

Stormwater Enforcement: Mississippi Commission on Environmental Quality and Tishomingo County Airport (Belmont) Enter into Agreed Order



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The Mississippi Commission on Environmental Quality (“MCEQ”) and Tishomingo County Airport (Belmont) (“Airport”) entered into a May 18th Agreed Order (“AO”) addressing an alleged violation of the Mississippi Code related to discharges of waste into waters of the state. See Order No. 7122 21.

The alleged violation involved expiration of a general stormwater permit.

The AO states that MCEQ on December 12, 2019, conducted a Compliance Evaluation Inspection (“CEI”) at the Airport which is located in Belmont, Mississippi. The AO cites the following alleged violation:

A. Violation of MS. Code Ann. § 49-17-29(2b): which states in part that “. . . it is unlawful for any person to carry on any of the following activities, unless that person holds a current permit for that activity from the Permit Board as may be required for the disposal of all wastes which are or may be discharged into the waters of the state. . . (iii) the construction, installation or operation of any industrial, commercial or other establishment, including irrigation projects or any extension or modification thereof or addition thereto, the operation of which would cause an increase in the discharge of wastes into the waters of the state. . . “ Respondent failed to obtain recoverage under Mississippi’s Industrial Storm Water General Permit.

The Airport is stated to have subsequently submitted on March 26th an Industrial Stormwater Notice of Intent for coverage under the Industrial Stormwater General NPDES Permit (“MSR00”) to the Mississippi Department of Environmental Quality’s Environmental Permits Division. Such submission is stated to be currently under review.

The AO provides that the Airport will comply with the terms and conditions of the expired Baseline Stormwater General NPDES Permit until the Mississippi Department of Environmental Quality acts upon the previously referenced submission.

A \$1,750 penalty is assessed.

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