



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

November 23, 2015

CERTIFIED MAIL 7010 1870 0003 4946 9708

Mr. Nathan Brown  
South Mississippi Electric Power Association, Career Center  
PO Box 15849  
Hattiesburg, MS 39404-5849

**Re: South Mississippi Electric Power Association, Career Center  
Agreed Order No. 6597 15**

Dear Mr. Brown:

Enclosed you will find a copy of Agreed Order No. 6597 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 Odom*  
*for*

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

Enclosure  
cc: Danny Beasley

Agency Interest No. 68412  
ENF20150002

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

6597 15

VS.

ORDER NO. \_\_\_\_\_

SOUTH MISSISSIPPI ELECTRIC POWER ASSOCIATION  
PO BOX 15849  
HATTIESBURG, MISSISSIPPI 39404-5849

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 South Mississippi Electric Power Association, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated September 9, 2015, Respondent was contacted by Complainant and notified of the following violation at Respondent's Career Center construction project located at 139 Old Rawls Springs Road, Hattiesburg, Mississippi in Forrest County:

- A. Violation of MS Code Ann. 49-17-29 (2.b): Respondent failed to obtain coverage under Mississippi's Large Construction Storm Water General Permit before commencement of land disturbing activities.

On September 14, 2015, Large Construction Storm Water General Permit Certificate of

Coverage Number MSR107005 was issued to Respondent to discharge storm water associated with the construction of the South Mississippi Electric Power Association Career Center.

2.

In lieu of a formal enforcement hearing concerning the violation 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 \$10,500. 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 20<sup>th</sup> day of NOVEMBER, 2015.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

BY: 

GARY C. RIKARD  
EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT  
OF ENVIRONMENTAL QUALITY

AGREED, this the 9<sup>th</sup> day of November, 2015.

SOUTH MISSISSIPPI ELECTRIC POWER ASSOCIATION

BY: Nathan L. Brown

TITLE: Chief Operating Officer

STATE OF Mississippi

COUNTY OF Forrest

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Nathan L. Brown who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Chief Operating Officer of South Mississippi Electric Power Association and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 9<sup>th</sup> day of November, 2015.

Shannon Gilbert Corey  
NOTARY PUBLIC

My Commission expires: 12/13/16

