

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

Newton County Board of Supervisors

has been granted permission to operate a solid waste management facility

located at

Section: 3, Township: 6N, Range: 11E

2042 Landfill Road
Newton, Mississippi
Newton County

under the name of

Newton County Rubbish Landfill

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: AUG 13 2015
Expires: JUL 31 2025

Permit No. SW0510020524

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. **Land Deed of Trust.** The permittee shall maintain access rights to the property where the facility is located for the duration of this permit and shall provide the Department with a copy of any lease renewal or other document regarding continued access rights.
3. **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.
4. **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.

5. 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).
6. 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.
7. 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.
8. Financial Responsibility Requirements. Should the Department determine operational conditions at the site warrant the establishment of financial responsibility, the permittee would be required to estimate the costs of hiring a third party to close the largest area ever requiring a final cover. At that time, the permittee shall be required to provide the Department with proof of financial responsibility issued in the amount of the closure cost estimate each year on a schedule approved by the Department.
9. 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.

E. CONSTRUCTION REQUIREMENTS

1. Construction of rubbish site components shall be conducted by qualified and experienced personnel.

2. Construction of disposal cells shall be in accordance with the following:
 - a. The base depth of any disposal cell shall be no less than 419.0 feet mean sea level as demonstrated within the approved cross-sectional drawings, unless otherwise approved by the Department.
 - b. A professional land surveyor, registered with the State of Mississippi, shall prepare a survey of each cell upon completion of cell construction.
 - c. The Quality Assurance/Quality Control construction report and a copy of the certified survey shall be submitted to the Environmental Compliance and Enforcement Division, Solid Waste and Mining Branch, two weeks prior to the placement of waste within the completed cell demonstrating compliance with the applicable terms of Section E., of this permit.
3. All surveys required by the conditions of this permit shall be conducted using a suitable grid pattern, i.e. 50 foot or 100 foot centers, within each disposal area.
4. The Permittee shall ensure a minimum thickness of five (5) feet of soils between the uppermost aquifer and the base of the liner. Constructed buffers and fill areas shall meet the following criteria:

General Fill:

Lift Thickness: 8 inches
Compaction: at least 90% of Standard Proctor
Material Type: soils not containing debris or organics
CQA Testing:

Field Density: one per 250 cubic yards (one per 10,000 sq.ft. per lift)

Standard Proctor: one per material type

Constructed Buffer:

Lift thickness: 6 inches
Compaction: at least 90% of Standard Proctor
Material Type: soils not containing debris or organics
CQA Testing:

Field Density: one per 185 cubic yards (one per 10,000 sq.ft. per lift)

Standard Proctor: one per material type

5. The Permittee shall ensure a liner material thickness in each cell in

compliance with one of the following constructed liner methods, (only one liner construction method shall be used in the development of any one disposal cell):

Method I:

Liner Material: Clayey Sand
Permeability: 1×10^{-5} cm/sec or less
Material Thickness: 5 feet

Method II:

Liner Material: Sandy Clay/Clayey Sand
Permeability: 1×10^{-6} cm/sec or less
Material Thickness: 2 feet

Method III:

Liner Material: 1 foot of Heavy Clay covered with other soils
Permeability: 1×10^{-7} cm/sec or less (1 foot thick)
Material Thickness: 1 foot heavy clay/1 foot of other soils; total 2 feet thick

6. Construction of disposal cells shall comply with the approved Quality Assurance/Quality Control Plan as submitted to the Department and the following criteria:

Constructed Liner Materials:

Lift Thickness: 6 inches
Compaction: as determined by permeability tests conducted on Proctor points, but not less than 90% of Standard Proctor
Material Type: CH, CL materials without debris or organics
CQA Testing:

Permeability: one per 3,200 cubic yards (one per 2 acres per every 2 lifts)

Atterberg Limits: one per 800 cubic yards (one per acre per lift)

Field Density: one per 185 cubic yards (one per 10,000 sq. ft. per lift)

Standard Proctor: one per 5,000 cubic yards, but not less than one per material type.

7. Prior to waste acceptance, all borings advanced on the 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.

F. SITE SPECIFIC OPERATING CONDITIONS

1. The facility shall be operated in accordance with the approved plan of operation, unless an altered or modified plan of operation is approved by the Department.
2. The disposal of Class I solid waste shall be restricted to the approved permitted area, Cells 1 through 8, consisting of 36.33 acres.
3. The disposal of Class I solid waste shall be restricted to a maximum final waste height of 518 feet mean sea level and 520 feet mean sea level after final cover is applied.
4. The disposal area is restricted to a maximum side slope of 25% and final cover slope of 4%.
5. Final heights, including final waste height and final cover height, shall be surveyed by a professional land surveyor, registered by the State of Mississippi. The certified survey shall be submitted to the Department.
6. Modification(s) 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.
7. If the permittee executes a contract with a private contractor to operate the facility, the permittee shall comply with the following requirements prior to the private contractor beginning operation of the facility:
 - a. A complete disclosure form for the private contractor shall be submitted and approved as established by state law and regulations, and
 - b. A copy of executed contract between the private contractor and the permittee shall be submitted to and approved by the Department. Any new contract or change in the existing contract concerning operational control of the facility shall be submitted to the Department for approval before execution of the new or modified contract.
8. Security shall be maintained at the facility to prohibit unauthorized access and disposal. Access to the site shall be secured and/or restricted when the site is closed and/or when no attendant is on site.
9. Vehicles entering the facility shall be operated and maintained to prevent the loss of liquids or solid waste material.
10. Disposal of waste shall be limited to the following types of wastes:
 - a. natural vegetation, such as tree limbs, stumps, and leaves;
 - b. brick, mortar, concrete, stone and asphalt;
 - c. construction and demolition debris, such as wood and metal, etc.;
 - d. cardboard boxes;

- e. furniture
 - f. plastic, glass, crockery, and metal, excluding containers;
 - g. sawdust, wood shavings, and wood chips;
 - h. appliances that have had the motor removed, excluding refrigerators and air conditioners;
 - i. other similar wastes specifically approved by the Department or identified within this permit.
11. The permittee may accept approved industrial Class I rubbish waste from ESCO Incorporated and Lay-Z-Boy.
12. Unless specifically listed in Section F.10 and/or F.11 of this permit, industrial solid wastes or other wastes possessing characteristics other than those ascribed to Class I rubbish wastes shall be specifically approved by the Department prior to acceptance at this facility.
13. The following types of wastes shall be prohibited from disposal at this facility:
- a. any acceptable waste that has been contaminated by a pollutant, such as a food or chemical, unless it can be demonstrated to the satisfaction of the Department that such waste has no adverse impact on the environment or human health;
 - b. electronic wastes;
 - c. household garbage and other food or drink wastes;
 - d. liquids, sludges, and contaminated solids;
 - e. paint, paint buckets, oil containers, and chemical containers;
 - f. engines, motors, whole tires and all types of batteries;
 - g. toxic or hazardous wastes;
 - h. regulated asbestos or asbestos containing materials;
 - i. medical wastes;
 - j. fabric, paper, refrigerators, air conditioners, cut or shredded tires, and any metal, glass, plastic or paper container, unless specifically approved by the Department. The Department shall consider the characteristics of the wastes, the operating plan for the facility, and other site specific conditions in determining the acceptability of any such waste, and;
 - k. other wastes that are specifically determined by the Department to have an adverse impact on the environment and human health.
14. Disposal area boundaries shall be clearly marked and maintained throughout the life of the facility. Placement of the permanent disposal area boundary markers shall comply with the following:
- a. The markers shall be at least three (3) feet in height;

- b. The markers shall be constructed of concrete posts, metal pipes, weather treated wood posts, metal fence posts or other marker materials as approved by the Department;
 - c. The markers shall be placed in the ground at sufficient depth to facilitate permanence.
 - d. The Permittee shall inspect the boundary markers monthly and repair or replace markers that have been damaged or inadvertently removed from the disposal boundary. Boundary marker replacement shall comply with Condition F.14.e of this permit.
 - e. If markers are replaced, marker locations shall be located by a Professional Surveyor, registered with the State of Mississippi, and the certified survey indicating the locations and GPS coordinates of the permanent markers with a cover letter shall be submitted to the Department within five (5) working days of installation.
15. Property line buffer zones and all other appropriate location restrictions shall be maintained as indicated in the approved application, unless otherwise approved by the Department.
 16. The facility shall be operated by a person who holds a current certificate of competency issued by the Commission on Environmental Quality in accordance with Rule 8.1.B of the Regulations for the Certification of Operators of Solid Waste Disposal facilities. Such person shall have direct supervision over and be personally responsible for the daily operation and maintenance of the facility.
 17. Incoming and unauthorized waste shall be managed accordingly:
 - a. Prior to the unloading and disposal of each waste load, the facility operator or a designated trained spotter shall visually inspect each waste load and remove any unauthorized wastes from the load;
 - b. Incoming waste loads that contain significant amounts of unauthorized wastes shall be refused disposal at the facility;
 - c. Incidental amounts of unauthorized wastes identified after waste unloading shall be immediately removed from the disposal area; and
 - d. All unauthorized wastes removed from incoming loads and/or the disposal area shall be collected and properly disposed at an authorized disposal facility.
 18. Wastes enclosed within bags or cardboard boxes shall be subject to random inspections to prevent the disposal of unauthorized wastes within the approved disposal area.
 19. Unloading and disposal of solid wastes at this facility shall be controlled by the facility operator and shall be confined to as small an area as practical.
 20. A periodic earthen cover or alternate cover shall be applied to all wastes, including all ESCO and Lay-Z-Boy waste, at least **once per week** as

specified in the approved plan of operation for this facility. Any alternate cover utilized at this facility shall be approved by the Department prior to implementation of the alternate cover. The Department may alter or modify the frequency of cover depending upon the amount and/or type of wastes received at the facility and any other conditions at the facility that may warrant such action.

21. The operation of the facility shall be conducted in a manner that minimizes windblown litter and prevents vector attraction. Windblown and scattered litter and/or debris within the buffer zones, facility operations areas, and access roads shall be collected at the end of every operating day and returned to the active disposal area for proper disposal.
22. The Permittee shall implement all necessary fire prevention measures as outlined in the approved plan of operation prior to waste acceptance.
23. Open burning of solid waste shall be prohibited. In the event of an accidental fire, the operator shall implement necessary steps to extinguish the fire and notify the Department within 24 hours.
24. Open burning of land clearing debris generated on site of the facility may be allowed pending compliance with the following:
 - a. Land clearing debris to be burned shall be staged at least 100 yards from active or filled portions of the disposal area;
 - b. Burning operations shall be conducted in compliance with Section 3.7 of Mississippi Regulation, APC-S-1, Air Emission Regulations For The Prevention, Abatement, and Control of Air Contaminants;
 - c. Burning operations shall be conducted in compliance with all applicable local laws, ordinances, and/or regulations.
25. Solid wastes shall not be disposed in standing water, in any waters of the state, nor in any manner that may result in the wash-out of wastes. Furthermore, the site shall be developed and contoured to direct storm water run-off away from the active disposal area and to prevent water from collecting within any filled portion of the disposal area.
26. Sedimentation ponds shall be constructed and maintained to collect and control storm water at the facility. Periodic dredging and/or cleaning of the sedimentation pond shall be conducted to maintain the required dimensions to manage as 24 hour, 25 year storm event.
27. The Permittee shall operate this facility in compliance 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.
28. The Permittee shall ensure proper training of all facility employees and ensure the employment of an adequate amount of employees required to properly operate the facility.
29. The Permittee shall ensure the availability and proper maintenance of equipment required to properly operate and maintain the facility.

30. The Permittee shall submit an annual report to the Department on or before February 28th of each year. The annual report shall contain, at a minimum, the following:
 - a. the total amount of waste received during the previous calendar year, in units of tons or cubic yards;
 - b. the total amount of wastes received from ESCO Incorporated and Lay-A-Boy, respectively, during the previous calendar year, in units of tons or cubic yards;
 - c. the estimated remaining capacity at the facility, in terms of acreage, cubic yards and/or years of life remaining;
 - d. if the permittee utilizes a contract operator for the facility, 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.
31. Filled areas of the site that have remaining capacity and that will not receive waste within thirty (30) days shall receive an intermediate earthen cover of twelve (12) inches. An alternate intermediate cover system may be approved by the Department.
32. The Permittee shall apply at least two (2) feet of earthen cover material to the disposal area within thirty (30) days of completing said area. Following soil placement, suitable vegetation shall be promptly established and maintained.
33. Any area where waste has been disposed that has not received additional wastes in the previous twelve (12) months shall be covered in accordance with Condition F.31 of this permit.
34. The Permittee shall routinely inspect the condition of weekly, intermediate and final earthen cover during the operation of the facility. Erosion, cracks, ponding, leachate outbreaks and other similar problems shall be promptly repaired.
35. The Permittee shall be limited to accepting waste from the areas specified within the approved Newton County Solid Waste Management Plan.
36. The Permittee shall notify the Department in writing upon final closure of the facility.
37. The owner of a rubbish site shall keep an accurate written daily record of deliveries of solid wastes to the facility including the following:
 1. The name of the waste hauler;
 2. The source of the waste;
 3. The types of waste received;
 4. The weight of solid waste, measured in tons, received at the facility.

Facilities that do not have access to weight scales shall convert to tons from cubic yards using conversion factors as developed or approved by the Department;

5. Other information associated with the management of solid waste at the facility as directed by the Department.

38. A copy of these records shall be maintained by the owner 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.