



State of Mississippi

TATE REEVES
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

August 19, 2025

Mr. Chris Racca
Waste Management of Mississippi, Inc.
8280 Firetower Road
Pass Christian, MS 39571
318-537-1530
cracca@wm.com

Dear Mr. Racca:

Re: Firetower Landfill
Harrison County
COE No. SAM-2006-02679-TMZ
WQC No. WQC2024060

Pursuant to Section 401 of the Federal Water Pollution Control Act (33 U. S. C. 1251, 1341), the Mississippi Department of Environmental Quality (MDEQ) issues this Certification, after public notice and opportunity for public hearing, to Waste Management of Mississippi, Inc., an applicant for a Federal License or permit to conduct the following activity:

Waste Management of Mississippi, Inc., Firetower Landfill: Project to fill 1.7 acres of jurisdictional wetlands for the expansion of an existing landfill at a 59.5-acre site. A small portion of the fill will be used to construct a perimeter road. The existing landfill was previously authorized as a Hurricane Katrina Debris Reduction Site by the Federal Emergency Management Agency (FEMA). A permit modification was issued in 2007 (WQC2007002) to expand the landfill over a 37-acre area, of which 1.7 acres are jurisdictional wetlands. This modification expired in May 2017. Although the work was never completed, mitigation for the proposed 1.7-acre impact was completed through the purchase of credits from Devils Swamp Mitigation Bank on February 11, 2010 [SAM-2006-02679-TMZ; WQC2024060].

OFFICE OF POLLUTION CONTROL
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MDEQ 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. Special care shall be taken prior to and during construction to prevent the movement of sediment into adjacent avoided wetland areas. In the event of any BMP failure, corrective actions shall be taken immediately. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
2. Other approvals from the Department may be necessary for the construction and operation of the proposed facilities. The applicant shall obtain all necessary permits and authorizations as required by the Department. This certification does not alleviate the applicant of other permit requirements and/or responsibilities. (Statement G) (11 Miss. Admin. Code Pt. 6, R. 1.3.4.B.(7))
3. The applicant shall maintain compliance with the Industrial Stormwater General Permit. For any changes or construction of additional phase to the facility, modifications to the Storm Water Pollution Prevention Plan shall be made as outlined in the Industrial Stormwater General Permit. (Statement G) (11 Miss. Admin. Code Pt. 6, R. 1.3.4.B.(7))
4. Mitigation for the impacts of 1.7 acre of wetlands 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 be based upon that required for impacting 1.7 acre of wetlands. Written verification of credit purchase must be provided to MDEQ prior to the commencement of any work in the wetland or stream areas. (Statement E) (11 Miss. Admin. Code Pt. 6, R. 1.3.4 A (2))
5. 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.(3))
6. 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) There is a feasible alternative to the activity which reduces adverse consequences on water quality and classified or existing uses of waters of the State.
- (C) The proposed activity adversely impacts waters containing State or federally recognized threatened or endangered species.
- (D) The proposed activity adversely impacts a special or unique aquatic habitat, such as National or State Wild and Scenic Rivers and/or State Outstanding Resource Waters.
- (E) The proposed activity in conjunction with other activities may result in adverse cumulative impacts.
- (F) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.
- (G) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.
- (H) The proposed activity results in significant environmental impacts which may adversely impact water quality.

MDEQ 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.

Sincerely,



Becky Simonson
Chief, Environmental Permits Division

cc: Maryellen Farmer, U.S. Army Corps of Engineers, Mobile District
Willa Brantley, Department of Marine Resources
Jamie Becker, Environmental Protection Agency, Region 4

Lee Womack, Matrix New World Engineering