



STATE OF MISSISSIPPI



**MULTIMEDIA GENERAL POLLUTION CONTROL PERMIT
TO MANAGE LITTER AND/OR TO CONSTRUCT/OPERATE AIR EMISSIONS
EQUIPMENT IN ACCORDANCE WITH 11 MISS. ADMIN. CODE PT. 6, CH. 1.
AND 11 MISS. ADMIN. CODE PT. 2, CH. 4.**

THIS CERTIFIES

Dry Litter Poultry Animal Feeding Operation (AFO)
facilities granted a Certificate of Permit Coverage under this permit have permission to:

- construct/operate air emissions equipment to comply with the emission limitation, monitoring requirements, and other conditions set forth herein.
- operate a dry litter poultry AFO in accordance with conditions set forth herein. This permit is also issued in accordance with the provisions of the Mississippi Air and 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 401(b) of the Federal Water Pollution Control Act.

Mississippi Environmental Quality Permit Board

Mississippi Department of Environmental Quality

Issued: **FEB 03 2014**

Expires: **JAN 31 2019**

Permit No. **MSG20**

Agency Interest **36952**

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To Operate Poultry Animal Feeding Operations (AFOs)

Dry Litter Poultry Animal Feeding Operation General Permit

Subject Item Inventory

Permit Number:MSG20

Activity ID No.: GNP20130001

Subject Item Inventory:

ID	Designation	Description
ACT1	Dry Litter Poultry	Applicability
ACT2	Dry Litter Poultry	Obtaining Coverage
ACT3	Dry Litter Poultry	Poultry Operation Limitation Requirements
ACT4	Dry Litter Poultry	Poultry Operation Recordkeeping Requirements
ACT5	Dry Litter Poultry	Definitions
ACT6	Dry Litter Poultry	Standard Requirements Applicable to All Water Permits
ACT7	Dry Litter Poultry	Incinerator Requirements
AI36952		

KEY

ACT = Activity

AREA = Area

CONT = Control Device

IA = Insignificant Activity

PCS = PCS

TRMT = Treatment

AI = Agency Interest

CAFO = Concentrated Animal Feeding Operation

EQPT = Equipment

MAFO = Animal Feeding Operation

RPNT = Release Point

WDPT = Withdrawal Point

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ACT0000000001 (Dry Litter Poultry) Applicability:

Narrative Requirements:

Condition No.	Condition
T-1	<p>PERMIT AREA:</p> <p>This permit covers all areas of the State of Mississippi. [11 Miss. Admin. Code Pt. 6, Ch. 1., 11 Miss. Admin. Code Pt. 2, Ch. 2.]</p>
T-2	<p>ELIGIBILITY:</p> <p>This permit may provide coverage for all new and existing dry litter poultry farms classified as an Animal Feeding Operation (AFO) that fall under Standard Industrial Classifications 0251 (Broiler, Fryer, and Roaster Chickens) or 0252 (Chicken Eggs) seeking to obtain permit coverage under paragraph(s) (A) and/or (B) below:</p> <p>(A) State permit coverage for dry litter poultry farming associated with the operation of:</p> <ol style="list-style-type: none">(1) an Animal Feeding Operation (AFO) as defined in ACT5 Condition T-1, of this permit,(2) generates no process wastewater discharge, and(3) has no waste or raw material exposed to storm water rainfall or runoff. <p>(B) State permit coverage for air emissions associated with the construction and operation of a poultry farm, including but not limited to, emissions from mortality incineration equipment previously evaluated by MDEQ and determined to be capable of operating in compliance with the standards included herein. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.B(1)., 11 Miss. Admin. Code Pt. 2, R. 2.1.D(2).]</p>
T-3	<p>AUTHORIZATION:</p> <p>Applicants are authorized to operate a dry litter poultry Animal Feeding Operation (AFO) and to construct and operate poultry mortality incineration equipment under the terms and conditions of this permit only upon receipt of written notification of approval of coverage by the Mississippi Department of Environmental Quality (MDEQ), Office of Pollution Control (OPC) staff. Upon review of the Dry Litter Poultry Notice of Intent (DLPNOI), the staff may deny coverage and require an alternate permit. The OPC staff decisions may be brought before the MDEQ Permit Board for review and reconsideration at a regularly scheduled meeting. Operating a poultry AFO without written notification of coverage or issuance of an individual Water State Operating Permit or constructing and operating poultry mortality incineration equipment without written notification of coverage or issuance of an individual Air Construction and individual Air State Operating Permit, is a violation of state law. [11 Miss. Admin. Code Pt. 6, Ch. 1., 11 Miss. Admin. Code Pt. 2, Ch. 2.]</p>

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ACT000000002 (Dry Litter Poultry) Obtaining Coverage:

Submittal/Action Requirements:

Condition No.	Condition
S-1	<p>REQUIRED SUBMITTALS TO OBTAIN COVERAGE:</p> <p>(A) Applicants must submit a Dry Litter Poultry Notice of Intent (DLPNOI), Appendix A of the Dry Litter Poultry Forms Package, in accordance with the requirements of this permit, and</p> <p>(B) A Nutrient Management Plan (NMP) in accordance with the requirements of this permit. The NMP minimum required content can be found in ACT2 Condition T-4 of this permit. The approved NMP and any approved modification thereto become an enforceable part of the permit and must be maintained on site or locally available for a period of five years from the date they are created and made available to the Permit Board upon request. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(12)(c).]</p>
S-2	<p>ADDITIONAL SUBMITTALS THAT MAY BE REQUIRED TO OBTAIN COVERAGE:</p> <p>Contiguous Landowner Notification - For a new or expanding facility, the applicant must notify the contiguous landowners to the proposed facility utilizing Certified-Return Receipt Requested (CRRR) mail. Contiguous landowners shall be notified using Appendix B of the Dry Litter Poultry Forms Package. Copies of the signed (CRRR) receipts that are received by the applicant and a completed copy of the notification form shall be submitted with the DLPNOI. Failure to notify the contiguous landowners may be cause for denial or revocation of coverage. If the facility was in existence and operating prior to the issuance date of this permit and no increase in the number of poultry houses is proposed, contiguous landowner notification is not required. Copies of the signed (CRRR) receipts that are received by the applicant must be maintained on site or locally available for a period of five years and made available to the Permit Board upon request. Comments by any contiguous landowner who is notified by CRRR mail by the applicant must be received by the Mississippi Department of Environmental Quality within 17 days after the postmark date of the notification.</p> <p>Notwithstanding anything in the preceeding paragraph in ACT2 Condition S-2 of this permit to the contrary, (1) the applicant, in giving this notification to contiguous landowners (a) shall be entitled to rely on the records, available at the time that the notification is mailed, in the offices of the tax assessor of the county, and judicial district where applicable, in which the land on which the new or expanded facility is located to ascertain the names and addresses of the landowners to whom notice must be given; (b) shall not be required to make any additional inquiry or investigation to determine the names or addresses of the contiguous landowners to whom notification should be given beyond these tax assessor records; and (c) shall not be required to send any additional notifications to contiguous landowners if the above procedures have been followed; and (2) If any signed CRRR receipts have not been received by the applicant 25 days after the CRRR postmark date of the notifications to contiguous landowners, the issuance of coverage to the applicant under the General Permit will not be delayed due to the applicant's lack of receipt of any signed CRRR receipts. [11 Miss. Admin. Code Pt. 6, R. 1.1.3.]</p>

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ACT000000002 (continued):

Submittal/Action Requirements:

Condition	Condition
S-3	<p>HOW TO OBTAIN RECOVERAGE BY A SUBSEQUENTLY ISSUED PERMIT:</p> <p>This permit shall expire on January 31, 2019. A DLPNOI requesting subsequent coverage under the reissuance of this general permit must be submitted no later than the expiration date of the permit. If reissuance of this general permit does not occur before its expiration date and the permittee has submitted a timely and complete DLPNOI, continued coverage under this permit will be allowed until the effective date of the reissued general permit. If the permittee is notified by the MDEQ of the need to submit application forms for an individual permit and a timely and complete DLPNOI was submitted, continued coverage under this general permit will be allowed until the effective date of the individual permit issued to the applicable facility. Permittees that fail to submit a DLPNOI for recoverage prior to the expiration of this general permit cannot obtain continued authorization to operate after the expiration date of this permit and will be operating without coverage until they apply for and obtain coverage under the subsequently issued general permit or apply for and receive an effective individual permit(s). All DLPNOI(s) requesting coverage under a subsequently issued general permit should be sent by certified mail to the address identified in ACT2 Condition T-2 of this permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.E., 11 Miss. Admin. Code Pt. 2, R. 2.11.G.]</p>
S-4	<p>EXPIRATION OF THE NUTRIENT MANAGEMENT PLAN:</p> <p>The NMP expires five years from the date it is created. An updated NMP is required to be submitted to the Permit Board prior to the NMP expiration date. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(12)(c).]</p>

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ACT000000002 (continued):

Narrative Requirements:

Condition No.	Condition
T-1	<p>DEADLINES FOR APPLYING FOR COVERAGE:</p> <p>(A) Persons desiring coverage for a new source under this general permit shall submit a DLPNOI form and other required submittals at least 45 days prior to the commencement of a covered activity.</p> <p>(B) Persons desiring coverage for an existing source under this general permit shall submit a DLPNOI form and other required submittals no later than February 28, 2014. MDEQ reserves the right to require existing sources to submit a DLPNOI form and other required submittals prior to February 28, 2014.</p> <p>DLPNOI forms may be obtained from the MDEQ at the address found below or by calling (601) 961-5171. DLPNOI forms, as well as the general permit and guidance material, may also be found on the MDEQ website at www.deq.state.ms.us. Coverage under this permit will not be granted until all other required MDEQ permits are satisfactorily addressed. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.1B(3)., 11 Miss. Admin. Code Pt. 2, R. 2.12.]</p>
T-2	<p>WHERE TO SUBMIT THE DLPNOI AND OTHER REQUIRED SUBMITTALS:</p> <p>Complete and appropriately signed DLPNOI Form and other required submittals must be submitted to:</p> <p>Chief, Environmental Permits Division MS Dept. of Environmental Quality, Office of Pollution Control P.O. Box 2261 Jackson, Mississippi 39225-2261. [11 Miss. Admin. Code Pt. 2, Ch. 2., 11 Miss. Admin. Code Pt. 6, Ch. 1.]</p>
T-3	<p>REQUIRING OR REQUESTING AN INDIVIDUAL PERMIT:</p> <p>Any facility covered or eligible to be covered under a general permit may be required to obtain an individual permit at the discretion of the Permit Board. Any facility covered by a general permit may request to be excluded from such coverage by applying for an individual permit. Coverage under the general permit is terminated upon the effective date of an individual permit. [11 Miss. Admin. Code Pt. 2, R. 2.11(C)., 11 Miss. Admin. Code Pt. 6, R. 1.1.1.4.E(1) and (2).]</p>

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ACT000000002 (continued):

Narrative Requirements:

Condition No.	Condition
T-4	<p>NUTRIENT MANAGEMENT PLAN CONTENT:</p> <p>The AFO must develop and implement an approved NMP that at a minimum includes best management practices and procedures necessary to implement applicable effluent limitations and standards. The NMP must, to the extent applicable:</p> <ul style="list-style-type: none">(A) Amount of litter to be generated and amount of litter to be transferred to other persons (in tons);(B) Total number of acres available for land application of litter;(C) Total number of acres to be utilized for land application of litter;(D) Ensure adequate storage of litter including procedures to ensure proper operation and maintenance of the storage facilities;(E) Ensure proper management of mortalities (i.e., dead animals) in accordance with all applicable requirements as set forth by the State Board of Animal Health;(F) Ensure that clean water is diverted, as appropriate from the production area;(G) Prevent direct contact of confined animals with waters of the State;(H) Ensure that chemicals and other contaminants handled on site are not disposed of in any litter or storm water storage or treatment system unless specifically designed to treat such chemicals and other contaminants;(I) Identify appropriate site specific conservation practices to be implemented, including as appropriate buffers or equivalent practices, to control runoff of pollutants to waters of the State;(J) Ensure that appropriate protocols for testing of litter and soil will be utilized;(K) Provide calculations for determining litter application rates, as provided in the technical standards established by the Executive Director; and(L) Establish protocols to land apply litter in accordance with site specific nutrient management practices that ensure appropriate agricultural utilization of the nutrients in litter. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.N(2)(b).]

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ACT0000000003 (Dry Litter Poultry) Poultry Operation Limitation Requirements:

Limitation Requirements:

Condition No.	Parameter	Condition
L-1		<p>ADEQUATE STORAGE:</p> <p>Waste removed from the houses shall be stored until it can be applied according to the Comprehensive Nutrient Management Plan. Waste may be stored in a structure, or outdoors in a well-drained area away from floodplains, Waters of the State, and other water bodies. See definition of "Water of the State" in ACT 5 Condition T-23. The piles shall not be exposed to direct rainfall or stormwater. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(4).]</p>
L-2		<p>BUFFER ZONE - LAND APPLICATION AREA:</p> <p>Land application of dry litter waste must be at least 25 feet from the nearest adjoining property line and at least 150 feet from the nearest unowned (by the applicant) occupied dwelling. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.C(2)(d).]</p>
L-3		<p>BUFFER ZONE - PRODUCTION AREA:</p> <p>Any facility for the housing of broiler pullets, broiler breeders, and broilers in a poultry operation that generates dry litter or waste constructed, enlarged or significantly altered after February 24, 1994, must be at least 600 feet from the nearest unowned (by the applicant) occupied dwelling or commercial establishment and at least 150 feet from the nearest adjoining property line. In the event new treatment facilities are proposed for an existing confined animal operation, the Permit Board will consider requests for exceptions to, or variances from, the buffer zone requirements, and the requirements of 11 Miss. Admin. Code Pt. 6, R. 1.1.1.C(2)(f)., based upon such factors as the relative distances and age of the existing operation. A Dry Litter Poultry Buffer Zone Waiver form can be found in the Dry Litter Poultry Forms Package, Appendix C. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.C(2)(c).]</p>

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ACT0000000003 (continued):

Limitation Requirements:

Condition No.	Parameter	Condition
L-4		<p>BUFFER ZONE - ADDITIONAL REQUIREMENTS:</p> <p>Unless the AFO exercises one of the compliance alternatives provided for in paragraph (A) or (B) below, litter may not be applied closer than 100 feet to any down-gradient surface waters, open tile line intake structures, sinkholes, agricultural well heads, or other conduits to surface waters.</p> <p>(A) Vegetated Buffer Compliance Alternative. As a compliance alternative, the AFO may substitute the 100-foot setback with a 35-foot wide vegetated buffer where applications of litter are prohibited.</p> <p>(B) Alternative Practices Compliance Alternative. As a compliance alternative, the AFO may demonstrate that a setback or buffer is not necessary because implementation of alternative conservation practices or field-specific conditions will provide pollutant reductions equivalent or better than the reductions that would be achieved by the 100-foot setback. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(4).]</p>
L-5		<p>BUFFER ZONE - INCINERATOR EQUIPMENT:</p> <p>Incinerators must be at least 150 feet from any dwelling or from any light commercial building not owned by the applicant and must be at least 150 feet from the nearest residential or recreational area. [11 Miss. Admin. Code Pt. 2, R. 2.2.B(14).]</p>
L-6		<p>DISCHARGE PROHIBITION:</p> <p>Dry litter facilities shall have no discharge of process wastewater or contaminated stormwater. All clean runoff water will be diverted away from poultry houses and waste storage structures. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.N(2)(a).]</p>
L-7		<p>LAND APPLICATION REQUIREMENTS:</p> <p>The Permittee shall implement an approvable Comprehensive Nutrient Management Plan. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.N(2)(b).]</p>

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ACT0000000003 (continued):

Limitation Requirements:

Condition No.	Parameter	Condition
L-8		<p>ODOR:</p> <p>There shall be no odorous substances in the ambient air in concentrations sufficient to adversely and unreasonably:</p> <ul style="list-style-type: none">(A) affect human health and well-being;(B) interfere with the use or enjoyment of property; or(C) affect plant or animal life. <p>In determining that concentrations of such substances in the ambient air are adversely and unreasonably affecting human well-being or the use or enjoyment of property of plant or animal life, the factors to be considered by the Commission will include, without limiting the generality of the foregoing, the number of complaints or petitioners alleging that such a condition exists, the frequency of the occurrence of such substances in the ambient air as confirmed by the Department of Environmental Quality staff, and the land use of the affected area. [11 Miss. Admin. Code Pt. 2, Ch. 4.]</p>

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ACT0000000004 (Dry Litter Poultry) Poultry Operation Recordkeeping Requirements:

Record-Keeping Requirements:

Condition No.	Condition
R-1	<p>LAND APPLICATION RECORDKEEPING:</p> <p>The records identified below must be documented on Appendix D of the Dry Litter Poultry Forms Package and maintained on site or locally available for five years from the date they are created and made available to the Permit Board upon request:</p> <ul style="list-style-type: none">(A) The date of application;(B) Identify which field(s) and size of each field in acres;(C) Weather conditions at time of application and for 24 hours prior to and following application; and(D) The amount in tons that litter is applied. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(4).]
R-2	<p>LITTER AND SOIL SAMPLING:</p> <p>Litter must be analyzed a minimum of once annually for nitrogen and phosphorus content, and soil analyzed a minimum of once every five years for phosphorus content. The results of these analyses are to be used in determining application rates for litter applied to land under the ownership or operational control of the AFO. The application rates must minimize phosphorus and nitrogen transport from the field to surface waters in compliance with the technical standards for nutrient management established by the Executive Director. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(4).]</p>
R-3	<p>TRANSFER OF LITTER TO OTHER PERSONS:</p> <p>When litter is transferred to another person the following records must be documented on Appendix E of the Dry Litter Poultry Forms Package and maintained on site or locally available for a period of five years from the date they are created and made available to the Permit Board upon request:</p> <ul style="list-style-type: none">(A) Date of the transfer;(B) Name, address, and signature of the recipient;(C) Approximate amount of litter transferred;(D) Document that the recipient of the litter was provided the most current nutrient analysis (consistent with the requirements of 40 CFR 412); and(E) Document that the recipient of the litter was provided a copy of "Management Guidelines for Land Application of Animal Waste" [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(4).]

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ACT0000000004 (continued):

Record-Keeping Requirements:

Condition No.	Condition
R-4	<p>MORTALITY HANDLING:</p> <p>Records of mortality management and practices used must be documented on Appendix F of the Dry Litter Poultry Forms Package. The permittee may use Company mortality forms in place of Appendix F. The forms must be maintained on site or locally available for a period of five years from the date they are created and made available to the Permit Board upon request. Mortalities must be disposed in accordance with all applicable requirements as set forth by the State Board of Animal Health. Mortalities must not be disposed of in any liquid manure or process wastewater system, and must be handled in such a way as to prevent the discharge of pollutants to surface water. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(4).]</p>
R-5	<p>RECORDS CONTENT AND RETENTION:</p> <p>All records and results obtained from monitoring activities required by this permit shall be maintained on site or locally available for a period of five years from the date they are created and shall be made available to the Permit Board upon request. Monitoring activities include but are not limited to, measurements or samples collected, measurements or samples analyzed, inspections, and required recordkeeping. The monitoring activities records shall also include the following:</p> <ul style="list-style-type: none">(A) The dates and exact places of monitoring and the person(s) who performed the monitoring;(B) The dates the analyses were performed and the person(s) who performed the analyses;(C) The analytical techniques, procedures or methods used; and(D) The results of all required analyses. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(4)., 11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(29)(a).]

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ACT0000000005 (Dry Litter Poultry) Definitions:

Narrative Requirements:

Condition No.	Condition
T-1	<p>ANIMAL FEEDING OPERATION (AFO) means a lot or facility (other than an aquatic animal production facility) where the following conditions are met:</p> <p>(A) Animals (other than aquatic) have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and (B) Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. [40 CFR Part 122.23(b)(1)]</p>
T-2	<p>COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION (CISWI) Unit means any combustion device that combusts commercial and industrial waste. The boundaries of a CISWI Unit are defined as, but not limited to, the commercial or industrial solid waste fuel feed system, grate system, flue gas system, and bottom ash. The CISWI Unit does not include air pollution control equipment or the stack. The CISWI Unit boundary starts at the commercial and industrial solid waste hopper (if applicable) and extends through two areas:</p> <p>(A) The combustion unit flue gas system, which ends immediately after the last combustion chamber; and (B) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system. [11 Miss. Admin. Code Pt. 2, R. 1.13.B(1).]</p>
T-3	<p>COMMERCIAL AND INDUSTRIAL WASTE means solid waste combusted in an enclosed device using controlled flame combustion without energy recovery that is a distinct operating unit of any commercial or industrial facility (including field-erected, modular, and custom built incineration units operating with starved or excess air), or solid waste combusted in an air curtain incinerator without energy recovery that is a distinct operating unit of any commercial or industrial facility. [11 Miss. Admin. Code Pt. 2, R. 1.13.B(2).]</p>
T-4	<p>INCINERATOR means a combustion device specifically designed for the destruction by high temperature burning of solid, semi-solid, liquid or gaseous combustible wastes and from which the solid residues contain little or no combustibles. [11 Miss. Admin. Code Pt. 2, R. 1.2.M.]</p>
T-5	<p>LAND APPLICATION AREA means land under the control of an AFO owner or operator, whether it is owned, rented, or leased, to which manure, litter, or process wastewater from the production area is or may be applied. [40 CFR Part 122.23(b)(3)]</p>
T-6	<p>LITTER is defined to include chicken litter, bedding, compost, and raw materials or other materials commingled with litter or set aside for disposal. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(4).]</p>

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ACT0000000005 (continued):

Narrative Requirements:

Condition No.	Condition
T-7	<p>MODIFICATION means any physical change in, or change in the method of operation of, an affected facility which increases the amount of any air pollutant emitted by such facility or which results in the emission of any air pollutant not previously emitted, except that:</p> <p>(A) Routine maintenance, repair, and replacement shall not be considered physical changes, and</p> <p>(B) An increase in the production rate or hours of operation shall not be considered a change in the method of operation, unless it is prohibited by a permit. [11 Miss. Admin. Code Pt. 2, R. 1.2.N.]</p>
T-8	<p>MULTIPLE CHAMBER INCINERATOR means any article, machine, equipment, contrivance, structure, or any part thereof used to dispose of combustible refuse by burning, which consists of three or more refractory walls, interconnected by gas passage points or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned. [11 Miss. Admin. Code Pt. 2, R. 1.2.O.]</p>
T-9	<p>OPACITY means the degree to which emissions reduce the transmission of light and obscure the background. [11 Miss. Admin. Code Pt. 2, R. 1.2.P.]</p>
T-10	<p>PARTICULATE MATTER means any airborne finely divided solid or liquid material with an aerodynamic diameter smaller than 100 micrometers. [11 Miss. Admin. Code Pt. 2, R. 1.2.S.]</p>
T-11	<p>PATHOLOGICAL WASTE means waste material consisting of only animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable). [11 Miss. Admin. Code Pt. 2, R. 1.12.B(43)., 40 CFR 60.2875]</p>
T-12	<p>POLLUTION means such contamination, or other alteration of the physical, chemical, or biological properties, of any waters of the State, including change in temperature, taste, color, turbidity, or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive, or other substance or leak into any waters of the State, unless in compliance with a valid permit issued by the Permit Board. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(55).]</p>
T-13	<p>PROCESS WASTEWATER means water directly or indirectly used in the operation of the AFO for any or all of the following: spillage or overflow from animal or poultry watering systems; washing, cleaning, or flushing pens, barns, manure pits, or other AFO facilities; direct contact swimming, washing, or spray cooling of animals; or dust control. Process wastewater also includes any water which comes into contact with any raw materials, products, or byproducts including manure, litter, feed, milk, eggs, or bedding. [40 CFR Part 122.23(b)(7)]</p>

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ACT0000000005 (continued):

Narrative Requirements:

Condition No.	Condition
T-14	PRODUCTION AREA means that part of an AFO that includes the animal confinement area, the manure storage area, the raw materials storage area, and the waste containment areas. The animal confinement area includes but is not limited to open lots, housed lots, feedlots, confinement houses, stall barns, free stall barns, milkrooms, milking centers, cowyards, barnyards, medication pens, walkers, animal walkways, and stables. The manure storage area includes but is not limited to lagoons, runoff ponds, storage sheds, stockpiles, under house or pit storages, liquid impoundments, static piles, and composting piles. The raw materials storage area includes but is not limited to feed silos, silage bunkers, and bedding materials. The waste containment area includes but is not limited to settling basins, and areas within berms and diversions which separate uncontaminated storm water. Also included in the definition of production area is any egg washing or egg processing facility, and any area used in the storage, handling, treatment, or disposal of mortalities. [40 CFR Part 122.23(b)(8)]
T-15	RECREATIONAL AREA: (A) A national, state, county, or city designated park; or (B) An outdoor recreational area, such as a golf course or swimming pool, owned by a city, county, or other public agency. [11 Miss. Admin. Code Pt. 2, R. 1.2.AA.]
T-16	RESIDENTIAL AREA: (A) A group of 20 or more single family dwelling units on contiguous property and having an average density of two or more units per acre, or (B) A group of 40 or more single family dwelling units on contiguous property and having an average density of one or more units per acre, or (C) A subdivision containing at least 20 constructed houses, in which the subdivision plat is recorded in the chancery clerk's office of the appropriate county. [11 Miss. Admin. Code Pt. 2, R. 1.2.BB.]
T-17	SETBACK means a specified distance from surface waters or potential conduits to surface waters where manure, litter, and process wastewater may not be land applied. Examples of conduits to surface waters include but are not limited to: open tile line intake structures, sinkholes, and agricultural well heads. [40 CFR 412.4(b)(1)]
T-18	SMOKE means small gasborne particles resulting from incomplete combustion and consisting predominantly, but not exclusively, of carbon, ash, and other combustible material. [11 Miss. Admin. Code Pt. 2, R. 1.2.DD.]

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ACT0000000005 (continued):

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Condition No.	Condition
T-19	SOLID WASTE means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, agricultural operations, and from community activities but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, as amended (42 U.S.C. 1342), or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2014). [11 Miss. Admin. Code Pt. 2, R. 1.13.B(3).]
T-20	STARTUP means the bringing into operation from a non-operative condition. Relative to fuel-burning equipment, a startup shall be construed to occur only when a unit is taken from a non-fired to a fired state. [11 Miss. Admin. Code Pt. 2, R. 1.2.HH.]
T-21	SUBMITTED means the document is postmarked on or before the applicable deadline, except as otherwise specified. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(67).]
T-22	VEGETATED BUFFER means a narrow, permanent strip of dense perennial vegetation established parallel to the contours of and perpendicular to the dominant slope of the field for the purposes of slowing water runoff, enhancing water infiltration, and minimizing the risk of any potential nutrients or pollutants from leaving the field and reaching surface waters. [40 CFR 412.4(b)(2)]
T-23	WATERS OF THE STATE means all waters within the jurisdiction of this State, including all streams, lakes, ponds, wetlands, impounding reservoirs, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, situated wholly or partly within or bordering upon the State, and such coastal waters as are within the jurisdiction of the State, except lakes, ponds, or other surface waters which are wholly landlocked and privately owned, and which are not regulated under the Federal Clean Water Act (33 U.S.C.1251 et seq.). [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(85).]

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ACT0000000006 (Dry Litter Poultry) Standard Requirements Applicable to All Water Permits:

Submittal/Action Requirements:

Condition No.	Condition
S-1	<p>PLANNED CHANGES:</p> <p>The applicant/permittee shall give notice to the Permit Board as soon as possible of any planned physical alterations or additions, including but not limited to, a change of operation to the permitted facility. Notice is required in the circumstances that follow:</p> <p>(A) The alteration or addition to a permitted facility may meet one of the criteria for determining whether the facility is a new source in 40 CFR 122.29(b);</p> <p>(B) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to either effluent limitations in the permit or notification requirements under 40 CFR 122.42(a)(1); or</p> <p>(C) The alteration or addition results in a significant change in the applicant's/permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan or an approved nutrient management plan. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(15)(a).]</p>
S-2	<p>ANTICIPATED NONCOMPLIANCE:</p> <p>The applicant/permittee shall give advance notice to the Permit Board of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(15)(b).]</p>
S-3	<p>OTHER NONCOMPLIANCE:</p> <p>The applicant/permittee shall report all instances of noncompliance not reported under ACT6 Condition S-5, at the time monitoring reports are submitted or within 30 days from the end of the month in which the noncompliance occurs. The reports shall contain the information listed in ACT6 Condition S-5 (A). [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(29)(f).]</p>
S-4	<p>OTHER INFORMATION:</p> <p>Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Permit Board, it shall promptly submit such facts or information. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(29)(g).]</p>

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ACT0000000006 (continued):

Submittal/Action Requirements:

Condition No.	Condition
S-5	<p>TWENTY-FOUR HOUR REPORTING:</p> <p>(A) The applicant/permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the applicant/permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the applicant/permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and/or prevent recurrence of the noncompliance.</p> <p>(B) The following shall be included as information which must be reported within 24 hours under this paragraph.</p> <ol style="list-style-type: none">(1) Any unanticipated bypass which exceeds any effluent limitation in the permit.(2) Any upset which exceeds any effluent limitation in the permit.(3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Permit Board in the permit to be reported within 24 hours. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(29)(e).]

Narrative Requirements:

Condition No.	Condition
T-1	<p>COMPLIANCE SCHEDULES:</p> <p>Within 14 days after either an interim or final date of compliance specified in this permit, the applicant/permittee shall provide the Permit Board with written notice of his compliance or noncompliance with the requirements or conditions specified to be completed by that date. Failure to submit the written notice to the Permit Board shall be considered a violation of the compliance requirements of the permit, for which the Commission may be asked to take enforcement action. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(10).]</p>

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ACT0000000006 (continued):

Narrative Requirements:

Condition No.	Condition
T-2	<p>MONITORING AND RECORDS:</p> <p>Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored wastewater. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(28)(e).]</p>
T-3	<p>TEST PROCEDURES:</p> <p>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 or alternative procedures approved and/or promulgated by EPA. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(28)(d).]</p>
T-4	<p>FALSIFYING REPORTS:</p> <p>Any applicant/permittee 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 Mississippi Code. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(29)(d).]</p>
T-5	<p>PENALTIES:</p> <p>Any person found by the commission violating any of the provisions of Sections 49-17-1 through 49-17-43, or any rule or regulation or written order of the commission in pursuance thereof or any condition or limitation of a permit, except a permit required under the Solid Wastes Disposal Law of 1974 (Sections 17-17-1 through 17-17-47), shall be subject to a civil penalty of not more than Twenty-five Thousand Dollars (\$25,000.00), for each violation, such penalty to be assessed and levied by the commission after a hearing as provided in Section 49-17-33. Each day upon which a violation occurs shall be deemed a separate and additional violation. [Miss. Code Ann. 49-17-17]</p>

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ACT0000000006 (continued):

Narrative Requirements:

Condition No.	Condition
T-6	<p>FACILITY EXPANSION AND/OR MODIFICATION:</p> <p>Any facility expansion, production increases, process modifications, changes in discharge volume or location, or other changes in operations or conditions of the applicant/permittee which may result in a new or increased discharge of waste, shall be reported to the Permit Board by submission of a new application for a permit pursuant to 11 Miss. Admin. Code Pt. 6, R. 1.1.2.A., or if the discharge does not violate effluent limitations specified in the permit, by submitting to the Permit Board a notice of a new or increased discharge. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(14).]</p>
T-7	<p>DUTY TO COMPLY:</p> <p>The applicant/permittee must comply with all conditions of this permit. Any noncompliance with any NPDES wastewater regulations constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application; and/or for requiring an applicant/permittee to apply for and obtain an individual NPDES permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(2).]</p>
T-8	<p>PROPER OPERATION AND MAINTENANCE:</p> <p>The applicant/permittee shall at all times properly operate, maintain, and when necessary, promptly replace all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the applicant/permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures. Proper replacement includes maintaining an adequate inventory of replacement equipment and parts for prompt replacement when necessary to maintain continuous collection and treatment of wastewater. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by an applicant/permittee only when the operation is necessary to achieve compliance with the conditions of the permit. The Permit Board may require regular reporting of internal operational and maintenance parameters where necessary to confirm proper operation of a waste treatment system. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(18).]</p>
T-9	<p>DUTY TO MITIGATE:</p> <p>The applicant/permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of the permit which has a reasonable likelihood of adversely affecting human health or the environment. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(19).]</p>

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Narrative Requirements:

Condition No.	Condition
T-10	<p>BYPASSING:</p> <p>The applicant/permittee shall comply with the terms and conditions regarding bypass found in 40 CFR 122.41(m). [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(20).]</p>
T-11	<p>REMOVED SUBSTANCES:</p> <p>Solids, sludges, filter backwash, or other residuals removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent such materials from entering state waters and in a manner consistent with the Mississippi Solid Waste Disposal Act, the Federal Resource Conservation and Recovery Act, and the Mississippi Water Pollution Control Act. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(21).]</p>

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ACT0000000006 (continued):

Narrative Requirements:

Condition No.	Condition
T-12	<p>UPSETS:</p> <p>The permittee shall meet the conditions of 40 CFR 122.41(n) regarding "Upsets" and as follows:</p> <p>(A) Definition. "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 applicant/permittee. 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.</p> <p>(B) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (C) of this section are met. Any determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, shall not constitute final administrative action subject to judicial review.</p> <p>(C) Conditions necessary for demonstration of upset. An applicant/permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:</p> <ol style="list-style-type: none">(1) An upset occurred and that the permittee can identify the cause(s) of the upset;(2) The permitted facility was at the time being properly operated;(3) The applicant/permittee submitted notice of the upset as required in 40 CFR 122.41(l)(6)(ii)(B)(24-hour notice of noncompliance); and(4) The applicant/permittee complied with any remedial measures required under 40 CFR 122.41(d)(Duty to Mitigate). <p>(D) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(27).]</p>

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ACT0000000006 (continued):

Narrative Requirements:

Condition No.	Condition
T-13	<p>POWER FAILURES:</p> <p>If electric power is required, in order to maintain compliance with the conditions and prohibitions of the permit, the applicant/permittee shall either:</p> <p>(A) Provide an alternative power source to operate the wastewater control facilities; or, if such alternative power source is not in existence, and no date for its implementation appears in the permit,</p> <p>(B) Halt, reduce, or otherwise control production and/or all wastewater flows upon reduction, loss, or failure of the primary source of power to the wastewater control facilities. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(22).]</p>
T-14	<p>INSPECTION AND ENTRY:</p> <p>The applicant/permittee shall allow any authorized Commission representative to enter upon the permittee's premises at any reasonable time, to have access to and copy any applicable records, to inspect process facilities, treatment works, monitoring methods or equipment or to take samples, as authorized by Section 49-17-21 of Mississippi Code. In the event of investigation during an emergency response action, a reasonable time shall be any time of the day or night. Follow-up investigations subsequent to the conclusion of the emergency event shall be conducted at reasonable times. [Miss. Code Ann. 49-17-17, 11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(17).]</p>
T-15	<p>BIOSECURITY:</p> <p>MDEQ personnel will attempt to observe all standard biosecurity measures when performing inspections authorized in the "Inspection and Entry" Condition above. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(17).]</p>
T-16	<p>TRANSFER OF OWNERSHIP OR CONTROL:</p> <p>Coverage granted under this permit is not transferable to any person except after proper notice and approval by the Permit Board. In the event of any change in control or ownership of facilities from which the authorized activities emanate, the applicant/permittee shall notify the Mississippi Environmental Quality Permit Board at least thirty (30) days in advance of the proposed transfer date. The notice (Appendix H of the Dry Litter Forms Package) should include a written agreement between the existing and new applicants/permittees containing a specific date for the transfer of permit responsibility, coverage, and liability. [11 Miss. Admin. Code Pt. 6, R. 1.1.5.C(2)., 11 Miss. Admin. Code Pt. 2, R. 2.16.]</p>

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ACT0000000006 (continued):

Narrative Requirements:

Condition No.	Condition
T-17	<p>SIGNATORY REQUIREMENT:</p> <p>(A) All notices of intent, reports, or information submitted to the Permit Board shall be signed and certified by a responsible corporate officer, as defined in 40 CFR 122.22(a)(1) or by a responsible official, as defined in 11 Miss. Admin. Code Pt. 2, R. 2.1.C(24). and stated as follows:</p> <ul style="list-style-type: none">(1) For a corporation: a president, secretary, treasurer, or vice-president of the company or corporation in charge of a principal business function, or any other person who performs similar policy-making or decision-making functions for the company or corporation;(2) For a partnership, by a general partner; or(3) For a sole proprietorship, by the proprietor. <p>(B) All reports required by this General Permit, and other information requested by the Permit Board shall be signed by a person described above. [11 Miss. Admin. Code Pt. 6, R. 1.1.2.C., 11 Miss. Admin. Code Pt. 2, R. 2.1.D(3).]</p>
T-18	<p>CERTIFICATION:</p> <p>Any person signing a document under the "Signatory Requirements" above, shall make the following certification:</p> <p>"I certify under penalty of law that this document and all attachments were prepared under the direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." [40 CFR 122.22(d)]</p>
T-19	<p>AVAILABILITY OF RECORDS:</p> <p>Except for data determined to be confidential under the Mississippi Water Pollution Control Law, all reports prepared in accordance with the terms of this permit shall be available for public inspection and copying during normal business hours at the office of the Mississippi Department of Environmental Quality Office of Pollution Control. [11 Miss. Admin. Code Pt. 6, R. 1.1.3.F(2)., 11 Miss. Admin. Code Pt. 2, R. 2.9.]</p>

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ACT0000000006 (continued):

Narrative Requirements:

Condition No.	Condition
T-20	<p>DUTY TO PROVIDE INFORMATION:</p> <p>The applicant/permittee shall furnish to the Permit Board, within a reasonable time, any information which the Permit Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The applicant/permittee shall also furnish to the Permit Board upon request, copies of records required to be kept by the permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(16)., 11 Miss. Admin. Code Pt. 2, R. 2.2.B(15)(d).]</p>
T-21	<p>TOXIC POLLUTANTS:</p> <p>The applicant/permittee shall comply with any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) established under Section 307(a) of the Federal Water Pollution Act. The applicant/permittee shall comply with the applicable provisions of 40 CFR 122.42. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(26).]</p>
T-22	<p>CRIMINAL AND CIVIL LIABILITY:</p> <p>(A) Any person who violates a term, condition, or schedule of compliance contained within the permit or the Mississippi Water Pollution Control Law is subject to the actions defined by law.</p> <p>(B) Except as provided in permit conditions on "By-passing" and "Upsets" (11 Miss. Admin. Code Pt. 6, R. 1.4.A(20) and (27).) nothing in a permit shall be construed to relieve the applicant/permittee from civil or criminal penalties for noncompliance.</p> <p>(C) It shall not be the defense of the applicant/permittee 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 the permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(24).]</p>
T-23	<p>OIL AND HAZARDOUS SUBSTANCE LIABILITY:</p> <p>Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the applicant/permittee from any responsibilities, liabilities, or penalties to which the applicant/permittee is or may be subject to under Section 311 of the Federal Act or the applicable provisions under Mississippi law pertaining to the transportation, storage, treatment, or spillage of oil or hazardous substances. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(23).]</p>

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Condition No.	Condition
T-24	<p>PROPERTY RIGHTS:</p> <p>A permit issued by the Permit Board does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, State, or local laws or regulations. [11 Miss. Admin. Code Pt. 6, R. 1.1.5.E., 11 Miss. Admin. Code Pt. 2, R. 2.2.B(15)(c).]</p>
T-25	<p>SEVERABILITY:</p> <p>The provisions of a permit are severable. If any provision of a permit, or the application of any provision of a permit to any circumstances, is challenged or held invalid, the validity of the remaining permit provisions and/or portions thereof or their application to other persons or sets of circumstances, shall not be affected thereby. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(25)., 11 Miss. Admin. Code Pt. 2, R. 1.11., 11 Miss. Admin. Code Pt. 2, R. 2.1.D(7).]</p>

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Narrative Requirements:

Condition No.	Condition
T-26	<p>PROTECTION OF CONFIDENTIAL INFORMATION:</p> <p>Information obtained by the commission concerning environmental protection including but not limited to information contained in applications for air emission equipment construction permits and water permits shall be public information and shall be made available upon proper request. Other information obtained by the commission, department, or permit board in the administration of Sections 49-17-1 through 49-17-43 concerning trade secrets, including, but not limited to, marketing or financial information, processes, devices, methods of manufacture, or production capabilities or amounts shall be kept confidential, if and only if:</p> <p>(A) A written confidentiality claim is made when the information is supplied;</p> <p>(B) Such confidentiality claim allows disclosure of the confidential information to authorized department employees and/or the United States Environmental Protection Agency (EPA); and</p> <p>(C) Such confidentiality claim is determined by the commission to be valid.</p> <p>If the confidentiality claim is denied, the information sought to be covered thereby shall not be released or disclosed, except to the Environmental Protection Agency, until the claimant has been notified in writing and afforded an opportunity for a hearing and appeal therefrom, as with other orders of the commission. Disclosure of confidential information by the EPA should be governed by federal law and EPA regulations. Anyone making unauthorized disclosure of information determined to be confidential as herein provided shall be liable in a civil action for damages arising therefrom and shall also be guilty of a misdemeanor punishable as provided by law. See also, 11 Miss. Admin. Code Pt. 6, Ch. 1. [Miss. Code Ann. 49-17-17, 11 Miss. Admin. Code Pt. 6, R. 1.1.3.F.]</p>
T-27	<p>SPILL PREVENTION AND BEST MANAGEMENT PLANS:</p> <p>Any applicant/permittee which has above ground bulk storage capacity, of more than 1320 gallons or any single container with a capacity greater than 660 gallons, of materials and/or liquids (including but not limited to, all raw, finished and/or waste material) with chronic or acute potential for pollution impact on waters of the State and not subject to Mississippi Hazardous Waste Management Regulations or 40 CFR 112 (Oil Pollution Prevention) regulations shall provide secondary containment as found in 40 CFR 112 or equivalent protective measures such as trenches or waterways which would conduct any tank releases to a permitted treatment system or sufficient equalization or treatment capacity needed to prevent chronic/acute pollution impact. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(12).]</p>

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Condition No.	Condition
T-28	<p>REOPENER CLAUSE:</p> <p>If there is evidence indicating potential or realized impacts on water quality due to discharges covered by this permit, the owner or operator may be required to obtain individual permit or an alternative general permit in accordance with ACT 2 Condition T-3 or the permit may be modified to include different limitations and/or requirements. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.F(1).]</p>
T-29	<p>CLOSURE REQUIREMENTS:</p> <p>Should the applicant/permittee decide to permanently close and abandon the premises upon which it operates, it shall provide a Closure Plan to the Permit Board no later than 90 days prior to doing so. This Closure Plan shall address how and when all manufactured products, by-products, raw materials, stored chemicals, and solid and liquid waste and residues will be removed from the premises or permanently disposed of on site such that no potential environmental hazard to the waters of the State will be presented. Closure plan(s) submitted to and approved by Mississippi Department of Environmental Quality for compliance with other environmental regulations will satisfy the closure requirements for those items specifically addressed in the closure plan(s) as long as the closure does not present a potential for environmental hazard to waters of the State. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(11).]</p>
T-30	<p>PLANS AND SPECIFICATIONS:</p> <p>All engineering plans and specifications required by DEQ must bear the signature, registration number, and seal of a professional engineer registered in the State of Mississippi. [11 Miss. Admin. Code Pt. 6, R. 1.1.6.B(7)., 11 Miss. Admin. Code Pt. 2, R. 2.3.A.]</p>
T-31	<p>OTHER APPROVALS:</p> <p>It is the responsibility of the applicant/permittee to obtain all other approvals, permits, clearances, easements, agreements, etc., which may be required including, but not limited to, all required local government zoning approvals or permits. DEQ may delay processing any permit application until the applicant provides to DEQ information or documentation sufficient to demonstrate any approval listed in this paragraph. [11 Miss. Admin. Code Pt. 2, R. 2.1.D(6).]</p>

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ACT0000000007 (Dry Litter Poultry) Incinerator Requirements:

Limitation Requirements:

Condition No.	Parameter	Condition
L-1		The incinerator must be operated in accordance with the manufacturer's instructions. [11 Miss. Admin. Code Pt. 2, R. 2.2.B(10).]
L-2		Only chicken carcasses produced at the facility are permitted for incineration. Incineration of all other waste is prohibited. [11 Miss. Admin. Code Pt. 2, R. 2.2.B(10).]
L-3		<p>PARTICULATE MATTER EMISSIONS FROM INCINERATION:</p> <p>The maximum discharge of particulate matter from any incinerator covered by this general permit, shall not exceed 0.2 grains per standard dry cubic foot of flue gas calculated to twelve percent (12%) carbon dioxide by volume for products of combustion. This limitation shall apply when the incinerator is operating at design capacity. The carbon dioxide produced by combustion of any auxiliary fuels shall be excluded from the calculation to twelve percent (12%) carbon dioxide. After May 8, 1970, any new equipment shall be of the multiple chamber type or its equivalent for emission control. In critical areas where an installation is in close proximity to a residential area, the maximum discharge of particulate matter shall be limited to emissions of 0.1 grains per standard dry cubic foot of flue gases calculated to twelve percent (12%) carbon dioxide by volume for products of combustion. [11 Miss. Admin. Code Pt. 2, R. 1.3.H(1).]</p>
L-4		<p>SMOKE AND EQUIVALENT OPACITY:</p> <p>(A) No person shall cause, permit, or allow the emission of smoke from a point source into the open air from any manufacturing, industrial, commercial or waste disposal process which exceeds forty (40) percent opacity subject to the exception provided in (B).</p> <p>(B) Startup operations may produce emissions which exceed 40% opacity for up to fifteen (15) minutes per startup in any one hour and not to exceed three (3) startups per stack in any twenty-four (24) hour period.</p> <p>(C) No person shall cause, allow, or permit the discharge into the ambient air from any point source or emissions, any air contaminant of such opacity as to obscure an observer's view to a degree in excess of 40% opacity, equivalent to that provided in (A). This shall not apply to vision obscuration caused by uncombined water droplets. [11 Miss. Admin. Code Pt. 2, R. 1.3.A and 3.B.]</p>

To Operate Poultry Animal Feeding Operations (AFOs)

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ACT0000000007 (continued):

Limitation Requirements:

Condition No.	Parameter	Condition
L-5		<p>SULFUR DIOXIDE EMISSIONS FROM FUEL BURNING:</p> <p>(A) The maximum discharge of sulfur oxides from any fuel burning installation in which the fuel is burned primarily to produce heat or power by indirect heat transfer shall not exceed 4.8 pounds (measured as sulfur dioxide) per million BTU heat input.</p> <p>(B) No person shall cause or permit the burning of fuel in any fuel burning equipment that results in an average emission of sulfur dioxide from any calendar year at a rate greater than was emitted by said fuel burning equipment for the corresponding calendar year 1970 unless otherwise authorized by the Commission. Installations under construction on January 25, 1972, are excluded from this requirement.</p> <p>(C) The maximum discharge of sulfur dioxide from any modified fuel burning unit whose generation capacity is less than 250 million BTU per hour and in which the fuel is burned primarily to produce heat or power by indirect heat transfer shall not exceed 2.4 pounds (measured as sulfur dioxide) per million BTU heat input. For the purposes of Rule 1.4 of these regulations only, "modification" shall mean any physical change in an Air Contaminant Source which increases the amount of any air pollutant (to which a standard applies) emitted by such source or which results in the emission of any air pollutant (to which a standard applies) not previously emitted. [11 Miss. Admin. Code Pt. 2, R. 1.4.A.]</p>

Record-Keeping Requirements:

Condition No.	Condition
R-1	<p>PATHOLOGICAL WASTE:</p> <p>Record information required by ACT 7 Condition T-5 of this permit on a calendar quarter basis. [11 Miss. Admin. Code Pt. 2, R. 1.13.B(4)(a)., 40 CFR 60.2020(a)]</p>

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ACT000000007 (continued):

Record-Keeping Requirements:

Condition No.	Condition
R-2	<p>The records identified below must be documented on Appendix G of the Dry Litter Poultry Forms Package and maintained on site or locally available for five years from the date they are created and made available to the Permit Board upon request:</p> <p>(A) the date that incinerator is operated; (B) the total burn time per use; and (C) the loading rate per use. [11 Miss. Admin. Code Pt. 2, R. 2.9.]</p>

Submittal/Action Requirements:

Condition No.	Condition
S-1	<p>CERTIFICATION OF CONSTRUCTION:</p> <p>Prior to startup of air emissions equipment, the permittee must submit certification that construction was completed in accordance with the approved plans and specifications. [11 Miss. Admin. Code Pt. 2, R. 2.5.D.]</p>

Narrative Requirements:

Condition No.	Condition
T-1	<p>The necessary facilities shall be constructed so that solids removed in the course of control of air emissions may be disposed of in a manner such as to prevent the solids from becoming windborne and to prevent the materials from entering State waters without the proper environmental permits. [Miss. Code Ann. 49-17-29]</p>
T-2	<p>Except as otherwise noted herein, stack emissions testing for demonstration of compliance with the regulations herein may be performed in accordance with the Test Methods of the U. S. Environmental Protection Agency in place at the time testing is performed or as otherwise approved by the staff of the Mississippi Office of Pollution Control and the U. S. Environmental Protection Agency. [11 Miss. Admin. Code Pt. 2, R. 1.1.B.]</p>

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ACT0000000007 (continued):

Narrative Requirements:

Condition No.	Condition
T-3	In the event of a conflict between any of the requirements of this permit and/or applicable requirements of any other regulation or law, the more stringent requirements shall be applied. [11 Miss. Admin. Code Pt. 2, R. 1.1.C., 11 Miss. Admin. Code Pt. 2, R. 2.1.D(8).]
T-4	The air pollution control facilities shall be constructed such that diversion from or bypass of collection and control facilities is not permitted except as provided for in 11 Miss. Admin. Code Pt. 2, R. 1.10. [11 Miss. Admin. Code Pt. 2, R. 1.10.]
T-5	<p>COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATOR (CISWI):</p> <p>CISWI units burning 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of pathological waste (defined in ACT5 Condition T-11 of this permit) that constructed on or before November 30, 1999 (existing source) or after November 30, 1999 (new source) are not subject to the requirements of 11 Miss. Admin. Code Pt. 2, R. 1.10. and 40 CFR Part 60 Subpart CCCC, respectively; if the owner or operator of the CISWI unit meets the requirements specified below:</p> <p>(A) The Executive Director is notified that the unit meets these criteria; and</p> <p>(B) Records are kept on a calendar quarter basis of the weight of pathological waste burned and the weight of all other fuels and wastes burned in the unit. [11 Miss. Admin. Code Pt. 2, R. 1.13.B(4)(a)., 40 CFR 60.2020(a)]</p>
T-6	All air pollution control facilities shall be designed and constructed such as to allow proper operation and maintenance of the facilities. [11 Miss. Admin. Code Pt. 2, R. 2.5.A.]
T-7	<p>SAMPLING PORTS:</p> <p>(A) New Equipment: The owner or operation of any new air pollution control equipment, obtained after May 8, 1970, and vented to the atmosphere, shall have necessary sampling ports and ease of accessibility.</p> <p>(B) Existing Equipment: The owner or operator of air pollution control equipment that is in existence prior to May 8, 1970, shall provide the necessary sampling ports and ease of accessibility when deemed necessary by the Permit Board. [11 Miss. Admin. Code Pt. 2, R. 1.3.I.]</p>

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ACT0000000007 (continued):

Narrative Requirements:

Condition No.	Condition
T-8	<p>MORE RESTRICTIVE EMISSION LIMITS:</p> <p>The Commission reserves the right to prescribe more stringent emission limits as it deems necessary in problem areas. The expansion, alteration, or establishment of a new industry may also result in the prescription of more stringent emission limits. [11 Miss. Admin. Code Pt. 2, R. 1.3.J.]</p>
T-9	<p>Any new stationary source must obtain permit to construct coverage before beginning construction. Certain modifications to stationary sources as provided by 11 Miss. Admin. Code Pt. 2, R. 2.13 and 2.15 must have additional permit to construct coverage before beginning construction or modification. [11 Miss. Admin. Code Pt. 2, R. 2.1.D(2).]</p>
T-10	<p>The issuance of permit coverage does not release the applicant/permittee from liability for constructing or operating air emissions equipment in violation of any applicable statute, rule, or regulation of state or federal environmental authorities. [11 Miss. Admin. Code Pt. 2, R. 2.2.B(7).]</p>
T-11	<p>The construction of the stationary source shall be performed in such a manner so as to reduce fugitive dust emission from construction activities to a minimum. [11 Miss. Admin. Code Pt. 2, R. 2.5.A(4).]</p>
T-12	<p>Upon certification of construction, coverage to Operate Air Emissions Equipment issued under this multimedia general permit shall be effective. The applicant/permittee must achieve and maintain the emission standards set forth in the general permit, and through the operation of said stationary source, will not interfere with the attainment and maintenance of State and National Ambient Air Quality Standards then in effect. Failure to establish that the stationary source can achieve and maintain the emission standards set forth in the general permit subjects the applicant/permittee to potential prosecution and penalty for operating in violation of this general permit. [11 Miss. Admin. Code Pt. 2, R. 2.5.A(2) and D(3).]</p>
T-13	<p>The granting of coverage under a general permit does not imply or express exclusion from the requirements of any emission-limiting regulation. [11 Miss. Admin. Code Pt. 2, R. 2.11.H.]</p>
T-14	<p>Approval to construct will expire should construction not begin within eighteen months of coverage, or should construction be suspended for eighteen months. [11 Miss. Admin. Code Pt. 2, R. 2.5.C.]</p>
T-15	<p>Should the Executive Director of the Mississippi Department of Environmental Quality declare an Air Pollution Emergency Episode, the permittee will be required to operate in accordance with the permittee's previously approved Emissions Reduction Schedule. [11 Miss. Admin. Code Pt. 2, R. 3.5.B.]</p>

GENERAL INFORMATION

Dry Litter Poultry Animal Feeding Operation General Permit

Alternate/Historic Identifiers

ID	Alternate/Historic Name	User Group	Start Date	End Date
36952	Dry Litter Poultry Animal Feeding Operation General Permit	Official Site Name	3/11/2008	

Location Description: