

**BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY**

**IN THE MATTER OF: AN AMENDMENT TO THE THREE RIVERS REGIONAL
SOLID WASTE MANAGEMENT PLAN (RE: INCLUSION
OF THE GREENSERV MEDICAL WASTE PROCESSING
FACILITY)**

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ORDER NO. _____

ORDER

The above captioned cause came before the Executive Director of the Mississippi Department of Environmental Quality (Department) this day for ex parte consideration under the authority of Miss. Code Ann. Section 49-2-13 and the Executive Director, having heard and considered the evidence therein, and having determined that an Administrative Order should issue prefatory to any evidentiary hearing without making any final adjudication of fact or law, finds as follows:

1.

The Three Rivers Regional Solid Waste Management Authority (Authority) and its member local governments are subject to the Mississippi Code Annotated and the rules and regulations of the Mississippi Commission on Environmental Quality (Commission).

2.

On September 21, 2010, Commission Order No. 5829 10 was executed approving a comprehensive, updated version of the Three Rivers Regional Solid Waste Management Plan.

3.

On January 19, 2018, the Authority adopted a resolution approving a request from GreenServ Sterilization, LLC, also doing business as GreenServ, Inc., (GreenServ) to modify the Three Rivers Regional Solid Waste Management Plan to include a medical waste processing facility to be owned and operated by GreenServ in Oxford, MS. The Lafayette County Board of Supervisors also approved the request for modification of the plan on November 6, 2017. The approval of this modification by the Authority included a determination of need for the facility in accordance with state law.

The medical waste processing facility is to be located in Sections 5 and 8, Township 8 South, Range 3 West of Lafayette County at 50 County Road 166 in Oxford, MS. The facility will accept potentially infectious medical wastes to be treated and sterilized prior to disposal in a permitted solid waste disposal facility. The service area approved for the facility includes the area within a 400-mile radius of the facility which includes all of the States of Mississippi, Alabama, and Arkansas and those parts of the states of Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas which fall within the 400-mile radius.

4.

The request for approval of this modification and the associated documentation was submitted by the Three Rivers Regional Solid Waste Management Authority to the Mississippi Department of Environmental Quality in January and April of 2018 and was subsequently reviewed by the Department for compliance with state laws and regulations.

5.

Premises considered, the Executive Director finds, based upon the evidence presented to the Department, that the modification of the Three Rivers Regional Solid Waste Management Plan was executed, ratified, and adopted by the Authority in accordance with state law and regulation.

IT IS, THEREFORE, ORDERED that the revised Three Rivers Regional Solid Waste Management Plan with the modification described in Paragraph 3 of this Order is hereby approved.

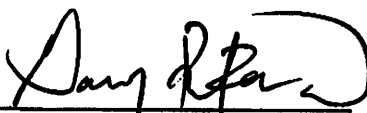
The Commission expressly reserves the right and authority to modify this order to conform with any grants of authority subsequently made by federal legislation or as a result of federal judicial review. This reservation of rights specifically includes, but is not limited to, any right or authority of the State of Mississippi to regulate or restrict out-of-state solid wastes brought into the State of Mississippi for any purpose. The Commission specifically reserves the right and authority to modify or amend this order to include additional restrictions on any matter relating to out-of-state wastes, including transportation of, importation of, disposal of and handling of solid wastes, within the jurisdiction of the State of Mississippi, so long as the modifications or amendments comply with federal laws, regulations and judicial interpretations. This reservation of rights also includes, but is not limited to, the fees allowed for solid wastes imported into the State of Mississippi.

If aggrieved by this Order, the Authority may request a hearing before the Commission by filing a sworn petition with the Commission within thirty (30) days after the date of this Order in

the manner provided by Miss. Code Ann. Section 49-17-41.

ORDERED, this the 11th day of MAY, 2018.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

GARY RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY