



State of Mississippi

TATE REEVES
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

April 7, 2023

Honorable Chokwe Antar Lumumba, Mayor
City of Jackson
219 President Street
Jackson, MS 39205

Re: Notice of Violation
Failure to provide for adequate garbage collection services
City of Jackson

Dear Mayor Lumumba,

As you are aware, Miss. Code Ann. §17-17-5 requires that each municipal governing body in the State of Mississippi provide for the collection and disposal of residential garbage. Such collection may be by house-to-house services (curbside) or by the placement of regularly serviced waste receptacles within reasonable distance from the farthest effected household. On March 31, 2023, the City of Jackson's contract with a third-party, curbside collection service provider expired and City of Jackson (City) ceased curbside garbage collection and disposal services on or about Saturday, April 1, 2023. As you know, the provision of timely and consistent garbage collection for City residents is a critical service and directly impacts public health, safety, and environmental protection.

Subsequent to the suspension of its curbside collection service, the City provided a "Solid Waste Collection Action Plan" dated April 5, 2023, to the Mississippi Department of Environmental Quality (MDEQ) and established temporary waste drop-off locations at the former Metrocenter Mall and the City's Class I Rubbish Site located in Byram. MDEQ's understanding is that this temporary drop-off collection service will be provided Thursday-Friday (8:00 a.m. – 2:00 p.m.) at Metrocenter Mall and Saturday (8:00 a.m. – 3:00 p.m.) at the rubbish site each week until an alternate method of waste collection is re-established by the City. Thursday, April 6, 2023, was the first day of temporary drop-off collection.

Based on the limited number of drop-off locations and the distance of the drop-off locations from affected City residents, MDEQ considers the current Solid Waste Collection Action Plan inadequate for the collection and disposal of garbage from city residents. Furthermore, on Friday, April 7, 2023, MDEQ personnel conducted visual observations of neighborhoods within all seven wards of the City of Jackson. These observations revealed that garbage and other solid waste has been dumped, stored, stockpiled, and otherwise placed curbside and in streets by residents of the

OFFICE OF POLLUTION CONTROL

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City. These conditions are a result of the lack of adequate collection and disposal services being provided by the City.

Based on these conditions and observations, the City has failed to provide for the collection and disposal of garbage within its jurisdiction and is in violation of Miss. Code Ann. §17-17-5. Additionally, due to garbage and other solid waste observed dumped, stored, stockpiled and/or placed on curbsides and streets throughout the city, the City has caused wastes to be placed in locations where they are likely to cause pollution of the air and waters of the state in violation of Miss. Code Ann. §49-17-29.

Furthermore, the existing and draft City of Jackson Solid Waste Management Plan states that residential garbage collection shall be provided through a third-party waste collection contract. Failure to materially implement this condition of the local nonhazardous solid waste management plan is considered as violation of Miss. Code Ann. §17-17-227.

Therefore, MDEQ requests that the City take all reasonable and prudent actions to reestablish curbside solid waste collection as stipulated by the City's Solid Waste Management Plan and provide for adequate garbage collection as required by State law. In the interim, MDEQ insists that the City immediately submit a revised "Solid Waste Collection Action Plan" which proposes adequate, temporary solid waste collection services to City residents as required by Miss. Code Ann. § 17-17-5. Such collection services could be located in each Ward or on a geographical basis that would provide waste collection receptacles within "a reasonable distance" from every household in Jackson.

Please be aware that the violations listed above and the continued failure to provide adequate waste collection services to the residents of Jackson are subject to the provisions of Miss. Code Ann. §§ 17-17-29 and 49-17-43 and thus a civil penalty of up to \$25,000.00 for each violation per day of violation.

MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

Sincerely,



Chris Wells
Executive Director

cc: Mr. Ashby Foote, Ward 1
Ms. Angelique C. Lee, Ward 2
Mr. Kenneth I. Stokes, Ward 3
Mr. Brian C. Grizzell, Ward 4
Mr. Vernon W. Hartley, Sr., Ward 5
Mr. Aaron Banks, Ward 6
Ms. Virgi Lindsay, Ward 7
Ms. Torri Martin, City Attorney