

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

Daniel P. Plunkett

has been granted permission to operate a solid waste management facility

located at

Section 33, Township 6 North, Range 3 West, Hinds County

under the name of

Mid South Recycling and Disposal

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: March 5, 2009
Expires: February 28, 2019**

Permit No. SW0250020540

CONDITIONS

A. EFFECT OF PERMIT

The permittee shall operate the solid waste management facility in accordance with the Mississippi Nonhazardous Solid Waste Management Regulations (SW-2 state regulations), applicable state and federal regulations, and conditions of this permit.

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 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

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 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 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. **Transfer of Permits.** This permit is not transferable to any person except after notice to and approval of the Mississippi Environmental Quality Permit Board. The Permit Board may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary.
8. **Property 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.
9. **Signature Requirements.** An application for the issuance, 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 as follows:
 - (a) For a corporation: a president, vice-president, secretary or treasurer of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation;

- (b) For a partnership or sole proprietorship: a general partner or the proprietor, respectively.
- (c) For a municipality, county, state, federal or other public agency, either a principal executive officer or ranking elected official;
- (d) The signature of a Duly Authorized Representative (DAR) shall be a valid signature under this permit, in lieu of the signatures described within this condition, provided the following conditions are met:
 - a. The DAR is an employee of the permittee;
 - b. The DAR is identified to the Department by the ranking officer of the corporation, partnership, proprietorship, municipality, county, state, federal or other public agency;
 - c. The DAR is responsible for the overall management of the site.

E. SITE SPECIFIC REQUIREMENTS

- 1. Construction, operation and closure activities of the facility shall be conducted in accordance with the Mississippi Nonhazardous Solid Waste Regulations, the Mississippi Waste Tire Management Regulations, other applicable state regulations and the approved plans, as submitted to the Department.
- 2. The facility currently has no specified service area due to the facility being originally permitted prior to the adoption of the Hinds County Solid Waste Management Plan.
- 3. Disposal at the site shall be limited to processed waste tires, processed waste tire materials, and non-regulated tires as indicated in the application, unless otherwise approved by the Department.
- 4. Disposal of garbage, rubbish, liquid wastes, drink containers, paint cans, oil cans and filters, hazardous wastes, regulated asbestos and any other non-approved waste material shall be prohibited at the site.
- 5. The disposal of waste shall be restricted to the approved permitted area defined in the application and consisting of approximately 12 acres. Property line setback distances as indicated in the permit application shall be maintained. 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 a 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.

6. The final height of the facility shall not exceed 67 feet above lowest grade of the disposal area or 392 above feet mean sea level as established by the approved engineering drawings. The final height limitation includes the required two feet of earthen cover material.
7. Unloading and disposal of the waste shall be controlled by the operator and shall be confined to as small an area as practical.
8. 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.
9. 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.
10. 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.
11. A periodic earthen cover consisting of a minimum of six inches of earthen soils shall be applied to all exposed wastes once every two weeks, generally occurring on every other Friday. This cover frequency may be changed by the Department depending upon the amount of wastes received and other conditions at the site.
12. 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.
13. Adequate security and monitoring shall be maintained at the site to prevent unauthorized access and disposal. Access to the site shall be secured or locked when the site is closed and when no attendant is on site.
14. The permittee shall prepare and maintain a plan for fire control. The permittee shall notify the Department within 24 hours of any fire to be followed by a written narrative, submitted to the Department within 5 working days, regarding the nature and extent of the fire and methods implemented to extinguish such fire.
15. Operating hours at the facility shall be established as 8:00 AM to 5:00 PM, Monday through Friday, unless otherwise approved by the Department.

16. Windblown and scattered litter and debris shall be 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.
17. 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 Section 3.7.b of the "Air Emission Regulations for the Prevention, Abatement, and Control of Air Contaminants" (APC-S-1).
18. The depth of any excavation or removal of earthen material for the construction of disposal areas shall be confined within the permitted disposal area limits as indicated in the application.
19. Wastes shall not be disposed in standing water nor in any manner that may result in a washout of waste.
20. The active disposal area shall not be located or constructed in a manner that causes or allows wastes to come into contact with the seasonal high water table.
21. The disposal site shall be 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.
22. The permittee shall maintain a site operator with a certificate of competency issued by the Commission in accordance with Section III.B of the Regulations for the Certification of Operators of Solid Waste Disposal Facilities (SW-8). 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.
23. The operation of this facility shall also be conducted in accordance with all 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.
24. Within 30 days of completing a disposal area, at least two feet of a low permeable earthen cover shall be applied as final cover. 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.
25. 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.

26. Compliance with the final closure requirements for the facility shall be certified by an independent professional engineer registered in the State of Mississippi.
27. Modification to this permit shall be required prior to a vertical or horizontal expansion of the facility or a significant change in the method of waste management.

F. RECORDKEEPING AND REPORTING REQUIREMENTS

1. The permittee shall keep an accurate written daily record of solid waste deliveries to the 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 solid waste, measured in tons, received at the facility. Conversion of weight from cubic yards 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 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. The report shall contain the following:
 - a. The total amount of waste received during the previous calendar year, in units of tons;
 - b. The source of wastes listed by county or origin;
 - c. The estimated remaining capacity at the 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.
4. The permittee shall notify the Department in writing within 14 days upon final closure of the site.