



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

Solid Waste/Air Enforcement: Mississippi Commission on Environmental Quality and Ridgeland Landfill Operator Enter into Agreed Order

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The Mississippi Commission on Environmental Quality (“MCEQ”) and BFI Waste Systems of Mississippi, LLC (“BFI”) entered into a November 14th Agreed Order (“AO”) addressing alleged air and solid waste violations. See Order No. 7226 22.

The AO provides that BFI operates a landfill in Ridgeland, Mississippi.

The landfill is stated to be operated pursuant to a Solid Waste Management Permit.

MCEQ is stated to have contacted BFI on September 30, 2021, October 5, 2021, and March 21, 2021, and identified certain alleged violations. The alleged violations are stated to have been discovered during a Compliance Evaluation Inspection on February 3, 2021, and subsequent follow-up inspections on September 13, 2021, and September 22, 2021.

The alleged violations include:

1. 11 Miss. Admin. Code Pt. 2, R.1.3.C for failure to sufficiently maintain odorous emissions leading to a nuisance to the surrounding public;
2. 40 CFR Part 60.11 (d) (NSPS Subpart A) for failure to maintain gas wells;
3. 40 CFR Part 60.755(c)(5) (NSPS Subpart WWW) for failure to implement an adequate program for cover integrity by failing to implement cover repairs timely;
4. Condition No. E.25 of Solid Waste Management Permit No. SW04501A0238 for failure to promptly correct or remove areas of ponding and/or leachate outbreaks; and
5. Condition No. E.28 of Solid Waste Management Permit No. SW04501A0238 for failure to direct uncontaminated surface water around and away from the developed area of the landfill.

BFI in a November 5, 2021, letter stated that the alleged violations of Solid Waste Management Permit No. SW04501A0238 had been corrected.

BFI submitted a Gas Collection and Control System Compliance Plan (“Compliance Plan”) on May 20, 2022, which was subsequently updated on September 27th. The Compliance Plan is stated to address the following:

- Wellhead monitoring
- Blower flare system monitoring
- Cover integrity inspections
- Title V Permit compliance
- Odor mitigation plan

The AO assesses a civil penalty of \$99,000. Further, BFI agrees that on the execution of the AO it shall fully implement the Compliance Plan dated September 27th and comply with the Compliance Plan for the entire term of the new Title V Operating Permit upon issuance.

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