

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

Fairley's Tire and Rubber Disposal, LLC

has been granted permission to operate a waste tire disposal facility

located at

300 Worth Nall Road, Lumberton, Mississippi
Section: 19, Township: 1 South, Range: 13 West

Forrest County

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

MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD



AUTHORIZED SIGNATURE

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

Issued: October 1, 2015
Expires: October 1, 2025

Permit No. SW0180020575

CONDITIONS
WASTE TIRE DISPOSAL FACILITY

A. EFFECT OF PERMIT

Fairley Tire and Rubbish Disposal, LLC (“permittee”) shall operate the waste tire disposal facility in accordance with the Mississippi Nonhazardous Solid Waste Management Regulations (11 Miss. Admin. Code Pt. 4, Ch. 1) and the conditions for a class I rubbish site found in Rule 1.6 of these regulations, the Mississippi Waste Tire Management Regulations (11 Miss. Admin. Code Pt. 4, Ch. 4), the Mississippi Waste Tire Transportation Regulations (11 Miss. Admin. Code Pt. 4, Ch. 5), the Regulations for the Certification of Operators of Solid Waste Disposal Facilities (11 Miss. Admin Code Pt. 4, Ch. 8), the application as approved, and the conditions of this permit. Any changes, alterations, or modifications of the above referenced regulations which pertain to any condition of this permit shall supersede and replace the affected conditions of this permit. In such instances, the permittee shall comply with the altered condition(s) of the regulations.

B. PERMIT ACTIONS

This permit may be modified, revoked and reissued, or terminated for noncompliance with the terms and conditions of the permit. The filing of a request for a permit modification, revocation and 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 solid waste law and regulations promulgated thereunder and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application.
2. 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.

3. 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 Department of Environmental Quality (Department).
4. Property Access Rights. It is responsibility of the permittee to possess or acquire a sufficient interest in or right to the use of the property including access route. 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 locals laws or regulations.
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 and reissuing, or terminating 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 Mississippi Nonhazardous Solid Waste Management Regulations, the Mississippi Waste Tire Management Regulations, the Mississippi Waste Tire Transportation Regulations, and 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. 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.

8. Transfer of Permits. The permittee shall not sell, convey, or assign the rights in the permit to another person or party prior to the approval of the transfer of the permit by the Environmental Quality Permit Board or the Permit Board's designee as defined by Rule 1.2.L of the Mississippi Nonhazardous Solid Waste Management Regulations..
9. Disclosure. The permittee shall submit an updated disclosure statement to the Department by February 28 of each year. If all information from the previously submitted disclosure statement is unchanged, a letter stating such may be submitted in lieu of an updated disclosure statement.
10. Signature Requirements. An application for the re-issuance, modification or transfer of this permit and all reports required by this permit or other information requested by the Permit Board shall be signed in accordance with Rule 1.2.G of the Mississippi Nonhazardous Solid Waste Management Regulations.

E. SITE SPECIFIC REQUIREMENTS

1. The permittee shall ensure that the construction, operation and closure of the facility shall be conducted in accordance with the Mississippi Nonhazardous Solid Waste Regulations and the requirements for a class I rubbish facility, the Mississippi Waste Tire Management Regulations, other applicable state regulations and the approved plan of operations, as submitted to the Department.
2. The permittee may accept waste tires from the approved service area as described in the approved plan of operation and as designated in the approved Forrest County Solid Waste Management Plan..
3. The permittee shall ensure that disposal at the site shall be limited to waste tires processed in accordance with Rule 4.4.B of the Mississippi Waste Tire Management Regulations, processed waste tire materials, and non-regulated tires as indicated in the application, unless otherwise approved by the Department.
4. Operating hours at the facility shall be established as 7:30 AM to 4:00 PM, Monday through Friday, unless otherwise approved by the Department.
5. The permittee shall ensure that disposal of unauthorized wastes including garbage, other rubbish, liquid wastes, drink containers, paint cans, oil cans and filters, hazardous wastes, regulated asbestos and other non-approved waste materials shall be prohibited at the site. This shall include the following actions at a minimum:
 - a. During the unloading and disposal of each waste load, the facility operator or a designated, trained spotter shall visually inspect each waste load and remove any unauthorized wastes from the load.

- b. Unauthorized wastes discovered to have been inadvertently or accidentally dumped at the site shall immediately be removed from the site and properly disposed of at an authorized disposal facility or placed in an on-site waste receptacle for later transfer.
 - c. Incoming waste loads that contain significant amounts of unauthorized wastes shall be refused disposal at the facility. Incidental amounts of unauthorized wastes identified after waste unloading shall be immediately removed from the disposal area.
- 6. The permittee shall ensure that the disposal of waste is restricted to the approved permitted area defined in the application. The disposal area shall be constructed and delineated as follows:
 - a. The lateral footprint of the disposal area shall be restricted to the approximately 21.17 acre area described in the approved application.
 - b. Property line setbacks of at least 100 feet shall be maintained from the permitted disposal area on all sides.
 - c. The disposal area boundaries shall be located and clearly marked by a land surveyor licensed by the State of Mississippi. At a minimum, the corners of the disposal area shall be marked. The markers shall be at minimum, 3 foot high concrete posts, metal pipes, weather resistant wood posts or other suitable markers approved by the Department. The markers shall be placed in the ground to a sufficient depth to facilitate permanence and shall be maintained by the permittee. Markers that become damaged shall be promptly re-established by the permittee with the assistance of a licensed land surveyor, where necessary. Such permanent markers shall be surveyed and installed prior to waste acceptance.
 - d. The active disposal area shall be constructed in a manner that does not cause or allow wastes to come into contact with the seasonal high water table.
 - e. The depth of excavation for the construction of the disposal areas shall not exceed 25 feet below grade, as indicated in the approved application.
- 7. The permittee shall ensure that processed waste tires shall not be disposed in standing water nor in any manner that may result in a washout of the waste.
- 8. The permittee shall ensure that unloading and disposal of the processed waste tires shall be controlled and confined to as small an area as practical.
- 9. The permittee shall ensure that a periodic earthen cover consisting of a minimum of six inches of earthen soil is applied to all exposed wastes at least once every 30 days. This cover frequency may be increased by the Department depending upon the amount of processed waste tires received and other conditions at the site.

10. The permittee shall at all times properly operate and maintain all equipment and systems used to achieve compliance with the conditions of this permit. The permittee shall provide proper training of and ensure employment of an adequate number of employees to properly operate the facility.
11. The permittee shall establish and maintain a site operator with a certificate of competency issued by the Commission in accordance with Rule 8.3 of the Regulations for the Certification of Operators of Solid Waste Disposal Facilities. In the event of the temporary loss of a certified operator for a legitimate cause, written notice shall be given to the Department within 7 days. Continued operation without a certified operator may continue on an interim basis for a period not to exceed 180 days, except for good cause shown upon petition to the Commission.
12. The permittee shall ensure that adequate security and monitoring is maintained at the site to prevent unauthorized access and disposal. Access to the disposal site shall be secured or locked when the site is closed and when no attendant is on site.
13. Open burning of solid waste, except for land clearing debris generated on the site of the facility, shall be prohibited. Open burning of on-site land clearing debris shall be conducted in accordance with 11 Miss. Admin. Code, Pt. 2, R. 1.3.G.
14. The permittee shall develop and implement appropriate fire prevention measures for the facility which adhere to standard industrial fire codes for facilities of this type and/or local fire codes or ordinances for implementing and maintaining measures to prevent fires or extinguish fires. The permittee shall ensure that the fire prevention measures, at a minimum, include:
 - a. the prohibition of the open burning of waste tires or any other solid waste material;
 - b. the proper installation, upgrade, and/or maintenance of all fire control equipment;
 - c. procedures for actions to extinguish fires and limit 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.
15. The permittee shall ensure that windblown and scattered litter and debris is collected from around the disposal site at least once per week or more often, if necessary, and returned to the active working area for proper disposal.
16. The permittee shall ensure that the disposal site is developed and contoured to direct storm water run-on/run-off away from the active

disposal area and to prevent ponding of water over areas of waste disposal. The permittee shall maintain appropriate storm water discharge permit coverage and shall develop and implement an updated storm water pollution prevention plan.

F. RECORDKEEPING AND REPORTING REQUIREMENTS

1. The permittee shall keep an accurate written daily record of processed waste tires delivered to the disposal facility including the following:
 - a. The name of the waste hauler and waste tire hauler certification number, if applicable;
 - b. The source of the waste;
 - c. The types of wastes received;
 - d. The weight of the processed waste tires, measured in tons, received at the disposal facility. Conversion of weight from volume and/or numbers of tires to tons shall be completed utilizing conversion factors developed or approved by the Department.
 - e. Other information associated with the management of waste at the disposal facility as directed by the Department.

A copy of these records shall be maintained by the permittee at the rubbish site or at another site approved by the Department. The records shall be made available to the Department for inspection upon request.

2. The permittee shall comply with all record keeping requirements of the Mississippi Waste Tire Transportation Regulations.
3. The permittee shall submit a report annually by the 28th of February of each calendar year on the amount of wastes disposed at this site. The report shall contain the following:
 - a. The total amount of waste received at the disposal site during the previous calendar year, in units of tons;
 - b. The source of wastes listed by county of origin;
 - c. The estimated remaining capacity at the disposal facility, in terms of acreage or cubic yards, and years remaining;
 - d. An updated disclosure statement. If all information from the previously submitted disclosure statement is unchanged, a letter stating such may be included in lieu of an updated disclosure statement.

G. CLOSURE AND POST CLOSURE REQUIREMENTS

1. Within 30 days of completing a disposal area or cell, the permittee shall begin installing a final cover system in accordance with Rule 4.6 of the

Mississippi Nonhazardous Solid Waste Management Regulations and the closure requirements for a class I rubbish site. Following soil placement, suitable vegetation shall be promptly established and maintained. Any erosion occurring on completed areas shall be promptly repaired. Any area containing waste materials, which has not received waste in the past twelve months, shall be covered in accordance with this condition. An alternate cover system may be approved by the Department.

2. The permittee shall ensure that the final height of the facility shall not exceed 290 feet above mean sea level as established by the approved engineering drawings. The final height limitation includes the required two feet of final earthen cover material.
3. The final cover gradient of the disposal site shall be a minimum of 4% and a maximum of 25%, unless otherwise approved by the Department.
4. Compliance with the final closure requirements for the facility shall be certified by an independent professional engineer registered in the State of Mississippi. The permittee shall notify the Department in writing within 14 days upon final closure of the site.