

Wastewater Enforcement: Mississippi Commission of Environmental Quality and Tunica Chemical Facility Enter into Agreed Order



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

06/11/2024

The Mississippi Commission of Environmental Quality (“MCEQ”) and Drexel Chemical Company (“Drexel”) entered into a May 16th Agreed Order (“AO”) addressing alleged violations of a Clean Water Act National Pollutant Discharge Elimination System (“NPDES”) Permit. See Order No. 7325 24.

The AO provides that Drexel operates a facility in Tunica, Mississippi.

The Drexel facility is stated to have been notified on the following dates of certain alleged violations:

- September 1, 2022.
- August 18, 2023.
- February 5, 2024.

The Facility allegedly did not comply with the following conditions:

- Routine visual site inspections shall be performed at a minimum of once per month to ensure the effectiveness of the SWPPP’s design and implementation.
- The Permittee shall at all times properly operate, maintain, and when necessary, promptly retain all facilities and systems of collection, treatment, and control which are installed or used by the Permittee to achieve compliance with the conditions of this Permit.
- Permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of the Permit that has reasonable likelihood of adversely affecting human health or the environment.
- Violation of the annual maximum arsenic concentration limit at outfall 003 during the 2022 monitoring period.
- Violation of the annual maximum arsenic concentration limit at outfall 004 during the 2022 and 2023 monitoring periods.
- Violation of the minimum pH limitation at outfall 001 and 003 during the 2022 monitoring period.

Drexel stated by letter dated September 12, 2022, that it engaged a contractor to make repairs to a containment area leak that was the suspected source of the arsenic. In addition, it asserted that it engaged an environmental remediation company to clean the effected areas.

The AO assesses a civil penalty of \$23,750.00.

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

