



STATE OF MISSISSIPPI
PHIL BRYANT
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
TRUDY D. FISHER, EXECUTIVE DIRECTOR

April 3, 2014

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Jimmy Schermerhorn
Waste Pro Meridian Landfill II LLC
4205 Beasley Road
Gautier, MS 39553

**Re: Waste Pro Meridian Landfill I LLC, Waste Pro Meridian I Rubbish Site
Agreed Order No. 6404 14**

Dear Mr. Schermerhorn:

Enclosed you will find a copy of Agreed Order No. 6404 14, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Trudy Fisher, 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 Liene Britt at (601) 961-5185.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Sanders".

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

Enclosure
cc: Liene Britt

Agency Interest No. 15293
ENF20140002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6404 14

WASTE PRO MERIDIAN LANDFILL I LLC
4205 BEASLEY ROAD
GAUTIER, MISSISSIPPI 39553

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 Waste Pro Meridian Landfill I LLC, Respondent, in the above captioned cause and agree as follows:

1.

Respondent operates a Class I rubbish site located at 2601 Anderson Road, Meridian, Mississippi in Lauderdale County. Respondent's Solid Waste Management Permit No. SW0380020515, Condition No. D.2, requires submittal of a renewal application at least 180 days prior to expiration of the permit. Based upon the permit's expiration date of March 31, 2014, the renewal application was due on or about September 30, 2013. No application has been submitted by the Respondent.

2.

As of April 1, 2014, Respondent will be in violation of 11 Miss. Admin. Code Pt. 4, Rule 1.2(A) for operating a Class I rubbish site without a permit.

3.

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

- A. Respondent shall submit a renewal application for Solid Waste Management Permit No. SW0380020515 to the MDEQ within thirty (30) days after this Agreed Order has been executed by the MDEQ Executive Director (the "effective date").
- B. If Respondent Fails to Comply with Part 3.A above, Respondent shall cease operations of and initiate closure activities at the Waste Pro Meridian Landfill I LLC as required Solid Waste Management Permit No. SW0380020515 and the Mississippi Nonhazardous Solid Waste Management Regulations.
- C. Until the Mississippi Environmental Quality Permit Board or its designee acts on a renewal application for the Respondent's Solid Waste Management Permit, Respondent shall comply with all conditions of Solid Waste Management Permit No. SW0380020515 issued to Respondent on October 11, 2010.
- D. Respondent shall pay a civil penalty in the amount of \$8,000. Respondent shall pay this penalty to MDEQ within forty-five (45) days of the effective date. The settlement payment above 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 3 day of April, 2014.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

TRUDY D. FISHER
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 27th day of March, 2014.

WASTE PRO MERIDIAN LANDFILL I LLC

BY: James Schermerhorn



TITLE: Landfill Mgr

STATE OF Mississippi

COUNTY OF Madison

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named James Schermerhorn who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Landfill Mgr of Waste Pro Meridian Landfill I LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 27 day of March, 2014.

Sandra Lynn Bradshaw
NOTARY PUBLIC

My Commission expires: August 6, 2017

