



State of Mississippi  
Mississippi Department of Environmental Quality (MDEQ)



## LARGE CONSTRUCTION GENERAL PERMIT

FOR LAND DISTURBING ACTIVITIES OF FIVE (5) OR MORE ACRES

### THIS CERTIFIES THAT

PROJECTS ISSUED A CERTIFICATE OF COVERAGE UNDER THIS PERMIT ARE GRANTED PERMISSION TO DISCHARGE 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: January 13, 2017

Expires: December 31, 2021

Permit No. MSR10

Large Construction Storm Water General Permit  
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**ACT1 (LCGP) Introduction:**

Narrative Requirements:

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Condition

No.            Condition

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T-1            The Large Construction General Permit (LCGP) authorizes storm water discharges from construction activities five (5) acres or greater or less than five (5) acres if part of a "larger common plan of development or sale" (see Definitions). 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. This permit replaces the previous Large Construction General Permit that expired on December 31, 2015. [11 Miss. Admin. Code Pt. 6, R. 1]

**ACT2 (LCGP) Permit Applicability and Coverage:**

Narrative Requirements:

Condition No.	Condition
T-1	<p>PERMIT AREA:</p> <p>The Large Construction General Permit covers all areas of the State of Mississippi. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-2	<p>ELIGIBILITY:</p> <p>(1) Discharges composed entirely of storm water and allowable non-storm water discharges (see ACT5, T-14 for additional requirements) from construction activity, including clearing, grading, grubbing, excavating and other land disturbing activities of five (5) or more acres or less than five (5) acres if part of a "larger common plan of development or sale" (see Definitions).</p> <p>(2) Allowable Non-Storm Water Discharges:</p> <ul style="list-style-type: none"> <li>(A) Discharges from actual fire-fighting activities</li> <li>(B) Fire hydrant flushing</li> <li>(C) Water used to control dust</li> <li>(D) Potable water sources including uncontaminated water line flushing</li> <li>(E) Routine external building wash down that does not use detergents</li> <li>(F) Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used</li> <li>(G) Uncontaminated air conditioning or compressor condensate</li> <li>(H) Uncontaminated ground water or spring water</li> <li>(I) Foundation or footing drains where flows are not contaminated with process materials such as solvents</li> <li>(J) Landscape irrigation</li> <li>(K) Water used to wash vehicles, wheel wash water and other wash waters where detergents are not used. [11 Miss. Admin. Code Pt. 6, R. 1]</li> </ul>

**ACT2 (continued):**

Narrative Requirements:

Condition No.	Condition
T-3	<p data-bbox="275 597 552 621">ELIGIBILITY (continued):</p> <p data-bbox="275 654 730 678">(3) Prohibited Non-Storm Water Discharges:</p> <ul style="list-style-type: none"> <li data-bbox="275 711 1142 735">(A) Wastewater from washout of concrete (unless managed by an appropriate control)</li> <li data-bbox="275 740 1583 764">(B) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials</li> <li data-bbox="275 769 1205 794">(C) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance</li> <li data-bbox="275 799 896 823">(D) Soaps or solvents used in vehicle and equipment washing</li> <li data-bbox="275 828 932 852">(E) Wastewater from sanitary facilities, including portable toilets</li> <li data-bbox="275 857 1478 881">(F) Dewatering activities, including discharges from dewatering of trenches and excavations unless managed by BMPs.</li> </ul> <p data-bbox="275 914 1950 1174">(4) 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 owner/operator must determine and implement all of the 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 (5) below. In addition, MDEQ's Planning &amp; Design Manual for the Control of Erosion, Sediment and Storm Water identifies specific controls that may be used to address consistency with any applicable TMDLs. The manual can be found at: <a href="http://www.deq.state.ms.us/MDEQ.nsf/page/epd_epdgeneral">http://www.deq.state.ms.us/MDEQ.nsf/page/epd_epdgeneral</a>.</p> <p data-bbox="275 1198 1950 1341">(5) 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 LCNOI that the project discharges to a 303(d) listed receiving water and incorporate appropriate BMPs in its SWPPP. MDEQ's 303(d) list of impaired water bodies may be found on MDEQ's website at: <a href="http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section">http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section</a>. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT2 (continued):**

Narrative Requirements:

Condition No.	Condition
T-4	<p><b>THIS PERMIT DOES NOT AUTHORIZE:</b></p> <p>(1) Discharges which result in violation of State Water Quality Standards. Whenever a discharge authorized under this permit is later determined to cause or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard, MDEQ will notify the regulated entity of such water quality violation(s) in writing and will provide the information used by MDEQ to make this determination. The regulated entity must take all necessary actions required to ensure future discharges do not cause or contribute to the violation of a water quality standard. If such violations remain or re-occur, then additional measures, such as the addition of Best Management Practices (BMPs) and modification of the SWPPP will be submitted to MDEQ for approval or the requirement to obtain an individual permit, may be required by the Permit Board. Compliance with this requirement does not preclude any enforcement activity as provided by the Clean Water Act for the underlying violation.</p> <p>(2) Activities that affect waters of the State, including wetlands, without obtaining the necessary U.S. Army Corps of Engineers (COE) approval. This may include a COE individual Section 404 permit or coverage under a COE nationwide or general permit. Appropriate documentation must be submitted with the Large Construction Notice of Intent (LCNOI). [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-5	<p>(3) Discharges or discharge-related activities that are likely to jeopardize the continued existence of any species that is listed as endangered or threatened under the Endangered Species Act (ESA) or result in the adverse modification or destruction of habitat that is designated as critical under the ESA. Coverage under this permit is available only if the regulated entity's 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 LCNOI, or County Utility Authority approval, if applicable, will be deemed to constitute the regulated entity's certification of eligibility. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT3 (LCGP) Obtaining Coverage:**

**Submittal/Action Requirements:**

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Condition  
No.

Condition

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S-1 OBTAINING AUTHORIZATION:

(1) Owners and/or operators (see Definitions) desiring coverage associated with large construction activity under this permit must submit a Large Construction Notice of Intent (LCNOI) and other required submittals in accordance with the requirements of this permit. For construction activities, the operator is typically the Prime Contractor. However, if the prime contractor does not meet the definition of operator, then the owner must apply. The owner may submit the LCNOI and later, prior to actual construction, the operator may submit the Prime Contractor Certification accepting joint and severable responsibility for applicable permit conditions.

Beginning December 21, 2020, applicants must submit the LCNOI electronically as required by 40 CFR 127.16.

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.

(2) Upon review of the LCNOI, the MDEQ staff may require additional information (including modification of the SWPPP, which could require the implementation of additional controls), recommend that coverage not be granted and/or that an alternate permit would be more appropriate. The MDEQ staff recommendations may be brought before the Mississippi Environmental Quality Permit Board (Permit Board) for review and consideration at a regularly scheduled meeting or at a special meeting at its discretion.

(3) Coverage under this permit will not be granted until all other required MDEQ permits, certifications and approvals are satisfactorily addressed.

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

**ACT3 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-2	<p><b>REQUIRING AN INDIVIDUAL PERMIT OR ALTERNATIVE GENERAL PERMIT:</b></p> <p>(1) The Permit Board may require any coverage recipient to apply for and obtain either an individual or an alternative general NPDES permit. Any interested person may petition the Permit Board to take action under this paragraph. The Permit Board may require any coverage recipient to apply for an individual NPDES permit only if the owner or operator has been notified in writing. Such notice shall include reasons for this decision, an application form and a filing deadline. The Permit Board may grant additional time at its discretion, upon request. If a coverage recipient fails to submit a requested application in a timely manner, coverage under this permit will automatically terminate at the end of the day specified for application submittal.</p> <p>(2) Any coverage recipient may request to be excluded from permit coverage by applying for an individual permit or coverage under another general permit. The applicant shall submit an individual application (EPA Forms 1 and 2F along with the narrative requirements of 40 CFR 122.26(c)(1)(ii)) or the appropriate Notice of Intent.</p> <p>(3) Coverage under this permit is automatically terminated on the issuance date of the respective alternative individual permit or general permit coverage. When the request for an alternative individual permit or general permit coverage is denied, coverage under this permit continues unless terminated by the Permit Board. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
S-3	<p><b>HOW TO OBTAIN RECOVERAGE UNDER THE REISSUED PERMIT:</b></p> <p>If reissuance of this permit does not occur before its expiration date, continued coverage under this permit will be allowed until the effective date of the reissued general permit coverage. Once the Large Construction General Permit is reissued, active coverage recipients will receive a Recoverage Form with a Letter of Instruction. If a coverage recipient wishes to be covered by the reissued Large Construction General Permit, the Recoverage Form must be completed and returned to the MDEQ in accordance with the provisions of the Letter of Instruction. Resubmittal of the Storm Water Pollution Prevention Plan (SWPPP) is not required if the SWPPP is on-site or locally available, current and adequately addresses the sources of pollution at the facility. Some SWPPP's may require amendment to meet the conditions of the reissued general permit (i.e., deadline for initiating vegetative stabilization measures). [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT3 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-4	<p><b>COMMERCIAL DEVELOPMENT - INDIVIDUAL LOTS OR PARCELS:</b></p> <p>Individual lots or parcels within a commercial development that are part of the "larger common plan of development or sale" (see Definitions) are regulated regardless of size or owner. If the owner or developer obtains construction permit coverage for a development then sells lots or parcels within that development, permit coverage must continue on those areas under new ownership. The original coverage recipient is responsible for all construction activities until individual lots or parcels within the development are sold to others and the new owner submits a LCNOI (regardless of size) and obtains coverage under Mississippi's Large Construction General Permit or applies for an individual permit. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
S-5	<p><b>RESIDENTIAL SUBDIVISION - INDIVIDUAL LOTS:</b></p> <p>Individual lots within a residential subdivision that are part of the "larger common plan of development or sale" (see Definitions) are regulated regardless of size or ownership. If the owner or developer obtains construction permit coverage for a residential development, then sells individual lots within that development, permit coverage shall continue on those lots under new ownership. The original coverage recipient may retain responsibility for permit compliance, or the new owner (purchaser) or operator shall satisfy authorization requirements by:</p> <ul style="list-style-type: none"> <li>(1) Completing and submitting the MDEQ Registration Form (see Large Construction Forms Package) and developing and implementing a sediment and erosion control plan for the specific lot(s), or</li> <li>(2) Completing and submitting for approval from the MDEQ, a LCNOI and required documents, or</li> <li>(3) Applying for an individual storm water permit.</li> </ul> <p>The owner or developer (seller) is responsible for providing the new owner or operator (purchaser) with a copy of the MDEQ Registration Form and a copy of the Large Construction General Permit. These documents, as well as the individual application, may be found on MDEQ's website at <a href="http://www.deq.state.ms.us">www.deq.state.ms.us</a> or by calling 601-961-5171. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
S-6	<p><b>RESIDENTIAL SUBDIVISION - EXPANSIONS:</b></p> <p>For subsequent phases, expansions and major modifications of subdivision development that are proposed but were not included in the original SWPPP, the coverage recipient shall submit to MDEQ the Major Modification Form (see Large Construction Forms Package). [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT3 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-7	<p>RESIDENTIAL SUBDIVISION - NEW PHASES AND NEW OWNER:</p> <p>If an individual, other than the original developer (coverage recipient), proposes construction of a new phase of an existing subdivision and the proposed phase was not included in the initial submittal of the LCNOI, the new owner or operator must apply for separate permit coverage. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
S-8	<p>APPLICABILITY OF REQUIREMENTS FOR INDIVIDUAL LOTS AND PARCELS IN A LARGER COMMON PLAN OF DEVELOPMENT OR SALE:</p> <p>The original coverage recipient remains responsible for compliance with this general permit until a new owner or operator satisfies the requirements of S-4 and S-5 of this ACT. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT4 (LCGP) Large Construction Notice of Intent (LCNOI):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p><b>NOTIFICATION REQUIREMENTS:</b></p> <p>Persons desiring coverage for a storm water discharge associated with construction activity under this general permit must submit a LCNOI Form with the required submittals. Discharge of storm water without written notification of coverage under this permit or issuance of an individual National Pollutant Discharge Elimination System (NPDES) Storm Water Permit is a violation of the Mississippi Air and Water Pollution Control Law 49-17-29(2)(b). [11 Miss. Admin. Code Pt. 6, R. 1]</p>
S-2	<p><b>REQUIRED SUBMITTALS WITH THE LCNOI:</b></p> <p>Submittals required with a completed LCNOI include a site-specific SWPPP associated with the construction activities, a United States Geological Survey (USGS) quad map, or color photocopy of the quad map, extending at least 1/2 mile beyond the facility property boundaries with the site location outlined or highlighted. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
S-3	<p><b>ADDITIONAL SUBMITTALS MAY INCLUDE THE FOLLOWING:</b></p> <ul style="list-style-type: none"> <li>(1) Appropriate Section 404 documentation from U.S. Army Corps of Engineers,</li> <li>(2) Appropriate documentation concerning future disposal of sanitary sewage and sewage collection system construction,</li> <li>(3) Appropriate documentation from the MDEQ Office of Land &amp; Water concerning dam construction and low flow requirements, and/or</li> <li>(4) Approval from County Utility Authority in Hancock, Harrison, Jackson, Pearl River and Stone Counties in the form of a signed certification by the official responsible for the wastewater treatment facility that will serve the proposed project. [11 Miss. Admin. Code Pt. 6, R. 1]</li> </ul>
S-4	<p><b>ADDITIONAL NOTIFICATION:</b></p> <p>The covered owner or operator must notify the Permit Board at least 30 days before any planned changes of ownership or whenever there are any changes in information previously submitted in the LCNOI Form. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT4 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-5	<p><b>MODIFICATION NOTIFICATION:</b></p> <p>The coverage recipient must notify the Permit Board at least 30 days before:</p> <ul style="list-style-type: none"> <li>(1) Any planned changes in project operations that may affect storm water discharges,</li> <li>(2) Any planned changes of ownership, or</li> <li>(3) Any changes in information previously submitted in the LCNOI. [11 Miss. Admin. Code Pt. 6, R. 1]</li> </ul>
S-6	<p><b>MAJOR MODIFICATION NOTIFICATION:</b></p> <ul style="list-style-type: none"> <li>(1) The following activities require the submittal of a Major Modification Form. This form can be found in the Large Construction Forms Package, which can be obtained from MDEQ at the address given in T-2 of this ACT or from the MDEQ website at <a href="http://www.deq.state.ms.us">www.deq.state.ms.us</a>. <ul style="list-style-type: none"> <li>(A) SWPPP details have been developed and are ready for MDEQ review for subsequent phases of an existing, covered project.</li> <li>(B) Footprint identified in the original LCNOI is proposed to be enlarged (a modified SWPPP and an updated USGS topographic map must be submitted with the Major Modification Form).</li> </ul> </li> <li>(2) Coverage recipients are authorized to implement the proposed modifications, under the conditions of the General Permit, only upon receipt of written notification of approval by the MDEQ.</li> <li>(3) Proposed changes may require termination of the General Permit coverage and/or application for an individual or alternative general permit. [11 Miss. Admin. Code Pt. 6, R. 1]</li> </ul>

**ACT4 (continued):**

Narrative Requirements:

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Condition

No.          Condition

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T-1          WHERE TO OBTAIN LCNOI FORMS:

LCNOI Forms may be obtained from the MDEQ at the address shown below or by calling 601-961-5171. LCNOI Forms, as well as the general permit and guidance manual, may be found on the MDEQ web site at [www.deq.state.ms.us](http://www.deq.state.ms.us). Coverage under this permit will not be granted until all other required MDEQ permits, certifications and approvals are satisfactorily addressed. [11 Miss. Admin. Code Pt. 6, R. 1]

T-2          WHERE TO SUBMIT THE LCNOI:

Complete and appropriately signed LCNOI Forms must be submitted to:

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

For priority or overnight deliveries, the physical address is:

515 East Amite Street  
Jackson, Mississippi 39201. [11 Miss. Admin. Code Pt. 6, R. 1]

T-3          FAILURE TO NOTIFY:

Persons who discharge storm water associated with Large Construction activity to waters of the State without an NPDES permit are in violation of the Mississippi Air and Water Pollution Control Law 49-17-29(2)(b). [11 Miss. Admin. Code Pt. 6, R. 1]

**ACT5 (LCGP) Storm Water Pollution Prevention Plan (SWPPP):**

**Narrative Requirements:**

Condition No.	Condition
T-1	<p><b>SWPPP DEVELOPMENT:</b></p> <p>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. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-2	<p><b>SWPPP CONTENT:</b></p> <p><b>Erosion and Sediment Controls and Soil Stabilization Requirements:</b></p> <p>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 style="list-style-type: none"> <li>(1) Control storm water volume and velocity within the site to minimize soil erosion;</li> <li>(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> <li>(3) Minimize the amount of soil exposed during construction activity;</li> <li>(4) Minimize the disturbance of steep slopes. [11 Miss. Admin. Code Pt. 6, R. 1]</li> </ol>

**ACT5 (continued):**

Narrative Requirements:

Condition No.	Condition
T-3	<p data-bbox="270 599 604 623">SWPPP CONTENT (continued):</p> <p data-bbox="270 654 1892 737">(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="270 768 1913 850">(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; and</p> <p data-bbox="270 881 974 906">(7) Minimize soil compaction and, unless infeasible, preserve topsoil;</p> <p data-bbox="270 937 1881 995">(8) Direct storm water to vegetated areas, brush barriers, silt fences, check dams, etc. to aid in the filtration, infiltration, velocity reduction and diffusion of the discharge;</p> <p data-bbox="270 1026 1014 1050">(9) Transport runoff down steep slopes through lined channels or piping;</p> <p data-bbox="270 1081 688 1105">(10) Minimize the amount of cut and fill;</p> <p data-bbox="270 1136 852 1161">(11) Minimize off-site vehicle tracking of sediments; and</p> <p data-bbox="270 1192 1864 1253">(12) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, concrete wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT5 (continued):**

Narrative Requirements:

Condition No.	Condition
T-4	<p>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. These controls must be in accordance with the design standards set forth in the most current edition of Mississippi's "Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas" found at <a href="http://deq.state.ms.us/MDEQ.nsf/page/NPS_PlanningandDesignManual2ndEd_Vol1?OpenDocument">http://deq.state.ms.us/MDEQ.nsf/page/NPS_PlanningandDesignManual2ndEd_Vol1?OpenDocument</a> or other accredited and approved manual of design.</p> <p>(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 not limited to, temporary seeding, permanent seeding, mulching, sod stabilization, vegetative buffer strips, tree protection and topsoil preservation.</p> <p>Soil stabilization-vegetative stabilization measures must be initiated whenever any clearing, grading, grubbing, 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) calendar days or more. The appropriate temporary or permanent vegetative practices shall be initiated immediately. For purposes of this permit, "immediately" is interpreted to mean no later than the next work day.</p> <p>If you are unable to meet the deadlines in the previous paragraph due to circumstances beyond your control, and you are using vegetative cover for temporary or permanent stabilization, you may comply with the following stabilization deadlines instead:</p> <p>(A) Immediately initiate, and within 14 calendar days complete, the installation of temporary non-vegetative stabilization measures to prevent erosion;</p> <p>(B) Complete all soil conditioning, seeding, watering or irrigation installation, mulching, and other required activities related to the planting and initial establishment of vegetation as soon as conditions or circumstances allow it on your site; and,</p> <p>(C) Document the circumstances that prevent you from meeting the deadlines required and the schedule you will follow for initiating and completing stabilization.</p> <p>[11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT5 (continued):**

Narrative Requirements:

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Condition No.	Condition
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| T-5 | <p>Specific BMPs that must be included, unless infeasible (see Definitions) are:</p> <p>(A) Buffer zones (see Definitions) shall be maintained between land-disturbing activities and perennial water bodies. A minimum 150-foot buffer zone is recommended; however, if a 150-foot buffer zone cannot be met, the requirements outlined in ACT5, T-3(6) shall be followed.</p> <p>(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.</p> <p>(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.</p> <p>The SWPPP must contain written justification as to why any of these specific controls were not deemed feasible. [11 Miss. Admin. Code Pt. 6, R. 1]</p>   |
| T-6 | <p>(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.</p> <p>Specific practices that must be included, unless infeasible, are:</p> <p>(A) For drainage locations (a drainage point at boundary of land disturbing activity) that serve an area with ten (10) or more disturbed acres at one time, a temporary (or permanent) sediment basin providing at least 3,600 cubic feet (133 cubic yards) of storage per acre drained shall be provided until final stabilization of the site. Sediment basins 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. If flocculants are being introduced, sediment basins must be downstream of the point of introduction and include baffles to increase sediment removal efficiency and turbidity reduction.</p> <p>Due to the unique characteristics of linear projects (see Definitions), such as the lack of space within project rights of way and having multiple, distributed discharge points, sedimentation basins are not common practices. Therefore, MDEQ will not require the use of sedimentation basins for linear projects disturbing ten (10) or more acres at one time. Appropriate alternate structural practices, such as sediment traps and check dams, must be included in the SWPPP if sediment basins are deemed infeasible. [11 Miss. Admin. Code Pt. 6, R. 1]</p> |

**ACT5 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-7	<p>(B) Steep Slopes (see Definition) 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.</p> <p>(C) Construction entrances/exits shall be installed wherever traffic will be leaving a construction site and moving directly onto a paved public road.</p> <p>(D) 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. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-8	<p>(E) 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.</p> <p>(F) 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.</p> <p>The SWPPP must contain written justification as to why any of these specific controls were not deemed feasible. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-9	<p>(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 (if applicable) will not cause or contribute to exceedances of the water quality standards in the receiving stream.</p> <p>(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>(5) Proposed responsible parties (original coverage recipient or new owner or operator) 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. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT5 (continued):**

Narrative Requirements:

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Condition No.	Condition
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T-10 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]

T-11 Flocculant Application:

Flocculants, meeting the criteria contained in ACT8 and used in accordance with manufacturer's instructions, may be incorporated as part of an overall storm water management system. If flocculant application is proposed, the SWPPP must list the proposed flocculants to be used, describe the method, frequency and location of introduction, and identify the location of BMPs where flocculated material will settle. [11 Miss. Admin. Code Pt. 6, R. 1]

**ACT5 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-12	<p>Prepare Scaled Site Map(s):</p> <p>The owner or operator shall prepare a scaled site map showing:</p> <ol style="list-style-type: none"> <li>(1) Boundaries of property and proposed construction activities, noting any phasing of construction activities,</li> <li>(2) Original and proposed contours (if feasible), with steep slopes identified,</li> <li>(3) North arrow,</li> <li>(4) Drainage pattern arrows,</li> <li>(5) Location of sensitive areas, such as wetlands, perennial streams and adjacent receiving water bodies (if the receiving waterbody is not depicted on the map, the name and direction shall be listed in text form on the map),</li> <li>(6) Location of any storm drain inlets and any receiving MS4,</li> <li>(7) All erosion and sediment controls (vegetative and structural),</li> <li>(8) Any post-construction control measures, and</li> <li>(9) Location of housekeeping practices.</li> </ol> <p>If flocculant application is proposed, the location(s) of the following items shall be marked and labeled on the site map.</p> <ol style="list-style-type: none"> <li>(1) Flocculant introduction point(s), and</li> <li>(2) BMPs where flocculated material will settle.</li> </ol> <p>If the construction project is a linear construction project (see Definitions), 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, R. 1]</p>
T-13	<p>Implementation Sequence:</p> <p>The SWPPP shall outline an implementation sequence (including any phasing of construction activities), which coordinates the timing of all land-disturbing activities together with the necessary erosion and sedimentation control measures planned for the project. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-14	<p>Implementation of Controls:</p> <p>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, R. 1]</p>

**ACT5 (continued):**

Narrative Requirements:

Condition No.	Condition
T-15	<p data-bbox="275 597 659 621">Maintenance and Weekly Inspections:</p> <p data-bbox="275 651 1860 735">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 after rain events that produce a discharge and at least weekly for a minimum of four inspections per month in accordance with ACT6, S-5.</p> <p data-bbox="275 764 1919 849">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.</p> <p data-bbox="275 878 1919 963">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]</p>
T-16	<p data-bbox="275 995 709 1019">Non-Storm Water Discharge Management:</p> <p data-bbox="275 1049 1919 1157">The SWPPP must identify all allowable sources of non-storm water discharges listed in ACT2, T-2, except for flows from actual fire-fighting 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.</p> <p data-bbox="275 1187 1919 1247">The Permit Board staff will review the above discharges on a case by case basis and may require the coverage recipient to apply for and obtain either an individual or an alternative general NPDES permit as provided in ACT3, S-2. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-17	<p data-bbox="275 1276 470 1300">Final Stabilization:</p> <p data-bbox="275 1330 1902 1352">The SWPPP shall describe procedures to achieve final stabilization (See Definitions) of all disturbed areas of the project site. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT5 (continued):**

Narrative Requirements:

Condition No.	Condition
T-18	<p>Example Storm Water Pollution Prevention Plans (SWPPPs):</p> <p>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</p> <p>The Mississippi Storm Water Pollution Prevention Plan Guidance Manual for Construction Activities is also available online at:  <a href="http://www.deq.state.ms.us/MDEQ.nsf/pdf/epd_conguidman/\$File/ConstructionGM.pdf">http://www.deq.state.ms.us/MDEQ.nsf/pdf/epd_conguidman/\$File/ConstructionGM.pdf</a></p> <p>The MDEQ Registration Form for Individual Residential Lots is in the Large Construction Forms Package, which is available online at:  <a href="http://www.deq.state.ms.us/MDEQ.nsf/pdf/epd_Large_Construction_Forms_Package/\$File/LARGE_CONST_FORMS_PACKAGE.pdf">http://www.deq.state.ms.us/MDEQ.nsf/pdf/epd_Large_Construction_Forms_Package/\$File/LARGE_CONST_FORMS_PACKAGE.pdf</a></p> <p>US EPA also lists example SWPPPs on their website at: <a href="http://cfpub.epa.gov/npdes/stormwater/swppp.cfm#model">http://cfpub.epa.gov/npdes/stormwater/swppp.cfm#model</a>. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT6 (LCGP) Implementation and Inspection Requirements:**

Submittal/Action Requirements:

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Condition No.	Condition
S-1	<p data-bbox="275 597 716 621"><b>IMPLEMENTATION REQUIREMENTS:</b></p> <p data-bbox="275 651 569 675">The coverage recipient shall:</p> <ol style="list-style-type: none"> <li data-bbox="275 711 1409 735">(1) Implement the site-specific SWPPP. Failure to implement the SWPPP is a violation of permit requirements.</li> <li data-bbox="275 768 1297 792">(2) Install structural practices as described in ACT5, T-6 in accordance with the site-specific SWPPP.</li> <li data-bbox="275 824 1950 938">(3) Retain a copy of the SWPPP at the permitted site, and, if feasible, post a copy of the NOI onsite in a location available to the public (e.g., construction entrance, trailer, or model home). A copy of the SWPPP shall be made available to state or local inspectors upon request for review at the time of an on-site inspection. 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).</li> <li data-bbox="275 971 842 995">(4) Implement the following pre-construction activities:               <ol style="list-style-type: none"> <li data-bbox="275 1027 1950 1084">(A) Mark off areas of "disturbance", "no disturbance" and "sensitive areas" (i.e., delineate and clearly flag of mark off areas such as steep slopes, highly erodible soils or other sensitive areas),</li> <li data-bbox="275 1117 919 1141">(B) Preserve native topsoil on the site to the extent feasible, and</li> <li data-bbox="275 1174 1409 1198">(C) Limit construction stream crossings to the minimum necessary to provide access for the construction project.</li> </ol> </li> <li data-bbox="275 1230 1696 1255">(5) Ensure that appropriate Best Management Practices (BMPs) are in place upon commencement of construction activities (see Definitions).</li> <li data-bbox="275 1287 1950 1365">(6) 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. [11 Miss. Admin. Code Pt. 6, R. 1]</li> </ol>

**ACT6 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-2	<p>IMPLEMENTATION REQUIREMENTS (continued):</p> <p>(7) 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. Coverage recipients shall submit to MDEQ the Major Modification Form (see Large Construction Forms Package) for subsequent phases, expansions and modifications of subdivision development that are proposed but were not included in the original SWPPP</p> <p>(8) 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.</p> <p>(9) Install additional and/or alternative erosion and sediment controls when existing controls prove to be ineffective in preventing sediment from leaving the site.</p> <p>(10) Comply with applicable State or local waste disposal, sanitary sewer or septic system regulations. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
S-3	<p>IMPLEMENTATION REQUIREMENTS (continued):</p> <p>(11) 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 of in accordance with the approved SWPPP. 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.</p> <p>(12) 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. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
S-4	<p>COMPLIANCE WITH LOCAL STORM WATER ORDINANCES:</p> <p>(1) The SWPPP shall be in compliance with all local storm water ordinances.</p> <p>(2) When storm water discharges into an MS4 (municipal separate storm sewer system), the owner or operator shall make the SWPPP available to the local authority and/or allow site access, upon request. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT6 (continued):**

**Submittal/Action Requirements:**

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Condition  
No.

Condition

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S-5

**INSPECTION REQUIREMENTS:**

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 Large Construction Forms Package (or equivalent form), and inspections shall be performed by qualified personnel (see Definitions):

(1) At least weekly for a minimum of four inspections per month; and

(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.

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.

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, R. 1]

**ACT7 (LCGP) Limitation Requirements:**

Limitation Requirements:

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

**ACT8 (LCGP) Application of Flocculants:**

Narrative Requirements:

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Condition	Condition
T-1	<p data-bbox="270 597 1923 654">Coverage recipients may need to supplement conventional storm water management systems with flocculants to meet state water quality standards. Flocculants meeting the criteria listed in (1) and (2) below and used in accordance with manufacturer's instructions are approved by this general permit.</p> <p data-bbox="270 683 1923 792">Any flocculant application, which deviates from the criteria specified below, must receive written approval from MDEQ prior to being implemented. Requests for approval must be in writing and shall describe the deviation, explain the justification for the deviation and provide supporting documentation demonstrating that such deviation will achieve equivalent performance to the criteria listed below. Such requests may be submitted with the LCNOI or under separate cover to the address listed on the LCNOI.</p> <p data-bbox="270 824 1608 849">(1) Polymer flocculants for treating turbidity in construction site storm water discharges must meet the following minimum criteria.</p> <ul data-bbox="270 881 995 1081" style="list-style-type: none"><li data-bbox="270 881 785 906">(A) Only anionic Polyacrylamide (PAM) polymer,</li><li data-bbox="270 938 869 963">(B) Polymer shall contain less than 0.05% free acrylamide,</li><li data-bbox="270 995 995 1019">(C) Polymer shall be non-toxic to fish and other aquatic organisms, and</li><li data-bbox="270 1052 1026 1076">(D) Polymer shall be selected for site specific soil conditions (i.e., jar test).</li></ul> <p data-bbox="270 1114 1776 1138">(2) Systems utilizing polymer flocculants to treat turbidity from construction site storm water discharges must meet the following minimum criteria.</p> <ul data-bbox="270 1170 1415 1369" style="list-style-type: none"><li data-bbox="270 1170 1415 1195">(A) Polymer shall be introduced through turbulent mixing into the storm water upstream of sedimentation BMPs,</li><li data-bbox="270 1227 1362 1252">(B) Sedimentation basin shall be constructed in accordance with the criteria specified in ACT5, T-5 (2)(A),</li><li data-bbox="270 1284 1089 1308">(C) Polymer shall be applied in accordance with manufacturer's instructions, and</li><li data-bbox="270 1341 1782 1365">(D) There shall be no discharge of un-dissolved polymer, clumps of polymer and/or unsettled flocculant material. [11 Miss. Admin. Code Pt. 6, R. 1]</li></ul>

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**ACT9 (LCGP) Record Keeping and Reporting Requirements:**

**Record-Keeping Requirements:**

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Condition No.	Condition
R-1	<p><b>RETENTION OF RECORDS:</b></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, R. 1]</p>

**Submittal/Action Requirements:**

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Condition No.	Condition
S-1	<p><b>SUSPENSION OF WEEKLY INSPECTIONS AND MONTHLY RECORD KEEPING:</b></p> <p>Coverage recipients under this general permit may suspend weekly inspection and monthly record keeping requirements, if the coverage recipient certifies that:</p> <ul style="list-style-type: none"> <li>(1) Land-disturbing activities have temporarily ceased,</li> <li>(2) No further land-disturbing activities are planned for a period of at least six (6) months,</li> <li>(3) Areas that have been disturbed meet the definition of "final stabilization" (see Definitions), with no active erosion, and</li> <li>(4) Vegetative cover has been established.</li> </ul> <p>Color photographs representative of the site must be submitted with the Inspection Suspension Form provided in the Large Construction Forms Package. The coverage recipient shall notify the MDEQ once construction activities are resumed and the weekly inspections shall commence immediately and as required in ACT6, S-5. The coverage recipient is still responsible for all permit conditions during the suspension period and nothing in this condition shall limit the rights of the MDEQ to take enforcement or other actions against the coverage recipient. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT9 (continued):**

**Submittal/Action Requirements:**

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Condition

No.          Condition

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S-2          The inspections described in ACT6, S-5 must be documented on copies of the Monthly Inspection Report and Certification Form provided in the Large Construction Forms Package (or equivalent form) and be kept with the SWPPP.

Submittals of the MDEQ Registration Form for residential lots are required. It is the responsibility of both the owner or developer (seller) and the new owner or operator (purchaser) to maintain a copy of the MDEQ Registration Form. The new owner or operator must maintain a copy of the MDEQ Registration Form at the site. In cases where there is no office or shelter to maintain documents onsite, the Registration Form can be kept locally available (i.e., able to be produced within an hour of being requested by state or local inspectors). [11 Miss. Admin. Code Pt. 6, R. 1]

**ACT10 (LCGP) Termination of Permit Coverage:**

**Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p>Within thirty (30) days of final stabilization (see Definition of Final Stabilization (1)) for a covered project, a completed Request for Termination (RFT) of Coverage form (provided in the Large Construction Forms Package) shall be submitted to the Permit Board. Upon receiving the completed RFT, the MDEQ staff will inspect the site. If no sediment and erosion control problems are identified and adequate permanent controls are established, the owner or operator will receive a termination letter. Coverage is not terminated until notified in writing by MDEQ. Failing to submit a RFT is a violation of permit conditions.</p> <p>The coverage recipient of a "larger common plan of development or sale" must submit a RFT within thirty (30) days after the following conditions are met:</p> <ul style="list-style-type: none"> <li>(1) Final stabilization (see Definition of Final Stabilization (2)) has been achieved on all portions of the site for which the coverage recipient is responsible, and</li> <li>(2) Other owner(s) or operator(s) have assumed control (by completing a LCNOI or MDEQ Registration Form) over all areas of the site that have not achieved final stabilization.</li> </ul> <p>The coverage recipient of a residential "larger common plan of development or sale" must submit a copy of the MDEQ Registration Form for each lot sold with the RFT.</p> <p>Residential lot owners or operators that have completed the MDEQ Registration Forms are not required to submit a RFT, unless specifically requested by the MDEQ staff. The lot permit coverage is considered terminated upon "successful completion of all permanent erosion and sediment controls" (see Definitions).</p> <p>Beginning December 21, 2020, the RFT must be submitted electronically as required by 40 CFR 127.16. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT11 (LCGP) Standard Requirements Applicable To All Water Permits:**

Narrative Requirements:

Condition No.	Condition
T-1	<p><b>DUTY TO COMPLY:</b></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, R. 1]</p>
T-2	<p><b>DUTY TO MITIGATE:</b></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, R. 1]</p>
T-3	<p><b>DUTY TO PROVIDE INFORMATION:</b></p> <p>The owner or operator shall furnish to the Permit Board, within a reasonable time, any information that the Permit Board may request to determine compliance with this permit. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-4	<p><b>PROPERTY RIGHTS:</b></p> <p>The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-5	<p><b>SEVERABILITY:</b></p> <p>The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstances, is challenged or held invalid, the validity of the remaining permit provisions and/or portions thereof or their application to other persons or sets of circumstances, shall not be affected thereby. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-6	<p><b>OIL AND HAZARDOUS SUBSTANCE LIABILITY:</b></p> <p>Nothing in this permit shall relieve the owner or operator from responsibilities, liabilities, or penalties under Section 311 of the CWA (33 U.S.C. Section 1321). [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT11 (continued):**

Narrative Requirements:

Condition No.	Condition
T-7	<p><b>SIGNATORY REQUIREMENTS:</b></p> <p>All LCNOIs and requests for recoverage shall be signed as follows:</p> <p>(1) For a corporation by a responsible corporate officer. For this permit, a responsible corporate officer means:</p> <p>(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>(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>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>(2) For a partnership or sole proprietorship by a general partner or the proprietor, respectively; or</p> <p>(3) For a municipal, State, Federal, or other public agency by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:</p> <p>(A) The chief executive officer of the agency, or</p> <p>(B) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT11 (continued):**

Narrative Requirements:

Condition No.	Condition
T-8	<p><b>DULY AUTHORIZED REPRESENTATIVE:</b></p> <p>All SWPPPs, reports required by this permit, certifications and other information requested by the Permit Board shall be signed by a person described in T-7 above, or by a duly authorized representative of that person. A person is a duly authorized representative when:</p> <p>(1) The authorization is made in writing and submitted to the Permit Board by a person described in T-7 above.</p> <p>(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated activity, such as: manager, operator of a well or well field, superintendent, person of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may be either a specified individual or position). [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-9	<p><b>CHANGES TO AUTHORIZATION:</b></p> <p>If an authorization is no longer accurate because a different individual or position has permit responsibility, a new authorization satisfying the requirements of T-7 and T-8 above, 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, R. 1]</p>
T-10	<p><b>CERTIFICATION:</b></p> <p>Any person signing documents under this section shall make the following certification:</p> <p>"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT11 (continued):**

Narrative Requirements:

Condition No.	Condition
T-11	<p><b>PROPER OPERATION AND MAINTENANCE:</b></p> <p>The coverage recipient 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 coverage recipient 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, R. 1]</p>
T-12	<p><b>MONITORING AND RECORDS:</b></p> <p>(1) Monitoring. Samples and measurements shall be representative of the monitored activity and must be conducted according to test procedures approved under 40 CFR Part 136.</p> <p>(2) Retention of Records. The owner or operator shall retain records of all required monitoring information for a period of at least three years from the date of the measurement, report, or application. This information includes all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the Notice of Intent to be covered by this permit. This period may be extended by request of the Permit Board or its designee.</p> <p>(3) Record Contents. Records of monitoring information shall include:</p> <ul style="list-style-type: none"> <li>(A) The date, exact location, and time of sampling or measurements,</li> <li>(B) The initials or names of the individuals who performed the sampling or measurements,</li> <li>(C) The date(s) and time(s) analyses were performed,</li> <li>(D) The initials or names of the individuals who performed the analyses,</li> <li>(E) References and written procedures, when available, for the analytical techniques or methods used, and</li> <li>(F) The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results. [11 Miss. Admin. Code Pt. 6, R. 1]</li> </ul>

**ACT11 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-13	<p><b>BYPASS PROHIBITION:</b></p> <p>Bypass (see 40 CFR 122.41(m)) is prohibited and enforcement action may be taken against a coverage recipient 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 coverage recipient should, in the exercise of reasonable engineering judgment, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance); and c) The owner or operator submitted notices per T-17 of this ACT. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-14	<p><b>UPSET CONDITIONS:</b></p> <p>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:</p> <ol style="list-style-type: none"> <li>(1) An upset occurred and the coverage recipient can identify the specific cause(s) of the upset,</li> <li>(2) The permitted facility was at the time of the upset being properly operated,</li> <li>(3) The coverage recipient submitted notices per T-17 of this ACT, and</li> <li>(4) The coverage recipient took remedial measures as required under T-2 of this ACT. 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 initiated, will be considered a final administrative action subject to judicial review. [11 Miss. Admin. Code Pt. 6, R. 1]</li> </ol>

**ACT11 (continued):**

Narrative Requirements:

Condition No.	Condition
T-15	<p data-bbox="254 597 569 626"><b>INSPECTION AND ENTRY:</b></p> <p data-bbox="254 654 1925 711">The coverage recipient 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="254 738 1925 768">(1) Enter upon the owner 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> <li data-bbox="254 795 1402 824">(2) Have access to and copy at reasonable times any records that must be kept under the conditions of this permit;</li> <li data-bbox="254 852 1925 909">(3) Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and</li> <li data-bbox="254 937 1925 993">(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, R. 1]</li> </ul>
T-16	<p data-bbox="254 1019 478 1049"><b>PERMIT ACTIONS:</b></p> <p data-bbox="254 1076 1925 1161">This permit may be modified, revoked and reissued, or terminated for cause. A request by the coverage recipient 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, R. 1]</p>

**ACT11 (continued):**

Narrative Requirements:

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Condition No.	Condition
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T-17 NONCOMPLIANCE REPORTING:

(1) Anticipated Noncompliance. The coverage recipient shall give at least ten (10) days advance notice, if possible, before any planned noncompliance with permit requirements. Giving notice of planned or anticipated noncompliance does not immunize the coverage recipient from enforcement action for that noncompliance.

(2) Unanticipated Noncompliance. The coverage recipient shall notify the MDEQ orally within twenty-four (24) hours from the time he or she becomes aware of unanticipated noncompliance, which may endanger health or the environment. 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 leading to the unanticipated noncompliance. 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. MDEQ may waive the written report on a case-by-case basis, if the oral report is received within 24 hours. [11 Miss. Admin. Code Pt. 6, R. 1]

T-18 REOPENER CLAUSE:

If there is evidence indicating potential or realized impacts on water quality due to large construction activities covered by this permit, the coverage recipient may be required to obtain individual permit or an alternative general permit in accordance with ACT3, S-2 or the permit may be modified to include different limitations and/or requirements. [11 Miss. Admin. Code Pt. 6, R. 1]

T-19 PERMIT MODIFICATION:

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, R. 1]

T-20 TRANSFERS:

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 as stated in ACT3, S-2. Transfer of coverage requests shall be submitted to the Permit Board using the form provided in the Large Construction Forms Package. [11 Miss. Admin. Code Pt. 6, R. 1]

**ACT11 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-21	<p><b>CONTINUATION OF EXPIRED GENERAL PERMIT:</b></p> <p>If this permit is not reissued prior to the expiration date, it will be administratively continued and remain in force and effect. Permit coverage will remain until the earliest of:</p> <ul style="list-style-type: none"> <li>(1) Recoverage under the reissued general permit;</li> <li>(2) Submittal of a Request for Termination and receipt of written concurrence;</li> <li>(3) Issuance of an individual permit for the project's discharge; or</li> <li>(4) A formal permit decision by the Permit Board to not reissue the general permit, at which time the coverage recipient must seek coverage under an alternative general permit or an individual permit. [11 Miss. Admin. Code Pt. 6, R. 1]</li> </ul>
T-22	<p><b>FALSIFYING REPORTS:</b></p> <p>Any coverage recipient who falsifies any written report required by or in response to a permit condition shall be deemed to have violated a permit condition and shall be subject to the penalties provided for a violation of a permit condition pursuant to Section 49-17-43 of the Mississippi Water Pollution Control Law (Mississippi Code Ann. Sections 49-17-1 et seq.). [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-23	<p><b>CIVIL AND CRIMINAL LIABILITY:</b></p> <ul style="list-style-type: none"> <li>(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.</li> <li>(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.</li> <li>(3) It shall not be the defense of the coverage recipient in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [11 Miss. Admin. Code Pt. 6, R. 1]</li> </ul>

**ACT12 (LCGP) 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 practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. [11 Miss. Admin. Code Pt. 6, R. 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 and lakes and wetlands. Buffer zones are established for the purposes of slowing water runoff, enhancing water infiltration, and minimizing the risk of any potential nutrients or pollutants from leaving the upland area and reaching surface waters. Buffer zones are most effective when storm water runoff is flowing into and through the buffer zone as shallow sheet flow, rather than in concentrated form such as in channels, gullies, or wet weather conveyances. Therefore, it is critical that the design of any development include management practices, to the maximum extent practical, that will result in storm water runoff flowing into and through the buffer zone as shallow sheet flow. [11 Miss. Admin. Code Pt. 6, R. 1]
T-3	CFR means the Code of Federal Regulations. [11 Miss. Admin. Code Pt. 6, R. 1]
T-4	CLEAN WATER ACT (CWA) refers to the Federal Water Pollution Control Act, 33 U.S.C. section 1251 et seq. [11 Miss. Admin. Code Pt. 6, R. 1]
T-5	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, R. 1]
T-6	COMMISSION means the Mississippi Commission on Environmental Quality. [11 Miss. Admin. Code Pt. 6, R. 1]
T-7	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. [11 Miss. Admin. Code Pt. 6, R. 1]
T-8	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, R. 1]
T-9	CONTROL MEASURE as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the United States. [11 Miss. Admin. Code Pt. 6, R. 1]

**ACT12 (continued):**

Narrative Requirements:

Condition No.	Condition
T-10	DAILY DISCHARGE means the "discharge of a pollutant" measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily average" is calculated as the average measurement of the discharge of the pollutant over the day. [11 Miss. Admin. Code Pt. 6, R. 1]
T-11	DROUGHT-STRICKEN AREA means for the purposes of this permit an area in which the National Oceanic and Atmospheric Administration's U.S. Seasonal Drought Outlook indicates for the period during which the construction will occur that any of the following conditions are likely: (1) "Drought to persist or intensify", (2) "Drought ongoing, some improvement", (3) "Drought likely to improve, impacts ease", or (4) "Drought development likely". See <a href="http://www.cpc.ncep.noaa.gov/products/expert_assessment/season_drought.gif">http://www.cpc.ncep.noaa.gov/products/expert_assessment/season_drought.gif</a> . [11 Miss. Admin. Code Pt. 6, R. 1]
T-12	EXECUTIVE DIRECTOR means the Executive Director of the Department of Environmental Quality. [11 Miss. Admin. Code Pt. 6, R. 1]
T-13	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, R. 1]
T-14	<p>FINAL STABILIZATION means that either:</p> <p>(1) 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 (i.e., concrete or asphalt paving, rip rap, etc.) have been employed; or</p> <p>(2) For individual lots part of a larger common plan of development or sale in residential or commercial developments, that either:</p> <p>(A) The coverage recipient has completed final stabilization as specified in (1) above, or</p> <p>(B) The coverage recipient has established temporary stabilization before another property owner assumes operational control for the property AND the coverage recipient for the larger common plan of development has provided the appropriate Notice of Intent or Registration form, the appropriate Construction General Permit, and guidance documents to the new property owner and the new owner assumes control by completing the appropriate NOI or Registration Form.</p> <p>In arid, semiarid, and drought-stricken areas where initiating vegetative stabilization measures immediately is infeasible, alternative stabilization measures must be employed if specified by the permitting authority. [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT12 (continued):**

Narrative Requirements:

Condition No.	Condition
T-15	INFEASIBLE means not technologically possible, or not economically practicable and achievable in light of best industry practices. [11 Miss. Admin. Code Pt. 6, R. 1]
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. [11 Miss. Admin. Code Pt. 6, R. 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, R. 1]
T-18	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]
T-19	MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States, (ii) Designed or used for collecting or conveying storm water, (iii) Which is not a combined sewer, and (iv) Which is not part of a Publicly Owned Treatment Works (POTW). [11 Miss. Admin. Code Pt. 6, R. 1]
T-20	NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) means the regulations under the Clean Water Act which prohibits discharge of pollutants into waters of the United States unless a special permit is issued. [11 Miss. Admin. Code Pt. 6, R. 1]
T-21	NOI is an acronym for "Notice of Intent" to be covered by this permit and is the mechanism used to apply for coverage under a general permit. [11 Miss. Admin. Code Pt. 6, R. 1]
T-22	NORMAL WORKING HOURS, for the purpose of this permit, means the hours that personnel are typically working at the project site (e.g., daylight hours, Monday through Friday, except recognized holidays). [11 Miss. Admin. Code Pt. 6, R. 1]

**ACT12 (continued):**

Narrative Requirements:

Condition No.	Condition
T-23	<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, specifications, and installation of BMPs 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, R. 1]</p>
T-24	<p>PERMIT BOARD means the Mississippi Environmental Quality Permit Board established pursuant to Miss. Code Ann. 49-17-28. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-25	<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. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-26	<p>POLYMER FLOCCULANT, for the purpose of this permit, is a chemical that when added to storm water containing small suspended particles (e.g., fine silts and clays) causes the particles to stick together and fall out of suspension, reducing the overall turbidity of the storm water discharge. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-27	<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. [11 Miss. Admin. Code Pt. 6, R. 1]</p>
T-28	<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-29	<p>STEEP SLOPES, as used in this permit, means slopes or grades steeper than (3:1). [11 Miss. Admin. Code Pt. 6, R. 1]</p>

**ACT12 (continued):**

Narrative Requirements:

Condition No.	Condition
T-30	STORM WATER means rainfall runoff, snowmelt runoff, and surface runoff. [11 Miss. Admin. Code Pt. 6, R. 1]
T-31	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. [11 Miss. Admin. Code Pt. 6, R. 1]
T-32	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, R. 1]
T-33	SUBMITTED means the document is postmarked on or before the applicable deadline, except as otherwise specified. [11 Miss. Admin. Code Pt. 6, R. 1]
T-34	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, R. 1]
T-35	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-36	TOPSOIL means the top layer of undisturbed soil, consisting of a high percentage of organic matter, which is conducive to plant growth. [11 Miss. Admin. Code Pt. 6, R. 1]
T-37	TOTAL MAXIMUM DAILY LOAD (TMDL) means the maximum daily amount of a pollutant that can enter a water body so that the water body will meet and continue to meet state water quality standards. [11 Miss. Admin. Code Pt. 6, R. 1]
T-38	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. [11 Miss. Admin. Code Pt. 6, R. 1]
T-39	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]

**ACT12 (continued):**

Narrative Requirements:

Condition No.	Condition
T-40	WATERS OF THE STATE means all waters within the jurisdiction of this State, including all streams, lakes, ponds, wetlands, impounding reservoirs, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, situated wholly or partly within or bordering upon the State, and such coastal waters as are within the jurisdiction of the State, except lakes, ponds, or other surface waters which are wholly landlocked and privately owned, and which are not regulated under the Federal Clean Water Act (33 U.S.C.1251 et seq.). [11 Miss. Admin. Code Pt. 6, R. 1]
T-41	11 Miss. Admin. Code Pt. 6, R.1 means the State of Mississippi's Wastewater Regulations for National Pollutant Discharge Elimination System (NPDES) Permits, Underground Injection Control (UIC) Permits, State Permits, Water Quality Based Effluent Limitations and Water Quality Certifications. [11 Miss. Admin. Code Pt. 6, R. 1]