



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



## HYDROSTATIC TEST GENERAL PERMIT

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

### THIS CERTIFIES THAT

FACILITIES OR PROJECTS ISSUED A CERTIFICATE OF PERMIT COVERAGE UNDER THIS PERMIT ARE GRANTED PERMISSION TO DISCHARGE HYDROSTATIC TEST WATER AND/OR 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**

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Authorized Signature

**Mississippi Department of Environmental Quality**

Issued: September 6, 2011

Expires: August 31, 2016

Permit No. MSG13

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## Table of Contents

ACT1 (Hydrostatic Test) Introduction:	
Narrative Requirements	
Introduction.....	1
ACT2 (Hydrostatic Test) Permit Applicability and Coverage:	
Narrative Requirements	
Permit Area.....	2
Eligibility.....	2
This Permit Does Not Authorize.....	4
ACT3 (Hydrostatic Test) Obtaining Coverage:	
Submittal/Action Requirements	
Obtaining Authorization.....	5
Requiring an Individual Permit or Alternative General Permit.....	5
How to Obtain Recoverage Under the Reissued Permit.....	6
ACT4 (Hydrostatic Test) Notice of Intent (HTNOI):	
Submittal/Action Requirements	
Hydrostatic Test Notice of Intent Submittal.....	7
Required Submittals with the HTNOI.....	7
Major Modification Form.....	8
Requirements Regarding Water Treatment Additives.....	9
Additional Notification.....	9
Narrative Requirements	
Where to Obtain the HTNOI Forms.....	10
Where to Submit the HTNOI.....	10
Failure to Notify.....	10
ACT5 (Hydrostatic Test) Limitations and Monitoring Requirements for Hydrostatic Test and Storm Water Discharges:	
Limitation Requirements	
Narrative Limitations.....	11
Monitoring Requirements	
Monitoring Requirements for New and Used Pipelines, Storage Tanks, and Flowlines.....	13
ACT6 (Hydrostatic Test) Specific Limitations and Monitoring Requirements for New Pipelines, Storage Tanks, and Flowlines:	
Monitoring Requirements	
Monitoring Requirements Specific to New Pipelines, Storage Tanks, and Flowlines.....	15
Table 1 (Fresh Water).....	16
Table 1A (Salt Water).....	17
ACT7 (Hydrostatic Test) Specific Limitations and Monitoring Requirements for Used Pipelines, Storage Tanks, and Flowlines:	
Monitoring Requirements	
Monitoring Requirements Specific to Used Pipelines, Storage Tanks and Flowlines.....	18
Table 2 (Fresh Water).....	19
Table 2A (Salt Water).....	21

## Table of Contents

ACT8 (Hydrostatic Test) Storm Water Pollution Prevention Plan (SWPPP):	
Narrative Requirements	
SWPPP Development .....	23
SWPPP Content .....	23
ACT9 (Hydrostatic Test) Implementation and Inspection Requirements for Construction Activities:	
Submittal/Action Requirements	
Implementation Requirements .....	30
Inspection Requirements .....	31
Compliance With Local Storm Water Ordinances .....	32
ACT10 (Hydrostatic Test) Recordkeeping and Reporting Requirements:	
Record-Keeping Requirements	
Inspection Records .....	33
Records Retention .....	33
Pre-Discharge Notification .....	33
Submittal/Action Requirements	
Reporting Results of Hydrostatic Test Monitoring .....	34
Termination of Construction Weekly Inspections and Monthly Recordkeeping .....	35
ACT11 (Hydrostatic Test) Request for Termination of Permit Coverage:	
Submittal/Action Requirements	
Termination Requirements .....	36
ACT12 (Hydrostatic Test) Standard Requirements Applicable to All Water Permits:	
Narrative Requirements	
Duty to Comply .....	37
Duty to Reapply .....	37
Duty to Mitigate .....	37
Duty to Provide Information .....	37
Property Rights .....	37
Severability .....	37
Signatory Requirements .....	38
Duly Authorized Representative .....	39
Changes in Authorization .....	39
Certification .....	39
Bypass Prohibition .....	40
Upset Conditions .....	40
Release Reporting .....	41
Inspection and Entry .....	41
Permit Actions .....	41
Noncompliance Reporting .....	42
Reopener Clause .....	42
Permit Modification .....	42
Transfers .....	42

## Table of Contents

Proper Operation and Maintenance.....	42
Spill Prevention and Best Management Plans.....	43
Oil and Hazardous Substance Liability.....	43
Toxic Pollutants Notification Requirements.....	43
Continuation of Expired General Permit.....	43
Monitoring and Records.....	44
Falsifying Reports.....	44
Civil and Criminal Liability.....	45
ACT13 (Hydrostatic Test) Definitions:.....	46

### List of Tables

Table 1 Limitations and Monitoring Requirements for New Pipelines, Storage Tanks, and Flowlines for Discharges to Fresh Water.....	16
Table 1A Limitations and Monitoring Requirements for New Pipelines, Storage Tanks, and Flowlines for Discharges to Salt Water.....	17
Table 2 Limitations and Monitoring Requirements for Used Pipelines, Storage Tanks, and Flowlines Discharges to Fresh Waters.....	19
Table 2A Limitations and Monitoring Requirements Used Pipelines, Storage Tanks, and Flowlines for Discharges to Salt Water.....	21

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**ACT1 (Hydrostatic Test) Introduction:**

**Narrative Requirements:**

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Condition No.	Condition
T-1	<p data-bbox="220 581 430 605"><b>INTRODUCTION:</b></p> <p data-bbox="220 638 1974 727">Facilities or projects that receive coverage under Mississippi's Hydrostatic Test General Permit may discharge hydrostatic test water into waters of the State from new pipelines, storage tanks, flowlines, etc. or used pipelines, storage tanks, flowlines, etc. that have been used for the transportation or storage of natural gas, crude oil, or liquid or gaseous petroleum hydrocarbons, or other substances which would adequately be detected by the effluent limitations of this permit.</p> <p data-bbox="220 760 1974 1055">This permit may also cover storm water discharges associated with pipeline or storage tank construction, including clearing, grading and excavation disturbing one (1) or more acres, or less than one (1) acre if part of a "larger plan of development or sale" (see Definitions). Construction activities associated with oil and gas exploration, production, processing and treatment, and transmission facilities that are defined in the following North American Industrial Classification System (2002 NAICS) codes and titles: 211-Oil and Gas Extraction, 213111-Drilling Oil and Gas Wells, 213112-Support Activities for Oil and Gas Operations, 48611-Pipeline Transportation of Crude Oil and 48621-Pipeline Transportation of Natural Gas, are generally exempt from the construction requirements of this general permit, unless the facility or project has had a discharge of storm water resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 CFR 110 .6, 40 CFR 117.21 or 40 CFR 302.6 or unless the facility contributes to a violation of a water quality standards. The above referenced oil and gas-related facilities are subject to storm water permitting requirements for their construction and operation if they have had a discharge of storm water resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 CFR 110 .6, 40 CFR 117.21 or 40 CFR 302.6 or if the facility contributes to a violation of a water quality standards. [WPC-1]</p>
T-2	<p data-bbox="220 1084 1974 1198">Operators of oil and gas field activities or operations are encouraged to implement and maintain Best Management Practices (BMPs) to minimize erosion and control sediment during and after construction activities to help ensure protection of surface water quality during storm events. It should be noted that exemption from permitting requirements does not exempt operators from enforcement action for violations of State Water Quality Standards and/or the Mississippi Air and Water Pollution Control Law 49-17-29(2)(b).</p> <p data-bbox="220 1230 1974 1287">Hydrostatic test water discharges and storm water discharges associated with regulated construction activities (see Definitions), which enter waters of the State are subject to regulation and compliance with the conditions set forth in this permit.</p> <p data-bbox="220 1320 1396 1347">This permit replaces the previous Hydrostatic Test General Permit that expires on August 31, 2011. [WPC-1]</p>

**ACT2 (Hydrostatic Test) Permit Applicability and Coverage:**

**Narrative Requirements:**

Condition No.	Condition
T-1	<p><b>PERMIT AREA:</b></p> <p>The Hydrostatic Test General Permit covers all areas of the State of Mississippi. [WPC-1]</p>
T-2	<p><b>ELIGIBILITY:</b></p> <p>(1) This permit covers the discharges of hydrostatic test water to waters of the State from new pipelines, storage tanks, flowlines, etc., or used pipelines, storage tanks, flowlines, etc. that have been used for transportation or storage of natural gas, crude oil, or liquid or gaseous petroleum hydrocarbons, or other substances which would adequately be detected by the effluent limitations in this permit.</p> <p>(2) This permit may also cover regulated storm water discharges associated with pipeline or storage tank construction, including clearing, grading and excavation disturbing one (1) or more acres.</p> <p>(3) 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 and coil wash water with no additives</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) Uncontaminated excavation dewatering</li> <li>(K) Landscape irrigation</li> <li>(L) Water used to wash vehicles, wheel wash water and other wash waters where detergents are not used. [WPC-1]</li> </ul>

**ACT2 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-3	<p>In accordance with the provisions of ACT8, T-16, the above non-storm water discharges should be eliminated or reduced to the extent feasible. The Permit Board staff will review the above discharges on a case by case basis and may require the coverage recipient to apply for and obtain either an individual or an alternative general NPDES permit as provided in ACT3, S-2.</p> <p>(4) Prohibited Non-Storm Water Discharges:</p> <ul style="list-style-type: none"> <li>(A) Wastewater from washout of concrete (unless managed by an appropriate control)</li> <li>(B) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials</li> <li>(C) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance</li> <li>(D) Soaps or solvents used in vehicle and equipment washing</li> <li>(E) Wastewater from sanitary facilities, including portable toilets</li> </ul> <p>(5) A facility or project is eligible for coverage under this general permit for discharges of pollutants of concern to water bodies for which there is an EPA-approved Total Maximum Daily Load (TMDL), 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 facility or 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 facility's discharge, the facility must implement steps necessary to meet that allocation within six (6) 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>. [WPC-1]</p>
T-4	<p>(6) 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 HTNOI 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>. [WPC-1]</p>

**ACT2 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-5	<p><b>THIS PERMIT DOES NOT AUTHORIZE:</b></p> <p>(1) Discharges which result in violation of State Water Quality Standards. If a discharge authorized under this permit is later determined to cause or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard, MDEQ will notify the regulated entity of such water quality violation(s) in writing and will provide the information used by MDEQ to make this determination. The regulated entity must take all necessary actions required to ensure future discharges do not cause or contribute to the violation of a water quality standard. If such violations remain or re-occur, then additional measures, such as the addition of Best Management Practices (BMPs) or the requirement to obtain an individual permit, may be required by the Permit Board. Compliance with this requirement does not preclude any enforcement activity as provided by the Clean Water Act for the underlying violation.</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 Hydrostatic Test Notice of Intent (HTNOI).</p> <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 HTNOI will be deemed to constitute the regulated entity's certification of eligibility. [WPC-1]</p>

**ACT3 (Hydrostatic Test) Obtaining Coverage:**

**Submittal/Action Requirements:**

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Condition No.	Condition
S-1	<p data-bbox="222 581 604 605"><b>OBTAINING AUTHORIZATION:</b></p> <p data-bbox="222 643 1967 695">(1) Owners or operators desiring coverage under this permit for discharges associated with hydrostatic test and regulated construction activity disturbing one (1) or more acres must submit a Hydrostatic Test Notice of Intent (HTNOI) in accordance with the requirements of this permit.</p> <p data-bbox="222 732 1967 816">(2) Upon review of the HTNOI and other required submittals, the MDEQ staff may require additional information, 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.</p> <p data-bbox="222 854 1780 878">(3) Coverage under this permit will not be granted until all other required MDEQ permits, certifications and approvals are satisfactorily addressed.</p> <p data-bbox="222 915 1934 1024">(4) Owners or operators are authorized to discharge hydrostatic test and storm water discharges associated with land disturbing activities under the terms and conditions of this permit only upon receipt of written notification of approval of coverage by the Permit Board staff. Discharge to waters of the State without written notification of coverage 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). [WPC-1]</p>
S-2	<p data-bbox="222 1057 1161 1081"><b>REQUIRING AN INDIVIDUAL PERMIT OR ALTERNATIVE GENERAL PERMIT:</b></p> <p data-bbox="222 1118 1967 1260">(1) The Permit Board may require any coverage recipient to apply for and obtain either an individual or an alternative general NPDES permit. Any interested person may petition the Permit Board to take action under this paragraph. The Permit Board may require any coverage recipient to apply for an individual NPDES permit only if the coverage recipient has been notified in writing. Such notice shall include reasons for the Permit Board's decision, an application form and a filing deadline. The Permit Board may grant additional time at its discretion, upon request. If a coverage recipient fails to submit a requested application in a timely manner, coverage under this permit is automatically terminated at the end of the day specified for application submittal.</p> <p data-bbox="222 1297 1967 1382">(2) Any coverage recipient may request to be excluded from permit coverage by applying for an individual permit or coverage under another general permit. The applicant shall submit an individual application (EPA Forms 1 and 2D for new discharges; EPA Forms 1 and 2C for existing discharges and EPA Forms 1 and 2F for Storm Water Discharges) or the appropriate Notice of Intent.</p> <p data-bbox="222 1419 1967 1494">(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. [WPC-1]</p>

**ACT3 (continued):**

**Submittal/Action Requirements:**

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Condition No.	Condition
S-3	<p data-bbox="220 576 1024 607"><b>HOW TO OBTAIN RECOVERAGE UNDER THE REISSUED PERMIT:</b></p> <p data-bbox="220 638 1932 724">Continued coverage under this permit will be allowed until the effective date of the below permit actions. Once the Hydrostatic Test 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 Hydrostatic Test General Permit, the Recoverage Form must be completed and returned to the MDEQ in accordance with the provisions of the Letter of Instruction.</p> <p data-bbox="220 755 741 786">Permit coverage will remain until the earliest of:</p> <ol data-bbox="220 816 1932 1052" style="list-style-type: none"><li data-bbox="220 816 758 847">(1) Recoverage under the reissued general permit;</li><li data-bbox="220 878 1121 909">(2) Submittal of a Request for Termination Form and receipt of written concurrence;</li><li data-bbox="220 940 926 971">(3) Issuance of an individual permit for the project's discharge; or</li><li data-bbox="220 1002 1932 1052">(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.</li></ol> <p data-bbox="220 1083 1974 1174">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., modification of sediment basin outfall design). [WPC-1]</p>

**ACT4 (Hydrostatic Test) Notice of Intent (HTNOI):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p><b>HYDROSTATIC TEST NOTICE OF INTENT (HTNOI) SUBMITTAL:</b></p> <p>Persons desiring coverage for hydrostatic test water discharges and/or storm water discharges associated with regulated construction activities disturbing one (1) or more acres under this general permit should submit a HTNOI form at least 30 days prior to the commencement of the regulated discharge. The HTNOI Form can be found in the Hydrostatic Test Forms Package, which can be obtained from MDEQ at the address listed in later in this ACT or from the MDEQ website 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>. [WPC-1]</p>
S-2	<p><b>REQUIRED SUBMITTALS WITH THE HTNOI INCLUDE:</b></p> <p>Submittals required with a completed HTNOI include:</p> <p>(1) United States Geological Survey (USGS) quadrangle map or photocopy extending at least one-half of a mile beyond the site's property boundary with the site location and outfalls outlined or highlighted.</p> <p>(2) Additional submittals with a completed HTNOI may include:</p> <p>(A) Labeled site drawing noting the outfall(s) associated with hydrostatic test water discharge(s),</p> <p>(B) Storm Water Pollution Prevention Plan (SWPPP) for regulated construction activities that disturb five (5) acres or more (site drawing is not required for linear projects, see ACT8),</p> <p>(C) Section 404 documentation from the U. S. Army Corps of Engineers concerning discharges to waters of the United States, or</p> <p>(D) List of chemical additives (see ACT4, S-4)</p> <p>(3) If water withdrawal from surface waters or ground waters is to be used for the test, the applicant must provide written authorization from the MDEQ, Office of Land and Water. A request to the Office of Land and Water (601/961-5171) must be made with the following information:</p> <p>(A) Location and source of test water</p> <p>(B) Amount and rate of fill water withdrawal</p> <p>(C) Test date. [WPC-1]</p>

**ACT4 (continued):**

**Submittal/Action Requirements:**

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Condition No.	Condition
S-3	<p data-bbox="222 581 716 605"><b>MAJOR MODIFICATION NOTIFICATION:</b></p> <p data-bbox="222 639 1944 696">Coverage recipients shall notify the Mississippi Department of Environmental Quality of plans to expand the acreage or "footprint" of an existing project, to include additional outfall(s) or to change the location of existing outfall(s). This form must be submitted when any of the following activities are being proposed.</p> <ol data-bbox="222 729 1892 1024" style="list-style-type: none"><li data-bbox="222 729 1892 786">(1) Applicant requests additional discharge outfall(s) and/or relocation of existing outfall(s). Complete and submit Outfall Information Form included in the Hydrostatic Test Forms Package.</li><li data-bbox="222 818 1541 842">(2) Applicant requests to utilize new or different water treatment chemicals from what was proposed in the original HTNOI.</li><li data-bbox="222 875 1635 932">(3) Applicant requests to utilize as source water a different water of the State than what was originally proposed and approved by the Office of Land and Water (attach new approval)</li><li data-bbox="222 964 1881 1021">(4) Applicant requests "footprint" identified in the original HTNOI to be enlarged (if modification impacts wetlands, attach Corps of Engineers' Section 404 documentation).</li></ol> <p data-bbox="222 1053 1934 1143">A modified SWPPP and updated USGS topographic map must be attached if an enlargement of the original footprint or rerouting of the original project is proposed. Additions or relocations of existing outfalls must also be located on the topographic map. This form must be signed by the current coverage recipient under Mississippi's Hydrostatic Test General Permit. A different operator must have general permit coverage transferred prior to coverage being modified.</p> <p data-bbox="222 1175 1944 1263">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. Proposed changes may require termination of the General Permit coverage and/or application for an individual or alternative general permit. [WPC-1]</p>

**ACT4 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-4	<p data-bbox="222 581 1010 605"><b>REQUIREMENTS REGARDING WATER TREATMENT ADDITIVES</b></p> <p data-bbox="222 638 1948 719">Written approval must be received from MDEQ prior to initiating use. Notification should be made to MDEQ in writing not later than thirty (30) days prior to initiating the addition of any chemical product, which is subject to discharge, other than those previously approved and/or used. Such notification should include, but not be limited to:</p> <ul style="list-style-type: none"> <li data-bbox="222 760 785 784">(1) Name and composition of the proposed additive,</li> <li data-bbox="222 792 632 816">(2) Proposed discharge concentration,</li> <li data-bbox="222 824 411 849">(3) Dosage rates,</li> <li data-bbox="222 857 457 881">(4) Frequency of use,</li> <li data-bbox="222 889 642 914">(5) EPA registration, if applicable, and</li> <li data-bbox="222 922 684 946">(6) Aquatic species toxicological data, and</li> <li data-bbox="222 954 762 979">(7) Material Safety Data Sheet (MSDS). [WPC-1]</li> </ul>
S-5	<p data-bbox="222 995 590 1019"><b>ADDITIONAL NOTIFICATION:</b></p> <p data-bbox="222 1052 1035 1076">The coverage recipient must notify the Permit Board at least 30 days before:</p> <ul style="list-style-type: none"> <li data-bbox="222 1117 1596 1141">(1) Any planned change in processes that may affect hydrostatic test water or storm water discharge quality, quantity or location,</li> <li data-bbox="222 1174 674 1198">(2) Any planned changes of ownership, or</li> <li data-bbox="222 1230 1062 1255">(3) Any changes in information previously submitted in the HTNOI. [WPC-1]</li> </ul>

**ACT4 (continued):**

**Narrative Requirements:**

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Condition	Condition
T-1	<p>WHERE TO OBTAIN THE HTNOI FORMS:</p> <p>HTNOI forms may be obtained from the MDEQ at the address shown below or by calling 601/961-5171. HTNOI forms, as well as the general permit, may be found on the MDEQ web site 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>. [WPC-1]</p>
T-2	<p>WHERE TO SUBMIT THE HTNOI:</p> <p>Complete and appropriately signed HTNOI Forms must be submitted to:</p> <p>Chief, Environmental Permits Division Mississippi Department of Environmental Quality Office of Pollution Control P.O. Box 2261 Jackson, Mississippi 39225</p> <p>For priority or overnight deliveries, the physical address is:</p> <p>515 East Amite Street Jackson, Mississippi 39201. [WPC-1]</p>
T-3	<p>FAILURE TO NOTIFY:</p> <p>Persons who discharge hydrostatic test water and/or storm water associated with regulated land disturbing activities of one (1) or more acres 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). [WPC-1]</p>

**ACT5 (Hydrostatic Test) Limitations and Monitoring Requirements for Hydrostatic Test and Storm Water Discharges:**

Limitation Requirements:

Condition No.	Parameter	Condition
L-1		<p>NARRATIVE LIMITATIONS:</p> <p>(1) No Hydrostatic test water discharge will be allowed if the pollutant that is proposed to be discharged will cause or contribute to an existing impairment of a Section 303(d) listed water.</p> <p>(2) Hydrostatic test water and storm water discharges shall be free from:</p> <p>(A) Debris, oil, scum, and other floating materials other than in trace amounts</p> <p>(B) Eroding soils and other materials that will settle to form objectionable deposits in receiving waters</p> <p>(C) Suspended solids, turbidity and color at levels inconsistent with the receiving waters</p> <p>(D) Chemicals in concentrations that would cause violation of State Water Quality Criteria in the receiving waters. [WPC-1]</p>
L-2		<p>(3) Prior to hydrostatic testing, the pipeline, tank, flowline, etc. to be tested shall be free from contaminants such as excess product, wax, debris, liquids, etc. (e.g. prepigging/precleaning). This permit does not authorize the discharge of any waste generated in the prepigging/precleaning process.</p> <p>(4) Land application (see paragraphs (5), (6), (7), and (8) below) of the hydrostatic test water discharge is required as a means of treatment (direct discharges to Mississippi Sound will be evaluated on a case by case basis and must be approved by the Permit Board staff).</p> <p>(5) All water shall be discharged in a manner to prevent erosion of materials and soils into surface waters.</p> <p>(6) For a discharge from a new pipeline, storage tank, flowline, etc., the test water shall be discharged into an energy dissipation/filtering device constructed of a splash plate and properly entrenched straw bales/silt fence or other filter media.</p> <p>(7) For a discharge from a used pipeline, storage tank, flowline, etc, the test water shall be discharged into an energy dissipation/ filtration/ absorbent device constructed of a splash plate and properly entrenched straw bales/silt fence or other filter media and absorbent booms. [WPC-1]</p>

**ACT5 (continued):**

**Limitation Requirements:**

Condition No.	Parameter	Condition
L-3		<p>(8) Locate all dewatering structures in a well-vegetated and stabilized area, and maintain at least a 50-foot vegetated buffer from adjacent water body/wetland area.</p> <p>(9) If brackish water is used as source/fill water, it may only be discharged back to the estuarine environment.</p> <p>(10) There shall be no chemical additives containing any priority pollutants listed in 40 CFR 122, Appendix D, Tables II and III. However, if water treatment chemicals are proposed, the applicant must provide a list of those chemicals and associated information listed in ACT4, S-4. [WPC-1]</p>

**ACT5 (continued):**

**Monitoring Requirements:**

Condition No.	Parameter	Condition
M-1		<p><b>MONITORING REQUIREMENTS FOR NEW AND USED PIPELINES, STORAGE TANKS, AND FLOWLINES</b></p> <p>(1) Frequency and Location of Monitoring. Sampling and analysis for each parameter as specified in Tables 1, 1A, 2 and 2A shall be conducted during hydrostatic test water discharge for each discharge point. Samples taken in compliance with the monitoring requirements shall be taken at the nearest accessible point after final treatment but prior to mixing with any non-regulated wastewater streams or the receiving stream.</p> <p>(2) Representative Sampling. Samples shall be representative of the volume and nature of the monitored discharge. For pipe being tested, hydrostatic test water discharges are typically batch discharges and are conducted by either the "First In, First Out" method, or the "First In, Last Out" method. When the "First In, Last Out" method is used, the test water enters and is discharged from the same location in the pipe. In the "First In, First Out" method, the pipe is filled at one end of the test section(s) and removed from the opposite end. Where the "First In, Last Out" method is used, grab samples shall be taken at the end of the discharge (last third of discharge by volume). Where the "First In, First Out" method is used, grab samples shall be taken at the beginning of the discharge (first third of discharge by volume).</p> <p>In instances where the operator chooses to discharge hydrostatic test water into a temporary or fixed holding tank prior to discharge, a representative sample can be collected from the mixed contents of the tank. [WPC-1]</p>

**ACT5 (continued):**

**Monitoring Requirements:**

Condition No.	Parameter	Condition
M-2		<p>(3) Test Procedures. Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304(h) of the Federal Water Pollution Control Act, as amended. Sampling test procedures shall be in accordance with the methods set forth in 40 CFR Part 136.</p> <p>(4) Recording of Results. For each measurement or sample taken pursuant to the requirements of this permit, the coverage recipient shall complete and retain for a minimum of 3 years, as required by ACT10, R-2, the reporting form found in the Hydrostatic Test Forms Package.</p> <p>(5) The "semi-annual maximum," as defined by the General Permit means the highest "daily discharge" measured over a six-month period. Therefore, if more than one discharge event occurs during the same semi-annual monitoring period, the coverage recipient is required to report the largest value obtained from the sampling data of the discharge events.</p> <p>(6) Flow shall be estimated by determining the total gallons discharged and reported as Million Gallons per Day (MGD). If a discharge event exceeds a 24-hour period, the coverage recipient should report the greatest 24-hour flow on the Discharge Monitoring Report form. The total amount of flow over the entire discharge event should be recorded in the comments field along with an explanation stating the discharge event lasted longer than 24 hours. [WPC-1]</p>

**ACT6 (Hydrostatic Test) Specific Limitations and Monitoring Requirements for New Pipelines, Storage Tanks, and Flowlines:**

**Monitoring Requirements:**

Condition No.	Parameter	Condition
M-1		<p><b>MONITORING REQUIREMENTS SPECIFIC TO NEW PIPELINES, STORAGE TANKS, AND FLOWLINES</b></p> <p>(1) Hydrostatic test water discharges from new pipelines, storage tanks, flowlines, etc. that have not been used to transport or store product and that have been constructed of unused materials are not required to monitor for the parameters listed in Table 1 or 1A or to submit DMRs as long as the total volume of hydrostatic test water to be discharged is 3,000 gallons or less.</p> <p>(2) Monitoring of chlorine is not required if the source water is not chlorinated. Chlorinated water would typically come from a rural or municipal potable water supply. [WPC-1]</p>

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

### Limitations and Monitoring Requirements for New Pipelines, Storage Tanks and Flowlines

**Table 1: Fresh Water**

Such discharges shall be limited and monitored by the permittee as specified below:

Parameter	Discharge Limitations							Monitoring Requirements		
	Quantity / Loading Average	Quantity / Loading Maximum	Quantity / Loading Units	Quality / Conc. Minimum	Quality / Conc. Average	Quality / Conc. Maximum	Quality / Conc. Units	Frequency	Sample Type	Which Months
<i>Chlorine, total residual Effluent</i>	*****	*****	*****	*****	*****	0.019 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>Flow Effluent</i>	*****	Report Semi Maximum	Million Gallons per Day	*****	*****	*****	*****	Once per Discharge Event	Estimate	Jan-Dec
<i>Oil and grease Effluent</i>	*****	*****	*****	*****	*****	15 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>pH Effluent</i>	*****	*****	*****	6.0 Minimum	*****	9.0 Maximum	SU	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>Solids (Total Suspended) Effluent</i>	*****	*****	*****	*****	*****	90 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

### Limitations and Monitoring Requirements for New Pipelines, Storage Tanks and Flowlines

**Table 1A: Salt Water**

Such discharges shall be limited and monitored by the permittee as specified below:

Parameter	Discharge Limitations							Monitoring Requirements		
	Quantity / Loading Average	Quantity / Loading Maximum	Quantity / Loading Units	Quality / Conc. Minimum	Quality / Conc. Average	Quality / Conc. Maximum	Quality / Conc. Units	Frequency	Sample Type	Which Months
<i>Chlorine, total residual Effluent</i>	*****	*****	*****	*****	*****	0.013 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>Flow Effluent</i>	*****	Report Semi Maximum	Million Gallons per Day	*****	*****	*****	*****	Once per Discharge Event	Estimate	Jan-Dec
<i>Oil and grease Effluent</i>	*****	*****	*****	*****	*****	15 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>pH Effluent</i>	*****	*****	*****	6.0 Minimum	*****	9.0 Maximum	SU	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>Solids (Total Suspended) Effluent</i>	*****	*****	*****	*****	*****	90 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec

**ACT7 (Hydrostatic Test) Specific Limitations and Monitoring Requirements for Used Pipelines, Storage Tanks, and Flowlines:**

**Monitoring Requirements:**

Condition No.	Parameter	Condition
M-1		<p><b>MONITORING REQUIREMENTS SPECIFIC TO USED PIPELINES, STORAGE TANKS AND FLOWLINES</b></p> <p>(1) Benzene shall only be monitored for discharges from facilities which have been used for the storage or transportation of liquid or gaseous petroleum hydrocarbons.</p> <p>(2) BTEX shall only be monitored for discharges from facilities, which have been used for the storage or transportation of liquid or gaseous petroleum hydrocarbons. Total BTEX shall be measured as the sum of benzene, ethylbenzene, toluene, and xylenes. EPA Methods 602, 624, 1624 or an approved equivalent method shall be used for the measurement of benzene, ethylbenzene, and toluene. EPA Methods 8240 or 8020, or an approved equivalent method, shall be used for the measurement of xylene including ortho-, meta-, and para-xylene.</p> <p>(3) Monitoring of chlorine is not required if the source water is not chlorinated. Chlorinated water would typically come from a rural or municipal potable water supply.</p> <p>(4) Total Recoverable Lead shall be monitored only if leaded fuel has been in pipe or vessels. The applicant may submit monitoring data for lead that provides evidence that no reasonable potential exists for the discharge of this pollutant in significant quantities (exceeds discharge limitations). If lead analytical results are less than the State Minimum Quantification Limit (MQL) of 0.005 mg/l it will be assumed that reasonable potential for significant discharges does not exist and future monitoring is waived. [WPC-1]</p>
M-2		<p>(5) Hydrostatic testing of used pipe or vessels will require analysis of the discharge water for polychlorinated biphenyls (PCBs). This analysis will not be required for existing pipe or vessels that have been previously sampled for PCBs and laboratory analysis demonstrated less than detectable levels of 1 ug/l. Hydrostatic testing of used pipe or vessels will require analysis of the discharge water for polychlorinated biphenyls (PCB's) for each arochlor. This analysis will not be required for new pipeline segments or used pipe or vessels that have been previously sampled for PCB's and where laboratory analysis demonstrates less than detectable levels. Should analysis indicate levels of PCB's for any arochlor above 1.0 ug/l, the test water must be treated to remove PCB's or prior approval from the Office of Pollution Control obtained for exception to this standard. Analytical concentrations less than 1 ug/l are considered "non-detects". Any sample result reported as "non-detected" or less than the minimum concentration level shall be entered as zero on the Discharge Monitoring Report (DMR). [WPC-1]</p>

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

### Limitations and Monitoring Requirements for Used Pipelines, Storage Tanks and Flowlines

**Table 2: Fresh Water**

Such discharges shall be limited and monitored by the permittee as specified below:

Parameter	Discharge Limitations							Monitoring Requirements		
	Quantity / Loading Average	Quantity / Loading Maximum	Quantity / Loading Units	Quality / Conc. Minimum	Quality / Conc. Average	Quality / Conc. Maximum	Quality / Conc. Units	Frequency	Sample Type	Which Months
<i>Benzene Effluent</i>	*****	*****	*****	*****	*****	0.075 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>Benzene, Ethylbenzene, Toluene, Xylene Combination (BTEX) Effluent</i>	*****	*****	*****	*****	*****	1.12 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>Chlorine, total residual Effluent</i>	*****	*****	*****	*****	*****	0.019 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>Flow Effluent</i>	*****	Report Semi Maximum	Million Gallons per Day	*****	*****	*****	*****	Once per Discharge Event	Estimate	Jan-Dec
<i>Lead (Total Recoverable) Effluent</i>	*****	*****	*****	*****	*****	0.03 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>Oil and grease Effluent</i>	*****	*****	*****	*****	*****	15 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>PCB-1016 (Arochlor 1016) Effluent</i>	*****	*****	*****	*****	*****	0.2 Semi Maximum	ug/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>PCB-1221 (Arochlor 1221) Effluent</i>	*****	*****	*****	*****	*****	0.2 Semi Maximum	ug/L	Once per Discharge Event	Grab Sampling	Jan-Dec

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

### Limitations and Monitoring Requirements for Used Pipelines, Storage Tanks and Flowlines

**Table 2 (continued): Fresh Water**

Such discharges shall be limited and monitored by the permittee as specified below:

Parameter	Discharge Limitations							Monitoring Requirements		
	Quantity / Loading Average	Quantity / Loading Maximum	Quantity / Loading Units	Quality / Conc. Minimum	Quality / Conc. Average	Quality / Conc. Maximum	Quality / Conc. Units	Frequency	Sample Type	Which Months
<i>PCB-1232 (Arochlor 1232) Effluent</i>	*****	*****	*****	*****	*****	0.2 Semi Maximum	ug/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>PCB-1242 (Arochlor 1242) Effluent</i>	*****	*****	*****	*****	*****	0.2 Semi Maximum	ug/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>PCB-1248 (Arochlor 1248) Effluent</i>	*****	*****	*****	*****	*****	0.2 Semi Maximum	ug/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>PCB-1254 (Arochlor 1254) Effluent</i>	*****	*****	*****	*****	*****	0.2 Semi Maximum	ug/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>PCB-1260 (Arochlor 1260) Effluent</i>	*****	*****	*****	*****	*****	0.2 Semi Maximum	ug/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>pH Effluent</i>	*****	*****	*****	6.0 Minimum	*****	9.0 Maximum	SU	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>Solids (Total Suspended) Effluent</i>	*****	*****	*****	*****	*****	90 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

### Limitations and Monitoring Requirements for Used Pipelines, Storage Tanks and Flowlines

**Table 2A: Salt Water**

Such discharges shall be limited and monitored by the permittee as specified below:

Parameter	Discharge Limitations							Monitoring Requirements		
	Quantity / Loading Average	Quantity / Loading Maximum	Quantity / Loading Units	Quality / Conc. Minimum	Quality / Conc. Average	Quality / Conc. Maximum	Quality / Conc. Units	Frequency	Sample Type	Which Months
<i>Benzene Effluent</i>	*****	*****	*****	*****	*****	0.075 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>Benzene, Ethylbenzene, Toluene, Xylene Combination (BTEX) Effluent</i>	*****	*****	*****	*****	*****	1.12 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>Chlorine, total residual Effluent</i>	*****	*****	*****	*****	*****	0.013 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>Flow Effluent</i>	*****	Report Semi Maximum	Million Gallons per Day	*****	*****	*****	*****	Once per Discharge Event	Estimate	Jan-Dec
<i>Lead (Total Recoverable) Effluent</i>	*****	*****	*****	*****	*****	0.03 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>Oil and grease Effluent</i>	*****	*****	*****	*****	*****	15 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>PCB-1016 (Arochlor 1016) Effluent</i>	*****	*****	*****	*****	*****	1.0 Semi Maximum	ug/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>PCB-1221 (Arochlor 1221) Effluent</i>	*****	*****	*****	*****	*****	1.0 Semi Maximum	ug/L	Once per Discharge Event	Grab Sampling	Jan-Dec

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Limitations and Monitoring Requirements for Used Pipelines, Storage Tanks and Flowlines

Page 22 of 50

Table 2A (continued): Salt Water

Such discharges shall be limited and monitored by the permittee as specified below:

Parameter	Discharge Limitations							Monitoring Requirements		
	Quantity / Loading Average	Quantity / Loading Maximum	Quantity / Loading Units	Quality / Conc. Minimum	Quality / Conc. Average	Quality / Conc. Maximum	Quality / Conc. Units	Frequency	Sample Type	Which Months
<i>PCB-1232 (Arochlor 1232) Effluent</i>	*****	*****	*****	*****	*****	1.0 Semi Maximum	ug/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>PCB-1242 (Arochlor 1242) Effluent</i>	*****	*****	*****	*****	*****	1.0 Semi Maximum	ug/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>PCB-1248 (Arochlor 1248) Effluent</i>	*****	*****	*****	*****	*****	1.0 Semi Maximum	ug/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>PCB-1254 (Arochlor 1254) Effluent</i>	*****	*****	*****	*****	*****	1.0 Semi Maximum	ug/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>PCB-1260 (Arochlor 1260) Effluent</i>	*****	*****	*****	*****	*****	1.0 Semi Maximum	ug/L	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>pH Effluent</i>	*****	*****	*****	6.0 Minimum	*****	9.0 Maximum	SU	Once per Discharge Event	Grab Sampling	Jan-Dec
<i>Solids (Total Suspended) Effluent</i>	*****	*****	*****	*****	*****	90 Semi Maximum	mg/L	Once per Discharge Event	Grab Sampling	Jan-Dec

**ACT8 (Hydrostatic Test) 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 for regulated land disturbing activities that disturb one (1) acre or more. 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. [WPC-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 erosion at outlets and to minimize downstream channel and stream bank erosion;</li> <li>(3) Minimize the amount of soil exposed during construction activity;</li> <li>(4) Minimize the disturbance of steep slopes;</li> <li>(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. [WPC-1]</li> </ol>

**ACT8 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-3	<p>(6) Provide and maintain natural buffers around surface waters, direct storm water to vegetated areas to increase sediment removal and maximize storm water infiltration, unless infeasible;</p> <p>(7) Minimize soil compaction and, unless infeasible, preserve topsoil;</p> <p>(8) Direct storm water to vegetated areas, brush barriers, silt fences, hay bales, etc. to aid in the filtration, infiltration, velocity reduction and diffusion of the discharge;</p> <p>(9) Transport runoff down steep slopes through lined channels or piping;</p> <p>(10) Minimize the amount of cut and fill, and soil compaction; and</p> <p>(11) Minimize off-site vehicle tracking of sediments. [WPC-1]</p>
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 the " Planning and Design Manual for the Control of Erosion, Sediment &amp; Storm Water" or other recognized 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, excavating or other land disturbing activities have temporarily or permanently ceased on any portion of the site and will not resume for a period of fourteen (14) days or more. The appropriate temporary or permanent vegetative practices shall be implemented with seven (7) calendar days. [WPC-1]</p>

**ACT8 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-5	<p>Specific BMPs that must be included, unless infeasible (see Definitions) are:</p> <p>(A) Buffer zones (see Definition) shall be maintained between land disturbing activities and perennial water bodies. A minimum 150-foot buffer zone is recommended.</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. The SWPPP must contain written justification as to why any of these specific controls were not deemed feasible. [WPC-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 3600 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 major 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.</p> <p>Due to the unique characteristics of linear projects, 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. [WPC-1]</p>

**ACT8 (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.</p> <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. [WPC-1]</p>
T-8	<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 will not cause or contribute to excursions 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. [WPC-1]</p>

**ACT8 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-9	<p data-bbox="220 576 493 609">Housekeeping Practices:</p> <p data-bbox="220 641 1942 698">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.</p> <p data-bbox="220 722 1974 876">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. [WPC-1]</p>
T-10	<p data-bbox="220 901 525 933">Prepare Scaled Site Map(s):</p> <p data-bbox="220 958 903 990">The owner or operator shall prepare a scaled site map showing:</p> <ol data-bbox="220 990 1396 1258" 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,</li> <li>(6) Location of any storm drain inlets,</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. [WPC-1]</li> </ol>
T-11	<p data-bbox="220 1282 399 1315">Linear Projects:</p> <p data-bbox="220 1339 1942 1404">If the construction project is a linear construction project (e.g., pipeline, highway, etc.), a scaled site map is not required, however standard diagrams (e.g., cross sections showing dimensions and labeled components) of erosion and sediment controls to be used must be submitted. [WPC-1]</p>

**ACT8 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-12	<p><b>Implementation Sequence:</b></p> <p>The SWPPP shall outline an implementation sequence (including any phasing of construction activities), which coordinates the timing of all major land-disturbing activities together with the necessary erosion and sedimentation control measures planned for the project. [WPC-1]</p>
T-13	<p><b>Implementation of Controls:</b></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. [WPC-1]</p>
T-14	<p><b>Maintenance and Weekly Inspections:</b></p> <p>The SWPPP shall describe procedures to maintain vegetation, erosion and sediment controls and other protective measures. Procedures shall provide that all controls are inspected weekly for a minimum of four inspections per month in accordance with ACT9, S-5. [WPC-1]</p>
T-15	<p><b>Non-Storm Water Discharge Management:</b></p> <p>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. 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. [WPC-1]</p>
T-16	<p><b>Final Stabilization:</b></p> <p>The SWPPP shall describe procedures to achieve final stabilization (See Definitions) of all disturbed areas of the project site. [WPC-1]</p>

**ACT8 (continued):**

**Narrative Requirements:**

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Condition	Condition
T-17	<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.</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>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>. [WPC-1]</p>

**ACT9 (Hydrostatic Test) Implementation and Inspection Requirements for Construction Activities:**

**Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p><b>IMPLEMENTATION REQUIREMENTS:</b></p> <p>The coverage recipient shall:</p> <p>(1) Submit the SWPPP with the HTNOI only if land disturbing activity is five (5) acres or greater.</p> <p>(2) Implement the site-specific SWPPP and retain a copy of the SWPPP at the permitted site. In cases where there is no office or shelter to maintain documents onsite, the SWPPP can be kept locally available (i.e., able to be produced within an hour of being requested by a state or local inspector). Failure to implement the SWPPP is a violation of permit requirements. A copy of the SWPPP must be made available to state or local inspectors for review at the time of an on-site inspection.</p> <p>(3) Implement the following pre-construction activities:</p> <p>(A) Mark off areas of "disturbance", "no disturbance" and "sensitive areas" (i.e., delineate and clearly flag or mark off areas such as steep slopes, highly erodible soils or other sensitive areas),</p> <p>(B) Preserve native topsoil on the site to the extent feasible, and</p> <p>(C) Limit construction stream crossings to the minimum necessary to provide access for the construction project. [WPC-1]</p>
S-2	<p>(4) Ensure that appropriate Best Management Practices (BMPs) are in place upon commencement of construction.</p> <p>(5) Amend the SWPPP if notified at any time by the Executive Director of the MDEQ that the SWPPP does not meet the minimum requirements. Coverage recipient shall certify in writing to the Executive Director that the requested changes have been made. Unless otherwise provided, the requested changes shall be made within fifteen (15) days.</p> <p>(6) 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. [WPC-1]</p>

**ACT9 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-3	<p>(7) 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>(8) 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>(9) Comply with applicable State or local waste disposal, sanitary sewer or septic system regulations</p> <p>(10) Erosion and sediment controls shall be maintained at all times. Except for sediment basins, all accumulated sediment shall be removed from structural controls when sediment deposits reach one-third to one-half the height of the control. For sediment basins, accumulated sediment shall be removed when the capacity has been reduced by 50%. All removed sediment deposits shall be properly disposed. Non-functioning controls shall be repaired, replaced or supplemented with functional controls within twenty-four (24) hours of discovery or as soon as field conditions allow.</p> <p>(11) 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. [WPC-1]</p>
S-4	<p><b>INSPECTION REQUIREMENTS:</b></p> <p>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 Hydrostatic Test Forms Package, and inspections shall be performed by qualified personnel (see Definitions):</p> <p>(1) At least weekly for a minimum of four inspections per month; and</p> <p>(2) As often as is necessary to ensure that appropriate erosion and sediment controls have been properly constructed and maintained and to determine if additional or alternative control measures are required.</p> <p>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.</p> <p>MDEQ strongly recommends that coverage recipients perform a "walk through" inspection of the construction site before anticipated storm events to ensure controls are in place and will function properly. [WPC-1]</p>

**ACT9 (continued):**

**Submittal/Action Requirements:**

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Condition	Condition
S-5	<p data-bbox="222 579 953 604"><b>COMPLIANCE WITH LOCAL STORM WATER ORDINANCES:</b></p> <p data-bbox="222 639 1052 664">(1) The SWPPP shall be in compliance with all local storm water ordinances.</p> <p data-bbox="222 699 1881 758">(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. [WPC-1]</p>

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**ACT10 (Hydrostatic Test) Recordkeeping and Reporting Requirements:**

**Record-Keeping Requirements:**

Condition No.	Condition
R-1	<p><b>INSPECTION RECORDS:</b></p> <p>The erosion and sediment control inspections described in ACT9, S-4, must be documented on copies of the Monthly Inspection Report and Certification Form provided in the Hydrostatic Test Forms Package and be kept with the SWPPP. [WPC-1]</p>
R-2	<p><b>RECORDS RETENTION</b></p> <p>All records and results of monitoring activities required by this permit, including calibration and maintenance records, shall be retained by the coverage recipient for a minimum of three (3) years, unless otherwise required or extended by the Permit Board, copies of which shall be furnished to the MDEQ upon request. [WPC-1]</p>
R-3	<p><b>PRE-DISCHARGE NOTIFICATION</b></p> <p>MDEQ should be notified regarding the start date/time and anticipated duration of the surface discharge of hydrostatic test water from the covered project. Submittal of the Notification of Surface Discharge of Hydrostatic Test Water Form should be postmarked at least 15 days prior to the discharge start date to allow MDEQ, at its discretion, to schedule an observer to witness the discharge. The form is provided in the Hydrostatic Test Forms Package. [WPC-1]</p>

**ACT10 (continued):**

**Submittal/Action Requirements:**

Condition No.	Condition
S-1	<p data-bbox="222 581 1079 605"><b>REPORTING RESULTS OF HYDROSTATIC TEST WATER MONITORING</b></p> <p data-bbox="222 638 1953 727">(1) Monitoring results obtained during the previous six (6) months shall be summarized and reported semi-annually on a Discharge Monitoring Report Form (provided by MDEQ) POSTMARKED NO LATER THAN THE 28TH DAY OF JANUARY AND JULY. Copies of these, and all other reports required herein, shall be signed in accordance with ACT12, T-7 and T-8, and shall be submitted to the Mississippi Environmental Quality Permit Board at the following address.</p> <p data-bbox="222 760 1388 849">MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF POLLUTION CONTROL P. O. Box 2261 Jackson, Mississippi 39225</p> <p data-bbox="222 881 852 906">For priority or overnight deliveries, the physical address is:</p> <p data-bbox="222 938 632 995">515 East Amite Street Jackson, Mississippi 39201. [WPC-1]</p>
S-2	<p data-bbox="222 1027 1953 1166">(2) If the results for a given sample analysis are such that any parameter is not detected at or above the minimum level for the test method used, a value of zero will be used for that sample in calculating an arithmetic mean value for the parameter. If the resulting calculated arithmetic mean value for that reporting period is zero, the covered facility shall report "NODI = B" (No Data Indicator = Below Detect Limit/No Detect) on the DMR. For each quantitative sample value that is not detectable, the test method used and the minimum level for that method for that parameter shall be attached to and submitted with the DMR. The covered facility shall then be considered in compliance with the appropriate effluent limitation and/or reporting requirement.</p> <p data-bbox="222 1206 1953 1312">(3) If the covered facility monitors any pollutant as prescribed in the permit more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Permit Board.</p> <p data-bbox="222 1352 1953 1406">(4) Calculations for all limitations that require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Permit Board in the permit. [WPC-1]</p>

**ACT10 (continued):**

**Submittal/Action Requirements:**

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Condition No.	Condition
S-3	<p data-bbox="222 581 1394 605"><b>TERMINATION OF CONSTRUCTION WEEKLY INSPECTIONS AND MONTHLY RECORDKEEPING:</b></p> <p data-bbox="222 643 1877 724">For projects that have completed regulated construction activities, but for which hydrostatic testing continues, the coverage recipient may terminate weekly inspections and monthly recordkeeping requirements by submitting the Request for Termination of the Weekly Construction Erosion and Sediment Control Inspections Form provided in the Hydrostatic Test Forms Package. The form certifies:</p> <ul data-bbox="222 760 1478 846" style="list-style-type: none"><li data-bbox="222 760 716 784">(1) Land disturbing activities have ceased, and</li><li data-bbox="222 820 1478 846">(2) Areas that have been disturbed meet the definition of "final stabilization" (see Definitions), with no active erosion.</li></ul> <p data-bbox="222 881 1944 963">Color photographs representative of the current site conditions must be submitted with the inspection termination form. The coverage recipient is still responsible for all permit conditions following termination and nothing in this condition shall limit the rights of the MDEQ to take enforcement or other actions against the coverage recipient.</p> <p data-bbox="222 998 1864 1055">The coverage recipient shall notify MDEQ in accordance with the provisions of ACT4, S-5, if construction activities are resumed. Weekly inspections, in accordance with ACT9, S-4, shall commence immediately upon resuming regulated construction activities. [WPC-1]</p>

**ACT11 (Hydrostatic Test) Request for Termination of Permit Coverage:**

**Submittal/Action Requirements:**

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Condition	Condition
S-1	TERMINATION REQUIREMENTS
	The coverage recipient must notify the MDEQ that hydrostatic test water will no longer be discharged by submitting a "Request for Termination Form." The form can be found in the Hydrostatic Test Forms Package, which is available 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> .
	All DMR forms must be completed and submitted before coverage can be terminated. [WPC-1]

**ACT12 (Hydrostatic Test) 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, coverage termination, revocation and reissuance, or modifications; or denial of a renewal application. [WPC-1]</p>
T-2	<p><b>DUTY TO REAPPLY:</b></p> <p>If the coverage recipient wishes to continue an activity regulated by this permit after the expiration date of this permit, coverage recipient must apply for and obtain authorization as required by the new permit. [WPC-1]</p>
T-3	<p><b>DUTY TO MITIGATE:</b></p> <p>The coverage recipient 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. [WPC-1]</p>
T-4	<p><b>DUTY TO PROVIDE INFORMATION:</b></p> <p>The coverage recipient shall furnish to the Permit Board, within a reasonable time, any relevant information which the Permit Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating coverage, or to determine compliance with this permit. The coverage recipient shall also furnish to the Permit Board, upon request, copies of records required to be kept by this permit. [WPC-1]</p>
T-5	<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. [WPC-1]</p>
T-6	<p><b>SEVERABILITY:</b></p> <p>The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby. [WPC-1]</p>

**ACT12 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-7	<p><b>SIGNATORY REQUIREMENTS:</b></p> <p>All HTNOIs 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. [WPC-1]</p>

**ACT12 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-8	<p><b>DULY AUTHORIZED REPRESENTATIVE:</b></p> <p>All reports required by this permit, 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). [WPC-1]</p>
T-9	<p><b>CHANGES IN 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. [WPC-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 fines and imprisonment for knowing violations." [WPC-1]</p>

**ACT12 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-11	<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:</p> <ul style="list-style-type: none"> <li>(1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;</li> <li>(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the coverage recipient should, in the exercise of reasonable engineering judgment, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and 3) The coverage recipient submitted notices per T-16 of this ACT. [WPC-1]</li> </ul>
T-12	<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 demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence, that:</p> <ul 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, being properly operated at the time of the upset.</li> <li>(3) The coverage recipient submitted notices per T-16 of this ACT.</li> <li>(4) The coverage recipient took remedial measures as required under T-3 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. [WPC-1]</li> </ul>

**ACT12 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-13	<p><b>RELEASE REPORTING:</b></p> <p>Releases into the environment of hazardous substances, oil, and pollutants or contaminants, which pose a threat to applicable water quality standards or causes a film, sheen or discoloration of waters of the State, shall be reported to the:</p> <p>(1) Mississippi Emergency Management Agency (601) 933-6362 or (800) 222-6362; or</p> <p>(2) National Response Center (800) 424-8802. [WPC-1]</p>
T-14	<p><b>INSPECTION AND ENTRY:</b></p> <p>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> <p>(1) Enter upon the coverage recipient's premises where a regulated activity is located or conducted or where records must be kept under the conditions of this permit;</p> <p>(2) Have access to and copy at reasonable times any records that must be kept under the conditions of this permit;</p> <p>(3) Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and</p> <p>(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. [WPC-1]</p>
T-15	<p><b>PERMIT ACTIONS:</b></p> <p>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. [WPC-1]</p>

**ACT12 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-16	<p><b>NONCOMPLIANCE REPORTING:</b></p> <p>(1) Anticipated Noncompliance. The coverage recipient shall give at least 10 days advance notice, if possible, before any planned noncompliance with permit requirements. Giving notice of planned or anticipated noncompliance does not immunize the coverage recipient from enforcement action for that noncompliance.</p> <p>(2) Unanticipated Noncompliance. The coverage recipient shall notify the MDEQ orally within 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. [WPC-1]</p>
T-17	<p><b>REOPENER CLAUSE:</b></p> <p>If there is evidence indicating potential or realized impacts on water quality due to storm water discharge(s) from industrial activities covered by this permit, the coverage recipient may be required to obtain an 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. [WPC-1]</p>
T-18	<p><b>PERMIT MODIFICATION:</b></p> <p>Permit modification or revocation will be conducted according to 40 CFR 122.62, 122.63, 122.64 and 124.5. [WPC-1]</p>
T-19	<p><b>TRANSFERS:</b></p> <p>Coverage under this permit is not transferable to any person except after notice to and approval by the Permit Board. The Permit Board may require the coverage recipient to obtain another NPDES permit as stated in ACT 3, S-2. Transfer of coverage requests shall be submitted to the Permit Board using the form provided in the Hydrostatic Test Forms Package. [WPC-1]</p>
T-20	<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. 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. [WPC-1]</p>

**ACT12 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-21	<p><b>SPILL PREVENTION AND BEST MANAGEMENT PLANS:</b></p> <p>Any facility which has above ground bulk storage capacity of more than 1,320 gallons or any single container with a capacity greater than 660 gallons of materials and/or liquids (including but not limited to, all raw, finished and/or waste material) with chronic or acute potential for pollution impact on waters of the State, and not subject to Mississippi Hazardous Waste Management Regulations or 40 CFR 112 (Oil Pollution Prevention) regulations, shall provide secondary containment as found in 40 CFR 112 or equivalent protective measures such as trenches or waterways which would conduct any tank releases to a permitted treatment system or sufficient equalization or treatment capacity needed to prevent chronic/acute pollution impact. [WPC-1]</p>
T-22	<p><b>OIL AND HAZARDOUS SUBSTANCE LIABILITY:</b></p> <p>Nothing in this permit shall relieve the coverage recipient from responsibilities, liabilities, or penalties under Section 311 of the CWA (33 U.S.C. Section 1321). [WPC-1]</p>
T-23	<p><b>TOXIC POLLUTANTS NOTIFICATION REQUIREMENTS:</b></p> <p>The coverage recipient shall comply with the applicable provisions of 40 CFR 122.42. [WPC-1]</p>
T-24	<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 continue and the coverage recipient shall be bound by the conditions of this permit until the earliest of:</p> <ol 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. [WPC-1]</li> </ol>

**ACT12 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-25	<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 monitoring information for a period of at least three (3) 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> <p>(A) The date, exact location, and time of sampling or measurements,</p> <p>(B) The initials or names of the individuals, who performed the sampling or measurements,</p> <p>(C) The date(s) and time(s) analyses were performed,</p> <p>(D) The initials or names of the individuals, who performed the analyses,</p> <p>(E) References and written procedures, when available, for the analytical techniques or methods used, and</p> <p>(F) The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results. [WPC-1]</p>
T-26	<p><b>FALSIFYING REPORTS:</b></p> <p>Any coverage recipient who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required by the Permit Board to be maintained as a condition in a permit, or who alters or falsifies the results obtained by such devices or methods and/or any written report required by or in response to a permit condition, shall be deemed to have violated a permit condition and shall be subject to the penalties provided for a violation of a permit condition pursuant to Section 49-17-43 of the Water Pollution Control Law (Mississippi Code Ann. Sections 49-17-1 et seq.). [WPC-1]</p>

**ACT12 (continued):**

**Narrative Requirements:**

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Condition No.	Condition
T-27	<p data-bbox="222 581 642 605"><b>CIVIL AND CRIMINAL LIABILITY:</b></p> <p data-bbox="222 639 1944 696">(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 (Miss. Code Ann. Sections 49-17-1 through 49-17-43).</p> <p data-bbox="222 729 1944 786">(2) Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the coverage recipient from civil or criminal penalties for noncompliance.</p> <p data-bbox="222 818 1944 876">(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. [WPC-1]</p>

**ACT13 (Hydrostatic Test) 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. [WPC-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. [WPC-1]
T-3	BYPASS means the intentional diversion of wastestreams from any portion of the coverage recipient's treatment facility. [WPC-1]
T-4	CFR means the Code of Federal Regulations. [WPC-1]
T-5	CLEAN WATER ACT (CWA) refers to the Federal Water Pollution Control Act, 33 U.S.C. section 1251 et seq. [WPC-1]
T-6	COMMISSION means the Mississippi Commission on Environmental Quality. [WPC-1]
T-7	COMMENCEMENT OF CONSTRUCTION ACTIVITIES means the initial disturbance of soils associated with clearing, grading, or excavating activities or other construction-related activities. [WPC-1]
T-8	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. [WPC-1]
T-9	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, 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. [WPC-1]

**ACT13 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-10	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. [WPC-1]
T-11	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. [WPC-1]
T-12	EXECUTIVE DIRECTOR means the Executive Director of the Mississippi Department of Environmental Quality. [WPC-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. [WPC-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. [WPC-1]</p>
T-15	GRAB SAMPLE is a sample that is taken from a wastestream on a one-time basis without consideration of the flow rate of the wastestream and without consideration of time. Samples should be collected from the center of the flow channel, where turbulence is at a maximum. [WPC-1]
T-16	INFEASIBLE means there is a site-specific constraint that makes a control technology impossible and/or not reasonable to implement, or that implementing the control would be cost-prohibitive. [WPC-1]

**ACT13 (continued):**

**Narrative Requirements:**

Condition No.	Condition
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. [WPC-1]
T-18	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). [WPC-1]
T-19	NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) means the regulations promulgated under the Clean Water Act which prohibits discharge of pollutants into waters of the United States unless a special permit is issued. [WPC-1]
T-20	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. [WPC-1]
T-21	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:  (1) The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or  (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. [WPC-1]
T-22	PERMIT BOARD means the Mississippi Environmental Quality Permit Board established pursuant to Miss. Code Ann. 49-17-28. [WPC-1]
T-23	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. [WPC-1]

**ACT13 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-24	<p>QUALIFIED PERSONNEL means a person knowledgeable in the principles and practice of erosion and sediment controls who possesses the skills to assess conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges from the construction activity. [WPC-1]</p>
T-25	<p>REGULATED CONSTRUCTION ACTIVITY as used in this permit, includes construction activity as defined in 40 CFR part 122.26(b)(14)(x), for which a disturbance to the land of one (1) or more acres, or less than one (1) acre if part of a larger common plan of development or sale, 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, 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.</p> <p>Construction activities associated with oil and gas exploration, production, processing and treatment, and transmission facilities that are defined in the following North American Industrial Classification System (2002 NAICS) codes and titles: 211-Oil and Gas Extraction, 213111-Drilling Oil and Gas Wells, 213112-Support Activities for Oil and Gas Operations, 48611-Pipeline Transportation of Crude Oil and 48621-Pipeline Transportation of Natural Gas, are not regulated construction activities under the requirements of this general permit, unless the facility or project has had a discharge of storm water resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 CFR 110 .6, 40 CFR 117.21 or 40 CFR 302.6 or unless the facility contributes to a violation of a water quality standards. [WPC-1]</p>
T-26	<p>SEMI-ANNUAL MAXIMUM means the highest "daily discharge" measured over a six-month period. [WPC-1]</p>
T-27	<p>STATE LAW means The Mississippi Air and Water Pollution Control Law, specifically, Miss. Code Ann 49-17-1 through 49-17-43, and any subsequent amendments. [WPC-1]</p>
T-28	<p>STEEP SLOPES, as used in this permit, means slopes or grades steeper than (3:1). [WPC-1]</p>
T-29	<p>STORM WATER means rainfall runoff, snowmelt runoff, and surface runoff. [WPC-1]</p>
T-30	<p>STORM WATER ASSOCIATED WITH CONSTRUCTION ACTIVITY as used in this permit, refers to a discharge of pollutants in storm water from areas where soil disturbing activities (e.g., clearing, grading, or excavation), construction materials or equipment storage or maintenance (e.g., stock piles, borrow area, concrete truck chute wash down, fueling) are located. [WPC-1]</p>

**ACT13 (continued):**

**Narrative Requirements:**

Condition No.	Condition
T-31	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. [WPC-1]
T-32	SUBMITTED means the document is postmarked on or before the applicable deadline, except as otherwise specified. [WPC-1]
T-33	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. [WPC-1]
T-34	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. [WPC-1]
T-35	TOPSOIL means the top layer of undisturbed soil, consisting of a high percentage of organic matter, which is conducive to plant growth. [WPC-1]
T-36	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. [WPC-1]
T-37	UPSET means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the coverage recipient. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. [WPC-1]
T-38	WATERS OF THE STATE means all waters within the jurisdiction of this State, including all streams, lakes, ponds, wetlands, impounding reservoirs, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, situated wholly or partly within or bordering upon the State, and such coastal waters as are within the jurisdiction of the State, except lakes, ponds, or other surface waters which are wholly landlocked and privately owned, and which are not regulated under the Federal Clean Water Act (33 U.S.C.1251 et seq.). [WPC-1]
T-39	WPC-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. [WPC-1]