

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

6743 17

VS.

ORDER NO. _____

CONTACT NETWORK LLC, dba INLINE
405 LEGACY PARK
RIDGELAND, MS 39157

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 Contact Network LLC, dba Inline, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated January 24, 2017, Respondent was contacted by Complainant and notified of the following violations that occurred near MS-43, Picayune, Mississippi in Pearl River County:

- A. 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 responsible party placed a drilling fluid, Bore-gel, on the ground of private property where impacts to waters of the state were likely.*
- B. Mississippi Code § 17-17-17: The formation of unauthorized dumps is hereby declared to be a public nuisance per se, menacing public health and unlawful, and any person who forms an unauthorized dump shall be punished as provided in

section 17-17-29 of this chapter. *The responsible party created an unauthorized dump by placing a drilling fluid, Bore-gel, on the ground of private property in an effort to constitute disposal.*

Respondent has completed expectations of cleanup endpoints as identified by the State On-Scene coordinator for this response. Additionally, Respondent has taken measures to ensure personnel are well trained on proper disposal methods.

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 \$10,000. 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 30th day of MARCH, 2017.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 28th day of March, 2017.

CONTACT NETWORK LLC, dba INLINE

BY: [Signature]

TITLE: Director of Construction

STATE OF MS

COUNTY OF Madison

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Kevin McCoy who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Dir of. Construction of Contact Network LLC, dba Inline and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 28 day of March, 2017.

[Signature]
NOTARY PUBLIC

My Commission expires: 8-8-19

