



State of Mississippi

TATE REEVES
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

May 18, 2021

CERTIFIED MAIL #7019 1120 0000 4785 3994

Mr. Phillip M. Whitehead
Tishomingo County Airport, Belmont
1008 Battleground Drive
Iuka, Mississippi 38852-6509

**Re: Tishomingo County Airport, Belmont
Agreed Order No. 7122 21**

Dear Mr. Whitehead:

Enclosed you will find a copy of Agreed Order No. 7122 21, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Chris Wells, on behalf of the Mississippi Commission on Environmental Quality.

The enclosed Order assesses a civil penalty. The penalty payment, when due, should be made by check payable to the Mississippi Department of Environmental Quality and returned in the enclosed, self-addressed envelope to the MDEQ Accounts Receivable at P.O. Box 2339, Jackson, MS 39225.

If you have any questions regarding your obligations under the enclosed order, please contact Felisa Keyes at (601) 961-5319.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michelle Clark".

Michelle Clark, P.E., BCEE, Chief
Environmental Compliance and Enforcement Division

Enclosure
cc: Felisa Keyes

Agency Interest No. 8120
ENF20210001

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

7122 21

VS.

ORDER NO. _____

TISHOMINGO COUNTY AIRPORT, BELMONT
1008 BATTLEGROUND DRIVE
IUKA, MISSISSIPPI 38852

RESPONDENT

AGREED ORDER

COME NOW the Mississippi Commission on Environmental Quality (Commission), acting through the staff and Executive Director of the Mississippi Department of Environmental Quality (MDEQ), Complainant, and Tishomingo County Airport, Belmont, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated January 29, 2020, Respondent was contacted by Complainant and notified of the following violation discovered during the Compliance Evaluation Inspection (CEI) conducted on December 12, 2019 at 20 Airport Road, Belmont, Mississippi in Tishomingo County:

- 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

recovery under Mississippi's Industrial Storm Water General Permit.

On March 26, 2021, Respondent submitted an Industrial Storm Water Notice of Intent (ISNOI) for coverage under the Industrial Storm Water General NPDES Permit (MSR00) to MDEQ's Environmental Permits Division and it is currently under review.

2.

In lieu of a formal enforcement hearing concerning the violation listed above, Complainant and Respondent agree to settle this matter as follows:

- A. Respondent agrees to pay and Complainant agrees to accept a civil penalty in the amount of \$1,750.00. Respondent shall pay this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Executive Director or his designee. The settlement payment shall be submitted to:

Mississippi Department of Environmental Quality

Attn: Accounts Receivable

P.O. Box 2339

Jackson, MS 39225

- B. Respondent agrees to comply with the terms and conditions of the expired Baseline Storm Water General NPDES Permit (Coverage No. MSR000247) until MDEQ's Environmental Permits Division acts upon the ISNOI received on March 26, 2021.

3.

Nothing in this Agreed Order shall limit the rights of MDEQ or the Commission in the event Respondent fails to comply with this Agreed Order. The Agreed Order shall be strictly construed to apply to those matters expressly resolved herein.

4.

Nothing contained in this Agreed Order shall limit the rights of MDEQ or the Commission to take enforcement or other actions against Respondent for violations not addressed herein and for


future violations of environmental laws, rules, and regulations.

5.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Miss. Code Ann. § 49-17-31, and that it has made an informed waiver of that right.

ORDERED, this the 18th day of May, 2021.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY 
CHRIS WELLS
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

AGREED, this the _____ day of _____, 2021.

TISHOMINGO COUNTY AIRPORT, BELMONT

BY: Phillip M. Whitehead

TITLE: Board Attorney

STATE OF Mississippi

COUNTY OF Tishomingo

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Phillip M. Whitehead who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Board Attorney of Tishomingo County Airport, Belmont and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 12th day of May, 2021.

Payton Cummins
NOTARY PUBLIC

My Commission expires: _____

MY COMMISSION EXPIRES JANUARY 1, 2024

