



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



DRINKING WATER TREATMENT PLANT GENERAL PERMIT

TO DISCHARGE FILTER BACKWASH OR SEDIMENTATION BACKWASH WASTE WATER
FROM DRINKING WATER TREATMENT PLANTS IN ACCORDANCE WITH THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

THIS CERTIFIES THAT

FACILITIES ISSUED A CERTIFICATE OF PERMIT COVERAGE UNDER THIS PERMIT ARE GRANTED PERMISSION TO
DISCHARGE FILTER BACKWASH OR SEDIMENTATION BASIN BACKWASH WASTE WATER INTO STATE WATERS

in accordance with effluent limitations, inspection requirements and other conditions set forth herein. This permit is issued in accordance with the provisions of the Mississippi Water Pollution Control Law (Section 49-17-1 et seq., Mississippi Code of 1972), 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: November 9, 2007

Permit No. MSG18

Expires: October 31, 2012

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General Permit
 Drinking Water General Permit
 Subject Item Inventory
 Permit Number:MSG18
 Activity ID No.: GNP20060001

Subject Item Inventory:

ID	Designation	Description
ACT1	DWTP General Permit	Introduction
ACT2	DWTP General Permit	Permit Applicability and Coverage
ACT3	DWTP General Permit	Obtaining Coverage
ACT4	DWTP General Permit	Notice of Intent (DWTP NOI)
ACT5	DWTP General Permit	Limitations and Monitoring Requirements for Drinking Water Treatment Plant Discharges
ACT6	DWTP General Permit	Recordkeeping Requirements
ACT7	DWTP General Permit	Submittal / Action Requirements
ACT8	DWTP General Permit	Request for Termination of Permit Coverage
ACT9	DWTP General Permit	Standard Requirements Applicable to All Water Permits
ACT10	DWTP General Permit	Definitions
AI24308		
RPNT1	Table 1	Limitations and Monitoring Requirements

KEY

ACT = Activity

AREA = Area

CONT = Control Device

IA = Insignificant Activity

RPNT = Release Point

AI = Agency Interest

CAFO = Concentrated Animal Feeding Operation

EQPT = Equipment

MAFO = Animal Feeding Operation

TRMT = Treatment

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

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Subject Item: Limitations and Monitoring Requirements

RPNT000000001: Table 1

Such discharges shall be limited and monitored by the permittee as specified below:

Parameter	Discharge Limitations							Monitoring Requirements		
	Quantity / Loading Average	Quantity / Loading Maximum	Quantity / Loading Units	Conc. / Quality Minimum	Conc. / Quality Average	Conc. / Quality Maximum	Conc. / Quality Units	Frequency	Sample Type	Which Months
<i>Chlorine, total residual Effluent</i>	*****	*****	*****	*****	0.011 Semi Average	0.019 Semi Maximum	mg/L	Quarterly	Grab Sampling	Jan-Dec
<i>Flow (Total) Effluent</i>	Report Monthly Average	Report Daily Maximum	Million Gallons per Day	*****	*****	*****	*****	Monthly	Totalizer	Jan-Dec
<i>Iron (Total Recoverable) Effluent</i>	*****	*****	*****	*****	*****	1.0 Semi Maximum	mg/L	Quarterly	Grab Sampling	Jan-Dec
<i>pH Effluent</i>	*****	*****	*****	6.0 Daily Minimum	*****	9.0 Daily Maximum	SU	Monthly	Grab Sampling	Jan-Dec
<i>Solids (Total Suspended) Effluent</i>	*****	*****	*****	*****	30 Semi Average	45 Semi Maximum	mg/L	Quarterly	Grab Sampling	Jan-Dec

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ACT1 (DWTP General Permit) Introduction:

Narrative Requirements:

Condition No.	Condition
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T-1	INTRODUCTION:
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Owners or operators of public potable water treatment plants that receive coverage under Mississippi's Drinking Water Treatment Plant (DWTP) General Permit may discharge treated filter backwash wastewater and/or treated sedimentation basin washwater to waters of the state. Discharges from DWTP facilities that enter waters of the state are subject to regulation and compliance with the conditions set forth in this permit. [WPC-1]

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ACT2 (DWTP General Permit) Permit Applicability and Coverage:

Narrative Requirements:

Condition No.	Condition
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T-1

PERMIT AREA:

The Drinking Water Treatment Plant General Permit covers all areas of the State of Mississippi. [WPC-1]

T-2

ELIGIBILITY:

(1) This permit covers the discharges to waters of the State from processes related to the production of potable water at a Class B, Class C, Class D, or Class E public potable water treatment plant. Water Systems Classes are defined by Title 15, Part III, Subpart 72, Chapter 02.101.01 of Mississippi Department of Health Regulations. Discharges from Class A Water Systems are not eligible for this permit. Covered wastewater generated from Class B, C, D, or E processes include treated filter backwash wastewater and/or treated sedimentation basin washwater.

(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.

(3) Discharges must not cause nor contribute to violations of State Water Quality Standards. [WPC-1]

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ACT3 (DWTP General Permit) Obtaining Coverage:

Submittal/Action Requirements:

Condition No.	Condition
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S-1

HOW TO OBTAIN AUTHORIZATION:

- (1) Owners and/or operators desiring coverage under this permit for discharges associated with treated filter backwash wastewater and/or treated sedimentation basin washwater must submit a Drinking Water Treatment Plant Notice of Intent (DWTP NOI) in accordance with the requirements of this permit.
- (2) Upon review of the DWTP NOI, 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 or at a special meeting at its discretion.
- (3) Coverage under this permit will not be granted until all other required MDEQ permits, certifications and approvals are satisfactorily addressed.
- (4) Owners or operators are authorized to discharge treated filter backwash wastewater and/or treated sedimentation basin washwater under the terms and conditions of this permit only upon receipt of written notification of approval of coverage by the Permit Board staff. Discharge to State Waters without written notification of coverage or issuance of an individual National Pollutant Discharge Elimination System (NPDES) Discharge Permit is a violation of the Mississippi Air and Water Pollution Control Law Miss. Code Ann. Section 49-17-29(2)(b). [WPC-1]

S-2

REQUIRING AN INDIVIDUAL PERMIT OR ALTERNATIVE GENERAL PERMIT:

- (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.
- (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 the appropriate individual application or Notice of Intent. [WPC-1]

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ACT3 (continued):

Submittal/Action Requirements:

Condition No.	Condition
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S-3	HOW TO REQUEST SUBSEQUENT RECOVERY UNDER A REISSUED PERMIT:
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Permittees requesting re-coverage under a subsequently reissued Drinking Water Treatment Plant General Permit should submit their request for re-coverage on a Recovery Form found in the Drinking Water Treatment Plant Forms Package no later than 30 days before the expiration date of this permit. If reissuance of this general permit does not occur before its expiration date and the permittee has submitted a timely and complete request for re-coverage, continued coverage under this permit will be allowed until the effective date of the reissued general permit coverage. [WPC-1]

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ACT4 (DWTP General Permit) Notice of Intent (DWTP NOI):

Submittal/Action Requirements:

Condition No.	Condition
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S-1 FACILITY EXPANSION AND/OR MODIFICATION

Any proposed facility or project expansion, production increases, process modifications, changes in discharge volume or location or other changes in operations or conditions of the coverage recipient which may result in a new or increased discharge of waste, which does not violate effluent limitations specified in the permit, shall be reported to the Permit Board by submitting a notice of a new or increased discharge. New discharges or expanding discharges require an anti-degradation study to be completed prior to permission being granted under the coverage. This submission shall be at least 30 days prior to the anticipated discharge. No new or increased discharges shall occur without written notification from MDEQ. Proposed changes may require termination of the General Permit coverage or application for an individual permit. [WPC-1]

S-2 REQUIRED SUBMITTALS WITH THE DWTP NOI INCLUDE:

- (1) United States Geological Survey (USGS) quadrangle map or equivalent extending at least one-half of a mile beyond the site's property boundary with the site location and outfalls outlined or highlighted.
- (2) Labeled site drawing indicating:
 - (a) Location of any water supply wells;
 - (b) Identity and location of any receiving streams, named or unnamed; and
 - (c) Location of all water treatment units, filters, ponds, etc.
- (3) List of chemical additives used in the water treatment process, such as types of coagulant, oxidizing enhancers, etc.
- (4) Appropriate documentation from the MDEQ, Office of Land & Water concerning approval for groundwater supply usage. A Permit to Withdraw for Beneficial Use can be obtained from the MDEQ Office of Land & Water by calling the program coordinator at 601-961-5201.
- (5) For new or expanding discharges, the applicant must submit an approvable anti-degradation study to accompany the DWTP NOI. [WPC-1]

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ACT4 (continued):

Submittal/Action Requirements:

Condition
No.

Condition

S-3 ADDITIONAL NOTIFICATION

The coverage recipient must notify the Permit Board at least 30 days before: (1) any planned change in process and chemical additives that may affect discharge quality or quantity, and (2) any planned changes of ownership; or (3) whenever there are any changes in information previously submitted in the DWTP NOI. [WPC-1]

S-4 REQUIREMENTS REGARDING WATER TREATMENT ADDITIVES

Written approval must be received from MDEQ prior to initiating use. Notification shall be made to the permitting authority in writing not later than thirty (30) days prior to initiating the addition of any chemical product, which is subject to discharge, other than those previously approved and/or used. Such notification should include, but not be limited to:

- (1) Name and composition of the proposed additive;
- (2) Proposed discharge concentration;
- (3) Dosage rates;
- (4) Frequency of use;
- (5) EPA registration, if applicable; and
- (6) Aquatic species toxicological data. [WPC-1]

S-5 DEADLINE FOR NOTIFICATION:

Persons desiring coverage for filter backwash wastewater and/or treated sedimentation basin washwater discharges shall submit a DWTP NOI form at least 30 days prior to the commencement of the regulated discharge. A recoveage NOI form must be submitted within 30 days of this general permit's expiration date if coverage is to be extended. [WPC-1]

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ACT4 (continued):

Narrative Requirements:

Condition No.	Condition
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T-1 WHERE TO OBTAIN THE DWTP NOI FORMS:

DWTP NOI forms may be obtained from the MDEQ at the address shown below or by calling 601/961-5171. DWTP NOI forms, as well as the general permit, may be found on the MDEQ web site at www.deq.state.ms.us. [WPC-1]

T-2 WHERE TO SUBMIT THE DRINKING WATER TREATMENT PLANT NOTICE OF INTENT (DWTP NOI):

Complete and appropriately signed DWTP NOI Forms must be submitted to:

Chief, Environmental Permits Division
Mississippi Department of Environmental Quality
Office of Pollution Control
P.O. Box 10385
Jackson, Mississippi 39289-0385. [WPC-1]

T-3 FAILURE TO NOTIFY:

Persons who fail to submit a DWTP NOI and discharge treated filter backwash wastewater and/or treated sedimentation basin washwater to waters of the State without an NPDES permit are in violation of the Mississippi Air and Water Pollution Control Law, Miss. Code Ann. Section 49-17-29(2)(b). [WPC-1]

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ACT5 (DWTP General Permit) Limitations and Monitoring Requirements for Drinking Water Treatment Plant Discharges:

Limitation Requirements:

Condition No.	Parameter	Condition
L-1		There shall be no discharge of floating solids or visible foam in other than trace amounts. [WPC-1]
L-2		The discharges shall not cause the occurrence of a visible sheen on the surface of the receiving waters. [WPC-1]
L-3		Samples taken in compliance with the monitoring requirements specified in this permit shall be taken at the nearest accessible point after final treatment but prior to mixing with the receiving stream or as otherwise specified in this permit. [WPC-1]
L-4		Discharges shall be free from chemicals that could cause violation of State Water Quality Criteria in the receiving stream. No treated filter backwash wastewater and/or treated sedimentation basin washwater will be allowed if the pollutant that is proposed to be discharged will cause or contribute to an existing impairment of a Section 303(d) listed water. [WPC-1]

Monitoring Requirements:

Condition No.	Parameter	Condition
M-1	Chlorine, total residual	<p>Chlorine, total residual: Testing and reporting of Total Residual Chlorine (TRC) is only required if chlorination is used at the facility, and if chlorination occurs in the process prior to any treatment process and/or unit that requires backwashing or other discharge to a water of the State. If no chlorination exists at the facility, or if chlorination is implemented after all treatment processes and/or units requiring backwashing, then the sampling, testing, recording and reporting requirements for TRC detailed in this permit are not applicable.</p> <p>In accordance with the conditions in this paragraph, facilities exempted from the TRC monitoring requirements shall complete the discharge monitoring report (DMR) for the parameter TRC with the code "NODI=9" for both the semi-average concentration and semi-maximum concentration on each report. [WPC-1]</p>

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ACT5 (continued):

Monitoring Requirements:

Condition No.	Parameter	Condition
M-2		<p>MONITORING REQUIREMENTS</p> <p>(1) Frequency and Location of Monitoring. Sampling and analysis for each parameter as specified in the limitations table shall be conducted during discharge of treated filter backwash wastewater and/or treated sedimentation basin washwater for each discharge point. Samples taken in compliance with the monitoring requirements shall be taken at the nearest accessible point after final treatment but prior to mixing with any non-regulated wastewater streams or the receiving stream.</p> <p>(2) Test Procedures. Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304(h) of the Federal Water Pollution Control Act (33 U.S.C. Section 1314(h)), as amended. Sampling test procedures shall be in accordance with the methods set forth in 40 CFR Part 136.</p> <p>(3) Flow shall be measured using a flow totalizer and recorded to determine the total gallons discharged per day and reported as Million Gallons per Day (MGD). [WPC-1]</p>
M-3		<p>Samples and measurements taken in compliance with the monitoring requirements specified above shall be representative of the volume and nature of filter backwash and/or sedimentation basin washwater. [WPC-1]</p>

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ACT6 (DWTP General Permit) Recordkeeping Requirements:

Record-Keeping Requirements:

Condition No.	Condition
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R-1 RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall maintain records of all information obtained from such monitoring including:

- (1) The exact place, date, and time of sampling;
- (2) The dates the analyses were performed;
- (3) The person(s) who performed the analyses;
- (4) The analytical techniques, procedures or methods used; and
- (5) The results of all required analyses. [WPC-1]

R-2 RECORDS RETENTION

All records and results of monitoring activities required by this permit, including calibration and maintenance records, shall be retained by the coverage recipient for a minimum of three (3) years, unless otherwise required or extended by the Permit Board, copies of which shall be furnished to the MDEQ upon request. [WPC-1]

R-3 FALSIFYING REPORTS

Any coverage recipient who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required by the Permit Board to be maintained as a condition in a permit, or who alters or falsifies the results obtained by such devices or methods and/or 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 Code. [WPC-1]

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ACT7 (DWTP General Permit) Submittal / Action Requirements:

Submittal/Action Requirements:

Condition
No.

Condition

S-1 REPORTING RESULTS OF DWTP DISCHARGE MONIOTORING

(1) Monitoring results obtained during the previous six (6) months shall be summarized and reported semi-annually on a Discharge Monitoring Report Form (provided by MDEQ) POSTMARKED NO LATER THAN THE 28TH DAY OF JULY AND JANUARY. Copies of these, and all other reports required herein, shall be signed in accordance with Chapter One Sections II.C. and II.E. of the 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), and shall be submitted to the Mississippi Environmental Quality Permit Board at the following address.

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL
P. O. Box 10385
Jackson, Mississippi 39289-0385

(2) If the results for a given sample analysis are such that any parameter is not detected at or above the minimum level for the test method used, a value of zero will be used for that sample in calculating an arithmetic mean value for the parameter. If the resulting calculated arithmetic mean value for that reporting period is zero, the covered facility shall report "NODI = B"(No Data Indicator = Below Detect Limit/No Detect) on the DMR. For each quantitative sample value that is not detectable, the test method used and the minimum level for that method for that parameter shall be attached to and submitted with the DMR. The covered facility shall then be considered in compliance with the appropriate effluent limitation and/or reporting requirement. [WPC-1]

S-2 REPORTING (Continued)

(3) If the covered facility monitors any pollutant as prescribed in the permit more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Permit Board.

(4) Calculations for all limitations that require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Permit Board in the permit. [WPC-1]

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ACT8 (DWTP General Permit) Request for Termination of Permit Coverage:

Submittal/Action Requirements:

Condition No.	Condition
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S-1	TERMINATION REQUIREMENTS
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The coverage recipient must notify the MDEQ that treated filter backwash wastewater and/or treated sedimentation basin washwater will no longer be discharged by submitting a "Request for Termination Form" found in the Drinking Water Treatment Plant Forms Package. All DMR forms must be completed and submitted before coverage can be terminated. [WPC-1]

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ACT9 (DWTP General Permit) 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 of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit 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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ACT9 (continued):

Narrative Requirements:

Condition No.	Condition
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T-4 SIGNATORY REQUIREMENTS:

All DWTP NOIs and Requests for Recoverage shall be signed as follows:

(1) For a corporation by a responsible corporate officer. For this permit, a responsible corporate officer means:

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

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;

(2) For a partnership or sole proprietorship by a general partner or the proprietor, respectively; or

(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]

T-5 DULY AUTHORIZED REPRESENTATIVE:

All reports required by this permit, and other information requested by the Permit Board shall be signed by a person described above, or by a duly authorized representative of that person. A person is a duly authorized representative when:

(1) The authorization is made in writing and submitted to the Permit Board by a person described above.

(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]

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ACT9 (continued):

Narrative Requirements:

Condition No.	Condition
T-6	<p>CHANGES IN AUTHORIZATION:</p> <p>If an authorization is no longer accurate because a different individual or position has permit responsibility, a new authorization satisfying the Signatory Requirements and Duly Authorized Representative conditions of this permit, 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 (33 U.S.C. 1321). [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>

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ACT9 (continued):

Narrative Requirements:

Condition No.	Condition
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. Transfer of coverage requests shall be submitted to the Permit Board using the form provided in the DWTP NOI Forms Package. [WPC-1]</p>
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 judgment, 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 permit conditions under ANTICIPATED NONCOMPLIANCE and UNANTICIPATED NONCOMPLIANCE in ACT 12 of this permit. [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 Activity 12, ANTICIPATED NONCOMPLIANCE and UNANTICIPATED NONCOMPLIANCE, and 4) The permittee took remedial measures as required under Activity 12, DUTY TO MITIGATE. 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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ACT9 (continued):

Narrative Requirements:

Condition No.	Condition
T-15	<p>REMOVED SUBSTANCES</p> <p>Solids, sludges, biosolids, untreated filter backwash, or other residuals removed in the course of treatment or control of wastewater shall be disposed of in a manner such as to prevent such materials from entering State waters and in a manner consistent with the Mississippi Solid Waste Disposal Act (Miss. Code Ann. Section 17-17-1 et. seq.), the Federal Resource Conservation and Recovery Act, 42 U.S.C. 6901 et. seq., and the Mississippi Air and Water Pollution Control Act (Miss. Code Ann. Sections 49-17-1 through 49-17-43). [WPC-1]</p>
T-16	<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> <ol style="list-style-type: none">(1) enter upon the owner's or operator's premises where a regulated activity is located or conducted or where records must be kept under the conditions of this permit;(2) have access to and copy at reasonable times any records that must be kept under the conditions of this permit; and(3) inspect at reasonable times any facilities or equipment. [WPC-1]
T-17	<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-18	<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>

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ACT9 (continued):

Narrative Requirements:

Condition No.	Condition
T-19	<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 reoccurrence and, if the noncompliance has not ceased, the anticipated time for correction. [WPC-1]</p>
T-20	<p>REOPENER CLAUSE:</p> <p>If there is evidence indicating potential or realized impacts on water quality due to discharges covered by this permit, the owner or operator may be required to obtain individual permit or an alternative general permit in accordance with ACT 3, S-2 or the permit may be modified to include different limitations and/or requirements. [WPC-1]</p>
T-21	<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-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 (Miss. Code Ann. Sections 49-17-1 through 49-17-43).</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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ACT10 (DWTP General Permit) Definitions:

Narrative Requirements:

Condition No.	Condition
T-1	BYPASS means the intentional diversion of wastestreams from any portion of the permittee's treatment facility. [WPC-1]
T-2	CFR means the Code of Federal Regulations. [WPC-1]
T-3	COMMISSION means the Mississippi Commission on Environmental Quality. [WPC-1]
T-4	CLEAN WATER ACT (CWA) refers to the Federal Water Pollution Control Act, 33 U.S.C. section 1251 et seq. [WPC-1]
T-5	DAILY DISCHARGE means the "discharge of a pollutant" measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily average" is calculated as the average measurement of the discharge of the pollutant over the day. [WPC-1]
T-6	DAILY MAXIMUM means the highest "daily discharge" over a calendar month. [WPC-1]
T-7	EXECUTIVE DIRECTOR means the Executive Director of the Mississippi 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]
T-9	GRAB SAMPLE is a sample that is taken from a wastestream on a one-time basis without consideration of the flow rate of the wastestream and without consideration of time. Samples should be collected from the center of the flow channel, where turbulence is at a maximum. [WPC-1]
T-10	MONTHLY AVERAGE means the average of the "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during the month. [WPC-1]
T-11	NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) is the 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-12	PERMIT BOARD means the Mississippi Environmental Quality Permit Board established pursuant to Miss. Code Ann. 49-17-28. [WPC-1]

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ACT10 (continued):

Narrative Requirements:

Condition No.	Condition
T-13	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-14	SEMI-ANNUAL AVERAGE means the average of "daily discharges" over a six month period, calculated as the sum of all "daily discharges" measured during the six month period divided by the number of "daily discharges" measured during the six month period. Six month periods begin January 1 and end June 30, or begin July 1 and end December 31, which ever semi-annual period is applicable. [WPC-1]
T-15	SEMI-ANNUAL MAXIMUM means the highest "daily discharge" over a six month period, with periods beginning January 1 and ending June 30, or beginning July 1 and ending December 31, which ever semi-annual period is applicable. [WPC-1]
T-16	UPSET means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the covered facility. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. [WPC-1]

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RPNT1 (Table 1) Limitations and Monitoring Requirements:

Submittal/Action Requirements:

Condition No.	Condition
S-1	The Permittee shall submit analytical results on a quarterly Discharge Monitoring Report (DMR): Due semi-annually by the 28th of January and July. [WPC-1]
