

MS4/Stormwater Enforcement: Mississippi Commission on Environmental Quality and City of Richland Enter into Agreed Order



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07/16/2021

The Mississippi Commission on Environmental Quality (“MCEQ”) and City of Richland, Mississippi, (“Richland”) entered into a May 28th Agreed Order (“AO”) addressing alleged violations of a Small Municipal Separate Storm Sewer System (“MS4”) Stormwater General NPDES Permit (“MS4 Permit”). See Order No. 7126 21.

The City of Richland is stated to discharge water under Mississippi’s MS4 Permit.

The City obtained coverage pursuant to such permit.

An EPA-lead joint inspection with Mississippi Department of Environmental Quality staff was stated to have been conducted on July 31, 2019.

MCEQ is stated to have subsequently contacted Richland on January 2, 2020, and notified it of the following alleged violations discovered during the inspection:

- Violation of Act 5, Condition S-2 SWMP Developmental and Submittal
- Violation of Act 7, Condition S-2 Annual Reports
- Violation of Act 7, Condition S-3 Annual Reports
- Violation of Act 7, Condition S-4 Annual Reports
- Violation of Act 5, Condition S-4 Public Education and Outreach on Stormwater Impacts
- Violation of Act 5, Condition S-5 Public Education and Outreach on Stormwater Impacts
- Violation of Act 5, Condition S-9 Illicit Discharge Detection and Elimination
- Violation of Act 5, Condition S-10 Illicit Discharge Detection and Elimination
- Violation of Act 5, Condition S-11 Illicit Discharge Detection and Elimination
- Violation of Act 5, Condition S-12 Illicit Discharge Detection and Elimination
- Violation of Act 5, Condition S-14 Construction Site Stormwater Runoff Control
- Violation of Act 5, Condition S-15 Construction Site Stormwater Runoff Control
- Violation of Act 5, Condition S-16 Construction Site Stormwater Runoff Control
- Violation of Act 5, Condition S-17 Construction Site Stormwater Runoff Control
- Violation of Act 5, Condition S-20 Post-Construction Stormwater Management and New Development and Redevelopment
- Violation of Act 5, Condition S-21 Post-Construction Stormwater Management and New Development and Redevelopment

Richland is stated to have by letter dated March 19th asserted a revised Stormwater Management Plan which was submitted to MCEQ. The revised Stormwater Management Plan includes a rationale for each best management practice and measurable goal selected. The revised Stormwater Management Plan is stated to be currently implemented, with only a few exceptions, and is expected to be fully implemented by the end of 2021.

Richland does not admit any of the listed violations and nothing contained in the AO is stated to be construed as an admission of liability.

The AO assesses a civil penalty of \$65,490. However, \$63,990 is not required to be paid pending Richland's compliance with the requirements set forth in Paragraph 3.B. of the AO.

Further, Richland is required to submit documentation to the Mississippi Department of Environmental Quality on or before January 28, 2022, demonstrating that the Stormwater Management Plan has been fully implemented.

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