



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

Pretreatment Enforcement/Clean Water Act: Mississippi Commission on Environmental Quality and Hattiesburg Soft Drink Manufacturer Enter into Agreed Order

11/15/2024

The Mississippi Committee on Environmental Quality ("MCEQ") and Wis-Pak of Hattiesburg, LLC ("Wis-Pak") entered into an October 5th Agreed Order ("AO") addressing an alleged violation of a Clean Water Act Pretreatment Permit. See Order No. 7364 24.

The AO provides that Wis-Pak owns and operates a soft drink bottling/canning facility in Hattiesburg, Mississippi.

The Wis-Pak facility is stated to be permitted to discharge processes wastewater into the City of Hattiesburg, Mississippi sanitary sewer system pursuant to a Pretreatment Permit.

Wis-Pak is stated to have been notified of the following alleged violations of the Pretreatment Permit:

- Exceedance of monthly average flow limitation during June through August 2022 monitoring periods.
- Exceeding maximum pH limitation during July through August 2022 monitoring periods.
- Exceeding the monthly average flow limitation during the September through November 2022 monitoring periods.
- Exceeding the maximum pH limitation during the September through December 2022 monitoring periods.
- Discharging non-domestic wastewater into the City of Hattiesburg sewer system.
- Failure to notify Mississippi Department of Environment Quality orally within 24 hours or in writing within 5 days from the time it became aware of the pH exceedances.
- Exceeding monthly average flow limitation.
- Exceeding daily maximum biochemical oxygen demand limitation.
- Diverting wastewater around the pH neutralization system.
- Failure to monitor discharge and processed water.

Wis-Pak asserted in a letter dated March 3, 2023, that the pH neutralization system was inadvertently off-line for the period of July through December 2022. As a result, Wis-Pak collected compliance samples from a pH neutralization chamber that was off-line. It further asserted that the results reported on Discharge Monitoring Reports for the July through December 2022 monitoring periods were not

representative of the actual wastewater discharge of the facility. In addition, it asserted that the pH neutralization system was returned to service on January 3rd, 2023.

The AO assesses a civil penalty of \$22,500.00.

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