



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

February 17, 2016

CERTIFIED MAIL 7010 1870 0003 4948 4374

Mr. Michael Guy
BFI Waste Systems of Mississippi LLC, Little Dixie Landfill
2910 North Palafox Street
Pensacola, FL 32501

**Re: BFI Waste Systems of Mississippi LLC, Little Dixie Landfill
Agreed Order No. 6623 16**

Dear Mr. Guy:

Enclosed you will find a copy of Agreed Order No. 6623 16, 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 blue ink, appearing to read "Chris Sanders".

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

Enclosure
cc: Ethan Mayeu

Agency Interest No. 4702
ENF20150002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO.

6623 16

BFI WASTE SYSTEMS OF MISSISSIPPI LLC
1716 NORTH COUNTY LINE ROAD
RIDGELAND, MISSISSIPPI 39157

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 BFI Waste Systems of Mississippi LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated May 28, 2015, Respondent was contacted by Complainant and notified of the following alleged violations:

- A. Condition E.19.c of Solid Waste Management Permit No. SW04501A0238 (the "Solid Waste Permit") for failure to confine the disposal of waste to as small an areas as practical;
- B. Condition E.19.f of the Solid Waste Permit for failure to provide the required six (6) inches of earthen cover at the end of each operating day;
- C. Condition E.28 of the Solid Waste Permit for failure to construct, operate and maintain berms, ditches or other means to prevent uncontaminated storm water from leaving the active disposal areas;
- D. Condition E.30 of the Solid Waste Permit for failure to collect and dispose of

contaminated surface water as leachate and prevent contaminated surface water from discharging offsite;

- E. 11 Miss. Admin. Code Pt. 6, R. 1.1.1.B for discharge of a wastewater without a permit;
- F. For failure to implement the approved Storm Water Pollution Prevention Plan dated March 2008 and submitted to MDEQ on May 31, 2008; and
- G. Section 49-17-29 of the Mississippi Code regarding the placement of wastes in a location likely to cause pollution of State waters.

The parties agree, by entering into this Agreed Order, that the Commission continues to assert that the violations alleged in this Section did occur and the acts or omissions of the Respondent constitute violations of the environmental laws, regulations, and/or permits applicable to the Respondent.

2.

Based on a site visit by MDEQ on May 8, 2015 and on information provided by Respondent dated June 24, 2015, Respondent has corrected all alleged violations noted above.

3.

In lieu of a formal enforcement hearing concerning the alleged violations listed above, Complainant and Respondent agree to settle this matter as follows:

Respondent agrees to pay and Complainant agrees to accept a civil penalty in the amount of \$75,000. 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

4.

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.

5.

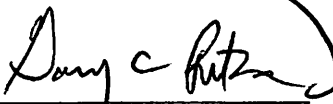
Nothing contained in this Agreed Order shall limit the rights of MDEQ or the Commission to take enforcement or other actions against Respondent for violations not addressed herein and for future violations of environmental laws, rules, and regulations.

6.

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 FEBRUARY, 2016.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 10 day of February, 2016.

BFI WASTE SYSTEMS OF MISSISSIPPI LLC

BY: [Signature]

TITLE: Secretary

STATE OF Mississippi

COUNTY OF Hinds

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Howard Pelton who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Secretary of BFI Waste Systems of Mississippi LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 10 day of February, 2016.

[Signature]
NOTARY PUBLIC

My Commission expires: July 10, 2017



5185
Leine Britt