



STATE OF MISSISSIPPI
PHIL BRYANT
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
GARY C. RIKARD, EXECUTIVE DIRECTOR

July 14, 2015

CERTIFIED MAIL 7010 1870 0003 4948 0130

Mr. Jimmy Warren
Tri County Ready Mix Inc., Mendenhall Plant
PO Box 148
Stringer, MS 39481

**Re: Tri County Ready Mix Inc, Mendenhall Plant
Agreed Order No. 6549 15**

Mr. Jimmy Warren:

Enclosed you will find a copy of Agreed Order No. 6549 15, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Gary Rikard, on behalf of the Mississippi Commission on Environmental Quality.

The enclosed Order assesses a civil penalty. The penalty payment, when due, should be made by check payable to the Mississippi Department of Environmental Quality and returned in the enclosed, self-addressed envelope to the MDEQ Fees Division at P.O. Box 2339, Jackson, MS 39225.

If you have any questions regarding your obligations under the enclosed order, please contact Danny Beasley at (601) 961-5356.

Sincerely,

Renee Odum
for

Chris Sanders, P.E.
Chief, Environmental Compliance and Enforcement Division

Enclosure
cc: Danny Beasley

Agency Interest No. 56444
ENF20150002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6549 15

JIMMY WARREN
TRI COUNTY READY MIX, INC.
P.O. BOX 148
STRINGER, MISSISSIPPI 39481

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 Jimmy Warren-Tri County Ready Mix, Inc., Respondent, in the above captioned cause and agree as follows:

1.

By letter dated April 21, 2015, Respondent was contacted by Complainant and notified of the following violations of Mississippi's Ready Mix Concrete General Permit Certificate of Coverage No. MSG110296 discovered during a Compliance Evaluation Inspection conducted at its facility located at 3405 Highway 49, Mendenhall, Mississippi in Simpson County:

A. Violation of ACT 12 Section L-1:

There shall be no discharge, or runoff from the site, of untreated process wastewater.

Wastewater discharges shall be free from:

1. *Debris, oil, scum, and other floating materials other than in trace amount*
2. *Eroded soils and other materials that will settle to form objectionable*

deposits in receiving waters

B. Violation of ACT 12 Section L-2 Condition (2):

(2) Sampling shall be conducted quarterly for the above parameters at the nearest accessible point after final treatment but prior to entering or mixing with the receiving stream. The location of sampling point(s) shall be noted on the site drawing prescribed in ACT 4 of this permit and described by latitude and longitude coordinates.

C. Violation of ACT 13 Section T-4 Condition (6)(B), (6)(G)(i) & (6)(I):

(6) The coverage recipient shall prepare a detailed scaled site map showing the property layout with site boundaries and indicating the following features:

(B) Drainage area of each storm water outfall identified by number

(G)(i) Fuel storage and dispensing locations.

(I) Storm water conveyances (ditches, pipes, & swales)

D. Violation of ACT 13 Section T-7 Condition (7):

(7) Employee Training. The SWPPP shall specify periodic training for personnel that are responsible for implementing and/or complying with the requirements of the SWPPP (see ACT 23).

E. Violation of ACT 14 Section S-1 Condition (4):

(4) Amend the SWPPP whenever there is a change in design, construction, operation, or maintenance, which may increase the discharge of pollutants to waters of the state or the SWPPP proves ineffective in controlling storm water pollutants. The coverage recipient shall submit it to the MDEQ within 30 days of amendment.

At an Administrative Conference held June, 15, 2015, Respondent provided information demonstrating that corrective actions to address these violations were taken at the facility. A review of the information provided determined that the corrective actions taken were sufficient to return the facility to compliance with Mississippi's Ready Mix Concrete General Permit conditions.

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 \$5,000. 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 13th day of June, 2015.

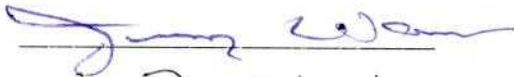
MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 2nd day of July, 2015.

JIMMY WARREN
TRI COUNTY READY MIX, INC.



TITLE: President

STATE OF MS

COUNTY OF Jasper

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Jimmy Warren who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the President of Tri County Ready Mix, Inc. and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 2nd day of July, 2015.


NOTARY PUBLIC

My Commission expires: 01-12-2017

