



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

August 3, 2015

CERTIFIED MAIL 7010 1870 0003 4948 1885

Mr. John Farrish
RockCo Mining LLC, Eureka Springs Mine
16308 Highway 15
Sardis, MS 38666

**Re: RockCo Mining LLC, Eureka Springs Mine
Agreed Order No. 6562 15**

Dear Mr. Farrish:

Enclosed you will find a copy of Agreed Order No. 6562 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 Ethan Mayeu at (601) 961-5613.

Sincerely,

A handwritten signature in blue ink that reads "Chris Sanders".

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

Enclosure
cc: Ethan Mayeu

Agency Interest No. 63481
ENF20150002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6562 15

ROCKCO MINING LLC
16308 HIGHWAY 315
SARDIS, MISSISSIPPI 38666

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 RockCo Mining LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated February 13, 2015, Respondent was contacted by Complainant and notified of the following violations at its facility located on Eureka Road, Batesville, Mississippi in Panola County:

- A. Failure to implement the Storm Water Pollution Prevention Plan in violation of ACT6, Condition S-1 of Mining Storm Water, Dewatering, and No Discharge General Permit No. MSR32-2282 (the "Permit"); and
- B. Failure to install additional and/or alternative erosion and sediment controls when existing controls prove to be ineffective in preventing sediment from leaving the site in violation of ACT 6, Condition S-2 (7) of the Permit.


Based on an inspection conducted by MDEQ on April 15, 2015, Respondent has corrected the violations.

2.

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

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. 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 31st day of July, 2015.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY



AGREED, this the 22 day of July, 2015.

ROCKCO MINING LLC

BY: Michael R. Havens

TITLE: owner

STATE OF Mississippi

COUNTY OF Panola

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Michael R. Havens who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the OWNER of RockCo Mining LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 23 day of July, 2015.

Michelle A. Sneed
NOTARY PUBLIC

My Commission expires: March 28, 2018





MISSISSIPPI STATE BAR ASSOCIATION
MEMBER