

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO.

6768 17

CITY OF WESSON
PO BOX 297
WESSON, MISSISSIPPI 39191

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 the City of Wesson, Respondent, in the above captioned cause and agree as follows:

1.

Respondent owns and operates Wesson POTW, located in Copiah County and subject to NPDES Permit Number MS0023779. By letters dated July 11, 2016 and September 15, 2016, Respondent was contacted by Complainant and notified of the following violations:

- A. The effluent total ammonia nitrogen limitations were exceeded during the first and second quarters of 2016.

The fecal coliform, total suspended solids, suspended solids percent removal and BOD 5-day limitations were also exceeded during the first and second quarters of 2016 but did not meet the criteria for significant non-compliance. The Respondent submitted documentation by letter dated May 17, 2017 reporting corrective actions taken to address the violations and submitted documentation demonstrating compliance with the total ammonia nitrogen, fecal coliform, BOD 5-day and total suspended solids effluent limitations.

2.

In lieu of a formal enforcement hearing concerning the violations 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 \$2,812.50. 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: Jennifer Parish

P.O. Box 2339

Jackson, MS 39225

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 12th day of July, 2017.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 26 day of June, 2017.

CITY OF WESSON

BY: Mandy Cain

TITLE: City Clerk

STATE OF Mississippi

COUNTY OF Copiah

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Mandy Cain who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the City Clerk of the City of Wesson and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 26 day of June, 2017.

Angela M. Hester
NOTARY PUBLIC
STATE OF MISSISSIPPI
ID # 120488
ANGELA M. HESTER
Commission Expires
June 11, 2021
COPIAH COUNTY

My Commission expires: June 11, 2021