



STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

August 2, 2022

Mr. Joseph Vieceli
Waste Services of NE Mississippi, LLC
3 Waterway Square PI #550
The Woodlands, Texas 77380

Dear Mr. Vieceli:

Re: Waste Services of NE Mississippi, LLC
Northeast Mississippi Regional Landfill
Tippah County
COE No. MVM2017087
WQC No. WQC2021001

Pursuant to Section 401 of the Federal Water Pollution Control Act (33 U. S. C. 1251, 1341), the Office of Pollution Control (OPC) issues this Certification, after public notice and opportunity for public hearing to, Waste Services of NE Mississippi, LLC, an applicant for a Federal License or permit to conduct the following activity:

Waste Services of NE Mississippi, LLC, Northeast Mississippi Regional Landfill: Project for the expansion of an existing 82-acre waste disposal area on property totaling 401.3 acres. The existing waste disposal area currently accepts municipal solid waste and nonhazardous industrial solid waste in accordance with applicable State requirements. The site currently operates under NPDES Permit No. MSS049301, Pretreatment Permit No. MSP091079, Solid Waste Permit No. SW0700010433, and Title V Operating Permit No. 2620-00055. The expansion will add an additional 72.7 acres of waste disposal area immediately to the east for a proposed final configuration that will encompass 154.7 acres. The purpose of the project is to expand the existing landfill to allow the applicant to continue providing waste disposal services to Tippah County and the surrounding area.

Construction of the landfill expansion will include clearing, excavation, and earthwork with the use of standard earth moving equipment (i.e. backhoe, bulldozer, trackhoe, haul truck, compactor). The landfill expansion will permanently fill 0.03 acre of wetland and 1,619 linear feet of other waters of the United States (streams).

The applicant will mitigate for the unavoidable loss of jurisdictional impacts through the purchase of credits from an approved mitigation bank(s). The project site is located approximately two miles west of Walnut, Mississippi, and south of U.S. Highway 72 at the existing landfill facility in Tippah County, Mississippi [MVM2017087, WQC2021001].

The Office of Pollution Control certifies that the above-described activity will be in compliance with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act and Section 49-17-29 of the Mississippi Code of 1972, if the applicant complies with the following conditions:

1. Appropriate best management practices (BMPs) shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent drainage areas and/or waters. Special care shall be taken prior to and during construction to prevent the movement of sediment into adjacent wetland areas. In the event of any BMP failure, corrective actions shall be taken immediately. (Statement B) (11 Miss. Admin Code Pt. 6, R. 1.1.1.B.)
2. Compliance with the NPDES permit, the Pretreatment Permit, the Solid Waste Permit, and the Title V Operating Permit shall be maintained. (Statement B & C) (11 Miss. Admin. Code Pt. 6, R 1.3.4 B (8))
3. Mitigation for the impacts of 0.03 acre of wetland and 1,619 linear feet of other waters of the United States shall be provided by the purchase of mitigation credits from an approved mitigation bank. The number of credits must be in accordance with banking prospectus and should be based upon that required for impacting 0.03 acre of wetland and 1,619 linear feet of other waters of the United States. Written verification of credit purchase must be provided to the Office of Pollution Control prior to the commencement of any work in the wetland or stream areas. (Statement A, D, & E) (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (2))
4. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 2.2.A.)
5. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 2.2.A.(3))

As part of the Scope of Review for Application Decisions, 11 Mississippi Administrative Code Part 6, Rule 1.3.4(B), the above conditions are necessary for the Department to ensure that appropriate measures will be taken to eliminate unreasonable degradation and irreparable harm to waters of the State, such that the activity will not meet the criteria for denial:

- (A) The proposed activity permanently alters the aquatic ecosystem such that water quality criteria are violated and/or it no longer supports its existing or classified uses. An example is the channelization of streams
- (B) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.
- (C) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.
- (D) The proposed activity in conjunction with other activities may result in adverse cumulative impacts.
- (E) The proposed activity results in significant environmental impacts which may adversely impact water quality.

The Office of Pollution Control also certifies that there are no limitations under Section 302 nor standards under Sections 306 and 307 of the Federal Water Pollution Control Act which are applicable to the applicant's above-described activity.

This certification is valid for the project as proposed. Any deviations without proper modifications and/or approvals may result in a violation of the 401 Water Quality Certification. If you have any questions, please contact Carrie Barefoot at (601) 961-5249.

Sincerely,



Krystal Rudolph, P.E., BCEE
Chief, Environmental Permits Division

KR: CHB

cc: James, Elcan, U.S. Army Corps of Engineers, Memphis District
Bill Ainslie, Environmental Protection Agency
Jonathan Queen, Weaver Consultants Group, LLC