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Oil Spill/Water Enforcement: Mississippi Commission on Environmental Quality and Vicksburg, Mississippi River Barge Operator Enter into Agreed Order

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The Mississippi Commission on Environmental Quality (“MCEQ”) and Magnolia Marine Transport (“MMT”) entered into a November 1st Agreed Order (“AO”) addressing alleged violation of a provision of the Mississippi Code addressing pollution of waters of the state. See Order No. 6810 17.

The AO provides that MMT is the owner/operator of a river barge.

The Mississippi Department of Environmental Quality (“MDEQ”) is stated to have received a report that approximately 500 barrels were released into the Yazoo River in Warren County, Mississippi. The release allegedly occurred from a river barge owned and operated by MMT that was in the process of offloading.

The AO provides that MDEQ representatives at the scene determined that the actual amount of the release was estimated to be closer to 5 barrels. The incident was reported by MMT to the National Response Center and the company assumed associated cleanup costs.

MDEQ’s On Scene Coordinator oversaw cleanup operations. Cleanup operations are described as occurring from July 5th through July 7th. It is further stated that the release impacted soil on the levees and in the water of the Yazoo River.

The AO alleges that MMT violated:

Mississippi Code § 49-17-29(2)(a): Except as in compliance with paragraph (b) of this subsection, it is unlawful for any person to cause pollution of any waters of the state or to place or cause to be placed any wastes in a location where they are likely to cause pollution of any waters of the state.

The basis for the alleged violation is stated to be MMT’s experiencing a crude oil release event that discharged in excess of 5 barrels of crude oil and impacted waters of the state as a result of the discharge.

The AO assesses a civil penalty of \$8,000.

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