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Solid Waste Enforcement: Mississippi Commission on Environmental Quality and Faircloth Landfill, Inc. Enter Into Agreed Order to Address Alleged Violations

Arkansas Environmental, Energy, and Water Law Blog

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The Mississippi Commission on Environmental Quality ("Commission") and Faircloth Landfill, Inc. ("FLI") entered into a November 13th Agreed Order ("AO") addressing certain alleged violations of a Land Disposal General Permit. See Order No. 6595 15.

The AO states that FLI operates a landfill in Clinton, Mississippi pursuant to a Land Disposal General Permit ("Permit").

FLI is required per the previous referenced Permit to conduct annual inspections of the site and that Part IV.C of the Permit requires the submission of an "Inspection Report and Certification Form" annually no later than January 28th.

The AO alleges that it contacted FLI and notified the company of the following violations at the site:

- Failure to conduct inspections of all areas that are contributing to storm water discharges as often as needed and at least once a year in violation of Part IV.B of Mississippi Land Disposal Storm Water General NPDES Permit No. MSR500094; and
- Failure to submit the "Inspection Report and Certification Form" to MDEQ annually no later than January 28th in violation of Part IV>C of Mississippi Land disposal Storm Water General NPDES Permit No. MSR500094.

FLI denies that the inspections were not conducted as alleged in the AO.

FLI submitted the required Inspection Report and Certification Form for 2015 on June 26th. Further, FLI states it has retained a third party engineering firm to assist in ensuring compliance with the relevant portions of the permit.

FLI agrees to a voluntary civil penalty of \$1,500.

[Click here to download the AO.](#)