

# 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**

CleanEarth, Inc.

has been granted permission to operate a solid waste management facility

located at

**Section 20, Township 05N, Range 13W**

Hattiesburg, Mississippi

Forrest County

under the name of

**CleanEarth, Inc., Medical Waste Processing Facility**

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: MAR 06 2013  
Expires: FEB 28 2023

Permit No. SW0180050500

## 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, the application, plan of operation 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. **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 Mississippi 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 the operations conditions at the site warrant the establishment of financial responsibility, the permittee would be required to estimate the costs of disposal of the maximum amount of wastes expected on-site before closure of the facility. 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. **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:
  - (1) The DAR is an employee of the permittee;
  - (2) The DAR is identified to the Department by the ranking officer of the corporation, partnership, proprietorship, municipality, county, state, federal or other public agency;
  - (3) The DAR is responsible for the overall management of the solid waste management facility.

10. **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. SITE SPECIFIC REQUIREMENTS**

### **1. Authorized Waste.**

- a. The permittee is authorized to accept and process the following wastes generated from the service area as recognized and approved in the Forrest County Solid Waste Management Plan and as approved in the permit application:
  - (1) Infectious medical wastes – which include solid and liquid wastes that may contain pathogens with sufficient virulence and quantity such that exposure to the waste by a susceptible host has been proven to result in an infectious disease.
  - (2) Medical wastes – which include wastes generated in direct patient care or in diagnostic or research areas that is non-infectious and non-hazardous but may be aesthetically repugnant if found in the environment.
  - (3) Associated facility wastes – which include other small amounts of solid wastes derived indirectly from patient care, diagnostic or research activities. Such wastes may include packaging and labeling wastes, empty containers, cardboard, scrap paper, and other similar wastes.

- (4) Authorized wastes will henceforth be referred to in this permit as “medical wastes”.
- b. Acceptance of unauthorized wastes at the facility shall not be allowed. Unauthorized wastes include, but are not limited to, the following:
  - (1) Hazardous waste as defined by and subject to the Mississippi Hazardous Waste Management Regulations and Subtitle C of the Federal Resource Conservation and Recovery Act.
  - (2) Pathological waste that consists of carcasses, tissues, fetuses, organs, and body parts that are removed during surgery or autopsy.
  - (3) Wastes containing regulated quantities or concentrations of radionuclides or radioactivity.

**2. Facility Location.**

The medical waste processing facility shall be operated in Section 20, Township 5 North, Range 13 West of Forrest County, as depicted in the approved permit application. The permittee shall maintain access rights to the property during the life of this permit.

**3. Operating Conditions.**

The permittee shall operate the facility in accordance with the following:

- a. Adequate security and monitoring shall be maintained to prevent unauthorized access to the facility.
- b. The facility shall be adequately enclosed within a roofed and walled structure.
- c. All working surfaces that come into contact with medical waste shall be adequately cleaned and sterilized at the end of each operating day by exposure to an approved chemical sterilizer.
- d. The medical waste treatment process shall attain a minimum temperature of 275°F, and the processing time shall be a minimum of 30 minutes. If the temperature falls below 275°F at anytime during the process, the process shall be restarted for the entire 30 minutes once the operating temperature exceeds 275°F.
- e. The Department must approve any significant increase in the storage or treatment capacity for the facility prior to implementation of such changes.

- f. To assure adequate sterilization conditions, a Quality Assurance/Quality Control (QA/QC) program shall be implemented at the facility to include the following provisions:
- (1) Indicating thermometers shall be checked and recorded during each complete treatment cycle.
  - (2) Indicating thermometers shall be checked for calibration at least annually.
  - (3) A biological indicator shall be utilized as approved by the Department in the validation and challenge testing protocols. The biological indicator to be utilized is *Bacillus stearothermophilus* with a mean population of  $1 \times 10^5$  organisms per vial.
  - (4) Validation testing shall be conducted at a minimum of once every month.
- g. All processing equipment shall be regularly serviced and maintained to assure adequate treatment of wastes and to prevent potential downtime of the facility.
- h. Medical wastes that have been treated in accordance with the approved application and the conditions of this permit may be disposed of as municipal solid waste in accordance with the applicable state and federal solid waste requirements.
- i. Any and all contaminated liquid at the facility resulting from the cleaning of the facility of the actual treatment activity shall be collected and properly disposed of through the City of Hattiesburg sewer system, unless an alternative water treatment facility is approved or otherwise determined necessary by the Department.
- j. No contaminant shall be allowed to enter any waters of the State as a result of rainfall runoff or other discharge from the facility, which would cause a violation of any water quality standard established by the Department.
- k. The permittee shall process all medical wastes within 72 hours of delivery to the facility. If significant downtime should occur at the facility, medical waste shall not be held in excess of 72 hours unless the wastes are temporarily retained in a secured, enclosed and refrigerated structure until processed. All incoming wastes shall be diverted to other approved facilities until storage capacity is available.

- l. Unauthorized wastes may be stored in refrigerated trailers at a temperature less than 42 °F (6 °C) up to 90 days for ultimate disposal outside of the State of Mississippi.
- m. All incoming wastes shall be screened for the presence of radiation. Any wastes found containing regulated concentrations of radioactivity shall not be processed at the referenced facility and should be transported to a facility authorized to properly manage such wastes.
- n. All wastes are to be transported in a manner that provides adequate containment of the waste and shall be approved by the Department.
- o. Inadvertent litter inside and/or around the medical waste treatment facility shall be collected and properly disposed on a regular basis in order to maintain the property in a sanitary manner.
- p. Open burning of wastes shall be strictly prohibited. Should an accidental fire occur, immediate action shall be taken to extinguish the fire and the Department shall be notified as soon as possible. The fire prevention/protection plan as described in the approved permit application shall be implemented and maintained at all times.
- q. All personnel shall be provided with appropriate personal protection equipment (PPE) by the permittee and its use shall be required where a potential for exposure to infectious waste exists. PPE shall be replaced, repaired, cleaned, laundered, and/or disposed as needed by the permittee to maintain the safety and effectiveness of the PPE.
- r. The handling and processing of medical wastes should be conducted in a manner that minimizes the exposure of the facility employees to infectious wastes.
- s. The medical waste processing facility shall be operated in accordance with the Occupational Safety and Health Association (OSHA) blood borne pathogen standard, set forth by 29 CFR § 1910.1030.
- t. All employees involved in the handling and management of medical waste shall receive thorough training as approved in the permit application. The Department shall have access to training records for review.
- u. The Department shall be immediately notified should an employee contract a disease, infection, or other condition accredited to contact with wastes in the employment/operations of the permittee.

- v. A sign shall be placed at the entrance(s) of the facility indicating the name of the facility, the hours and days of operation, and the permit number.

**4. Recordkeeping and Reporting.**

- a. The owner of a solid waste processing facility 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.
- b. A waste manifest, as approved in the permit application, shall be completed for each load of medical wastes transported to the facility. The permittee shall retain one copy of the completed manifest and shall, within 30 days, provide both the transporter and the generator with at least one copy of the completed manifest. The Department shall have access to wastes manifests for review.
- c. Record keeping shall be conducted in accordance with the approved permit application. An annual summary report shall be submitted to the Department by February 28 for the previous operating year. At a minimum, the report shall include the following:
  - (1) The quantity in tons of both in-state and out-of-state medical waste received and treated at the facility in the reporting year.
  - (2) The source of wastes listed by county of origin with a clear indication of wastes originating from out-of-state counties and/or parishes;
  - (3) A summary of QA/QC test results for the sterilization equipment and/or treated medical wastes in the reporting year.
  - (4) If the owner of the facility or the contract operation of the facility is a private concern, an updated disclosure statement shall be provided to



the Department. 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

The Department reserves the right to require the permittee to incorporate additional information into the annual reports as well as to alter the reporting frequency should conditions warrant such.

- d. All records and reports of monitoring activities required by this permit, including calibration and maintenance records, shall be retained by the permittee for a minimum of three (3) years, unless otherwise required or extended by the Permit Board, copies of which shall be furnished to the Department upon request.

**5. Closure and Other Requirements.**

- a. At least 60 days prior to the closure of this facility, a written closure plan describing the steps necessary to remove and properly dispose of all wastes and to close and deactivate the facility shall be submitted to the Department.
- b. Any anticipated noncompliance with the aforementioned conditions or with any other applicable regulation or law shall be immediately reported to the Department. Furthermore, any planned significant modification to the plan of operation should be submitted in writing to the Department for approval, prior to implementation of the change.