

STATE OF MISSISSIPPI WASTE TIRE MANAGEMENT PERMIT

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

THIS CERTIFIES THAT

James M. Owens

has been granted permission to operate a waste tire management facility
located at

**144 Thomasville Road
Section 30, Township 4 North, Range 3 East
Rankin County, Mississippi**

under the name of

Cowboy and Cowgirl Swings, Inc

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

Permit Issued: April 24, 2009

Expires: April 24, 2019

Permit No.: WTP-0027

CONDITIONS

A. EFFECT OF PERMIT

The permittee shall operate the waste tire management facility in accordance with the Mississippi Waste Tire Management Regulations, the Mississippi Waste Tire Transportation Regulations, the Mississippi Nonhazardous Waste Management Regulations, applicable state and federal regulations, the application as approved, and the 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 routes. 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.
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. OPERATING REQUIREMENTS

1. The permittee is authorized to collect and process waste tires. Acceptance of unauthorized waste materials by the permittee shall be prohibited, unless such materials are first approved by the Department.
2. The permittee may only accept waste tires from the approved service area as described in the Rankin County Solid Waste Management Plan.
3. Access by the general public to the site shall be restricted. No waste tires shall be accepted from the general public or other commercial haulers. Only waste tires collected and transported under the permittee's authorized waste tire hauler identification number shall be delivered to the site.
4. The storage and processing of whole waste tires shall be confined to indoor areas including the processing building (work shop) and enclosed trailers as described in the approved plan of operation, unless otherwise approved by the Department. The storage of whole waste tires shall be conducted in a manner consistent with the approved plan of operation and Section C.2 of the Mississippi Waste Tire Management Regulations. The allowable whole waste tire storage capacity at this site shall not exceed 600 waste tires unless otherwise approved by the Department.

5. All waste tires shall be processed to facilitate the intended use or reuse of the waste tire or processed waste tire material as described in the approved plan of operations. Waste tires intended for disposal shall be processed/reduced by slicing, cutting, shredding or other approved means as per the requirements of the Mississippi Waste Tire Management Regulations or transported to an approved recycling, processing or disposal facility that is authorized to receive waste tires.
6. The storage of processed waste tire materials and final products shall be confined to indoor areas including the processing building (work shop) and enclosed trailers as described in the approved plan of operation, unless otherwise approved by the Department. The storage of processed waste tire materials and final products shall be conducted in a manner consistent with the approved plan of operation and Section C.2 of the Mississippi Waste Tire Management Regulations.
7. All waste materials generated by the processing of waste tires at this facility shall be transported to an approved recycling, processing or disposal facility that is authorized to receive such materials.
8. All waste tire processing systems and equipment shall be properly maintained and operated as to comply with reasonable safety standards. This shall include the proper cleaning and removal of waste tire dust or other materials from the processing equipment and areas around the equipment on an adequate frequency to prevent possible fire or nuisance conditions.
9. Open burning of waste tires or any other waste material shall be prohibited and appropriate fire prevention measures shall be implemented at the site to prevent fires from occurring. In the event of a fire, the permittee shall take immediate action to extinguish the fire and shall notify the Department by the close of the Department's next business day.
10. The permittee shall manage the facility such that aesthetic nuisances resulting from the processing and storage of waste tires are minimized. This may include the implementation of measures to establish and/or maintain visual buffers such as a tree line or other aesthetic provisions between the storage areas and other public or private buildings, dwellings, or roads.
11. An attendant shall be on duty at all operating hours of the facility. Access to the site shall be controlled through the use of fences, gates, natural barriers, or other means.
12. Adequate mosquito prevention control measures shall be maintained at the site to prevent nuisance problems from occurring. This shall include the application of some approved mosquito controllant to the waste tire storage stockpile when necessary.

13. The permittee shall ensure compliance with the final closure requirements of Section C.15 of the Mississippi Waste Tire Management Regulations should the facility cease operation.
14. Any anticipated noncompliance with the aforementioned conditions or with any other applicable regulation or law shall be immediately reported to the Department of Environmental Quality. Furthermore, any planned significant modification to the plan of operation should be submitted in writing to the Department of Environmental Quality for approval, prior to implementation of the change.

F. RECORDKEEPING AND REPORTING REQUIREMENTS

1. The permittee shall comply with all recordkeeping requirements of Section C.12 of the Mississippi Waste Tire Transportation Regulations. Copies of all waste tire transportation certification forms shall be kept on file at the facility for a period of at least three (3) years.
2. The permittee shall complete a report monthly that will be kept on file for a period of at least three (3) years and shall be available to the Department upon request. The report shall contain, at minimum, the following:
 - a. The date(s) loads of waste tires were received,
 - b. The name of the waste tire generator,
 - c. The total quantity of tires in each load,
 - d. The final recycling, disposal, or end use site for the waste tires.