



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

September 4, 2018

CERTIFIED MAIL #7012 2920 0000 4177 0446

Mr. Bryan Blakeney
B and B Electrical and Utility Contractors Inc.
PO Box 5309
Brandon, MS 39047

**Re: B and B Electrical and Utility Contractors Inc.
Agreed Order No. 6882 18**

Dear Mr. Blakeney:

Enclosed you will find a copy of Agreed Order No. 6882 18, 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 Accounts Receivable at P.O. Box 2339, Jackson, MS 39225.

If you have any questions regarding your obligations under the enclosed order, please contact Matthew Evans at (601) 961-5129.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tim Aultman".

Tim Aultman, P.E.
Chief, Environmental Compliance and Enforcement Division

Enclosure
cc: Matthew Evans

Agency Interest No. 22235
ENF20180003

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6882 18

B AND B ELECTRICAL AND UTILITY CONTRACTORS, INC.
P.O. BOX 5309
BRANDON, MISSISSIPPI 39047

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 B and B Electrical and Utility Contractors, Inc., Respondent, in the above captioned cause and agree as follows:

1.

By letters dated January 31, 2018 and February 23, 2018, Respondent was contacted by Complainant and notified of the following violations of NPDES Permit No. MS0060038 at its facility located at 124 Baker Lane, Brandon, Mississippi in Rankin County:

- A. Violation of Permit No. MS0060038. Respondent exceeded the Total Suspended Solids (TSS) Annual Average and Annual Maximum milligram per liter (mg/L) effluent limitations in 2016 and 2017.
- B. Violation of Permit No. MS0060038. Respondent exceeded the Total Suspended Solids (TSS) Annual Average and Annual Maximum pounds per day (lbs/day) effluent limitations in 2016 and 2017.
- C. Violation of Permit No. MS0060038. Respondent exceeded the General Fecal Coliform Annual Average and Annual Maximum number of colonies per 100 milliliter effluent limitations in 2016 and 2017.

- D. Violation of Permit No. MS0060038. Respondent exceeded the Oil and Grease Annual Average and Annual Maximum milligram per liter (mg/L) effluent limitations in 2017.
- E. Violation of Permit No. MS0060038. Respondent exceeded the Oil and Grease Annual Average and Annual Maximum pounds per day (lbs/day) effluent limitations in 2017.
- F. Violation of Permit No. MS0060038. Respondent exceeded the Total Residual Chlorine Annual Maximum milligram per liter (mg/L) effluent limitation in 2016.

By letter dated May 23, 2018, and email dated June, 8, 2018, Respondent provided documentation of improvements made to their wastewater treatment system. These improvements include: multiple solids pump outs from both the aerated treatment unit (ATU) and the oil/water separator, replaced ATU aerator, installed new chlorinator, installed new piping to keep floating material out of oil water separator discharge, reconfigured ATU, performed a camera inspection of both the pressure and gravity lines, repaired/replaced gravity line, capped off old sewer line, added a 'tee' to ATU discharge, and adjusted the aerator run time.

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 \$9,375.00. 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: Accounts Receivable
P.O. Box 2339
Jackson, MS 39225

- B. Respondent shall comply with the following interim limits until December 31, 2018. All other permit limits and requirements of NPDES Permit No. MS0060038 remain

in effect.

a)	Biochemical Oxygen Demand Annual Average	2.6 lbs/day
b)	Biochemical Oxygen Demand Annual Maximum	2.6 lbs/day
c)	Biochemical Oxygen Demand Annual Average	250 mg/L
d)	Biochemical Oxygen Demand Annual Maximum	250 mg/L
e)	Total Suspended Solids Annual Average	2.4 lbs/day
f)	Total Suspended Solids Annual Maximum	2.4 lbs/day
g)	Total Suspended Solids Annual Average	230 mg/L
h)	Total Suspended Solids Annual Maximum	230 mg/L
i)	Oil and Grease Annual Average	1.0 lbs/day
j)	Oil and Grease Annual Maximum	1.0 lbs/day
k)	Oil and Grease Annual Average	100 mg/L
l)	Oil and Grease Annual Maximum	100 mg/L
m)	E coli Annual Average	Report Only
n)	E coli Annual Maximum	Report Only

During the period that the interim limits are applicable, Respondent agrees to pay to Complainant a stipulated penalty of \$500.00 for each violation of an interim limitation. The stipulated penalty will be payable to Complainant, due within forty-five (45) days of written notification by MDEQ that such payment became due.

- C. On or before December 31, 2018, Respondent shall submit analytical data demonstrating compliance with the effluent limits listed in MS0060038 issued on May 8, 2018, to the following:

Mississippi Department of Environmental Quality
Attn: Chief, Enforcement Branch
P.O. Box 2261
Jackson, MS 39225

- D. Respondent agrees to pay a stipulated penalty payable to Complainant, due within forty-five (45) days of written notification from MDEQ, in the amount of \$500.00 if

compliance is not met on or before the date specified in paragraph 2.C. Respondent agrees to pay an additional stipulated penalty in the amount of \$500.00 per month after the date specified in paragraph 2.C. until compliance is met.

3.

Notwithstanding the provision by this Agreed Order for stipulated penalties to accrue in certain circumstances, in the event Respondent fails, or refuses, to pay any stipulated penalty provided for this Agreed Order, 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 the 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.

4.

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.

5.

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.

6.

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 August, 2018.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

BY: [Signature]
GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 23rd day of August, 2018.

B AND B ELECTRICAL AND UTILITY CONTRACTORS, INC.

BY: [Signature]
TITLE: VP

STATE OF Mississippi
COUNTY OF Rankin

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named AUSTIN BLAKENEY who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the VICE PRESIDENT of B and B Electrical and Utility Contractors, Inc. and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 23 day of August, 2018.



[Signature]
NOTARY PUBLIC

My Commission expires: 6/14/2019