



STATE OF MISSISSIPPI
PHIL BRYANT
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
TRUDY D. FISHER, EXECUTIVE DIRECTOR

June 27, 2012

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Wade Gordon Shipp
Pine Ridge Mobile Home Park
15 A Lelia Drive
Florence, MS 39073

**Re: Pine Ridge Mobile Home Park
Agreed Order No. 6141 12**

Dear Mr. Shipp:

Enclosed you will find a copy of Agreed Order No. 6141 12, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Trudy Fisher, 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 Mandy Case at (601) 961-5149.

Sincerely,

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

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

Enclosure
cc: Mandy Case

Agency Interest No. 14229
ENF20110002

OFFICE OF POLLUTION CONTROL

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AN EQUAL OPPORTUNITY EMPLOYER

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO.

6 1 4 1 1 2

GORDON SHIPP
15 A LELIA DRIVE
FLORENCE, MISSISSIPPI 39073

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 Gordon Shipp, Respondent, in the above captioned cause and agree as follows:

1.

Respondent owns and operates a wastewater collection and treatment system at Pine Ridge Mobile Home Park in Rankin County, subject to NPDES Permit No. MS0050482. On October 7, 2010 and August 16, 2011, MDEQ staff conducted compliance evaluation inspections at Pine Ridge Mobile Home Park. Additionally, sampling was conducted by MDEQ staff on January 24, 2011. On February 9, 2011 and March 5, 2011, Respondent was contacted by Complainant and notified of the following violations:

- A. T-24 Proper Operation, Maintenance and Replacement: The permittee shall at all times properly operate, maintain, and when necessary, promptly replace all

facilities and systems of collection, treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. [WPC-1 Chapter One Section IV.A(18)].

There was overgrown vegetation surrounding the lagoon. Some vegetation had been removed, but much remained. The fence surrounding the lagoon was in need of repair. Subsequent inspections noted the vegetation had been removed.

- B. The total suspended solids limitation was exceeded on January 24, 2011.
- C. The effluent BOD parameter was exceeded on January 24, 2011.
- D. The effluent fecal limitation was exceeded during 2010, as reported on the annual discharge monitoring report, and on January 24, 2011.

Subsequent review of the discharge monitoring report from 2011 noted effluent violations of the BOD and fecal coliform effluent limitations.

2.

Respondent and Complainant met for an administrative conference on March 7, 2011. During the conference, it was noted that the discharge structure and chlorine contact chamber at the wastewater treatment facility were in need of repair.

3.

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 \$5,000.00. Respondent shall pay \$2,500 of this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Executive Director, or her designee. Respondent shall pay the remaining \$2,500 within ninety (90) days after this Agreed Order has been executed by the MDEQ Executive Director, or her designee. The penalty amount shall be submitted to the following address:

Mississippi Department of Environmental Quality
Attn: Mona Varner
P.O. Box 2339
Jackson, MS 39255

- B. On or before July 31, 2012, Respondent shall make repairs to the effluent discharge structure and submit written documentation of completion.
- C. On or before July 31, 2012, Respondent shall submit plans and specifications for a disinfection system at the wastewater treatment facility.
- D. On or before October 31, 2012, Respondent shall complete the installation of the disinfection system, begin disinfection to the effluent discharge, and submit written documentation of completion.
- E. If Respondent fails to abide by any requirement established in 2.B. – D., then Respondent shall pay a stipulated penalty of \$1,000. Additionally, Respondent shall pay \$100 per day of the violation of the relevant deadline. This stipulated penalty will be due within thirty (30) days of notification by MDEQ that a stipulated penalty is owed.

4.

Notwithstanding the provision by this Agreed Order for stipulated penalties to accrue in certain circumstances, the Commission reserves the right to conduct a separate enforcement action concerning any violation by Respondent of this Agreed Order or of the laws or regulations within the jurisdiction of the Commission. If the Commission conducts a separate enforcement action concerning a violation for which stipulated penalties are provided in this Agreed Order, the Commission will be deemed to have waived the right to collect stipulated penalties in lieu of the right to conduct the separate enforcement action. In that separate enforcement action, the Commission may seek penalties, injunctive relief, or other appropriate relief different from or in the excess of the amount of stipulated penalties included in this Agreed Order, up to and including the statutory maximum penalty.

5.

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.

6.


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.

7.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Miss. Code Ann. Section 49-17-31 (Rev. 2003), and that it has made an informed waiver of that right.

ORDERED, this the 27 day of June, 2012.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 
TRUDY D. FISHER
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 25th day of June, 2012.

GORDON SHIPP

BY: [Signature]

TITLE: Managing Partner

STATE OF Mississippi

COUNTY OF Rankin

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Gordon Shipp who first being duly sworn, did state upon his oath and acknowledge to me that he is the Managing Partner of Pine Ridge Mobile Home Park and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 25th day of June, 2012.

[Signature]
NOTARY PUBLIC

My Commission expires:

