



STATE OF MISSISSIPPI  
TATE REEVES  
GOVERNOR  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHRIS WELLS, INTERIM EXECUTIVE DIRECTOR

October 6, 2020

CERTIFIED MAIL #7012 2920 0000 4177 1962

Mr. Jeff Bross  
Mark Twain Redi Mix, Southaven Plant  
PO Box 430  
Hannibal, MO 63401

**Re: Mark Twain Redi Mix, Southaven Plant  
Agreed Order No. 7075 20**

Dear Mr. Bross:

Enclosed you will find a copy of Agreed Order No. 7075 20, which has been executed by the Interim Executive Director of the Mississippi Department of Environmental Quality, Chris Wells, 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 Geoffrey Martin at (601) 961-5024.

Sincerely,

A handwritten signature in blue ink, reading "Michelle Clark".

Michelle Clark, P.E., BCEE, Chief  
Environmental Compliance and Enforcement Division

Enclosure  
cc: Geoffrey Martin

Agency Interest No. 77470  
ENF20200002

OFFICE OF POLLUTION CONTROL  
Post Office Box 2261 Jackson, Mississippi 39225-2261 · Tel: (601) 961-5171 · Fax: (601) 354-6612 · [www.mdeq.ms.gov](http://www.mdeq.ms.gov)  
AN EQUAL OPPORTUNITY EMPLOYER

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO.

**7075 20**

MARK TWAIN REDI-MIX  
PO BOX 430  
HANNIBAL, MISSOURI 63401

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 Mark Twain Redi-Mix, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated June 3, 2020, Respondent was contacted by Complainant and notified of the following violation at its facility located at 3446 Highway 51 North, Southaven, Mississippi in Desoto County:

- A. Miss. Code Ann. Section 49-17-29(2)(b), which states in part that "...it is unlawful for any person to carry on any of the following activities, unless that person holds a current permit for that activity from the Permit Board as may be required for the disposal of all wastes which are or may be discharged into the waters of the state...(iii) the construction, installation or operation of any industrial, commercial or other establishment, including irrigation projects or any extension or modification thereof or addition thereto, the operation of which would cause an increase in the discharge of wastes into the waters of the state...": Respondent failed to obtain coverage under the Ready Mix Concrete General Permit prior to commencing

construction activities and operation.

During an administrative conference on September 9, 2020, Respondent asserted that the Ready Mix Concrete operations at the site had ceased and all equipment had been removed.

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 \$11,250.00. 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

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 6<sup>th</sup> day of October, 2020.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

BY: [Signature]

CHRIS WELLS  
INTERIM EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT  
OF ENVIRONMENTAL QUALITY

AGREED, this the 29<sup>th</sup> day of SEPTEMBER, 2020.

MARK TWAIN REDI-MIX

BY: Jeff Brown

TITLE: PRESIDENT

STATE OF Missouri

COUNTY OF Marion

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Jeff Brown who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the President of Mark Twain Redi-Mix and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 29<sup>th</sup> day of September, 2020.

[Signature]  
NOTARY PUBLIC

My Commission expires: October 20, 2021

