plankton and other microscopic organisms.
T-37	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]
T-38	WATERS OF THE STATE means all waters within the jurisdiction of this State, including all streams, lakes, ponds, wetlands, impounding reservoirs, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, situated wholly or partly within or bordering upon the State, and such coastal waters as are within the jurisdiction of the State, except lakes, ponds, or other surface waters which are wholly landlocked and privately owned, and which are not regulated under the Federal Clean Water Act (33 U.S.C.1251 et seq.).
T-39	11 Miss. Admin. Code Pt. 6, Ch. 1. means the Mississippi Commission on Environmental Quality National Pollutant Discharge Elimination System (NPDES) Permits, Underground Injection Control (UIC) Permits, State Permits, Water Quality Based Effluent Limitations and Water Quality Certification.

Submit only upon request from MDEQ



SMALL CONSTRUCTION NOTICE OF INTENT (SCNOI)

GENERAL NPDES PERMIT MSR15 ____ (Number to be assigned by MDEQ if submitted)

Prior to the commencement of small construction activity (see Small Construction General Permit ACT11, T-17), the owner or operator of a small construction project must complete this form and develop a Storm Water Pollution Prevention Plan (SWPPP) as required by ACT5 of Mississippi's Small Construction General Permit. **This SCNOI and SWPPP shall be submitted to the Mississippi Department of Environmental Quality (MDEQ) only upon request from MDEQ; however, the SCNOI and SWPPP must be maintained at the permitted site or locally available in case inspector review is necessary.** Attachments with this SCNOI must include: a USGS quad map or copy showing site location (only if required to be submitted to MDEQ) and a Storm Water Pollution Prevention Plan (SWPPP). All questions must be answered – answer "NA" if the question is not applicable.

PROJECT INFORMATION

OWNER CONTACT PERSON:

OWNER COMPANY NAME:

OWNER STREET (P.O. BOX):

OWNER CITY:

STATE: _____ ZIP: _____

OWNER PHONE # (INCLUDE AREA CODE):

OPERATOR (if different from owner) CONTACT PERSON:

OPERATOR COMPANY:

OPERATOR STREET (P.O. BOX):

OPERATOR _____ CITY: _____

STATE: _____ ZIP: _____

OPERATORPHONE # (INCLUDE AREA CODE):

PROJECT NAME: _____

DESCRIPTION OF CONSTRUCTION ACTIVITY: _____

ACREAGE DISTURBED (to be covered by this permit, area must be less than five (5) acres): _____

PHYSICAL SITE ADDRESS (If not available, indicate the nearest named road. For linear projects, indicate the beginning of the project and identify all counties the project traverses.):

STREET: _____

CITY: _____ COUNTY: _____ ZIP: _____

NEAREST NAMED RECEIVING STREAM: _____

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.

Signature¹

Date Signed

Printed Name

Title

¹This application shall be signed according to the Small Construction General Permit, ACT10, T-4.

If requested, please submit this form to:

Chief, Environmental Permits Division
MDEQ, Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225