



State of Mississippi

WATER POLLUTION CONTROL PERMIT



Permit to Operate Waste Disposal System in Accordance with National and State Pretreatment Standards

THIS CERTIFIES

Ardagh Metal Beverage USA Inc

10800 Marina Drive

Olive Branch, MS

Desoto County

has been granted permission to discharge wastewater in accordance with effluent limitations, monitoring requirements and other conditions set forth in this permit. This permit is issued in accordance with the provisions of the Mississippi Water Pollution Control Law (Section 49-17-1 et seq., Mississippi Code of 1972), and the regulations and standards adopted and promulgated thereunder, and under authority granted pursuant to Section 402(b) of the Federal Water Pollution Control Act. The issuance of this permit does not relieve the permittee from complying with any requirements which Publicly Owned Treatment Works Authority may deem necessary as a prerequisite to the use of the Authority's sewage system and associated treatment works.

Mississippi Environmental Quality Permit Board

Mississippi Department of Environmental Quality

Issued/Modified: JUN 30 2016

Expires: MAR 31 2017

Permit No. MSP090243

Agency Interest # 1063

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Permit to Operate Waste Disposal System in Accordance with National and State Pretreatment Standards

Ardagh Metal Beverage USA Inc

Subject Item Inventory

Permit Number: MSP090243

Activity ID No.: PER20160002

Subject Item Inventory:

ID	Designation	Description
AI1063	MSP090243	Manufacturer of aluminum beverage cans
RPNT2	MSP090243-001	Outfall 001 (Process wastewater from washing operation)

Receiving Stream Relationships:

Subject Item	Relationship	Receiving Stream
RPNT2 Outfall 001 (Process wastewater from washing operation)	Discharges Into	Metro Desoto Utility Co MS0028479

KEY

ACT = Activity

AREA = Area

CONT = Control Device

IA = Insignificant Activity

MAFO = Animal Feeding Operation

RPNT = Release Point

WDPT = Withdrawal Point

AI = Agency Interest

CAFO = Concentrated Animal Feeding Operation

EQPT = Equipment

IMPD = Impoundment

PCS = PCS

TRMT = Treatment

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Subject Item: Outfall 001 (Process wastewater from washing operation)
RPNT0000000002: MSP090243-001

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

Parameter	Discharge Limitations							Monitoring Requirements		
	Quantity / Loading Average	Quantity / Loading Maximum	Quantity / Loading Units	Quality / Conc. Minimum	Quality / Conc. Average	Quality / Conc. Maximum	Quality / Conc. Units	Frequency	Sample Type	Which Months
<i>Chromium (Total Recoverable) Effluent</i>	0.195 Monthly Average	0.481 Daily Maximum	pounds per day	*****	0.213 Monthly Average	0.525 Daily Maximum	mg/L	Twice per Month	24-hr Composite	Jan-Dec
<i>Copper (Total Recoverable) Effluent</i>	0.338 Monthly Average	0.574 Daily Maximum	pounds per day	*****	0.368 Monthly Average	0.626 Daily Maximum	mg/L	Twice per Month	24-hr Composite	Jan-Dec
<i>Flow Effluent</i>	0.110 Monthly Average	*****	Million Gallons per Day	*****	*****	*****	*****	Daily	Totalizer	Jan-Dec
<i>Fluoride (Total) Effluent</i>	28.876 Monthly Average	65.091 Daily Maximum	pounds per day	*****	31.475 Monthly Average	70.952 Daily Maximum	mg/L	Twice per Month	24-hr Composite	Jan-Dec
<i>Lead (Total Recoverable) Effluent</i>	0.221 Monthly Average	0.389 Daily Maximum	pounds per day	*****	0.241 Monthly Average	0.424 Daily Maximum	mg/L	Twice per Month	24-hr Composite	Jan-Dec
<i>Manganese (Total Recoverable) Effluent</i>	0.320 Monthly Average	0.741 Daily Maximum	pounds per day	*****	0.349 Monthly Average	0.808 Daily Maximum	mg/L	Twice per Month	24-hr Composite	Jan-Dec
<i>Oil and grease Effluent</i>	13.127 Monthly Average	21.871 Daily Maximum	pounds per day	*****	14.309 Monthly Average	23.840 Daily Maximum	mg/L	Twice per Month	Grab Sampling	Jan-Dec

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Subject Item: Outfall 001 (Process wastewater from washing operation)
RPNT00000000002: MSP090243-001

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

Parameter	Discharge Limitations							Monitoring Requirements		
	Quantity / Loading Average	Quantity / Loading Maximum	Quantity / Loading Units	Quality / Conc. Minimum	Quality / Conc. Average	Quality / Conc. Maximum	Quality / Conc. Units	Frequency	Sample Type	Which Months
<i>Organics, total toxic(TTO (40CFR465)) Effluent</i>	0.164 Monthly Average	0.351 Daily Maximum	pounds per day	*****	0.179 Monthly Average	0.383 Daily Maximum	mg/L	Twice per Month	Grab Sampling	Jan-Dec
<i>pH Effluent</i>	*****	*****	*****	6.0 Minimum	*****	9.0 Maximum	SU	Twice per Month	Grab Sampling	Jan-Dec
<i>Phosphorus (Total) Effluent</i>	7.472 Monthly Average	18.268 Daily Maximum	pounds per day	*****	8.145 Monthly Average	19.912 Daily Maximum	mg/L	Twice per Month	24-hr Composite	Jan-Dec
<i>Solids (Total Suspended) Effluent</i>	239 Monthly Average	258 Daily Maximum	pounds per day	*****	260 Monthly Average	281 Daily Maximum	mg/L	Twice per Month	24-hr Composite	Jan-Dec
<i>Zinc (Total Recoverable) Effluent</i>	0.671 Monthly Average	1.359 Daily Maximum	pounds per day	*****	0.731 Monthly Average	1.481 Daily Maximum	mg/L	Twice per Month	24-hr Composite	Jan-Dec

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Ardagh Metal Beverage USA Inc

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AI0000001063 (MSP090243) Manufacturer of aluminum beverage cans:

Limitation Requirements:

Condition No.	Parameter	Condition
L-1		Samples taken in compliance with the monitoring requirements specified in this permit shall be taken at the nearest accessible point after final treatment but prior to actual discharge into the POTW collection system or mixing with non-regulated waste streams. [11 Miss. Admin. Code Pt. 6, R.1.1.4.A(28).]
L-2		General Pretreatment Prohibitions In addition to those pollutants limited in the "Effluent Limitations and Monitoring Requirements" section of this permit, the following pollutants shall not be discharged into the POTW: (1) Pollutants which create a fire or explosion hazard in the POTW, including but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21; (2) Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0, unless the treatment works is specifically designed to accommodate such discharges; (3) Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference; (4) Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW; (5) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40 degrees Centigrade (104 degrees Fahrenheit) unless the approval Authority, upon request of the POTW, approves alternate temperature limits; (6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through; (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems; (8) Any trucked or hauled pollutants, except at discharge points designated by the POTW. [40 CFR 403.5(b)]

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Record-Keeping Requirements:

Condition No.	Condition
R-1	Recording of Results
	For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall maintain records of all information obtained from such monitoring including:
	(1) The exact place, date, and time of sampling;
	(2) The dates the analyses were performed;
	(3) The person(s) who performed the analyses;
	(4) The analytical techniques, procedures or methods used; and
	(5) The results of all required analyses. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(29)(a).]

Submittal/Action Requirements:

Condition No.	Condition
S-1	Oral Notification Requirements
	The permittee shall notify the Mississippi Environmental Quality Permit Board and the POTW orally immediately upon becoming aware of the following:
	(1) A spill which would result in a discharge to the POTW or to State waters;
	(2) Any unanticipated bypass which exceeds any effluent limitation in the permit.
	(3) Any upset which exceeds any effluent limitation in the permit.
	(4) 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.M.]

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Submittal/Action Requirements:

Condition No.	Condition
S-2	Reporting Monitoring results obtained during the previous reporting period shall be summarized and reported on a Discharge Monitoring Report Form (EPA No. 3320-1) POSTMARKED NO LATER THAN THE 28TH DAY OF THE MONTH FOLLOWING THE COMPLETED REPORTING PERIOD. Copies of these, and all other reports required herein, shall be signed in accordance with 11 Miss. Admin. Code Pt. 6, R.1.1.2.C. & R.1.1.2.E. of the Mississippi Wastewater Permit Regulations, and shall be submitted to the Mississippi Environmental Quality Permit Board at the following address: Mississippi Department of Environmental Quality Office of Pollution Control P.O. Box 2261 Jackson, Mississippi 39225. [11 Miss. Admin. Code Pt. 6, R.1.1.4.A(15)(c)(1).]
S-3	Noncompliance Notification - Twenty-Four Hour Reporting (1) The 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 permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the 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. (2) The following shall be included as information which must be reported within 24 hours under this paragraph. (i) Any unanticipated bypass which exceeds any effluent limitation in the permit. (ii) Any upset which exceeds any effluent limitation in the permit. (iii) 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. (iv) The Executive Director may waive the written report on a case-by-case basis for reports under paragraph (1) of this section if the oral report has been received within 24 hours. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(29)(e).]

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Submittal/Action Requirements:

Condition No.	Condition
S-4	Noncompliance Notification - Other Noncompliance The permittee shall report all instances of noncompliance not reported under the oral notification requirements or reporting requirements of this permit, 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 same information as is required under the reporting requirements contained in this permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(29)(f).]
S-5	Noncompliance Notification - Other Information 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).]
S-6	Expiration of Permit At least 180 days prior to the expiration date of this permit pursuant to the State law and regulation, the permittee who wishes to continue to operate under this permit shall submit an application to the Permit Board for reissuance. The Permit Board may grant permission to submit an application later than this, but no later than the expiration date of the permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.5.B(1).]

Narrative Requirements:

Definitions:

Condition No.	Condition
T-1	Definitions: General The permittee shall refer to 11 Miss. Admin. Code Pt. 6, R.1.1.1.A. for definitions of any permit term not specified in this permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A.]

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Narrative Requirements:

Condition No.	Condition
T-2	Definitions: Monthly Average "Monthly Average" means the average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during the month. The monthly average for fecal coliform bacteria is the geometric mean of "daily discharges" measured during the calendar month. In computing the geometric mean for fecal coliform bacteria, the value one (1) shall be substituted for sample results of zero. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(44).]
T-3	Definitions: Daily Discharge "Daily discharge" means the "discharge of a pollutant" measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily average" is calculated as the average measurement of the discharge of the pollutant over the day. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(15).]
T-4	Definitions: Daily Maximum "Daily maximum" means the highest "daily discharge" over a calendar month. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(16).]
T-5	Definitions: Toxic Pollutants "Toxic pollutants" means any pollutant listed as toxic under Section 307(a)(1) or, in the case of "sludge use or disposal practices", any pollutant identified in regulations implementing Section 405(d) of the Clean Water Act. [11 Miss. Admin. code Pt.6, R. 1.1.1.A(71).]
T-6	Definitions: Hazardous Substances "Hazardous substances" are defined in 40 CFR 116.4

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Narrative Requirements:

Condition No.	Condition
T-7	Definitions: Quarterly Average "Quarterly Average" means the average of "daily discharges" over a three month period, calculated as the sum of all "daily discharges" measured during the quarter divided by the number of "daily discharges" measured during the quarter. The quarterly average for fecal coliform bacteria is the geometric mean of "daily discharges" measured during the quarter. In computing the geometric mean for fecal coliform bacteria, the value one (1) shall be substituted for sample results of zero. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(61).]
T-8	Definitions: Quarterly Maximum "Quarterly Maximum" means the highest "daily discharge" measured over a three-month period. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(62).]
T-9	Definitions: Yearly Average "Yearly Average" means the average of "daily discharges" over a calendar year, calculated as the sum of all "daily discharges" measured during the calendar year divided by the number of "daily discharges" measured during the calendar year. The yearly average for fecal coliform bacteria is the geometric mean of "daily discharges" during the calendar year. In computing the geometric mean for fecal coliform bacteria, the value one (1) shall be substituted for sample results of zero. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.A(87).]
T-10	Definitions: Yearly Maximum "Yearly Maximum" means the highest "daily discharge" measured over a calendar year. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(88).]
Condition No.	Condition
T-11	The issuance of this permit does not relieve the permittee from complying with any requirements which the Publicly Owned Treatment Works (POTW) Authority may deem necessary as a prerequisite to the use of the Authority's sewage system and associated treatment works. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.M.]
T-12	The permittee shall achieve compliance with the effluent limitations specified for discharge in accordance with the following schedule: Upon Permit Issuance. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(9).]

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Condition No.	Condition
T-13	Within 14 days after either an interim or final date of compliance specified by this permit, the 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. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(10).]
T-14	No Discharge of Wastewater to Surface Water The discharge of any wastewater from this facility to the waters of the State of Mississippi shall constitute a violation of this permit, except as provided in the Bypassing and Upset conditions of this permit, or as authorized under separate permit pursuant to Section 402 of the Federal Water Pollution Control Act. [11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.]
T-15	Facilities Operation The 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 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 a 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).]
T-16	Representative Sampling 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).]

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T-17	Reporting If the results for a given sample analysis are such that any parameter (other than fecal coliform) is not detected at or above the minimum level for the test method used, a value of zero will be used for that sample in calculating an arithmetic mean value for the parameter. If the resulting calculated arithmetic mean value for that reporting period is zero, the permittee shall report "NODI = B" on the DMR. For fecal coliform, a value of 1.0 shall be used in calculating the geometric mean. If the resulting fecal coliform mean value is 1.0, the permittee shall report "NODI = B" on the DMR. For each quantitative sample value that is not detectable, the test method used and the minimum level for that method for that parameter shall be attached to and submitted with the DMR. The permittee shall then be considered in compliance with the appropriate effluent limitation and/or reporting requirement. [11 Miss. Admin. Code Pt. 6, Ch. 1., Subch. 2]
T-18	Reporting If the permittee monitors any pollutant as prescribed in the permit more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Permit Board. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(15)(c)(2).]
T-19	Reporting Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Permit Board in the permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(15)(c)(3).]
T-20	Test Procedures Test procedures for the analysis of pollutants shall include those set forth in 40 CFR 136 or alternative procedures approved and/or promulgated by EPA. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(30).]

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Narrative Requirements:

Condition No.	Condition
T-21	Records Retention All records and results of monitoring activities required by this permit, including calibration and maintenance records, shall be retained by the permittee for a minimum of three (3) years, unless otherwise required or extended by the Permit Board, copies of which shall be furnished to the Department upon request. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(29)(a).]
T-22	Falsifying Reports Any 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 the Code. [11 Miss. Admin. code Pt. 6, R. 1.1.4.A(29)(d).]
T-23	Compliance with Permit Conditions All discharges authorized by the permit shall be consistent with the terms and conditions of the permit and the permittee shall make all reasonable efforts to meet any interim or final dates for compliance specified therein. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(13).]
T-24	Facility Expansion and/or Modification Any facility expansion, production increases, process modifications, changes in discharge volume or location or other changes in operations or conditions of the 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. of the Mississippi Wastewater Regulations, 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).]

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Narrative Requirements:

Condition No.	Condition
T-25	Routine Reporting Such test results, reports, or other data as the Mississippi Environmental Quality Permit Board may determine to be necessary shall be submitted as specified elsewhere in the permit to the following address: Mississippi Department of Environmental Quality Office of Pollution Control P.O. Box 2261 Jackson, Mississippi 39225. [11 Miss. Admin. code Pt. 6, R. 1.1.4.A(16).]
T-26	Duty to Mitigate The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of the permit that has a reasonable likelihood of adversely affecting human health or the environment. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(19).]
T-27	Bypassing The permittee shall comply with the terms and conditions regarding bypass found in 40 CFR 403.17. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.M.]
T-28	Bypassing - Definitions "Bypass" means the intentional diversion of waste streams from any portion of the permittee's treatment facility. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. [40 CFR 403.17(a)]

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Condition No.	Condition
T-29	Bypassing -Notice Anticipated bypass- If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Permit Board, if possible at least ten days before the date of the bypass. Unanticipated bypass- The permittee shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Permit Board within 24 hours from the time the permittee becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass. The Permit Board may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. [40 CFR 403.17(c)]
T-30	Bypassing- Prohibition of Bypass Bypass is prohibited, and the Commission may take enforcement action against a permittee unless: (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage. (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and (3) The permittee submitted notices as required under the notice of bypass requirement in this permit. [40 CFR 403.17(d)]
T-31	Upsets The permittee shall meet the conditions of 40 CFR 403.16 regarding "Upsets" and as in the upset requirements of this permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.M.]

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T-32	Upsets- Definition "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the 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. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(27).]
T-33	Upsets - Effect of an upset An upset constitutes an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the "conditions necessary for demonstration of upset" requirements of this permit are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(27).]
T-34	Upsets - Conditions necessary for demonstration of upset A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that: (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 in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures; and; (3) The permittee submitted notice of the upset as required in 40 CFR 403.16(c)(3)(24-hour notice of noncompliance). [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(27).]
T-35	Upsets - 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).]

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Narrative Requirements:

Condition No.	Condition
T-36	Upsets- User responsibility in case of upset The Industrial User shall control production or all discharges to the extent necessary to maintain compliance with categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where among other things, the primary source of power of the treatment facility is reduced, lost or fails. [40 CFR 403.16(f)]
T-37	Removed Substances Solids, sludges, filter backwash, or other residuals removed in the course of treatment or control of wastewater 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).]
T-38	Power Failures If electric power is required, in order to maintain compliance with the conditions and prohibitions of the permit, the permittee shall either: (1) 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, (2) 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).]
T-39	Inspection and Entry The permittee shall allow any authorized Commission representative to enter the permittee's premises where a wastewater source is located or in which records are required to be kept under the terms and conditions of this permit, 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 the 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. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(17).]

Permit to Operate Waste Disposal System in Accordance with National and State Pretreatment Standards

Ardagh Metal Beverage USA Inc

Facility Requirements

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AI0000001063 (MSP090243) Manufacturer of aluminum beverage cans:

Narrative Requirements:

Condition No.	Condition
T-40	Transfer of Ownership or Control This permit is not transferable to any person without proper modification of this permit following procedures found in [11 Miss. Admin. Code Pt. 6, R. 1.1.5.C.]
T-41	Signatory Requirements All applications, reports, or information submitted to the Permit Board shall be signed and certified. [11 Miss. Admin. Code Pt. 6, R. 1.1.2.C.]
T-42	Signatory Requirements - Application Signatures All permit applications shall be signed as follows: (1) For a corporation: by a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means: (i) a president, secretary, treasurer or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy - or decision-making function for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding 25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. [11 Miss. Admin. Code Pt. 6, R. 1.1.2.C.]

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Ardagh Metal Beverage USA Inc

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AI0000001063 (MSP090243) Manufacturer of aluminum beverage cans:

Narrative Requirements:

Condition No.	Condition
T-43	Signatory Requirements -Reports and Other Information All reports required by the permit and other information requested by the Permit Board shall be signed by a person described by the application signature requirements in this permit or by a duly authorized representative of that person. A person is a duly authorized representative only if: (1) The authorization is made in writing by a person described by the application signature requirements; (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and (3) The written authorization is submitted to the Permit Board. [11 Miss. Admin. Code Pt. 6, R. 1.1.2.C.]
T-44	Signatory Requirements - Changes to Authorization If an authorization under the signatory requirements of this permit is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the signatory requirements of this permit must be submitted to the Permit Board prior to or together with any reports, information, or applications. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.M.]
T-45	Signatory Requirements - Certification Any person signing a document under the signatory requirements stated in this permit shall make the following certification: "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." [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(29)(d).]

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AI0000001063 (MSP090243) Manufacturer of aluminum beverage cans:

Narrative Requirements:

Condition No.	Condition
T-46	Availability of Records Except for information deemed to be confidential under the Mississippi Code Ann. 49-17-39 and 40 CFR 123.41, file information relating to this permit shall be made available for public inspection and copying during normal business hours at the office of the Department of Environmental Quality in Jackson, Mississippi. Written request must be provided in accordance with policies developed by the Commission and must state, specifically, records proposed for review, date proposed for review and copying requirements. [11 Miss. Admin. Code Pt. 6, R. 1.1.3.E.]
T-47	Duty to Provide Information The permittee shall furnish to the Permit Board within a reasonable time any relevant information which the Permit Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. The 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).]
T-48	Permit Actions The permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a modification of planned changes or anticipated noncompliance, does not stay any permit condition. [11 Miss. Admin. Code Pt. 6, R. 1.1.5.C.(5).]
T-49	Civil and Criminal Liability (1) Any person who violates a term, condition or schedule of compliance contained within this permit or the Mississippi Water Pollution Control Law is subject to the actions defined by law. (2) Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. (3) It shall not be the defense of the 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 this permit. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A.(24).]

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AI0000001063 (MSP090243) Manufacturer of aluminum beverage cans:

Narrative Requirements:

Condition No.	Condition
T-50	Oil and Hazardous Substance Liability Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under Section 311 of the Federal Water Pollution Control Act and applicable provisions under Mississippi Law pertaining to transportation, storage, treatment, or spillage of oil or hazardous substances. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(23).]
T-51	Hazardous Waste Release(1) The permittee shall notify the Mississippi Department of Environmental Quality, the EPA Regional Waste Management Division Director, State hazardous waste authorities, and the POTW in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the Industrial User discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the Industrial User: An identification of the hazardous constituents contained in the wastes, as estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve months. All notifications must take place within 180 days of the effective date of this rule. Industrial users who commence discharging after the effective date of this rule shall provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste. Any notification under this paragraph need be submitted only once. However, notifications of changed discharges must be submitted under 40 CFR 403.12(j). The notification requirement in this section does not apply to pollutants already reported under the self-monitoring requirements of 40 CFR 403.12(b), (d), and (e).
T-52	Hazardous Waste Release (continued) (2) Dischargers are exempt from the requirements of paragraph (1) of the Hazardous Waste Release requirement during a calendar month in which they discharge no more than fifteen kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(d). Discharge of more than fifteen kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the Industrial User discharges more than such quantities of any hazardous waste do not require additional notification. (3) In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the Industrial User must notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations. [40 CFR 403.12(p)]

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AI0000001063 (MSP090243) Manufacturer of aluminum beverage cans:

Narrative Requirements:

Condition No.	Condition
T-53	Hazardous Waste Release (continued) (4) In the case of any notification made under paragraph (1) of this section, the Industrial User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical. [40 CFR 403.12(p)]
T-54	Property Rights The issuance of this permit 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.]
T-55	Severability The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstances, is challenged or held invalid, the validity of the remaining permit provisions and/or portions thereof or their application to other persons or sets of circumstances, shall not be affected thereby. [11 Miss. Admin. Code Pt. 6, R. 1.1.4.A(25).]
T-56	Protection of Confidential Information (1) Pursuant to Miss. Code Ann. ' 49-17-39 and 40 CFR 123.41, the Permit Board shall make available to the public all information contained on any form and all public comments on such information. Effluent data and information concerning air or water quality shall also be made available to the public. Information that is determined by the Commission to be trade secrets shall not be disclosed to the public without prior consent of the source of such information. When a claim of confidentiality is made by a person in accordance with the provisions of Miss. Code Ann. ' 49-17-39, a recommendation on the questions of confidentiality shall be made by the Commission and forwarded to the Regional Administrator (or his/her designee) of EPA for his concurrence in such determination of confidentiality. [11 Miss. Admin. Code Pt. 6, R. 1.1.3.F.]

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AI0000001063 (MSP090243) Manufacturer of aluminum beverage cans:

Narrative Requirements:

Condition No.	Condition
T-57	Protection of Confidential Information- continued (2) A copy of a State, UIC, or NPDES permit application, public notice, fact sheet, draft permit and other forms relating thereto, including written public comment and other reports, files and information relating to the application not classified as confidential information by the Commission pursuant to part (1) of this requirement, shall be available for public inspection and copying during normal business hours at the office of the Department in Jackson, Mississippi. [11 Miss. Admin. Code Pt. 6, R. 1.1.3.F.]
T-58	Protection of Confidential Information- continued (3) Upon determination by the Commission that information submitted by a permit applicant is entitled to protection against disclosure as trade secrets, the information shall be so labeled and otherwise handled as confidential. Copies of the information and a notice of the Commission's action shall be forwarded to the Regional Administrator (or his/her designee). In making its determination of entitlement to protection as a trade secret, the Commission shall follow the procedure set forth in Miss. Code Ann. ' 49-17-39. In the event the Commission denies the claim of confidentiality, the applicant shall have, upon notification thereof, the right to appeal the Commission's determination in the same manner provided for other orders of the Commission. No disclosure, except to EPA, shall be allowed until any appeal from the determination of the Commission is completed. [11 Miss. Admin. Code Pt. 6, R. 1.1.3.F.]
T-59	Spill Prevention and Best Management Plans Any 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)(a).]

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AI0000001063 (MSP090243) Manufacturer of aluminum beverage cans:

Narrative Requirements:

Condition No.	Condition
T-60	Closure Requirements Should the 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).]

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Ardagh Metal Beverage USA Inc

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RPNT0000000002 (MSP090243-001) Outfall 001 (Process wastewater from washing operation):

Monitoring Requirements:

Condition No.	Parameter	Condition
M-1	General Monitoring	General Monitoring: The facility may monitor for Oil & Grease in lieu of the Total Toxic Organics monitoring. [48 FR 52399, November 17, 1983]. [Other]

Submittal/Action Requirements:

Condition No.	Condition
S-1	The Permittee shall submit analytical results on a monthly Discharge Monitoring Report (DMR): Due monthly, by the 28th of the subsequent month. [WPC-1 Chapter One IV.A(15)c]

Narrative Requirements:

General Condition:

Condition No.	Condition
T-1	General Condition: Permittee must comply with the agreement issued by Metro DeSoto Utility Company. [Other]

Condition No.	Condition
T-2	Definitions: The term "Total Toxic Organics" is defined as the summation of all quantifiable values greater than 0.010 mg/L for the list of toxic organics found in the categorical requirements. [40 CFR 465.02(j)]

Permit to Operate Waste Disposal System in Accordance with National and State Pretreatment Standards

Ardagh Metal Beverage USA Inc

Facility Requirements

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RPNT0000000002 (MSP090243-001) Outfall 001 (Process wastewater from washing operation):

Narrative Requirements:

Condition No.	Condition
T-3	The permittee shall mail a copy of all DMR's and correspondence related to the wastewater discharge for the facility to: Metro Desoto WWTP ATTN: Pretreatment 11299 Stateline Road Olive Branch, MS 38654 . [Other]

GENERAL INFORMATION

Ardagh Metal Beverage USA Inc
10800 Marina Drive
Olive Branch, MS
Desoto County

Alternate/Historic Identifiers

GENERAL INFORMATION

ID	Alternate/Historic Name	User Group	Start Date	End Date
1063	Ardagh Metal Beverage USA, Inc.	Official Site Name	06/29/2016	
2803300016	Rexam Beverage Can Company Inc	Air-AIRS AFS (MDEQ USE ONLY)	09/08/1992	09/10/2001
MSD981931090	American National Can Company	Hazardous Waste-EPA ID	03/07/1997	08/17/2010
068000016	American National Can Company	Air-Title V Operating	12/18/1997	01/01/2003
MSR100744	American National Can Company	GP-Construction	07/03/1996	07/13/1997
MSP090243	American National Can Company	Water - Pretreatment	09/08/1992	09/07/1997
MSP090243	American National Can Company	Water - Pretreatment	05/17/1999	04/30/2004
1063	American National Can Company	Historic Site Name	09/08/1992	09/10/2001
1063	Rexam Beverage Can Company, Inc.	No Exposure Certification	09/10/2001	02/13/2007
068000016	Rexam Beverage Can Company, Inc.	Air-Title V Operating	06/26/2003	05/31/2008
2803300016	Ardagh Metal Beverage USA, Inc.	Air-AIRS AFS	09/10/2001	
MSP090243	Rexam Beverage Can Company Inc	Water - Pretreatment	01/18/2005	12/31/2009
068000016	Ardagh Metal Beverage USA, Inc.	Air-Title V Fee Customer	12/18/1997	
1063	Rexam Beverage Can Company, Inc.	No Exposure Certification	02/14/2007	01/12/2012
068000016	Rexam Beverage Can Company, Inc.	Air-Title V Operating	09/11/2008	08/31/2013
1063 001	American National Can	GARD	02/03/1988	
1063	Rexam Beverage Can Company, Inc.	No Exposure Certification	01/13/2012	06/07/2016
MSP090243	Rexam Beverage Can Company Inc	Water - Pretreatment	04/03/2012	06/30/2016
MSD981931090	Rexam Beverage Can Company	Hazardous Waste-EPA ID	08/17/2010	06/17/2016
068000016	Rexam Beverage Can Company, Inc.	Air-Title V Operating	12/26/2012	06/30/2016
MSD981931090	Ardagh Metal Beverage USA Inc.	Hazardous Waste-EPA ID	06/17/2016	
1063	Rexam Beverage Can Company, Inc.	Historic Site Name	09/10/2001	06/29/2016
1063	Ardagh Metal Beverage USA, Inc.	No Exposure Certification	06/08/2016	06/07/2021
068000016	Ardagh Metal Beverage USA Inc	Air-Title V Operating	06/30/2016	11/30/2017
MSP090243	Ardagh Metal Beverage USA Inc	Water - Pretreatment	06/30/2016	03/31/2017

Basin: North Independent Streams Basin

Location Description:

GENERAL INFORMATION

PG- Plant Entrance (General). Data collected by Brad Overley on 10/27/2005. Elevation 425 feet.