

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

7234 23

VS.

ORDER NO. _____

CITY OF BOONEVILLE
203 NORTH MAIN STREET
BOONEVILLE, MISSISSIPPI 38829

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 Booneville, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated September 22, 2022, Respondent was contacted by Complainant and notified of the following violation:

- A. Condition No. S-8 of NPDES Permit No. MS0042030: Respondent failed to submit an application for the renewal of the permit (renewal application) to the Mississippi Environmental Quality Permit Board (Permit Board) at least 180 days prior to the expiration date of the permit. The permit expired on November 30, 2022; therefore, a renewal application was due on June 3, 2022.

2.

On or about November 23, 2022, Respondent submitted a renewal application to the Permit Board. MDEQ determined the application to be complete on November 30, 2022.

3.

In lieu of a formal enforcement hearing concerning the violation listed above in Section 1, Complainant and Respondent agree to settle this matter as follows:

- A. Respondent agrees to comply with the terms and conditions of NPDES Permit No. MS0042030 that was issued on December 28, 2017, until such time as the Permit Board acts on the renewal application received on November 23, 2022.

4.

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.

5.

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.

6.

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 6th day of February, 2023.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

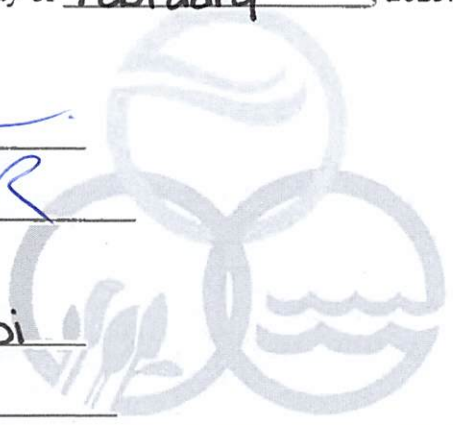
BY: [Signature]
CHRIS WELLS
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 1st day of February, 2023.

CITY OF BOONEVILLE
BY: [Signature]

TITLE: Mayor

STATE OF Mississippi
COUNTY OF Prentiss



MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

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

SWORN AND SUBSCRIBED BEFORE ME, this the 1st day of February, 2023.

Sharon Williams
NOTARY PUBLIC

My Commission expires: 1-21-2027

