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Wastewater Enforcement: Mississippi Commission of Environmental Quality and Aberdeen Concentrated Animal Feeding Operation Enter Into Agreed Order

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The Mississippi Commission on Environmental Quality ("MCEQ") and Prestage Farms Mississippi Inc. ("PFM") entered into an August 10th Agreed Order ("AO") addressing alleged violations of a Multimedia General Pollution Control Permit ("Permit"). See Order NO. 7740 26.

The AO provides that PFM owns and operates a Concentrated Animal Feeding Operation ("CAFO") in Aberdeen, Mississippi.

The Permit held by PFM allows it to operate a CAFO on the Hi Lo Farm ("Farm") and permits/requires:

- Construction/operate air emissions equipment.
- Monitoring requirements.
- Discharge stormwater associated with agricultural activities into State waters in accordance with effluent limitations, monitoring requirements, and other conditions.

The Mississippi Department of Environmental Quality conducted a compliance evaluation inspection on February 11th and identified the following alleged violations:

- Discharged process wastewater into waters of the state without holding a valid permit authorizing such discharge.
- Discharged process wastewater in violation of the Permit.
- Failure to properly operate, maintain, and replace facilities and systems of collection, treatment and control.
- Failure to comply with all conditions of the Permit.
- Failure to take reasonable steps to mitigate any discharge.
- Bypassed processed wastewater.
- Failure to maintain records for the production areas.
- Failure to maintain records for the land application areas.
- Failure to properly pump down its lagoons.
- Failure to maintain records of overflows and discharges.

PMF provided by letter on June 15th that it had begun using a spray irrigation system to dispose of the process wastewater in its lagoons. As a result, it states it eliminated the discharge of process wastewater to waters of the State. Further, it asserted that it would maintain the records required by the Permit.

The AO assesses a civil penalty of \$15,000.

A copy of the AO can be found [here](#).