



June 2, 2016

Mr. Tony Greer  
County Administrator  
Madison County Board of Supervisor  
P.O. Box 680  
Canton, Mississippi 39046

**Re: Madison County Solid Waste Plan Update  
Coordination Proposal**

Dear Mr. Greer:

As per our discussion, I have reviewed the May 23, 2016 follow up letter from the Mississippi Department of Environmental Quality (MDEQ) regarding the request for updates for the Madison County Solid Waste Plan. Please accept this as our proposal to provide you and the Madison County Board of Supervisors assistance is developing the response information as requested by MDEQ.

As we further discussed, the previous Madison County administration retained us in February 2015 to provide coordination to the Board of Supervisors as it relates to the Plan updates and as a result of the original November 20, 2014 letter for MDEQ regarding the required Plan updates. We spent time reviewing the Plan information and also coordinating with the MDEQ relative to developing a plan of action to complete the Plan updates. Following those efforts, the previous Madison County administrative requested that the Plan update process be delayed until after the election process. As the May 23, 2016 MDEQ letter notes, we notified MDEQ of the Boards request and they concurred with the postponement at that time.

I took some time to review the May 2016 letter in detail, as well as to once again review the original November 20, 2014 letter from MDEQ as it regards the MDEQ request for information and what it will require to develop that information. I also reviewed the letter, specifically the information contained in Item 6 as it related to the plan updates and what that will require.

In reviewing the MDEQ letters it appears that there were certain actions that were included in the Solid Waste Plan that was approved by MDEQ in 2009 and timetables for reporting back to MDEQ on those actions. I am assuming, at this point, that at least some of the reporting actions included in the plan document and referenced in the MDEQ letter were not completed. Some of these actions are fairly involved and aggressive as it relates to the planning process and determining what has been completed and what has not, may take a considerable amount of time and effort. In addition, some of the information that will need to be assimilated will include coordination time with you and the Board of Supervisors, as well as, coordination with the Cities of Flora, Madison and Ridgeland, at some point in the process.

Based upon my interpretation of the MDEQ letter and follow up coordination with the MDEQ Staff, it appears that a Solid Waste Plan update will also need to be completed pertinent, again, to Item 6. Given this, I am assuming, from a budgeting standpoint, that we will need to complete the plan updates to reflect the action items moving forward as it relates to the actions that have not been completed. Based upon my discussions with MDEQ last year, it is apparent that the Board will need to spend some amount of time understanding the commitments that were included in the original Plan documentation and to develop a plan of action to complete the updates. In addition, the recent privatization of the solid waste activities within the County will also result in fairly significant Plan revisions.

Based upon the requirements presented by MDEQ and the research that was conducted, we would propose that we complete the coordination services and the plan updates on an hourly basis. The previous budget estimate that we provided to the County in 2015 was \$15,000.00 and we completed some of the Plan review and coordination efforts, as noted, with MDEQ at that time. At this point and given the unknowns relative to the actions that have taken place to date, we would again propose that we work under an estimated not to exceed budget of \$15,000.00. This assumes that we will carry it through the response documentation, the coordination with MDEQ, the Madison County Board of Supervisors and the municipalities and the draft plan updates. At this point, I am not sure we will need to do a public notice and/or public hearing as a part of updating the plan to provide for the actions that have not yet been completed and addressed in the MDEQ letter. I have also attached a copy of our standard rate sheet depicting our billing rates.

I hope this provides you what you need at this time. Please let me know if you have any questions or need anything additional.

Sincerely,



Michael Goff  
President

**Accepted By:**

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**Madison County**

Attachment



Effective January 1, 2016

Rate Sheet	
Description	Fee
Principal	\$135.00/Hr.
Project Manager	\$115.00/Hr.
Environmental Coordinator	\$90.00/Hr.
Biologist	\$90.00/Hr.
Cultural Resources Coordinator	\$90.00/Hr.
Environmental Specialist	\$80.00/Hr.
GIS Technician	\$80.00/Hr.
Staff Archaeologist	\$90.00/Hr.
Administrative	\$60.00/Hr.
ATV Expense	100.00/day
Vehicle Mileage Expense	\$0.57/mile
Printing Charges (black & white/color)	\$0.49/\$1.00 per copy
Environmental Supplies (tapes, batteries, etc.)	\$23.50/project



STATE OF MISSISSIPPI  
PHIL BRYANT  
GOVERNOR  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
GARY C. RIKARD, EXECUTIVE DIRECTOR

May 23, 2016

Mr. Trey Baxter, President  
Madison County Board of Supervisors  
P.O. Box 608  
Canton, MS 39046

Re: Madison County Solid Waste Plan

Dear Mr. Baxter:

The Mississippi Department of Environmental Quality (MDEQ) is requesting an update from the County on the implementation of Madison County's approved solid waste management plan for the County and the municipalities of Flora, Madison and Ridgeland. The Madison County Solid Waste Management Plan was approved by Commission Order No. 5525 09 on January 23, 2009. The plan and order included an implementation schedule on a number of actions that the County was to complete in cooperation with the participating municipalities to address various solid waste management issues. A copy of this Order is attached. The County requested an extension on a number of reporting items in the plan and MDEQ granted that extension until July 1, 2015 to adequately evaluate and report on a number of the issues related to the plan (copy of MDEQ letter dated March 6, 2015 attached). Prior to that July 1, 2015 reporting deadline, Mr. Mike Goff with Headwaters Consulting contacted MDEQ by telephone on behalf of Madison County and asked for an additional extension to the reporting deadline, since it was apparent after the primary elections that there would be a number of new members on the Board of Supervisors. MDEQ again agreed with an extension beyond the deadline, since a new sitting Board would need time to evaluate the solid waste management plan and make decisions regarding the future of solid waste management in Madison County. It was anticipated that these evaluations and reports would be made at some point after the new Board took seat.

However, MDEQ has not received additional information from Madison County on this matter since that time. It does appear based on recent information that the County may be in the process of making changes to the management of residential solid wastes in the County that may affect certain provisions of the approved solid waste management plan. In particular, it appears that the county is considering or has made changes to the residential garbage collection service, white goods drop-off locations and is evaluating potential recycling service changes in the residential areas of south Madison County. MDEQ is requesting an update from Madison County on the

OFFICE OF POLLUTION CONTROL

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information that is now past due on the County solid waste management plan and on possible changes to provisions in the plan. MDEQ is asking for an initial written response on these issues by June 30, 2016 that would outline the intended changes and provide MDEQ with a revised schedule for response to the provisions of the approved Solid Waste Management Plan that have been changed in the recent past.

In addition, MDEQ recommends that the County update its current implementation schedule for the 2<sup>nd</sup> five year period of the plan. Planning and scheduling generally are conducted by counties in five-year increments within the 20-year planning period. State law requires that the County review the plan and the solid waste system annually for needed updates and changes. We believe that the county needs to review the approved, comprehensive plan and develop an updated overall implementation schedule for this 2<sup>nd</sup> five year period (or an alternate period). There are also a number of apparent changes/updates that may need to be integrated into the plan including addressing the status of the previously proposed CP Farms Rubbish facility, future sludge management needs from Canton Municipal Utilities, potential landfill issues, and possible changes to the waste reduction strategy, as well as other needs that may have become apparent in the county's evaluations that are described in the solid waste plan.

MDEQ encourages the County to give strong review and consideration to continuing the curbside recycling services in the County. The County's plan approved in 2009 indicated that the county had a recycling rate at that time of approximately 1.8%. State law requires that the County develop and implement a waste reduction and recycling strategy to meet the State goal of 25%. While a reduction in access to recycling services for Madison County residents may save on costs (because the County is essentially reducing collection services); such a change will likely reduce the county's recycling rate, increase the amount of wastes going to landfills, and shorten the remaining life of these landfills. In addition, such actions mean that these recoverable materials will not be placed back into manufacturing uses and will be simply be disposed of.

Please be aware that MDEQ will be glad to meet with the county and/or its representatives to discuss these issues further as well as any other issues related to the County solid waste management plan, system and services to your residents. Should you have any questions or wish to discuss this matter further, please do not hesitate to contact me or Mr. Mark Williams at 601-961-5171.

Sincerely,



James Eagles, EEIT  
Solid Waste Policy, Planning and Grants Branch

*Enclosures*



STATE OF MISSISSIPPI  
PHIL BRYANT  
GOVERNOR  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
GARY C. RIKARD, EXECUTIVE DIRECTOR

March 6, 2015

Mr. Karl Banks, President  
Madison County Board of Supervisors  
P.O. Box 608  
Canton, MS 39046

Re: Madison County  
SWMP Time Extension

Dear Mr. Banks:

As you are aware, the Mississippi Department of Environmental Quality (MDEQ) sent the County a letter dated November 20, 2014 requesting that the County work with the Cities of Flora, Madison, and Ridgeland to provide a written update on the action items of the Madison County Solid Waste Management Plan previously approved on January 23, 2009. We received a letter from Madison County requesting additional time to respond to MDEQ with the updated information.

MDEQ does agree that additional time is warranted to properly respond to these issues and we concur with the requested extension until **July 1, 2015** for submittal of the information requested. In addition, we ask that the County include any other relevant information on new/emerging issues or other actions that have been achieved by the County and municipalities with respect to the local solid waste systems and services. We look forward to continuing to work with the county and the municipalities on these important issues related to solid waste management and recycling services to your citizens.

If you have any questions or concerns regarding these matters, please contact me at (601) 961-5325.

Sincerely,

A handwritten signature in blue ink, appearing to read "James Eagles".

James Eagles  
Environmental Engineer in Training  
Solid Waste Policy, Planning, and Grants

cc: Michael Goff, President, Headwaters, Inc.  
Mayor Mary Hawkins, City of Madison  
Mayor Gene McGee, City of Ridgeland  
Mayor Leslie Childress, City of Flora





STATE OF MISSISSIPPI  
HALEY BARBOUR  
GOVERNOR  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
TRUDY D. FISHER, EXECUTIVE DIRECTOR

January 23, 2009

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Paul Griffin, President  
Madison County Board of Supervisors  
P.O. Box 404  
Canton, MS 39046

Dear Mr. Griffin:

Enclosed is a copy of Administrative Order No.552509, which has been issued by the Mississippi Commission on Environmental Quality conditionally approving the Madison County Solid Waste Management Plan for the county and the municipalities located in the county.

Specifically, the enclosed order describes the primary components of the plan and addresses the county's schedule for implementation of the various components of the proposed local solid waste management system. Special attention should be given to Part 6 and Attachment A of the Order which outline the deficiencies in the portion of the plan that proposes a new class I rubbish disposal and composting site in the county. The county will have 120 days from the issuance date of the Order to respond with corrections to those deficiencies in order for that proposal to be further considered by the Commission.

If you have any questions or comments concerning this order, please contact Mr. Trent Jones at (601) 961-5726.

Sincerely,

A handwritten signature in blue ink that reads "Jerry W. Cain".

Jerry W. Cain, P.E., DEE, Director  
Office of Pollution Control

Enclosure

pc: Mr. Donnie Caughman, County Administrator  
Mr. Mark Williams, EPD

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

IN THE MATTER OF: APPROVAL OF THE MADISON COUNTY SOLID WASTE  
MANAGEMENT PLAN

ORDER NO. 5525 09

ORDER

This matter came before the Mississippi Commission on Environmental Quality ("Commission") on December 11, 2008, pursuant to Mississippi Code Annotated Sections 49-2-9 and 17-17-227(6), and the Commission, having heard and considered the recommendation of the Mississippi Department of Environmental Quality ("Department") on the issue, finds as follows:

1. The original Madison County Solid Waste Management Plan was developed and submitted by the Madison County Board of Supervisors on July 9, 1992 and was approved by the Commission on February 3, 1994.
2. The Madison County Board of Supervisors, in cooperation with the municipalities of Flora, Madison, and Ridgeland, has developed a comprehensive update to the Madison County Solid



Waste Management Plan to address the changing needs of the county. Pursuant to Section 17-17-227 of the Mississippi Code Annotated, the Board of Supervisors adopted the Madison County Solid Waste Management Plan ("plan") and submitted the plan to the Department for review and consideration in June 2007.

3. After review and comment by the Department, the County submitted its revised, final version of the Madison County Solid Waste Management Plan in June 2008.
4. Based on the Department's review of the completed plan and the evidence and recommendations presented to the Commission, the Commission hereby *conditionally* approves the Madison County Solid Waste Management Plan. The approval of the plan continues the deferral of the moratorium imposed by Section 17-17-59 of the Mississippi Code Annotated.
5. The Commission finds that the plan as conditionally approved in paragraph 4 of this Order contains the following major components:
  - (A) The County and the Municipalities shall continue to utilize contractual services for the collection and

transportation of municipal solid waste to landfills in the region. The plan indicates that all residential waste generated within the unincorporated areas of the Madison County and by the City of Flora will be disposed at the Little Dixie Landfill operated by Allied Waste located in the southern portion of the county on North County Line Road. The Cities of Madison and Ridgeland currently utilize other contractual services which transport municipal wastes from these cities to a landfill located out of the county. The plan also currently recognizes the North County Line Road Landfill owned by the Bilberry Limited Family Partnership, LLC, subject to the results of pending litigation. Though not a part of this solid waste plan, the City of Canton also operates a municipal landfill located within the county which may be utilized by county residents and businesses for waste disposal.

On or before June 30, 2009, the County will begin to evaluate opportunities to form a regional solid waste management authority or district to promote and facilitate regional solid waste collection. The County will notify the MDEQ of the status and results of this evaluation by September 30, 2009.

(B) The County and Municipalities shall continue to primarily utilize contractual services for the collection and transport of rubbish wastes from households within the county in accordance with the residential waste disposal contracts referenced above. Madison County and the City of Madison will continue to also provide supplemental curbside collection services for yard wastes and other bulky wastes. Available rubbish disposal sites located within the County include:

- 1) Madison South Class I Rubbish Site owned and operated by Dwayne Ballard and located on North County Line Road.
- 2) The City of Canton Class I Rubbish Site owned and operated by the City of Canton and located on Soldier Colony Road. This facility is not part of this solid waste plan but is located within the county and is available for use by county residents and businesses.

The plan also proposes the inclusion of a new class I rubbish site and rubbish processing and composting site known as the CP Farms Landfill to be owned and operated



by CP Farms, LLC and located on North County Line Road; however this facility is not currently approved in the plan pending additional actions by the County in accordance with Parts 6 and 7 of this Order.

(C) On or before June 30, 2009, the County will begin to evaluate the implementation of a revised process for considering requests for new and expanded solid waste management facilities. The County will notify the MDEQ of the status and results of this evaluation by September 30, 2009.

(D) The County shall continue to provide a waste tire collection program and white goods management program as described in the plan. Public advertisement of the availability of these programs shall be continued and evaluated annually. The three drop-off collection sites for both waste tires and white goods are located as follows:

- 1) County Barn Site - 3137 South Liberty Street, Canton
- 2) Camden Site - 2063 Loring Road, Camden
- 3) Flora Site - 292 Kearney Park Road, Flora

(E) The City of Madison and the City of Ridgeland shall continue offering yearly household hazardous waste collection events. Madison County shall develop a household hazardous waste and electronic waste management program which shall include:

- 1) An update of the Madison County website to include information regarding household hazardous waste and electronic waste management shall be completed by June 30, 2009.
- 2) An evaluation of a household hazardous waste collection program and electronic waste collection program for local residents. As a part of this evaluation, the County and the Municipalities shall consider the development of a cooperative countywide collection program. Alternatives for such a program may include participation in periodic amnesty days (which may be sponsored by the county with grant assistance or through cooperation with adjacent counties or other local programs), the establishment of a permanent collection site within the county, or other similar programs. This evaluation shall be completed by December 31, 2010.
- 3) The routine evaluation of the implementation of such programs, including identification of funding support

opportunities, to be conducted at least every two years beginning December 31, 2010.

(F) Madison County and the Municipalities shall develop an illegal dumping prevention program. The program will include the following:

- 1) A public outreach effort to educate citizens and reduce illegal dumping activities which will begin by June 30, 2009,
- 2) An evaluation of the need to develop standardized solid waste ordinances for the County and Municipalities which will begin on or before December 31, 2009. The results of this evaluation will be reported to MDEQ by March 31, 2010.
- 3) An evaluation of the need for designating a solid waste enforcement officer and utilizing MDEQ grant funds to off-set the funding costs which shall be completed by December 31, 2009, and
- 4) The routine evaluation of the need for new or expanded illegal dumping prevention programs which will be conducted at least every two years beginning December 31, 2010.



(G) The County and the Cities of Madison and Ridgeland shall continue to offer curbside recycling for certain components of household garbage through contractual waste collection services. The County, in cooperation with the Municipalities shall develop an adequate local strategy to achieve the 25% waste reduction goal and report the program strategy to MDEQ by December 31, 2010. Such a program may include:

1. The development of a recycling and waste reduction policy for all county departments advocating minimization and recycling initiatives (such as buying recycled products and performing recycling audits of programs);
2. The establishment of a County Recycling and Waste Reduction Coordinator to promote and develop public education programs and waste reduction efforts with documented goals and objectives;
3. The Development of a recycling program for commercial businesses and industries for recycling of paper, glass, plastic, aluminum, and steel;
4. The development or encouragement of private companies to develop yard waste composting or mulching sites;

5. The development or encouragement of private companies to develop construction and demolition debris composting and processing sites.

(H) Beginning in June 2009, the County, in cooperation with the Municipalities, shall annually conduct a review of the plan and where necessary shall update or modify the plan. The annual review shall include an assessment of the need for additional solid waste disposal capacity and the adequacy of existing programs and services. The MDEQ shall be notified of the results of this annual review when the review results in changes or a formal amendment of the plan.

6. The Commission further finds that the proposed plan is deficient in that the inclusion of the proposed CP Farms, Inc. rubbish and composting site does not adequately address the requirements in state law. The CP Farms site proposes to dispose of rubbish wastes as well as segregate and process, recycle or compost certain rubbish wastes. The site is proposed to be owned and operated by CP Farms, LLC and located in Section 19, Township 7 North, Range 1 East of Madison County at the southeast corner of North County Line

Road and Greens Crossing Road. The 61 acre site is proposed to consist of approximately 45 acres designated for rubbish disposal area and 15 acres designated for composting area. A service area of Madison, Hinds, Rankin, Copiah, Yazoo, Leake, Holmes, Warren, Scott, and Attala counties has been proposed for the facility in the plan. In order to receive additional consideration for the proposed site, the County must address the deficiencies identified in Attachment A of this Order. Upon addressing these issues, should the Department find that the County's process for approving the CP Farms site in the plan is deficient, then the County may be asked to re-initiate the process to modify the plan to properly notice and further consider this facility for inclusion in the approved plan.

7. In order to receive further consideration for the part of the plan that proposes the new rubbish site, the County must provide a written response to the deficiencies described in Attachment A of this Order within 120 days of the issuance date. Upon receipt of the County's response, the Commission on Environmental Quality shall reconsider that portion of the plan which proposes the new rubbish site for approval or disapproval. Should the County withdraw its proposal for the new rubbish site or otherwise fail to provide a written



correction of the deficiencies to the Department within 120 days, the portion of the plan proposing the rubbish site shall not be approved

8. The Commission expressly reserves the right and authority to modify this order to conform with any grants of authority subsequently made by federal legislation or as a result of federal judicial review. This reservation of rights specifically includes, but is not limited to, any right or authority of the State of Mississippi to regulate or restrict out-of-state solid wastes brought into the State of Mississippi for any purpose. The Commission specifically reserves the right and authority to modify or amend this order to include additional restrictions on any matter relating to out-of-state wastes, including transportation of, importation of, disposal of and handling of solid wastes, within the jurisdiction of the State of Mississippi, so long as the modifications or amendments comply with federal laws, regulations and judicial interpretations. This reservation of rights also includes, but is not limited to, the fees allowed for solid wastes imported into the State of Mississippi.

8. This decision will become final unless, pursuant to Mississippi Code Annotated Section 49-17-41 (Rev. 1999), an

interested party files a sworn petition with the Commission within 30 days from the date of this Order requesting an evidentiary hearing before the Commission or its hearing officer. If an evidentiary hearing is requested and held, the Commission shall finalize its decision in this matter by issuing a subsequent Order after full consideration of the matters raised during the evidentiary hearing.

SO ORDERED, this the 23 day of January, 2009.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

BY:



TRUDY FISHER  
EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT OF  
ENVIRONMENTAL QUALITY

**ATTACHMENT A**  
**Commission Order No. 552509**

Additional Information Required for Consideration of the Proposed  
CP Farms, LLC Rubbish and Composting Site

- A. Although the site is referenced in several sections of the new plan, the Rubbish Management Systems and Programs section of the plan does not include a complete, detailed facility description for the proposed rubbish site. The following information should be submitted as modified/revised pages of the plan for replacement in the final version of the approved plan:
1. the type of facility;
  2. the type of waste(s) proposed to be managed;
  3. the name of the owner and operator of the facility;
  4. the proposed size of the facility including proposed disposal area and total property area;
  5. the proposed location of the facility including Section, Township, and Range;
  6. the physical address of the facility;
  7. a description of the specific service area from which the waste proposed for acceptance at the facility will be generated. The approved service area should generally be defined by the cities, counties, or states from which the waste may originate or by some specified radius (in miles) from the facility boundary or another selected boundary; and
  8. the demonstration of need as developed and approved by the County per Part B below.

Additionally, the Comprehensive Inventory of Local Solid Waste Management Facilities should be modified to include this facility information.

- B. The demonstration of need included with the submitted plan does not appear to adequately address the requirement that the County must verify that the proposed facility meets needs identified in the approved local nonhazardous solid waste management plan which shall take into account **quantities of municipal solid waste generated and the design capacities of existing facilities**. The demonstration of need should be revised to include the estimated waste generation rates within the proposed service area. These waste generation rates should then be compared to the existing capacity of the disposal facilities located within the proposed service area. The regulations also require that the demonstration of need language be added to the appropriate pages of the plan, generally as part of the facility description mentioned above.

Additionally, although it appears that the proposed property for locating the rubbish site was rezoned to allow for the proposed siting of a rubbish site, no official documents certifying such actions were provided. Please provide copies of the final resolution(s) approving the zoning modification request as issued by the Zoning Board and/or the County Board.

- C. It appears that in addition to the original public hearing for this proposed facility held June 25, 2007, the County held several other hearings while considering the zoning/land use of the property. Please provide a detailed timeline of all of the public participation and public hearing

events and copies of the associated public notices, dates, and official transcripts of each hearing. If official transcripts are not available, the County should at minimum provide a written summary describing the comments received from the general public during these hearings and should describe how the County addressed these comments.

Should MDEQ find that the public participation process for the CP Farms site is deficient, the County may be asked to re-initiate the public participation process to properly notice the public and further consider the matter.