

COVID-19: Updated Mississippi Department of Environmental Quality Environmental Enforcement Guidance



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

07/22/2020

The Mississippi Department of Environmental Quality (“MDEQ”) issued on July 20th a document titled:

Updated Guidance to the Regulated Community Regarding Compliance with Regulatory Requirements During the COVID-19 Pandemic (“Updated Guidance”)

MDEQ Interim Executive Director Chris Wells issued the *Updated Guidance* to all entities regulated by the agency.

MDEQ had issued guidance on April 2nd in which the Mississippi Governor’s Proclamations regarding temporary suspension or modification were necessary by state agencies during the COVID outbreak. The April 2nd guidance also noted that MDEQ recognized facilities regulated by the agency may have reduced workforces due to the COVID pandemic. As a result, it provided guidance to regulated persons and facilities regarding temporary noncompliance directly related to COVID-19.

The *Updated Guidance* recognizes that the Mississippi Governor has issued a “Safe Return Order” lifting travel restrictions and allowing all businesses and non-profit entities operating within Mississippi to reopen or remain open subject to certain limitations. Nevertheless, it also states that the Governor’s Order continues to impose certain requirements to prevent the spread of COVID-19.

MDEQ states that:

... compliance with CDC and MSDH guidelines and other Executive Order restrictions may cause the facilities it regulates to continue having reduced work forces; thus, MDEQ provides this updated guidance to regulated persons and facilities which may experience temporary noncompliance directly related to the COVID-19 pandemic.

The *Updated Guidance* updates issues such as:

- Applicability
- Compliance with all Permit and Regulatory Requirements
- Extension of Deadlines
- Permit Renewal Applications
- Compliance Directives, Administrative Orders and Agreed Orders
- All Other Deadlines
- Certifications and Continuing Education
- Electronic Submission of Documents
- Permit Applications for the Environmental Permits Division of the Office of Pollution Control (OPC)

- Applications for permits, grants and certifications and compliance and monitoring reports to the Waste Division of OPC
- Permit Applications for the Office of Land and Water Resources
- Permit Applications for the Office of Geology
- Other Submittals
- Public comments
- Public Hearings

A copy of the *Updated Guidance* can be downloaded [here](#).