Pretreatment Enforcement/Clean Water Act: Mississippi Commission on Environmental Quality and Yazoo City Nitrous Oxide Manufacturing Facility Enter into Agreed Order

Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

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The Mississippi Commission of Environmental Quality ("MCEQ") and Nitrous Oxide Corporation ("NOC") entered into an August 5th Agreed Order ("AO") addressing alleged violations of the Mississippi Administrative Code concerning discharges into a POTW. See Agreed Order No. 7541 25.

The AO provides that NOC operates a nitrous oxide manufacturing facility in Yazoo City, Mississippi.

The facility is stated to discharge non-domestic wastewater into the City of Yazoo City's sanitary sewer system in violation of the Mississippi and federal regulations which prohibit the introduction into a POTW of pollutants which cause corrosive structural damage to the POTW, but in no case discharges with a pH lower than 5.0, unless the works is specifically designed to accommodate such discharges.

NOC is stated to have placed Ammonium Nitrate in a location that is likely to cause pollution in violation of Miss. Code Ann. § 49-17-29(2)(a), referencing "pollution of waters of the state."

NOC is stated to have submitted to the Mississippi Environmental Quality Permit Board an Application for a State Operating Pretreatment Permit to discharge process wastewater from the facility to the City of Yazoo City's sanitary sewer system. The Permit Board is stated to have issued on September 17, 2024, a State Operating Pretreatment Permit allowing the facility to discharge processed wastewater into the City of Yazoo City's sanitary sewer system.

NOC does not admit any of the allegations listed above and nothing contained in the AO shall be in any was construed as an admission of liability.

A civil penalty of $22,500.00 is assessed.

A copy of the AO can be downloaded here.