

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

King Construction & Environmental Services, LLC

has been granted permission to operate a solid waste management facility

located at

Sections 27 & 28, Township 8 South, Range 15 West, Hancock County

under the name of

King Class I Rubbish Site

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

MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD



AUTHORIZED SIGNATURE

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

**Issued: December 8, 2009
Expires: November 30, 2019**

Permit No. SW0230020546

CONDITIONS

A. EFFECT OF PERMIT

The permittee shall operate the solid waste management facility in accordance with the Mississippi Nonhazardous Waste Management Regulations (state regulations), applicable 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 rubbish site.

E. SITE SPECIFIC REQUIREMENTS

1. Construction of rubbish site components shall be conducted by qualified and experienced personnel. The Department shall be notified of an approximate construction schedule at least one week prior to liner and final cover construction activities.
2. Construction of the recompacted soil liner shall be in accordance with the following, unless an alternate method is approved by the Department:
 - a. The recompacted soil liner shall be constructed of soils having a permeability of 1×10^{-7} cm/sec or less.
 - b. The recompacted soil liner shall be at least 2 feet thick on the cell bottoms and side walls.
 - c. The recompacted soil liner shall be constructed of soil materials classified as clays, CL or CH, as classified by the Unified Soil Classification System (ASTM D 2487).
 - d. The recompacted soil liner shall be placed in 9 inch nominal lifts and compacted to 6 inches. Each lift shall be evenly compacted to the density and moisture content required. Between lifts, the surface shall be scarified for proper bonding.
3. Prior to the disposal of any solid waste, all borings drilled on site in preparation of the permit application shall be properly sealed in accordance with the requirements of the Mississippi Department of Environmental Quality Office of Land and Water Resources.
4. At least two weeks prior to the placement of rubbish waste in a newly constructed cell, construction quality assurance reports shall be submitted to the Department that demonstrates compliance with all applicable sections of the Mississippi Nonhazardous Solid Waste Management Regulations (Regulations). The construction quality assurance report shall be certified by an independent professional engineer registered by the State of Mississippi.
 - a. For Site 1:
 - i. The cell bottom shall consist of a natural liner system of a minimum of five (5) feet of suitable materials with a permeability of 1×10^{-5} cm/sec or less. The natural liner shall be underlain by a minimum of five (5) feet of buffer materials above the uppermost aquifer as described in the approved engineering drawings. The natural liner system shall range, north to south, from a depth of approximately ten (10) feet mean sea level to four (4) feet mean sea level. The natural liner system shall range, east to west, from a depth of approximately eight (8) feet mean sea level to six (6) feet mean sea level.

- ii. The side walls in Site 1 shall be constructed of low permeability soils and shall consist of two (2) feet of soils with a permeability of 1×10^{-7} cm/sec or less. The constructed side walls shall extend up and over the constructed berms surrounding the disposal area.
 - iii. Any area within the cell bottom of Site 1, upon inspection and during construction, that indicates the area does not meet the minimum natural liner requirements as established by the Regulations shall be over-excavated and a constructed liner system developed upon approval by the Department.
 - iv. All construction activities shall comply with the approved Quality Assurance/Quality Control Plan as approved unless otherwise directed by the Department.
- b. For Site 3:
- i. The cell bottom within the eastern portion of Site 3 shall consist of a natural liner system of a minimum of five (5) feet of suitable materials with a permeability of 1×10^{-5} cm/sec or less. The natural liner shall be underlain by a minimum of five (5) feet of buffer materials above the uppermost aquifer as described in the approved engineering drawings. The natural liner system in this area shall range, north to south, from a depth of approximately ten (10) feet mean sea level to nine and one-half (9.5) feet mean sea level.
 - ii. Any area within the cell bottom of the eastern portion of Site 3, upon inspection and during construction, that indicates the area does not meet the minimum natural liner requirements as established by the Regulations shall be over-excavated and a constructed liner system developed upon approval by the Department.
 - iii. The cell bottom, beginning on the southern edge and continuing for approximately 100 feet to the north, within the western portion of Site 3 shall consist of a natural liner system of a minimum of five (5) feet of suitable materials with a permeability of 1×10^{-5} cm/sec or less. The natural liner shall be underlain by a minimum of five (5) feet of buffer materials above the uppermost aquifer as described in the approved engineering drawings. The natural liner system in this area shall range, east to west, from natural grade at 10.78 feet mean sea level to approximately nine and one-half (9.5) feet mean sea level.

- iv. The cell bottom, beginning on the northern edge and continuing for approximately 50 feet to the south, within the western portion of Site 3 shall consist of a constructed liner system. The constructed liner shall consist of a minimum of two (2) feet of suitable soil materials having a permeability of 1×10^{-7} cm/sec or less.
 - v. The side walls in Site 3 shall be constructed of low permeability soils and shall consist of two (2) feet of soils with a permeability of 1×10^{-7} cm/sec or less. The constructed side walls shall extend up and over the constructed berms surrounding the disposal area.
 - vi. Any area within the cell bottom of the western portion Site 3, upon inspection and during construction, that indicates the area does not meet the minimum natural liner requirements as established by the Regulations shall be over-excavated and a constructed liner system developed upon approval by the Department.
 - vii. All construction activities shall comply with the approved Quality Assurance/Quality Control Plan as approved unless otherwise directed by the Department.
- 5. The permittee shall ensure that the liner system, whether natural or constructed, is maintained at a depth sufficient to ensure a minimum five (5) foot separation between the base of the liner system and the uppermost aquifer. The permittee shall contact the Department within 24 hours should construction and/or development activities indicate possible impact to the underlying groundwater at this facility.
 - 6. The disposal of rubbish wastes shall be restricted to the approved permitted area consisting of 20.2 acres. The total acreage is divided into two (2) separate sections, referred to as Site 1 and Site 3. Site 1 is located south of the access road into the site and consists of 11.13 acres. Site 3 is located north of the access road into the site and consists of 9.07 acres.
 - 7. Property line setback distances as indicated in the permit application shall be maintained.
 - 8. Construction, operation and closure activities of the facility shall be conducted in accordance with the Regulations and the approved plans, as submitted to the Department.
 - 9. The final height for the facility shall comply with the following conditions:
 - a. For Site 1, the final height shall not exceed 45 feet above natural grade or 55 feet mean sea level. For Site 1, the final waste height shall not exceed 42.5 feet above natural grade.

- b. For Site 3, the final height of the larger area to the east shall not exceed 45 feet above natural grade or 55 feet mean sea level. For Site 3, the final waste height in the larger area to the east shall not exceed 42.5 feet above natural grade. For Site 3, the final height of the smaller area to the west shall not exceed 17.9 feet above natural grade or approximately 28 feet mean sea level. For Site 3, the final waste height in the smaller area shall not exceed 15.4 feet above natural grade.
 - c. The final heights of all areas of the disposal site shall comply with the approved engineering drawing.
- 10. 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 rubbish waste management.
- 11. The permittee and/or the contract operator shall acquire and maintain all equipment necessary to ensure compliance with this permit.
- 12. 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.
- 13. Installation of security fencing and access gates as described in the application shall be completed within 30 days of permit issuance unless otherwise directed by the Department.
- 14. The permittee shall 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 the fire.
- 15. Operating hours at the facility shall be established as Monday – Saturday 7:00 AM to 5:00 PM excluding holidays.
- 16. The service area for the facility shall be consistent with the service area described in the approved Hancock County Solid Waste Management Plan, specifically a 100 mile radius from the facility. Solid wastes generated in areas outside of the approved service area shall be prohibited from disposal, unless specifically approved by the Commission on Environmental Quality.
- 17. Disposal at the site shall be limited to only Class I type rubbish wastes as described herein:
 - a. Construction and demolition debris, such as wood, metal, etc.;
 - b. Brick, mortar, concrete, stone, and asphalt;
 - c. Cardboard boxes;
 - d. Natural vegetation, such as tree limbs, stumps, and leaves;

- e. Appliances, other than refrigerators and air conditioners, which have had the motor removed;
 - f. Furniture;
 - g. Plastic, glass, crockery, and metal, except containers;
 - h. Sawdust, wood shavings, and wood chips;
 - i. Other similar wastes specifically approved by the Department.
18. The following wastes shall be prohibited from disposal at the site:
- a. Any acceptable waste which has been contaminated by a pollutant, such as a food or chemical;
 - b. Household garbage and other food and drink wastes;
 - c. Liquids, sludges, and contaminated soils;
 - d. Paint, paint buckets, oil containers, and chemical containers;
 - e. Engines, motors, whole tires and all types of batteries;
 - f. Toxic or hazardous wastes;
 - g. Regulated asbestos and asbestos containing material or suspect asbestos containing material;
 - h. Medical wastes;
 - i. Bulk fabric and paper loads, refrigerators, air conditioners, cut or shredded tires, and any metal, glass, plastic, or paper container unless specifically approved by the Department.
 - j. Other wastes which are specifically determined by the Department to have an adverse effect on the environment.
19. Disposal activity shall be restricted to the area defined in the approved application. 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 resistance wood posts or other suitable markers approved by the Department. The markers shall be placed in the ground to a sufficient depth to facility 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 registered by the State of Mississippi. Such permanent markers shall be surveyed and installed within 60 days of permit issuance. Additional markers may be required by the Department.
20. Unloading and disposal of the rubbish waste shall be controlled by the operator and shall be confined to as small an area as practical.

21. 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.
22. Unauthorized wastes discovered to have been inadvertently or accidentally dumped at the site shall immediately be removed and properly disposed of at an authorized disposal facility or placed in a waste receptacle for later transfer.
23. 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.
24. Random inspections of bagged waste loads shall be conducted to prevent the disposal of unauthorized waste as stated in the approved plan of operation.
25. A periodic earthen cover consisting of a minimum of six inches of earthen soils shall be applied to all exposed wastes on the 1st, 3rd, and 5th Thursday of each month. This cover frequency may be changed by the Department depending upon the amount of wastes received and other conditions at the site.
26. Windblown and scattered litter and debris shall be collected from around the rubbish site at least daily and returned to the active working area for proper disposal.
27. Open burning of any solid waste is expressly forbidden. Should an accidental fire occur, the operator shall immediately take necessary action to extinguish the fire and shall notify the Department in accordance with Condition E.14 of this permit.
28. The depth of any excavation or removal of earthen material for the construction of disposal areas shall be confined within the area limits as indicated in the application.
29. Rubbish shall not be disposed in standing water nor in any manner that may result in a washout of waste. An earthen berm shall be constructed around the disposal area in accordance with the approved application within 60 days of permit issuance.
30. 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.
31. The rubbish 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.
32. Necessary approval from the Department regarding storm water management shall be obtained prior to the acceptance of rubbish wastes from any industrial source for disposal at this facility.

33. The permittee shall maintain 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.
34. The permittee shall provide proper training of and employment of an adequate number of employees to properly operate the facility.
35. 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.
36. Within 30 days of completing an 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. The final slope of the disposal site shall be no less than 4% and no greater than 25%.
37. Filled areas of the site which have remaining capacity and which will not receive waste within 30 days shall receive an intermediate earthen cover of twelve inches. An alternate cover system may be approved by the Department.
38. Compliance with the final closure requirements for the facility shall be certified by an independent professional engineer registered in the State of Mississippi. Such certification shall be submitted to the Department within 14 days of final closure of the site.

F. 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;
 - 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 rubbish 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 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.
3. The permittee shall notify the Department in writing within 14 days upon final closure of the site.