

STATE OF MISSISSIPPI SOLID WASTE MANAGEMENT PERMIT

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

THIS CERTIFIES THAT
Southeastern Timber Products, LLC

has been granted permission to operate a solid waste management facility

located at
240 PCA Road
Ackerman, MS 39375
Sections: 25,35, 36; Township: 17 North; Range: 10 East
under the name of
Southeastern Timber Class I Rubbish Site

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

MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD

DRAFT

AUTHORIZED SIGNATURE
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

Issued: [Permit Issued Date]
Expires: [Permit Expiration Date]

Permit No. SW0100020581

CONDITIONS

A. EFFECT OF PERMIT

The permittee shall operate the solid waste management facility in accordance with the Mississippi Nonhazardous Solid Waste Management Regulations, applicable state and federal regulations, the approved application, and the conditions of this permit.

B. PERMIT ACTIONS

This permit may be modified, revoked, and/or reissued for good cause or noncompliance with the terms and conditions of the permit. The filing of a request for a permit modification, reissuance, or termination or the notification of planned changes or anticipated noncompliance on the part of the permittee does not stay the applicability or enforceability of any permit condition.

C. SEVERABILITY

The provisions of the 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.

D. DUTIES AND REQUIREMENTS

1. Duty to Comply. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Mississippi Code Annotated and regulations promulgated thereunder and is grounds for enforcement action; permit revocation, reissuance, or modification; or for denial of a permit renewal application.
2. Duty to Reapply. If the permittee wishes to continue an activity allowed by this permit after the expiration date of this permit, the permittee must submit a complete application for a new permit at least 180 days before this permit expires.
3. Duty to Mitigate. The permittee shall take all reasonable steps to minimize, prevent, or correct any adverse impact on human health or the environment resulting from noncompliance with this permit.
4. Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all equipment and systems which are installed or used by the permittee to achieve compliance with the conditions of this permit and application as submitted and approved by the Mississippi Department of Environmental Quality (Department).

5. Duty to Provide Information. The permittee shall furnish to the Department, within a reasonable time, any relevant information which the Department may request to determine whether cause exists for modifying, revoking, or reissuing this permit, or to determine compliance with this permit.
6. Inspection and Entry. The permittee shall allow an authorized representative of the Department upon the presentation of credentials and other documents as may be required by law to:
 - (a) Enter on the permittee's premises where a regulated activity is located or conducted, or where records must be kept under the conditions of this permit;
 - (b) Have access to and copy at reasonable times any records that must be kept under the conditions of this permit;
 - (c) Inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under this permit;
 - (d) Sample or monitor at reasonable times for the purposes of assuring permit compliance.
7. Property Rights. It is the responsibility of the permittee to possess or maintain a sufficient interest in or right to the use of the properties described in this permit, including the access route(s).

The issuance of this permit does not convey any property rights or interest in either real or personal property; nor does it authorize any injury to private property, invasion of personal rights, or impairment of previous contract rights; nor any infringement of Federal, State, or local laws or regulations outside the scope of the authority under which this permit is issued.
8. Anticipated Noncompliance. The permittee shall give written notice to the Department at least 30 days in advance of any planned changes in the permitted facility or activity which may result in noncompliance with the requirements of this permit or the Mississippi Nonhazardous Solid Waste Management Regulations.
9. Modification of Permits. Any proposed modification to the approved application or plan of operations resulting in an expansion of the facility or a significant change in the method of waste management must be approved by the Permit Board or the Board's designee prior to implementation. Other proposed modifications to the approved facility design or operations must be approved by the Department prior to implementation.

10. Transfer of Permits. This permit is not transferable to any person except after notice to and approval of the Mississippi Environmental Quality Permit Board (Permit Board) or the Board's Designee. The Permit Board may require modification or revocation and issuance of a new permit to change the name of the permittee and incorporate such other requirements as may be necessary.
11. Signature Requirements. The permittee shall ensure that an application for the reissuance, modification, or transfer of this permit, and all reports required by this permit or by state regulations shall be signed in accordance with Rule 1.2.G of the Mississippi Nonhazardous Solid Waste Management Regulations.

E. SITE PREPARATION AND CONSTRUCTION REQUIREMENTS

1. The permittee shall ensure that the site preparation and construction activities are conducted in accordance with the Mississippi Nonhazardous Solid Waste Management Regulations and the approved plans, unless otherwise approved by the Department.
2. The permittee shall ensure that the approved disposal area is limited to the areas defined in the submitted application consisting approximately of a total 24.77 acres of the property located in Section 25, 35, and 36, Township 17 North, Range 10 East, of Choctaw County. The permitted disposal area is divided into two separate sites. Site 1 shall consist of approximately 15.00 acres west of the mill and will tie into a previously permitted, closed class I rubbish disposal area. Site 2 shall consist of approximately 9.77 acres south of the mill.
3. The permittee shall ensure that any open burning of on-site land clearing debris, if necessary, is conducted in accordance with the following:
 - a. Open burning shall be conducted in a manner that precludes off-site public nuisance conditions and shall comply with the buffer distances, management conditions, and allowable days defined by 11 Miss. Admin. Code, Pt. 2, R. 1.3.G;
 - b. A setback of at least 100 yards shall be maintained between burn piles and any active or filled portions of the disposal area; and
 - c. Open burning shall be conducted in compliance with all applicable local laws, ordinances, and/or regulations.
4. The permittee shall ensure that each rubbish disposal area is prepared in accordance with the following:

- a. Prior to disposal cell development, all borings drilled on the site in preparation of the permit application, which will not be converted to monitoring or supply wells, will be properly sealed in accordance with the requirements of the Office of Land and Water Resources of the Mississippi Department of Environmental Quality.
 - b. Prior to preparation of a new disposal cell at the site, the cell boundaries shall be appropriately located and marked by a land surveyor licensed by the State of Mississippi to ensure construction within the approved area. Property line setback distances as indicated in the permit application shall be established and maintained.
 - c. Prior to preparation or development of Site 2, located in the southern portion of the property, the permittee shall provide a letter to the Department from the U.S. Army Corps of Engineers confirming that the approved disposal area does not impact any jurisdictional wetlands.
 - d. For the development of the disposal cells, the excavation of overburden shall not occur below the subgrade elevations approved in the construction plan. Excavation shall be conducted in a manner that preserves the minimum separation thickness of five (5) feet of naturally occurring soils between the uppermost aquifer and the base of the liner and five (5) feet of natural, in situ liner material. The natural in situ bottom liner shall be inspected for cracks, large stones, other protrusions, and for soil material which would not be suitable liner material. Areas where unsuitable soil materials or groundwater seeps exist shall be excavated and the soils replaced with compacted soil materials having a permeability equal to or less than 1×10^{-5} cm/sec. The surface shall be compact, smooth, uniform and free of desiccation cracks. No excavation shall occur in the portions of the rubbish disposal area containing the historic, closed waste disposal area. The liner for Site 1 will also adequately preserve the liner of the closed waste disposal area to ensure a continuous liner system between the old and new disposal areas.
 - e. The storm water management system shall be constructed as per the approved plans prior to the site preparation work or placement of any waste and in such a manner as to inhibit erosion, prevent loss of sediment from the site, and minimize storm water contact with the waste.
5. At least two weeks prior to the placement of rubbish in a newly constructed cell, a report shall be submitted to the Department that demonstrates the cell has been developed in compliance with the approved design plans. The report shall contain a certification from an independent engineer or surveyor

(registered in the State of Mississippi) that the cell has been developed according to the approved design plans and all applicable sections of the state regulations. The report shall also include field logs and top of liner survey. Final elevation drawings submitted with the report shall contain GPS coordinates of the disposal cell within the total permitted disposal area.

6. Disposal Area Boundary Markers:

- a. The permittee shall ensure that disposal area boundaries are clearly marked and maintained throughout the life of the facility. Placement of the permanent disposal area boundary markers shall comply with the following:
 1. The markers shall be at least three (3) feet in height;
 2. The markers shall be constructed of concrete posts, metal pipes, weather treated wood posts, metal fence posts or other marker materials as approved by the Department;
 3. The markers shall be placed in the ground at sufficient depth to facilitate permanence.
 4. The permittee shall inspect the boundary markers monthly and repair or replace markers that have been damaged or inadvertently removed from the disposal boundary.
 5. If markers are replaced, marker locations shall be re-established by a Professional Surveyor, registered with the State of Mississippi, and the certified survey indicating the locations and GPS coordinates of the permanent markers with a cover letter shall be submitted to the Department within five (5) working days of installation.
- b. The permittee shall ensure that the buffer distances to property lines and other receptors and other appropriate location restrictions are maintained as indicated in the approved application, unless otherwise approved by the Department.

F. SITE SPECIFIC OPERATING CONDITIONS

1. The permittee shall ensure that the facility is operated in accordance with applicable regulations and the approved plan of operation. Proposed modifications to the plan of operations must be approved by the Department prior to implementation.
2. The permittee shall ensure that disposal of waste within the approved disposal area is limited to on-site generated wood waste such as sawdust,

wood chips, broken boards, logs, shavings, vines, lumber slabs, and bark. Other class I rubbish wastes generated on-site may be disposed of upon prior written approval by the Department.

3. The permittee shall ensure that the following wastes are prohibited from disposal at this facility unless specifically approved by the Department:
 - a. Any acceptable waste which has been contaminated by a pollutant, such as a food or chemical, unless it can be demonstrated to the satisfaction of the Department that such waste has no adverse effect on the environment;
 - b. Electronic wastes such as televisions, computers, and other similar items;
 - c. Household garbage and other food and drink waste;
 - d. Liquids, types of sludge, and contaminated soils;
 - e. Paint, paint buckets, oil containers, and chemical containers;
 - f. Engines, motors, whole tires, and all types of batteries;
 - g. Toxic, hazardous, or radioactive waste;
 - h. regulated asbestos and asbestos containing material originating from a facility, as defined by the National Emission Standards for Hazardous Air Pollutants (40 CFR 61, Subpart M);
 - i. Medical waste;
 - j. Bulk fabric and paper loads, refrigerators, air conditioners, cut or shredded tires, and any metal, glass, plastic, or paper container, unless specifically approved by the Department; and
 - k. Other wastes, which are specifically determined by the Department to have an adverse effect on the environment if disposed as rubbish.
4. The permittee shall implement and maintain adequate security and monitoring measures to prevent uncontrolled access and disposal. An attendant shall be on duty at any time access to the site is unsecured.
5. The permittee shall ensure that at least six inches of earthen material are applied to the wastes at least every two weeks. The earthen cover should be applied as specified in the approved plan of operation. However, the permittee may be required to alter the frequency of the cover, by the Department, to maintain compliance, depending upon the amount or type of wastes received and/or other conditions at the site.
6. The permittee shall ensure that unloading and disposal of the rubbish waste are controlled by the operator and that rubbish disposal is confined to as small an area as practical.

7. The permittee shall operate the facility in a manner that minimizes windblown litter and prevents vector attraction. Windblown and scattered litter and debris around the disposal site and along the property access roads shall be collected at the end of every operating day and returned to the active working area for proper disposal or placed in a receptacle for disposal elsewhere as appropriate.
8. The permittee shall ensure that open burning of solid waste, except for land clearing debris generated on the site of the facility, is prohibited. Additionally, the permittee shall develop and implement appropriate fire prevention measures for the facility as described in the approved plan of operations. The permittee shall ensure that the fire prevention measures, at a minimum, include:
 - a. the prohibition of the open burning of solid waste;
 - b. the proper installation, upgrade, and/or maintenance of all fire control equipment, water supplies, or dirt stockpiles as described in the approved plan;
 - c. procedures for actions to extinguish fires and limiting the off-site impacts of such fires; and
 - d. procedures for notifying the Department of the fire and of the permittee's actions to extinguish the fire. Such notification shall be made by the close of the Department's next business day.
9. The permittee shall ensure that rubbish will not be disposed in standing water, in any waters of the state, nor in any manner that may result in washout of waste. Furthermore, the site shall be developed and contoured to direct storm water run-off/run-on away from the active disposal area and to prevent ponding of water.
10. The permittee shall construct and operate the facility in accordance with any applicable requirements of the U. S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the Mississippi Department of Archives and History.
11. The permittee shall be responsible for proper training and employment of an adequate number of employees to properly operate and maintain the facility.
12. The permittee shall ensure the availability and proper maintenance of equipment required to properly operate and maintain the facility.

13. The permittee shall ensure that filled areas of the site which have remaining capacity and which will not receive waste within 30 days receive an intermediate cover of twelve inches of earthen material. Any erosion occurring in covered areas shall be promptly repaired. An alternate intermediate cover system may be approved by the Department.
14. The permittee shall ensure that any area where waste has been disposed which has not received waste in the past twelve (12) months is covered in accordance with the closure requirements described in Rule 1.6.E of the Mississippi Nonhazardous Solid Waste Management Regulations and this permit.

G. RECORD-KEEPING AND REPORTING

1. The permittee shall keep an accurate written daily record of each load of solid wastes transported to the approved disposal area.
2. The permittee shall maintain a copy of these records at the facility or at another site approved by the Department. The records shall be made available to the Department for inspection upon request.
3. The permittee shall retain all records associated with the development and/or operation of the facility for at least five years after the approved closure of the site.
4. The permittee shall submit an annual report to the Department each year no later than February 28, to include information regarding the site for the preceding calendar year. At a minimum, the report shall contain the following:
 - a. the total amount of waste received at the disposal site during the calendar year, in units of tons;
 - b. estimated remaining capacity at the facility, in terms of acreage, cubic yards, and years remaining; and
 - c. other information associated with the management of solid waste at the facility as directed by the Department

H. CLOSURE/POST-CLOSURE

1. The permittee shall ensure that within thirty (30) days of completing a disposal area, at least two feet of low permeable earthen cover shall be

applied as final cover. Following soil placement, suitable vegetation shall be promptly established and maintained. Any significant areas of erosion occurring on completed disposal areas shall be promptly repaired.

2. The permittee shall ensure that the maximum elevation of the disposal cell, including the final cover system, does not exceed 556 feet above MSL for Site 1 and 520 feet for Site 2. This maximum height shall be surveyed by a professional land surveyor, registered by the State of Mississippi. The certified survey shall be submitted to the Department upon final closure.
3. The permittee shall ensure that the disposal area final cover gradients are restricted to maximum slopes of 25% and minimum slopes of 4%, unless otherwise approved by the Department.
4. The permittee shall ensure that upon final closure of the site a construction quality assurance report for the final cover system is submitted to the Department. The report shall contain a certification from an independent professional engineer registered in Mississippi that verifies that the final cover complies with the closure requirements of Rule 1.6.E of the Mississippi Nonhazardous Solid Waste Management Regulations and the conditions of this permit.
5. The post-closure monitoring period for the rubbish site shall be a minimum of 10 years following certification of the final closure of the site, unless otherwise approved by the Department. At a minimum, post-closure monitoring activities shall include:
 - a. semi-annual inspections of the final cover system by the permittee. Erosion, cracks, ponding, and similar problems shall be promptly repaired.
 - b. routine mowing and maintenance of the established vegetative cover to prevent growth of unwanted vegetation, such as trees, that could impact the integrity of the final cover system.
 - c. maintenance of storm water and erosion control systems to limit run-on or run-off from damaging the final cover system or impacting the nearby wetland areas.