



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

April 12, 2016

CERTIFIED MAIL 7010 1870 0003 4948 4534

Mr. Robert King
Triangle Construction Co., Inc.
PO Box 2542
Madison, MS 39130

**Re: Meadowhill Subdivision
Agreed Order No. 6637 16**

Dear Mr. King:

Enclosed you will find a copy of Agreed Order No. 6637 16, 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,

A handwritten signature in blue ink, appearing to read "Chris Sanders".

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

Enclosure
cc: Danny Beasley

Agency Interest No. 67633
ENF20160001

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6637 16

TRIANGLE CONSTRUCTION CO., INC.
P.O. BOX 2542
MADISON, MS 39130

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 Triangle Construction Co., Inc., Respondent, in the above captioned cause and agree as follows:

1.

By letter dated January 20, 2016, Respondent was contacted by Complainant and notified of the following violation of Mississippi Large Construction Storm Water General Permit Certificate of Coverage MSR106883. The violation was discovered during a Compliance Evaluation Inspection (CEI) conducted at Respondent's Meadowhill Subdivision construction project located off of Nelson Road, Hazlehurst, Mississippi in Copiah County:

A. Violation of ACT6 S-1 (1): Failure to implement the SWPPP:

"The coverage recipient shall: (1) Implement the site specific SWPPP"

The CEI determined that Respondent failed to implement the following components of the project's SWPPP:

- (1) Structural Controls (SWPPP sections 3.1, 3.1.1, 3.1.2, 3.1.4 & 3.1.5)
- (2) Maintenance of Structural Controls. (SWPPP sections 7.1 & 7.1.1)
- (3) Inspections of the construction site. (SWPPP sections 7.2.1, 7.2.2 & 9.1)

At an Administrative Conference held March 1, 2016, Respondent provided information demonstrating that corrective actions to address the violation had been implemented at the project site. A review of the information provided determined that the corrective actions taken appeared to be sufficient to return the project site to compliance with Mississippi's Large Construction Storm Water General Permit conditions.

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 \$20,162. 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 8th day of APRIL, 2016.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

BY: Gary C. Rikard
GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 31st day of March, 2016.

TRIANGLE CONSTRUCTION CO., INC.

BY: R.C.K.

TITLE: President

STATE OF Mississippi

COUNTY OF Madison

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Robert C. King who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the President of Triangle Construction Co., Inc. and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 31 day of March, 2016.

Janice A. Saunders
NOTARY PUBLIC

My Commission expires: 3/31/19

