

# BUTLER | SNOW

June 9, 2020

*Via Electronic Mail*

Mr. Shelton Vance  
Madison County Administrator  
125 West North Street  
P. O. Box 608  
Canton, MS 39046

Dear Mr. Vance,

As you know, our law firm represents NCL Waste, LLC in its efforts to obtain from the Mississippi Department of Environmental Quality the environmental permits required to operate a municipal solid waste landfill on property located in Madison County. On January 14, 2020, the Mississippi Environmental Quality Permit Board voted to table its consideration of the relevant environmental permits until the Madison County Board of Supervisors submits "an updated needs assessment" to MDEQ. This determination of need is within the scope of work currently being performed by Madison County's solid waste management plan contractor, Headwaters, Inc.

As you may also know, Section 2.2 of the Host Fee Agreement between Madison County and NCL Waste (a copy of which is attached) requires Madison County to assist and cooperate with NCL Waste in its efforts to obtain the relevant environmental permits. In addition, Section 9.2 states that Madison County will "commit(s) its full support and cooperation to promote the expeditious approval of such goals, including, but not limited to written and verbal communications including such ordinances and other official documentary support and approvals to the State necessary to achieve such goals."

Accordingly, NCL Waste respectfully requests that Madison County direct its contractor to prepare the updated needs assessment, including a determination of need for the proposed landfill, and deliver this report to the Board of Supervisors as soon as practicable. NCL Waste will reimburse Madison County for any costs it incurs as a result of the preparation and submittal of this report. Please place this matter on the agenda for the Board's scheduled meeting on June 15, 2020. I plan to attend the meeting and will be prepared to answer any questions the Board may have in this matter. Should you have any questions between now and then, please do not hesitate to call me.

Sincerely,



John A. Brunini

cc: Gerald Steen, Board President  
Mike Espy, Board Attorney  
53307221.v1

*Post Office Box 6010  
Ridgeland, MS 39158-6010*

**JOHN A. BRUNINI**  
601-985-4447  
John.Brunini@butlersnow.com

*Suite 1400  
1020 Highland Colony Park  
Ridgeland, Mississippi 39157*