



**State of Mississippi
Mississippi Department of Environmental Quality
Office of Pollution Control**



SOLID WASTE MANAGEMENT GENERAL PERMIT

**TO OPERATE A SOLID WASTE MANAGEMENT SITE IN ACCORDANCE WITH THE REGULATIONS
GOVERNING SOLID WASTE MANAGEMENT**

THIS CERTIFIES THAT

Persons granted a *Certificate of Coverage* under this permit
are granted permission to operate a

BIOSOLIDS LAND APPLICATION SITE

This permit is issued in accordance with the provisions of the Mississippi Code, Annotated, and
the regulations and guidelines adopted and promulgated thereunder.

Mississippi Environmental Quality Permit Board

Authorized Signature

Mississippi Department of Environmental Quality

Issued: September 8, 2015

Permit No. SWGP-BLA

Expires: August 31, 2025

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Biosolids Land Application Site General Permit
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ACT 1 Introduction:

Narrative Requirements:

Condition No.	Condition
T-1	This Solid Waste General Permit authorizes the operation of a biosolids (treated municipal wastewater sludges) land application site as defined by the Mississippi Nonhazardous Solid Waste Management Regulations (11 Mississippi Administrative Code Part 4, Chapter 1).
T-2	Operation of a biosolids land application site without an individual permit or coverage under a general permit is a violation of state law, except for the land application of exceptional quality biosolids that have been determined by the Mississippi Department of Environmental Quality (Department) to meet the qualifications required for a beneficial use determination and other exceptions that may be provided in state regulations.
T-3	This permit is issued in accordance with the provisions of the Mississippi Nonhazardous Solid Waste Management Regulations for the group of sites that involve the land application of biosolids and have similar operating requirements and restrictions.
T-4	Terms used in this permit are defined in Rule 1.1.C. of the Mississippi Nonhazardous Solid Waste Management Regulations and are incorporated herein by reference.
T-5	Any person receiving coverage under this general permit shall hereafter be referred to as the “permittee” in this document. The permittee shall comply with the conditions of this general permit. Any changes, alterations or modifications of the Mississippi Nonhazardous Solid Waste Management Regulations which pertain to the conditions of this general permit shall supersede and replace the affected conditions of this general permit. In such instances the permittee shall comply with the altered conditions of the Mississippi Nonhazardous Solid Waste Management Regulations.

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ACT 2 Coverage Under This Permit:

Narrative Requirements:

Condition No.	Condition
T-1	<p>Permit Area:</p> <p>This permit covers all areas of the State of Mississippi.</p>
T-2	<p>Eligibility:</p> <p>This permit covers all biosolids land application sites except for those sites where an individual permit, coverage under an alternate general permit, or beneficial use determination has been determined appropriate by the Department.</p>
T-3	<p>Effect of Permit:</p> <p>The permittee shall operate the site in accordance with state regulations, applicable federal regulations and the conditions of this permit.</p>
T-4	<p>Permit Actions:</p> <p>A certificate of coverage issued under this permit may be modified, revoked and reissued, or terminated for just cause. The filing of a request for modifications, revocation and reissuance, or termination of a certificate of coverage does not stay the applicability or enforceability of any permit condition contained herein.</p>
T-5	<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>

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ACT 2 (continued):

Narrative Requirements:

Condition No.	Condition
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T-6

Duty to Comply:

Any permit noncompliance constitutes a violation of the solid waste laws and the regulations promulgated thereunder and is grounds for enforcement action or coverage termination.

T-7

Duty to Mitigate:

The permittee shall take all reasonable steps to minimize, prevent, and/or correct any adverse impact on human health and the environment resulting from noncompliance with this permit.

T-8

Duty to Provide Information:

The permittee shall furnish to the Department, within a reasonable time, any relevant information which the Department may request to determine compliance with this permit.

T-9

Inspection and Entry:

The permittee is responsible for insuring that the property owner of the site allows an authorized representative of the Department, upon the presentation of credentials and other documents as may be required by law to:

1. Enter onto the owner's premises where a regulated activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy at reasonable times any records that must be kept under the conditions of this permit;

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ACT 2 (continued):

Narrative Requirements:

Condition No.	Condition
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- 3. Inspect at reasonable times any sites, equipment, practices and/or operations;
- 4. Sample and/or monitor at reasonable times for the purposes of assuring permit compliance.

T-10 Property Rights:

It is the responsibility of the permittee to possess or acquire a sufficient interest in or right to the use of the property for which the certificate of coverage is issued, including the access route.

The issuance of coverage under this permit does not convey any property rights or interest in either real or personal property; nor does it authorize any injury to private property, invasion of personal rights, or impairment of previous contract rights; nor any infringement of Federal, State or local laws or regulations outside the scope of the authority under which this coverage is issued.

ACT 3 Obtaining Coverage:

Submittal/Action Requirements:

Condition No.	Condition
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S-1 Application Submittal:

Persons seeking coverage or re-coverage under this Statewide General Permit for a proposed or existing biosolids land application site shall submit a completed application for the biosolids land application site in accordance with the Mississippi Nonhazardous Solid Waste

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ACT 3 (continued):

Submittal/Action Requirements:

**Condition
No.**

Condition

S-1 **Application Submittal (continued):**

Management Regulations. Any person who fails to submit an application and who operates a biosolids land application site without an individual permit, coverage under the appropriate general permit, a beneficial use determination, or an exemption issued by the Department is in violation of state law.

S-2 **Disclosure Statement Requirements:**

Any applicant for coverage under this general permit shall submit a disclosure statement to the Mississippi Environmental Quality Permit Board (Permit Board) or the Board's designee as set forth in state law and regulations with an application for permit coverage. In addition, an annual update of the Disclosure Statement shall be submitted in accordance with ACT 7, S-1, 7. Indicating any changes implemented within the preceding calendar year within management, debt liabilities, lien holder or other required disclosure information of the permittee company or parent corporation. Submittal of updated information shall occur no later than February 28 of the following year. This permit condition does not apply to applicants that are public agencies.

If the permittee executes a contract with a private entity to operate the site, a complete disclosure form for the contractor shall be submitted to the Permit Board or the Board's Designee prior to the contractor beginning operation as set forth in state law and regulations.

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ACT 3 (continued):

Narrative Requirements:

Condition No.	Condition
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T-1 Authorization:

Applicants are authorized to operate the land application site under the terms and conditions of this permit upon receipt of a Certificate of Coverage. Upon review of the application, the Permit Board or the Board's designee may issue or deny coverage, require an individual permit, or require coverage under an alternate general permit.

T-2 Requiring an Individual Permit or Alternate General Permit:

1. The Permit Board or the Board's designee may require any applicant for coverage or any permittee to apply for and obtain either an individual permit or coverage under an alternate general permit with just cause which includes but is not limited to evidence indicating significant potential or realized adverse impacts on human health or the environment due to an activity or site covered by this permit. If a person fails to submit the required application by the date specified by the Permit Board, the Permit Board or the Board's designee may terminate coverage under this general permit.
2. Any applicant for permit coverage or permittee may alternatively apply for an individual permit or request coverage under another applicable general permit. In such instances, the person shall submit an application for an individual permit or for a certificate of coverage under another general permit to the Department.
3. Coverage under this permit is automatically terminated upon the issuance or coverage date of the respective individual or certificate of coverage under an alternate general permit. When an individual permit or coverage under an alternate general permit is denied, coverage under this permit continues unless terminated by the Permit Board or the Board's designee.

T-3 Signature Requirements:

An application for the issuance, re-issuance, modification or transfer of this coverage and all reports required by this permit or applicable state regulations or other information requested by the Permit Board or the Department shall be signed as follows:

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ACT 3 (continued):

Narrative Requirements:

Condition No.	Condition
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1. For a corporation: a president, vice-president, secretary, or treasurer 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;
2. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;
3. For a municipality, county, state, federal, or other public agency: either a principal executive officer or ranking elected official;
4. The signature of a Duly Authorized Representative (DAR) shall be a valid signature under this permit, in lieu of the signatures described within this condition, provided the following conditions are met:
 - a. The DAR is an employee of the applicant and/or the permittee
 - b. The DAR is identified to the Department by the ranking officer of the corporation, partnership, proprietorship, municipality, county, state, federal or other public agency.
 - c. The DAR is responsible for the overall management of the site.

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ACT 4 Coverage Transfer, Expiration, Reissuance, and Modification:

Narrative Requirements:

Condition
No.

Condition

T-1

Coverage Transfer:

A transfer of coverage under this permit shall be made prior to any sale, conveyance, or assignment of the rights in the coverage held by the permittee.

Any change of more than 50 percent of the equity ownership of the permittee over a sustained period resulting in a new majority owner shall constitute a transfer. A new majority owner for the purposes of this condition shall be an individual, partnership, company, or group of affiliated companies.

A request for coverage transfer shall be submitted on forms provided by the Department. The transfer must be approved by the Permit Board or the Board's Designee.

T-2

Expiration and Reissuance:

At expiration this general permit may be reissued at the discretion of the Permit Board. Upon reissuance, if the permittee intends to maintain permit coverage for an existing biosolids land application site under the general permit, the permittee must complete and return an application for recoverage as established by ACT 3, S-1 by a date identified by the Department. The date selected by the Department will provide the permittee at least 90 days to file a completed application for recoverage. Failure to submit a complete application for recoverage by the date specified by the Department shall be considered as grounds to terminate the coverage of the permittee.

Any person dissatisfied with the conditions of the reissued general permit may apply for an individual permit or coverage under an alternate general permit in accordance with ACT 3, T-2 of this permit.

If this permit is not reissued or otherwise acted upon prior to the expiration date, the general permit will be considered administratively continued and remain in force and effect.

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ACT 4 (continued):

Narrative Requirements:

Condition No.	Condition
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T-3	Modification:
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After issuance of a certificate of coverage under this general permit, any proposed modification to the approved application or plan of operation resulting in an expansion or in a significant change in the method of waste management as determined by the Department must be approved by the Permit Board, the Board's designee or the Department, where appropriate, prior to implementation of the modification.

ACT 5 Operating Requirements:

Limitation Requirements:

Condition No.	Condition
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L-1	Authorized Wastes
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Land application activity at a site covered by this permit shall be limited to biosolids from sources specifically approved by the Department. Such biosolids must comply at a minimum with the Class B pathogen requirements in 40 CFR 503.32 and with the monitoring and analysis requirements of ACT 6 of this general permit prior to land application.

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ACT 5 (continued):

Narrative Requirements:

Condition
No.

Condition

T-1

Site Operation:

1. The permittee shall conduct the land application of biosolids in a manner that complies with Rule 1.8 of the Mississippi Nonhazardous Solid Waste Management Regulations and with the 40 CFR 503- Standards for the Use and Disposal of Sewage Sludge, which have been incorporated and adopted in the Mississippi Nonhazardous Solid Waste Management Regulations by reference.
2. The permittee shall insure that access to fields utilized for land application is reasonably controlled to restrict unauthorized personnel from entering the land application areas during operation and also for at least 12 months following the previous application.
3. The permittee shall insure that biosolids being land applied under this permit have been treated or otherwise managed in accordance with one of the vector attraction reduction requirements in 40 CFR 503.33.(b).(1)-(10).
4. The permittee shall insure that all biosolids transported to the site of application are applied on the same day as received. Any biosolids that cannot be applied on the same day shall be removed and disposed at another permitted land application site or permitted disposal facility or otherwise managed in a manner approved by the Department.
5. In the application for coverage under this permit, the applicant should designate the primary method(s) of land application from the following acceptable methods:
 - a. incorporation into the soil,
 - b. injection below the land surface, or
 - c. other appropriate means of application as approved by the Department.

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ACT 5 (continued):

Narrative Requirements:

Condition No.	Condition
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6. The permittee shall insure that the land application of biosolids is conducted by the specified method described in the approved permit coverage application. When land application by incorporation is the approved method for the site, the permittee shall insure that incorporation is accomplished by applying the wastes uniformly and disking or plowing until the waste is adequately turned under the soil or thoroughly mixed with the soil. The permittee shall also insure that incorporation is accomplished during or immediately following application.
7. The permittee shall insure that land application activities are conducted in a manner to prevent objectionable offsite odors, vectors, and other offsite nuisances.
8. The permittee shall insure that grazing by animals is restricted during the land application of the biosolids and for 30 days thereafter.
9. The permittee shall insure that no food crops with harvested parts above the surface are planted at a site that has received biosolids until at least 18 months have passed from the date of the last application. For food crops with harvested parts below the surface, the permittee shall refer to 40 CFR 503.32 for guidance on the harvesting schedule following application of biosolids. For all other crops grown for indirect human consumption, the permittee shall insure that at least 30 days have passed between the date of the last application and the date the crop is planted.
10. The permittee shall insure that no biosolids are applied to grounds saturated due to irrigation, precipitation, flooding, or other similar events. Saturation may be determined by digging a hole one-foot deep at the lowest point of the ground and observing for 30 minutes. If water appears in the hole, the ground is considered to be saturated.
11. The permittee should insure that the land application activity is conducted in a manner that prevents contaminants from entering any surface water or groundwater as a result of rainfall runoff or infiltration to a degree that would cause a violation of any water quality standard established by the Department.

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ACT 5 (continued):

Narrative Requirements:

Condition
No.

Condition

12. The permittee shall insure that biosolids are land applied in a hydrologic section where the historic high water table is at a safe depth below the zone of incorporation.
13. The permittee shall insure that biosolids are not land applied to areas located within the floodway or special flood hazard areas (100-year flood plain) during the period from November through April unless otherwise approved by the Department. The boundaries of these areas shall be determined based on the delineation of the floodway and the special flood hazard areas according to the most recent Federal Emergency Management Agency Flood Insurance Rate Maps.
14. The permittee shall maintain a setback distance of 300 feet from any inhabited residence unless otherwise approved by the Department in the permit coverage application. In areas where the Permit Board or Board's designee requires a greater setback, the permittee shall comply with that approved setback distance.
15. The permittee shall insure that biosolids are not applied on delineated wetland areas, unless such application is conducted in accordance with the requirements of the U.S. Army Corps of Engineers and/or the U.S. Department of Agriculture Soil Conservation Service.
16. The permittee shall maintain a setback distance of 200 feet from the edge of waste application to the property line unless an alternate setback is approved by the Permit Board or the Board's designee.
17. The permittee shall maintain a setback distance of 250 feet between the land application area and the banks of any river, stream, lake, reservoir or coastal water unless the Permit Board or the Board's designee approves an alternate setback distance due to site specific conditions. In such instances, the permittee shall comply with the approved alternate setback distance.

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ACT 6 Testing and Monitoring Requirements:

Narrative Requirements:

Condition
No.

Condition

T-1

Testing and Monitoring:

1. The permittee shall obtain analyses for each source of biosolids accepted at a site-specific frequency according to the amount of sludge applied per 365-day period as listed below and outlined in 40 CFR 503.16.

Amount of Sewage Sludge (metric tons/short tons per 365 day period)

Frequency

Greater than zero but less than 290/319

Once per year.

Equal to or greater than 290/319 but less than 1,500/1,653

Once per quarter (four times per year).

Equal to or greater than 1,500/1,653 but less than 15,000/16,534

Once per 60 days (six times per year).

Equal to or greater than 15,000 /16,534

Once per month (12 times per year).

2. The permittee shall insure that all biosolids and soil samples taken per the requirements of ACT 6 are representative of the monitored activities.
3. The permittee may be required to conduct additional analysis or analysis on an increased frequency of biosolids and/or receiving soils by the Department should conditions warrant.

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ACT 6 (continued):

Narrative Requirements:

Condition
 No.

Condition

T-2 Biosolids Loading Rates and Limitations:

1. A cover crop from the list below must be proposed in the application for coverage under this permit and approved by the Department to be grown on the permitted land application site. The permittee must obtain Department approval prior to changing the approved cover crop and the biosolids application rates. In addition, the permittee must obtain Department approval prior to growing a cover crop at the permitted site not included in the list below.

<u>Crop</u>	<u>Maximum PAN (Lbs/Acre/Year)</u>
Bahia Grass	160
Bermuda Grass	300
Fescue	120
Cotton	180
Corn	240
Clover, Alfalfa, Vetch	450
Grain Sorghum	180
Silage Sorghum	300
Millet	150
Rye Grass	220
Soybeans	300
Wheat	135

2. The permittee shall insure that biosolids are applied at the permitted site at an agronomic rate not to exceed the Maximum Plant Available Nitrogen (PAN) for the approved cover crop as identified above unless otherwise approved by the Department. The permittee must also obtain Department approval prior to the application of biosolids in excess of the annual PAN rates for the purposes of double cropping at a permitted site.

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ACT 6 (continued):

Narrative Requirements:

Condition
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3. The permittee shall insure that the annual application rate for Cadmium does not exceed 0.45 lbs/acre/year, unless otherwise approved by the Department.
4. The permittee shall insure that the concentration of any pollutant (dry weight basis) in biosolids to be land applied does not exceed the following ceiling concentration levels as specified in 40 CFR 503.13.

<u>Pollutant</u>	<u>Ceiling Concentration (milligrams per kilogram)</u>
Arsenic	75
Cadmium	85
Copper	4300
Lead	840
Mercury	57
Molybdenum	75
Nickel	420
Selenium	100
Zinc	7500

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ACT 6 (continued):

Narrative Requirements:

Condition
No.

Condition

5. The permittee shall insure that the cumulative (life-time) application of pollutants does not exceed the following levels as specified in 40 CFR 503.13 during the life of the site.

Cumulative Pollutant Loading Rates

<u>Pollutant</u>	<u>Pounds per Acre</u>
Arsenic	36
Cadmium	34
Copper	1338
Lead	267
Mercury	15
Nickel	374
Selenium	89
Zinc	2497

6. The permittee may be required to comply with limitations on the loading rates of contaminants additional to those listed in ACT 6, T-2 of this general permit when determined necessary by the Department to protect the environment and public health. As a result of this determination, the permittee may also be required to apply for coverage under an individual permit.

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ACT 6 (continued):

Narrative Requirements:

Condition No.	Condition
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T-3	Soil Monitoring:
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1. The permittee shall annually, after the final application of the year or on the schedule in the approved application, obtain at least one composite soil sample from each field of a permitted site on which biosolids were applied. The soil samples shall be analyzed for pH, nitrate, total arsenic, total cadmium, total copper, total lead, total mercury, total nickel, total selenium, total zinc, and fecal coliform. Annual soil sampling is not required for sites on which biosolids were not applied during the year.
2. The permittee shall adequately monitor the soil pH and maintain the soil pH at or above 6.5 for all fields receiving biosolids, unless otherwise authorized by the Department.

ACT 7 Recordkeeping and Reporting Requirements:

Recordkeeping Requirements:

Condition No.	Condition
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R-1	The permittee shall maintain records of all monitoring information including copies of all reports and records required by the permit for a period of no less than (5) years. Such records shall be made available by the permittee to the Department for inspection upon request. These records shall include the following information:
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1. the dates, specific locations, and times of sampling or measurements;
2. the persons who performed the sampling or measurements;
3. the date(s) analyses were performed;

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ACT 7 (continued):

Recordkeeping Requirements:

Condition No.	Condition
	<ul style="list-style-type: none">4. the person or contract lab who performed all analyses;5. the analytical techniques or methods used; and6. the results of all analyses and monitoring.
R-2	The permittee shall maintain records describing the date(s) and areas on which biosolids were applied, the quantity and source of biosolids applied and the types of crops grown on each area.
R-3	Where the permittee has a contractor conducting operations of the site, the permittee shall maintain records of any existing, new or modified contracts between the permittee and the contractor concerning operational control of the site. Such records shall be made available by the permittee to the Department for inspection upon request.

Submittal/Action Requirements:

Condition No.	Condition
S-1	<p>Annual Report:</p> <p>The permittee shall submit an annual report to the Department on or before February 28th of the following calendar year, which includes the following information:</p> <ul style="list-style-type: none">1. the site name, address and certificate of coverage number;2. the source(s) of biosolids received for land application including facility name, city, county and state of origin;3. the total quantity, by weight in tons, of biosolids land applied;

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ACT 7 (continued):

Submittal/Action Requirements:

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4. the total permitted land application area and total number of sites or fields within the permitted application area;
5. the total area used for land application during the calendar year;
6. the name and/or number of sites/fields used and the type of crops grown on those fields during the calendar year;
7. analytical results, other submittals or information as required by this general permit, 40 CFR 503 and/or the Department;
8. updated disclosure information, where applicable; and
9. a demonstration of compliance with the pathogen and vector attraction reduction requirements in 40 CFR 503.32 and 40 CFR 503.33.(b).(1)-(10), respectively. A signed and dated certification statement must accompany this demonstration as described in 40 CFR 503.17.