



**State of Mississippi
Mississippi Department of Environmental Quality (MDEQ)
Office of Pollution Control (OPC)**



**LARGE CONSTRUCTION STORM WATER GENERAL PERMIT
FOR LAND DISTURBING ACTIVITIES OF 5 OR MORE ACRES**

**TO DISCHARGE STORM WATER IN ACCORDANCE WITH THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)**

THIS CERTIFIES THAT

Projects issued a Certificate of Permit Coverage under this general permit are
granted permission to discharge storm water associated with construction activities into State waters

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein. This permit is issued in
accordance with the provisions of the Mississippi Water Pollution Control Law (Mississippi Code Ann. Sections 49-17-1 et seq.),
and the regulations and standards adopted and promulgated thereunder, and under authority granted pursuant to Section 402(b) of
the Federal Water Pollution Control Act.

Mississippi Environmental Quality Permit Board



Authorized Signature

Mississippi Department of Environmental Quality

Issued: June 10, 2005

Permit No. MSR10

Expires: May 31, 2010

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Large Construction General Permit (Revised Format)
Subject Item Inventory

Activity ID No.: GNP20050001

Subject Item Inventory:

ID	Designation	Description
ACT1	LCGP	Introduction
ACT2	LCGP	Permit Applicability and Coverage
ACT3	LCGP	Obtaining Coverage
ACT5	LCGP	Large Construction Notice of Intent
ACT6	LCGP	Storm Water Pollution Prevention Plan (SWPPP) General Information
ACT7	LCGP	Implementation, Inspection, and Reporting Requirements
ACT8	LCGP	Limitation Requirements
ACT9	LCGP	Record Keeping
ACT10	LCGP	Termination of Permit Coverage
ACT11	LCGP	Standard Requirements Applicable To All Water Permits
ACT12	LCGP	Definitions
AI19192		

KEY

ACT = Activity

AI = Agency Interest

AREA = Area

*** Official MDEQ Permit - Version 1.1 ***

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ACT1 (LCGP) Introduction:

Narrative Requirements:

Condition No.	Condition
T-1	<p>Introduction:</p> <p>The Large Construction General Permit (LCGP) authorizes storm water discharges from construction activities 5 acres or greater or less than 5 acres if part of a "larger common plan of development or sale" (see Definitions). Storm water discharges that enter state waters or storm water conveyance systems leading to state waters are subject to regulation and compliance with the conditions set forth in this permit. This permit also authorizes storm water discharges from any other construction activity designated by the Executive Director based on the potential for contribution to an excursion of a water quality standard or for significant contribution of pollutants to state waters. This permit replaces the previous Construction General Permit that expired on March 27, 2005. [WPC-1]</p>

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ACT2 (LCGP) Permit Applicability and Coverage:

Narrative Requirements:

Condition No.	Condition
T-1	<p>Permit Area:</p> <p>The Large Construction General Permit covers all areas of the State of Mississippi. [WPC-1]</p>
T-2	<p>Eligibility:</p> <p>(1) Discharges composed entirely of storm water and allowable non-storm water discharges identified in T-3, page 3 from construction activity, including clearing, grading, excavating and other land disturbing activities of 5 or more acres or less than 5 acres if part of a "larger common plan of development or sale" (see Definitions). The discharges must not cause nor contribute to violations of State Water Quality Standards.</p> <p>(2) A facility is eligible for coverage under this general permit for discharges of pollutants of concern to water bodies for which there is a total maximum daily load (TMDL) established or approved by EPA if measures and controls are incorporated that are consistent with the assumptions and requirements of such TMDL. To be eligible for coverage under this general permit, the facility must incorporate any conditions applicable to any discharge(s) necessary for consistency with the assumptions and requirements of such TMDL. If, after coverage issuance, a specific wasteload allocation is established that would apply to the facility's discharge, the facility must implement steps necessary to meet that allocation.</p> <p>(3) Coverage under this permit is available only if the regulated entity's storm water discharges, allowable non-storm water discharges, and discharge-related activities are not likely to jeopardize the continued existence of any species that is listed as endangered or threatened ("listed") under the Environmental Species Act (ESA) or result in the adverse modification or destruction of habitat that is designated as critical under the ESA ("critical habitat"). [WPC-1]</p>

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Narrative Requirements:

Condition No.	Condition
T-3	<p>Eligibility (continued):</p> <p>(4) Allowable Non-Storm Water Discharges:</p> <p>Discharges from fire-fighting activities</p> <p>Fire hydrant flushing</p> <p>Water used to control dust</p> <p>Potable water including uncontaminated water line flushing</p> <p>Routine external building wash down that does not use detergents</p> <p>Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used</p> <p>Uncontaminated air conditioning or compressor condensate</p> <p>Uncontaminated ground water or spring water</p> <p>Foundation or footing drains where flows are not contaminated with process materials such as solvents</p> <p>Uncontaminated excavation dewatering</p> <p>Landscape irrigation. [WPC-1]</p>

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ACT3 (LCGP) Obtaining Coverage:

Submittal/Action Requirements:

Condition No.	Condition
S-1	<p>How To Obtain Authorization:</p> <p>(1) Owners and/or operators (see Definitions) must submit a Large Construction Notice of Intent (LCNOI) in accordance with the requirements of this permit. For construction activities, the operator is typically the Prime Contractor. The owner may submit the LCNOI and later, prior to actual construction, the operator may submit the Prime Contractor Certification accepting responsibility for applicable permit conditions.</p> <p>The owner(s) of the property and the operator(s) associated with the regulated construction activity on the property have joint and severable responsibility for compliance with the permit. Notwithstanding any permit condition to the contrary, the coverage recipient and any person who causes pollution of waters of the state or places waste in a location where they are likely to cause pollution, shall remain responsible under applicable federal and state laws and regulations, and applicable permits.</p> <p>(2) Upon review of the LCNOI, the MDEQ staff may recommend that coverage not be granted and/or that an alternate permit would be more appropriate. The MDEQ staff recommendations may be brought before the Mississippi Environmental Quality Permit Board (Permit Board) for review and consideration at a regularly scheduled meeting.</p> <p>(3) Owners or operators are authorized to discharge storm water associated with construction activity under the terms and conditions of this permit only upon receipt of written notification of approval of coverage by the Permit Board staff. Discharge of storm water without written notification of coverage or issuance of an individual National Pollutant Discharge Elimination System (NPDES) Storm Water Permit is a violation of the Mississippi Air and Water Pollution Control Law 49-17-29(2)(b). [WPC-1]</p>

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Submittal/Action Requirements:

Condition No.	Condition
S-2	<p>Requiring An Individual Permit Or Alternative General Permit:</p> <p>(1) The Permit Board may require any coverage recipient to apply for and obtain either an individual or an alternative general NPDES permit. Any interested person may petition the Permit Board to take action under this paragraph. The Permit Board may require any coverage recipient to apply for an individual NPDES permit only if the owner or operator has been notified in writing. This notice shall include reasons for this decision, an application form and a filing deadline. The Permit Board may grant additional time upon request. If a coverage recipient fails to submit a requested application in a timely manner, coverage under this permit is automatically terminated at the end of the day specified for application submittal.</p> <p>(2) Any coverage recipient may request to be excluded from permit coverage by applying for an individual permit or coverage under another general permit. The applicant shall submit an individual application (Form 1 and the narrative requirements of 40 CFR 122.26(c)(1)(ii)) or the appropriate Notice of Intent. [WPC-1]</p>
S-3	<p>How to Obtain Recoverage Under the Reissued Permit:</p> <p>Once the Construction General Permit is reissued, active coverage recipients will receive a recoverage form with a letter of instruction. If a coverage recipient wishes to be covered by the current Construction General Permit, the recoverage form must be completed and returned to the MDEQ. Resubmittal of the Storm Water Pollution Prevention Plan (SWPPP) is not required if the SWPPP is on-site or locally available, current and adequately addresses the sources of pollution at the facility. [WPC-1]</p>
S-4	<p>Commercial Development - Individual Lots or Parcels:</p> <p>Individual lots or parcels that are part of the "larger common plan of development or sale" (see Definitions) are regulated regardless of size or owner. If the owner or developer obtains construction permit coverage for a development then sells lots or parcels within that development, permit coverage must continue on those areas under new ownership. The original coverage recipient is responsible for all construction activities until individual lots or parcels within the development are sold to others and the new owner submits a LCNOI and obtains coverage under Mississippi's Large Construction General Permit or applies for an individual permit. [WPC-1]</p>

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Submittal/Action Requirements:

Condition No.	Condition
S-5	<p>Residential Subdivision - Individual Lots:</p> <p>Individual lots within a residential subdivision are part of the "larger common plan of development or sale" (see Definitions) and are regulated regardless of size or ownership. If the owner or developer obtains construction permit coverage for a residential development, then sells individual lots within that development, permit coverage shall continue on those lots under new ownership. The original coverage recipient may retain responsibility for permit compliance, or the new owner (purchaser) or operator shall satisfy authorization requirements by:</p> <ol style="list-style-type: none">(1) Completing and submitting the MDEQ Registration Form (see Large Construction Forms Package) and developing and implementing a sediment and erosion control plan for the specific lot(s), or(2) Completing and submitting for approval from the MDEQ, a LCNOI and required documents, or(3) Applying for an individual storm water permit. <p>The owner or developer (seller) is responsible for providing the new owner or operator (purchaser) with a copy of the MDEQ Registration Form and a copy of the Large Construction General Permit. These documents as well as the individual application may be found on our website at www.deq.state.ms.us or by calling 601-961-5171. [WPC-1]</p>
S-6	<p>Residential Subdivision - New Phases and New Owner:</p> <p>If an individual, other than the original developer (coverage recipient), proposes construction of a new phase of an existing subdivision and the proposed phase was not included in the initial submittal of the LCNOI, the new owner or operator must apply for separate permit coverage. [WPC-1]</p>
S-7	<p>Residential Subdivision - Expansions:</p> <p>For subsequent phases, expansions and major modifications of subdivision development that are proposed but were not included in the original SWPPP, the coverage recipient shall submit to the MDEQ the Major Modification Form (see Large Construction Forms Package). [WPC-1]</p>

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Narrative Requirements:

Condition No.	Condition
T-1	<p>Applicability of Requirements For Individual Lots and Parcels in a Larger Common Plan of Development or Sale:</p> <p>(1) The original coverage recipient remains responsible for compliance with this general permit until a new owner or operator satisfies the requirements of S-4 on page 5 or S-5 on page 6.</p> <p>(2) Lots and parcels sold on or after the issuance date of this permit shall follow the requirements of S-4, page 5 and S-5, page 6.</p> <p>(3) Lots and parcels sold prior to the issuance date of this permit shall follow the requirements of S-4, page 5 and S-5, page 6 or the developer may continue to require the lot owners to take measures to prevent or mitigate sediment from leaving the lots through covenants and/or lot purchase contracts. [WPC-1]</p>

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ACT5 (LCGP) Large Construction Notice of Intent:

Submittal/Action Requirements:

Condition No.	Condition
S-1	<p>Deadlines For Notification:</p> <p>Persons desiring coverage for a storm water discharge associated with construction activity under this general permit shall submit a LCNOI form at least 30 days prior to the commencement of construction, or 15 days if the SWPPP has previously been approved. A recoverage form must be completed within 30 days of the date of the letter of instruction. [WPC-1]</p>
S-2	<p>Required Submittals With The LCNOI:</p> <p>Submittals required with a completed LCNOI include a SWPPP (see Definitions) associated with the construction activities, a United States Geological Survey (USGS) quad map, or photocopy, extending at least 1/2 mile beyond the facility property boundaries with the site location outlined or highlighted. [WPC-1]</p>
S-3	<p>Additional Submittals May Include The Following:</p> <ul style="list-style-type: none">(1) appropriate Section 404 documentation from U.S. Army Corps of Engineers(2) appropriate documentation concerning future disposal of sanitary sewage and sewage collection system construction(3) appropriate documentation from the MDEQ Office of Land & Water concerning dam construction and low flow requirements. [WPC-1]
S-4	<p>Additional Notification:</p> <p>The covered owner or operator must notify the Permit Board at least 30 days before any planned changes of ownership or whenever there are any changes in information previously submitted in the LCNOI form. [WPC-1]</p>

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Narrative Requirements:

Condition No.	Condition
T-1	<p>Construction Sites Not Currently Covered By Storm Water Construction General Permit:</p> <p>LCNOI forms may be obtained from the MDEQ at the address shown below or by calling 601-961-5171. LCNOI forms, as well as the general permit and guidance manual, may be found on the MDEQ web site at www.deq.state.ms.us. Coverage under this permit will not be granted until all other required MDEQ permits, certifications and approvals are satisfactorily addressed. [WPC-1]</p>
T-2	<p>Where To Submit The LCNOI:</p> <p>Complete and appropriately signed LCNOI Forms must be submitted to:</p> <p>Chief, Environmental Permits Division Mississippi Department of Environmental Quality Office of Pollution Control P.O. Box 10385 Jackson, Mississippi 39289-0385. [WPC-1]</p>
T-3	<p>Failure To Notify:</p> <p>Persons who discharge storm water associated with Large Construction activity to waters of the State without an NPDES permit are in violation of the Mississippi Air and Water Pollution Control Law 49-17-29(2)(b). [WPC-1]</p>

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ACT6 (LCGP) Storm Water Pollution Prevention Plan (SWPPP) General Information:

Narrative Requirements:

Condition No.	Condition
T-1	<p>SWPPP Development:</p> <p>A SWPPP shall be developed and implemented by each owner or operator subject to this permit. A SWPPP shall be prepared in accordance with sound engineering practices and shall identify potential sources of pollution, which may reasonably be expected to affect the quality of storm water discharges associated with construction activity. The SWPPP shall describe and ensure the implementation of best management practices, which will reduce pollutants in storm water discharges and assure compliance with the terms and conditions of this permit. [WPC-1]</p>
T-2	<p>Erosion and Sediment Controls. The owner or operator shall list and describe controls appropriate for the construction activities as well as the procedures for implementing such controls.</p> <p>The controls should to the extent practicable:</p> <ol style="list-style-type: none">(1) divert up-slope water around disturbed areas of the site;(2) limit the exposure of disturbed areas to the shortest amount of time as possible;(3) minimize the amount of surface area that must be disturbed;(4) implement best management practices to mitigate adverse impacts from storm water runoff;(5) remove sediment that would contribute to or cause adverse impacts to state waters from storm water before it leaves the site. [WPC-1]

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Narrative Requirements:

Condition No.	Condition
T-3	<p>As a minimum, the controls must be in accordance with the standards set forth in the most current edition of the " Planning and Design Manual for the Control of Erosion, Sediment & Stormwater" or other recognized manual of design. The SWPPP shall address the following minimum components.</p> <p>(1) Vegetative practices shall be designed to preserve existing vegetation where possible and re-vegetate disturbed areas as soon as practicable after grading or construction. Such practices may include, but are not limited to, surface roughening, temporary seeding, permanent seeding, mulching, sod stabilization, vegetative buffer strips, and protection of trees. When a disturbed area will be left undisturbed for 30 days or more, the appropriate temporary or permanent vegetative practices shall be implemented within 7 calendar days.</p> <p>(2) Structural practices shall divert flows from exposed soils, store flows or otherwise limit runoff from exposed areas. Such practices may include, but are not limited to, construction entrance/exit, straw bale dikes, silt fences, earth dikes, brush barriers, drainage swales, check dams, subsurface drains, pipe slope drains, level spreaders, drain inlet protection, outlet protection, detention/retention basins, sediment traps, temporary sediment basins or equivalent sediment controls. [WPC-1]</p>
T-4	<p>(3) For drainage locations (a drainage point at boundary of land disturbing activity) that serves an area with 10 or more disturbed acres at one time, a temporary (or permanent) sediment basin providing at least 3600 cubic feet (133 cubic yards) of storage per acre drained shall be provided until final stabilization of the site. Sediment basins must be installed before major site grading.</p> <p>(4) A description of any post-construction control measures. Post-construction control measures should be installed to control pollutants in storm water after construction is complete. These controls include, but are not limited to, one or more of the following: on-site infiltration of runoff, flow attenuation using open vegetated swales, exfiltration trenches and natural depressions, constructed wetlands and retention/detention structures. Where needed, velocity dissipation devices shall be placed at detention or retention pond outfalls and along the outfall channel to provide for a non-erosive flow.</p> <p>(5) Proposed responsible parties (original coverage recipient or new owner or operator) for individual lots or out-parcels that are part of a larger common plan of development or sale. If permit responsibility is retained by the original coverage recipient, a narrative description of sediment and erosion controls for subdivision lots is acceptable. Out-parcels in commercial developments must be included in the site map (see T-7, page 12). [WPC-1]</p>
T-5	<p>Non-Storm Water Discharge Management:</p> <p>The SWPPP must identify all allowable sources of non-storm water discharges, except for flows from fire fighting activities, which are combined with storm water discharges associated with construction activity at the site. Non-storm water discharges should be eliminated or reduced to the extent feasible. The SWPPP must identify and ensure the implementation of appropriate best management practices for the non-storm water component of the discharge. [WPC-1]</p>

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Narrative Requirements:

Condition No.	Condition
T-6	<p>Housekeeping Practices:</p> <p>The owner or operator shall describe and list practices appropriate to prevent pollutants from entering storm water from construction sites because of poor housekeeping. The owner or operator shall designate areas for equipment maintenance and repair; concrete chute wash off; provide waste receptacles at convenient locations and provide regular collection of waste; provide protected storage areas for chemicals, paints, solvents, fertilizers, and other potentially toxic materials; and provide adequately maintained sanitary facilities. [WPC-1]</p>
T-7	<p>Prepare Scaled Site Map(s):</p> <p>The owner or operator shall prepare a scaled site map showing original and proposed contours (if practicable), drainage patterns, adjacent receiving water bodies, north arrow, all erosion & sediment controls (vegetative and structural), any post-construction control measures, and location of housekeeping practices. If the construction project is a linear construction project (e.g., pipeline, highway, etc.), a scaled site map is not required, however standard diagrams (e.g., cross sections showing dimensions and labeled components) of erosion and sediment controls to be used must be submitted. [WPC-1]</p>
T-8	<p>Implementation Sequence:</p> <p>The owner or operator shall prepare an orderly listing which coordinates the timing of all major land-disturbing activities together with the necessary erosion and sedimentation control measures planned for the project. [WPC-1]</p>
T-9	<p>Implementation of Controls:</p> <p>The SWPPP shall require the owner or operator, in disturbing an area, to implement controls as needed to prevent erosion and adverse impacts to state waters. [WPC-1]</p>
T-10	<p>Maintenance and Weekly Inspections:</p> <p>The SWPPP shall describe procedures to maintain vegetation, erosion and sediment controls and other protective measures. Procedures shall provide that all erosion controls are inspected weekly for a minimum of four inspections per month (see S-4, page 14). [WPC-1]</p>
T-11	<p>Example Storm Water Pollution Prevention Plans (SWPPPs):</p> <p>Example SWPPPs are included in the MDEQ Registration Form for Individual Residential Lots (see Large Construction Forms Package) as well as in the Mississippi Storm Water Pollution Prevention Plan Guidance Manual for Construction Activities. [WPC-1]</p>

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ACT7 (LCGP) Implementation, Inspection, and Reporting Requirements:

Submittal/Action Requirements:

Condition No.	Condition
S-1	<p>Implementation Requirements:</p> <p>The coverage recipient shall:</p> <ol style="list-style-type: none">(1) implement the SWPPP and retain a copy of the SWPPP at the permitted site or locally available. Failure to implement the SWPPP is a violation of permit requirements. A copy of the SWPPP must be made available to the MDEQ inspectors for review at the time of an on-site inspection.(2) ensure that appropriate Best Management Practices (BMPs) are in place upon commencement of construction.(3) if notified at any time by the Executive Director of the MDEQ that the SWPPP does not meet the minimum requirements, amend the SWPPP and certify in writing to the Executive Director that the requested changes have been made. Unless otherwise provided, the requested changes shall be made within 15 days.(4) amend the SWPPP whenever there is a change in design, construction, operation, or maintenance which may potentially affect the discharge of pollutants to state waters; or the SWPPP proves to be ineffective in controlling storm water pollutants. The amended SWPPP shall be submitted within 30 days of amendment. Coverage recipients shall submit to the MDEQ the Major Modification Form (see Large Construction Forms Package) for subsequent phases, expansions and modifications of subdivision development that are proposed but were not included in the original SWPPP.(5) install needed erosion controls even if they may be located in the way of subsequent activities, such as utility installation, grading or construction. It shall not be an acceptable defense that controls were not installed because subsequent activities would require their replacement or cause their destruction.(6) install additional and/or alternative erosion and sediment controls when existing controls prove to be ineffective in preventing sediment from leaving the site.(7) minimize off-site vehicle tracking of sediments. [WPC-1]

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Submittal/Action Requirements:

Condition No.	Condition
S-2	<p>Implementation Requirements (continued):</p> <p>(8) comply with applicable State or local waste disposal, sanitary sewer or septic system regulations.</p> <p>(9) maintain all erosion controls. Except for sediment basins, all accumulated sediment shall be removed from structural controls when sediment deposits reach 1/3 to 1/2 the height of the control. For sediment basins, accumulated sediment shall be removed when the capacity has been reduced by 50%. All removed sediment deposits shall be properly disposed. Non-functioning controls shall be repaired, replaced or supplemented with functional controls within 24 hours of discovery or as soon as field conditions allow.</p> <p>(10) if, after coverage issuance, a specific wasteload allocation is established that would apply to the facility's discharge, the facility must implement steps necessary to meet that allocation. [WPC-1]</p>
S-3	<p>Compliance With Local Storm Water Ordinances:</p> <p>(1) The SWPPP shall be in compliance with all local storm water ordinances.</p> <p>(2) When storm water discharges into an MS4 (municipal separate storm sewer system), the owner or operator shall make the SWPPP available to the local authority upon request. [WPC-1]</p>
S-4	<p>Inspection Requirements:</p> <p>Inspection of all erosion controls and other SWPPP requirements shall be performed during permit coverage using a copy of the form provided in the Large Construction Forms Package, and inspections shall be performed:</p> <p>(1) at least weekly for a minimum of four inspections per month; and</p> <p>(2) as often as is necessary to ensure that appropriate erosion and sediment controls have been properly constructed and maintained and determine if additional or alternative control measures are required. The MDEQ strongly recommends that coverage recipients perform a "walk through" inspection of the construction site before anticipated storm events. [WPC-1]</p>

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ACT8 (LCGP) Limitation Requirements:

Limitation Requirements:

Condition No.	Parameter	Condition
L-1		<p>Limitation Requirements:</p> <p>Storm water discharges shall be free from:</p> <p>(1) debris, oil, scum, and other floating materials other than in trace amounts,</p> <p>(2) eroded soils and other materials that will settle to form objectionable deposits in receiving waters,</p> <p>(3) suspended solids, turbidity and color at levels inconsistent with the receiving waters,</p> <p>(4) chemicals in concentrations that would cause violation of State Water Quality Criteria in the receiving waters. [WPC-1]</p>

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ACT9 (LCGP) Record Keeping:

Record-Keeping Requirements:

Condition No.	Condition
R-1	<p>Retention of Records:</p> <p>All records, reports, forms and information resulting from activities required by this permit shall be retained for a period of at least 3 years from the date that the document(s) was generated.</p> <p>The inspections described in S-4, page 14 must be documented on copies of the Monthly Inspection Report and Certification Form provided in the Large Construction Forms Package and be kept with the SWPPP.</p> <p>Submittals of the MDEQ Registration Form for residential lots is required. It is the responsibility of both the owner or developer (seller) and the new owner or operator (purchaser) to maintain a copy of the MDEQ Registration Form. The new owner or operator must maintain a copy of the MDEQ Registration Form at the site or locally available. [WPC-1]</p>
R-2	<p>Suspension of Weekly Inspections and Monthly Record Keeping:</p> <p>Coverage recipients under this general permit may suspend weekly inspection and monthly reporting requirements, if the coverage recipient certifies that:</p> <ol style="list-style-type: none">(1) land disturbing activities have temporarily ceased(2) no further land disturbing activities are planned for a period of at least 6 months(3) the site is stable with no active erosion(4) vegetative cover has been established <p>Color photographs representative of the site must be submitted with the Inspection Suspension Form provided in the Large Construction Forms Package. The coverage recipient shall notify the MDEQ once construction activities are resumed and the weekly inspections shall commence immediately and as required in S-4 on page 14. The coverage recipient is still responsible for all permit conditions during the suspension period and nothing in this condition shall limit the rights of the MDEQ to take enforcement or other actions against the coverage recipient. [WPC-1]</p>

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ACT10 (LCGP) Termination of Permit Coverage:

Submittal/Action Requirements:

Condition No.	Condition
S-1	Within 30 days of final stabilization (see Definition of Final Stabilization (1)) for a covered project, a completed Notice of Termination (NOT) of Coverage form (provided in the Large Construction Forms Package) shall be submitted to the Permit Board. Upon receiving the completed NOT the MDEQ staff will inspect the site. If no sediment and erosion control problems are identified and adequate permanent controls are established the owner or operator will receive a termination letter. Coverage is not terminated until done so in writing. Failing to submit a NOT is a violation of permit conditions. [WPC-1]
S-2	<p>The coverage recipient of a "larger common plan of development or sale" must submit a NOT within 30 days after the following conditions are met:</p> <p>(1) Final stabilization (see Definition of Final Stabilization (2)) has been achieved on all portions of the site for which the coverage recipient is responsible, and</p> <p>(2) Other owner(s) or operator(s) have assumed control (by completing a CNOI or MDEQ Registration Form) over all areas of the site that have not achieved final stabilization. [WPC-1]</p>
S-3	The coverage recipient of a residential "larger common plan of development or sale" must submit a copy of the MDEQ Registration Form for each lot sold with the NOT. [WPC-1]
S-4	Residential lot owners or operators that have completed the MDEQ Registration forms are not required to submit a NOT, unless specifically requested by the MDEQ staff. The lot permit coverage is considered terminated upon "successful completion of all permanent erosion and sediment controls" (see Definitions). [WPC-1]

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ACT11 (LCGP) Standard Requirements Applicable To All Water Permits:

Narrative Requirements:

Condition No.	Condition
T-1	<p>Duty to Comply:</p> <p>The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for coverage termination, revocation and reissuance, or modifications; or denial of a renewal application. [WPC-1]</p>
T-2	<p>Duty to Mitigate:</p> <p>The owner or operator shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which is likely to adversely affect human health or the environment. [WPC-1]</p>
T-3	<p>Duty to Provide Information:</p> <p>The owner or operator shall furnish to the Permit Board, within a reasonable time, any information that the Permit Board may request to determine compliance with this permit. [WPC-1]</p>

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Narrative Requirements:

Condition No.	Condition
T-4	<p>Signatory Requirements:</p> <p>All LCNOIs, SWPPPs, reports, certifications or information shall be signed as follows or by the duly authorized representative (see T-5 below).</p> <p>(1) For a corporation by a responsible corporate officer. For this permit, a responsible corporate officer means:</p> <p>a) a president, secretary, treasurer, or vice-president 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; or</p> <p>b) the manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;</p> <p>(2) For a partnership or sole proprietorship by a general partner or the proprietor, respectively; or</p> <p>(3) For a municipal, State, Federal, or other public agency by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: a) the chief executive officer of the agency, or b) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency. [WPC-1]</p>
T-5	<p>Duly Authorized Representative:</p> <p>All reports required by this permit, and other information requested by the Permit Board shall be signed by a person described in T-4 above, or by a duly authorized representative of that person. A person is a duly authorized representative when:</p> <p>(1) The authorization is made in writing and submitted to the Permit Board by a person described in T-4 above.</p> <p>(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated activity, such as: manager, operator of a well or well field, superintendent, person of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may be either a specified individual or position). [WPC-1]</p>

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Narrative Requirements:

Condition No.	Condition
T-6	<p>Changes to Authorization:</p> <p>If an authorization is no longer accurate because a different individual or position has permit responsibility, a new authorization satisfying the requirements of T-4 and T-5 on page 19, must be submitted to the Permit Board prior to or together with any reports, information or applications signed by the representative. [WPC-1]</p>
T-7	<p>Certification:</p> <p>Any person signing documents under this section shall make the following certification:</p> <p>"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." [WPC-1]</p>
T-8	<p>Oil and Hazardous Substance Liability:</p> <p>Nothing in this permit shall relieve the owner or operator from responsibilities, liabilities, or penalties under Section 311 of the CWA. [WPC-1]</p>
T-9	<p>Property Rights:</p> <p>The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. [WPC-1]</p>
T-10	<p>Severability:</p> <p>The provisions of this 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. [WPC-1]</p>
T-11	<p>Transfers:</p> <p>Coverage under this permit is not transferable to any person except after notice to and approval by the Permit Board. The Permit Board may require the permittee to obtain another NPDES permit as stated in S-2, page 5. Transfer of coverage requests shall be submitted to the Permit Board using the form provided in the Large Construction Forms Package. [WPC-1]</p>

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Narrative Requirements:

Condition No.	Condition
T-12	<p>Proper Operation and Maintenance:</p> <p>The owner or operator shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the owner or operator to achieve compliance with the conditions of this permit including the storm water pollution prevention plan. Proper operation and maintenance includes adequate laboratory controls with appropriate quality assurance procedures and requires the operation of backup or auxiliary facilities when necessary to achieve compliance with permit conditions. [WPC-1]</p>
T-13	<p>Bypass Prohibition:</p> <p>Bypass (see 40 CFR 122.41(m)) is prohibited and enforcement action may be taken against an owner or operator for a bypass, unless: a) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the owner or operator should, in the exercise of reasonable engineering judgement, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and c) The owner or operator submitted notices per T-17 and/or T-18, page 22. [WPC-1]</p>
T-14	<p>Upset Conditions:</p> <p>An upset (see 40 CFR 122.41(n)) constitutes an affirmative defense to an action brought for noncompliance with technology-based permit limitations if a permittee shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that: 1) An upset occurred and the permittee can identify the specific cause(s) of the upset, 2) The permitted facility was at the time being properly operated, 3) The permittee submitted notices per T-17 and/or T-18, page 22, and 4) The permittee took remedial measures as required under T-2, page 18. In any enforcement proceeding, the permittee has the burden of proof that an upset occurred. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. [WPC-1]</p>

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Narrative Requirements:

Condition No.	Condition
T-15	<p>Inspection and Entry:</p> <p>The owner or operator shall allow the Permit Board staff or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to;</p> <ul style="list-style-type: none">- enter upon the owner or operator's premises where a regulated activity is located or conducted or where records must be kept under the conditions of this permit;- have access to and copy at reasonable times any records that must be kept under the conditions of this permit; and- inspect at reasonable times any facilities or equipment. [WPC-1]
T-16	<p>Permit Actions:</p> <p>This permit may be modified, revoked and reissued, or terminated for cause. A request by the owner or operator for permit or coverage modification, revocation and reissuance, or termination, or a certification of planned changes or anticipated noncompliance does not stay any permit condition. [WPC-1]</p>
T-17	<p>Anticipated Noncompliance:</p> <p>The owner or operator shall give at least 10 days advance notice, if possible, before any planned noncompliance with permit requirements. [WPC-1]</p>
T-18	<p>Unanticipated Noncompliance:</p> <p>The owner or operator shall notify the MDEQ orally within 24 hours from the time he or she becomes aware of unanticipated noncompliance. A written report shall be provided to the MDEQ within 5 working days of the time he or she becomes aware of the circumstances. The report shall describe the cause, the exact dates and times, steps taken or planned to reduce, eliminate, or prevent recurrence and, if the noncompliance has not ceased, the anticipated time for correction. [WPC-1]</p>
T-19	<p>Reopener Clause:</p> <p>If there is evidence indicating potential or realized impacts on water quality due to storm water discharge covered by this permit, the owner or operator may be required to obtain individual permit or an alternative general permit in accordance with S-2, page 5 or the permit may be modified to include different limitations and/or requirements. [WPC-1]</p>

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Narrative Requirements:

Condition No.	Condition
T-20	<p>Permit Modification:</p> <p>Permit modification or revocation will be conducted according to 40 CFR 122.62, 122.63, 122.64 and 124.5. [WPC-1]</p>
T-21	<p>Falsifying Reports:</p> <p>Any permittee who falsifies any written report required by or in response to a permit condition shall be deemed to have violated a permit condition and shall be subject to the penalties provided for a violation of a permit condition pursuant to Section 49-17-43 of the Mississippi Water Pollution Control Law (Mississippi Code Ann. Sections 49-17-1 et seq.). [WPC-1]</p>
T-22	<p>Civil and Criminal Liability:</p> <p>(1) Any person who violates a term, condition or schedule of compliance contained within this permit or the Mississippi Air and Water Pollution Control Law is subject to the actions defined by the Mississippi Air and Water Pollution Control Law.</p> <p>(2) Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.</p> <p>(3) It shall not be the defense of the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [WPC-1]</p>

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ACT12 (LCGP) Definitions:

Narrative Requirements:

Condition No.	Condition
T-1	Definitions: Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. [WPC-1]
T-2	Construction Activity as used in this permit, includes construction activity as defined in 40 CFR part 122.26(b)(14)(x). This includes a disturbance to the land that results in the change in topography, existing soil cover (both vegetative and non-vegetative), or the existing topography that may result in accelerated storm water runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. Examples of construction activity may include clearing, grading, filling and excavating. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site. [WPC-1]
T-3	Control Measure as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the United States. [WPC-1]
T-4	Commencement of Construction Activities means the initial disturbance of soils associated with clearing, grading, or excavating activities or other construction-related activities. [WPC-1]
T-5	Commission means the Mississippi Commission on Environmental Quality. [WPC-1]
T-6	Clean Water Act (CWA) refers to the Federal Water Pollution Control Act, 33 U.S.C. section 1251 et seq. [WPC-1]
T-7	Executive Director means the Executive Director of the Department of Environmental Quality. [WPC-1]
T-8	Facility or Activity means any NPDES "point source" or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program. [WPC-1]

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Narrative Requirements:

Condition No.	Condition
T-9	<p>Definitions (continued):</p> <p>Final stabilization means that either:</p> <p>(1) All soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of at least 70% for the area has been established or equivalent measures have been employed; or</p> <p>(2) For individual lots part of a larger common plan of development or sale in residential or commercial developments, that either: a) the coverage recipient has completed final stabilization as specified in (1) above, or b) the coverage recipient has established temporary stabilization before another property owner assumes operational control for the property AND the coverage recipient for the larger common plan of development has provided the appropriate Notice of Intent or Registration form, the appropriate Construction General Permit, and guidance documents to the new property owner and the new owner assumes control by completing the appropriate NOI or Registration Form. [WPC-1]</p>
T-10	<p>Large Construction Activity includes clearing, grading, and excavating resulting in a land disturbance that will disturb equal to or greater than 5 acres of land or will disturb less than 5 acres of total land area but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than 5 acres. [WPC-1]</p>
T-11	<p>Larger Common Plan of Development or Sale means a contiguous area where multiple separate and distinct construction activities are occurring under one plan. The plan in a common plan of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that construction activities may occur on a specific plot. [WPC-1]</p>
T-12	<p>Owner or Operator for the purpose of this permit and in the context of storm water associated with construction activity, means any party associated with a construction project that meets either of the following two criteria:</p> <p>(1) The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or</p> <p>(2) The party has day to day operational control of those activities at a project which are necessary to ensure compliance with a storm water pollution prevention plan for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with other permit conditions). This definition is provided to inform permittees of MDEQ's interpretation of how the regulatory definitions of "owner or operator" and "facility or activity" are applied to discharges of storm water associated with construction activity. [WPC-1]</p>

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Narrative Requirements:

Condition No.	Condition
T-13	Definitions (continued): NPDES the National Pollutant Discharge Elimination System which is a division of the Clean Water Act which prohibits discharge of pollutants into waters of the United States unless a special permit is issued. [WPC-1]
T-14	Permit Board means the Mississippi Environmental Quality Permit Board established pursuant to Miss. Code Ann. 49-17-28. [WPC-1]
T-15	Pollutant is defined at 40 CFR 122.2. A partial listing from this definition includes: dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, sediment, silt, cellar dirt, and industrial or municipal waste. [WPC-1]
T-16	State Waters means all waters within the jurisdiction of this State, including all streams, lakes, ponds, wetlands, impounding reservoirs, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, situated wholly or partly within or bordering upon the State, and such coastal waters as are within the jurisdiction of the State, except lakes, ponds, or other surface waters which are wholly landlocked and privately owned, and which are not regulated under the Federal Clean Water Act (33 U.S.C.1251 et seq.). [WPC-1]
T-17	Storm Water means rainfall runoff, snowmelt runoff, and surface runoff. [WPC-1]
T-18	Storm Water Pollution Prevention Plan (SWPPP) means a plan that includes site map(s), an identification of construction/contractor activities that could cause pollutants in the storm water, and a description of measures or practices to control these pollutants. [WPC-1]
T-19	Successful completion of all permanent erosion and sediment controls means when land disturbing construction activities have been completed and disturbed areas have been stabilized with no significant erosion occurring. [WPC-1]
T-20	Turbidity is the presence of suspended material such as clay, silt, finely divided organic material, plankton, and other inorganic material in water. [WPC-1]
T-21	WPC-1 means the State of Mississippi's Wastewater Regulations for National Pollutant Discharge Elimination System (NPDES) Permits, Underground Injection Control (UIC) Permits, State Permits, Water Quality Based Effluent Limitations and Water Quality Certification. [WPC-1]

GENERAL INFORMATION

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Alternate/Historic Identifiers

Emissions Inventory ID: 245517