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Stormwater /Clean Water Act Enforcement: Mississippi Commission on Environmental Quality and Excavation Company Enter into Agreed Order

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The Mississippi Commission on Environmental Quality (“MCEQ”) and M and N Excavators, Inc. (“M and N”) entered into a September 4th Agreed Order (“AO”) addressing alleged violations of certain stormwater pollution prevention requirements. See Order No. 6887 18.

The AO provides that MCEQ undertook a Compliance Evaluation Inspection (“CEI”) on February 5, 2018, at the Lafayette County Board of Supervisors, Sisk Avenue Extended project site.

The alleged M and N violations are stated to include:

1. Violation of ACT6 Condition S-1 (1): Failure to implement the Storm Water Pollution Prevention Plan
2. Violation of ACT6 Condition S-2 (9): Failure to install additional erosion controls when existing controls prove to be ineffective
3. Violation of ACT6 Condition S-3 (11): Failure to maintain erosion and sediment controls

M and N is stated to have provided responses to MCEQ dated March 8th and July 27th stating it had taken corrective action by:

- Implementing the Storm Water Pollution Prevention Plan
- Installing and maintaining the erosion and sediment controls

The AO assesses a civil penalty of \$15,250.

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