Pretreatment Enforcement/Clean Water Act: Mississippi Commission on Environmental Quality and Olive Branch Building Materials Manufacturer Enter into Agreed Order

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10/08/2025

The Mississippi Commission on Environmental Quality ("MCEQ") and AFCO Industries, LLC ("AFCO") entered into an August 26th Agreed Order ("AO") addressing an alleged violation of 11 Miss. Admin Code Pt. 6, R.1.1.1.B(2)(a). See Order No. 7551 25.

AFCO is stated to operate a building materials manufacturing facility in Olive Branch, Mississippi.

The Mississippi Department of Environmental Quality is stated to have contacted AFCO on April 2nd indicating that its discharging process wastewater to the City of Olive Branch's sanitary sewer system without a valid Pretreatment Permit violated the previously referenced Mississippi regulation which states:

…Any person discharging into water of the State or to any publicly owned treatment works or operating a treatment works from which no discharge occurs, shall promptly make application for and obtain from the Permit Board a valid NPDES, UIC, or State permit according to procedures and deadlines set forth in these regulations… Any person discharging wastes into a publicly owned treatment works and which is subject to Federal pretreatment standards, or which, in the opinion of the Permit Board, would cause interference with the proper operation of the publicly owned treatment works, cause violations of water quality standards by passing through the publicly owned treatment works, or cause contamination of sludge which would limit or prevent the proper disposal of the sludge, shall apply to the Permit Board for a State permit."

AFCO is stated to have submitted to the Mississippi Department of Environmental Quality an Application for a State Operating Pretreatment Permit which has been granted.

A civil penalty of $7,500.00 is assessed.

A copy of the AO can be downloaded here.