



STATE OF MISSISSIPPI
PHIL BRYANT
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
GARY C. RIKARD, EXECUTIVE DIRECTOR

November 18, 2015

CERTIFIED MAIL 7010 1870 0003 4946 9586

Mr. Mark Parkman
Faircloth Landfill Inc.
P. O. Box 1296
Clinton, MS 39060

**Re: Faircloth Landfill Inc, Faircloth Rubbish Landfill Class I Rubbish Site
Agreed Order No. 6595 15**

Dear Mr. Parkman:

Enclosed you will find a copy of Agreed Order No. 6595 15, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Gary Rikard, on behalf of the Mississippi Commission on Environmental Quality.

The enclosed Order assesses a civil penalty. The penalty payment, when due, should be made by check payable to the Mississippi Department of Environmental Quality and returned in the enclosed, self-addressed envelope to the MDEQ Fees Division at P.O. Box 2339, Jackson, MS 39225.

If you have any questions regarding your obligations under the enclosed order, please contact Ethan Mayeu at (601) 961-5613.

Sincerely,

A handwritten signature in cursive script, appearing to read "Chris Sanders".

Chris Sanders, P.E.
Chief, Environmental Compliance and Enforcement Division

Enclosure
cc: Ethan Mayeu

Agency Interest No. 14788
ENF20150001

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO.

6595 15

FAIRCLOTH LANDFILL, INC.
PO BOX 1296
CLINTON, MISSISSIPPI 39060-1296

RESPONDENT

AGREED ORDER

COME NOW the Mississippi Commission on Environmental Quality (Commission), acting through the staff and Executive Director of the Mississippi Department of Environmental Quality (MDEQ), Complainant, and Faircloth Landfill, Inc., Respondent, in the above captioned cause and agree as follows:

1.

Respondent operates the Faircloth Landfill located at 1312 Springridge Road, Clinton, Hinds County, Mississippi (the "Site"). On June 2, 2000, Faircloth Landfill, Inc. was issued Coverage No. MSR500094 under Land Disposal General Permit No. MSR50. Part IV.B of Permit No. MSR5000094 requires that Respondent conduct annual inspections of the Site and Part IV.C of Permit No. MSR5000094 requires that Respondent submit the "Inspection Report and Certification Form" annually no later than January 28th.

2.

By letter dated November 5, 2014, Respondent was contacted by Complainant and notified of the following alleged violations at the Site:

- A. 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
- B. 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.

Respondent denies that the inspections were not conducted as alleged in Paragraph 2.A. Complainant continues to assert the violations occurred as alleged.

3.

On June 26, 2015, Respondent submitted the required “Inspection Report and Certification Form” for 2015. Additionally, Respondent asserts it has retained a third party engineering firm to assist in ensuring compliance with the requirements of Parts 2.A and 2.B above.

4.

In lieu of a formal enforcement hearing concerning the alleged violations listed above, without any admission of liability, Respondent agrees to settle this matter with Complainant as follows:

Respondent agrees to pay and Complainant agrees to accept a civil penalty in the amount of \$1,500. Respondent shall pay this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Executive Director. The settlement payment shall be submitted to:

Mississippi Department of Environmental Quality
Attn: Jennifer Parish
P.O. Box 2339
Jackson, MS 39225

5.

Nothing in this Agreed Order shall limit the rights of MDEQ or the Commission in the event Respondent fails to comply with this Agreed Order. The Agreed Order shall be strictly construed to apply to those matters expressly resolved herein.

6.


Nothing contained in this Agreed Order shall limit the rights of MDEQ or the Commission to take enforcement or other actions against Respondent for violations not addressed herein and for future violations of environmental laws, rules, and regulations.

7.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Miss. Code Ann. § 49-17-31, and that it has made an informed waiver of that right.

ORDERED, this the 17th day of NOVEMBER, 2015.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 13th day of November, 2015.

FAIRCLOTH LANDFILL, INC.

BY: Mark S. Parkman


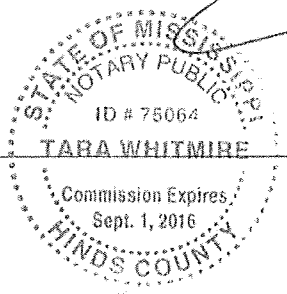
TITLE: President

STATE OF Mississippi

COUNTY OF Hinds

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Mark S. Parkman who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the President of Faircloth Landfill, Inc. and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 13th day of November, 2015.


NOTARY PUBLIC


My Commission expires: