



State of Mississippi

TATE REEVES
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

April 8, 2021

CERTIFIED MAIL #7019 1120 0000 4785 2720

Mr. Gene Stock
Gene Stock Construction
449 Wetherbee Street
Greenville, MS 38701

**Re: Gene Stock Construction, Vacant Land Project
Agreed Order No. 7106 21**

Dear Mr. Stock:

Enclosed you will find a copy of Agreed Order No. 7106 21, which has been executed by the 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 Charity Rockingham at (601) 961-5722.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michelle Clark".

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

Enclosure
cc: Charity Rockingham

Agency Interest No. 78405
ENF20200002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. **7106 21**

GENE STOCK CONSTRUCTION
449 WETHERBEE STREET
GREENVILLE, MISSISSIPPI 38701

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 Gene Stock Construction, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated December 4, 2020, Respondent was contacted by Complainant and notified of the following violation at its Vacant Land Project located at 15034 North Swan Road, Gulfport, Mississippi in Harrison County:

Violation of MS Code Ann. 49-17-29(2b): 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 Mississippi's Large Construction Storm Water General Permit before the commencement of construction activities at the site.

On November 30, 2020, MDEQ's Environmental Permits Division received a Large Construction Notice of Intent for coverage under the Large Construction General Permit for Gene Stock Construction, Vacant Land Project. The Notice of Intent is under review.

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 \$7,350.00. 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 8th day of April, 2021.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 
CHRIS WELLS
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 6 day of April, 2021.

GENE STOCK CONSTRUCTION

BY: Gene Stock

TITLE: owner

STATE OF Mississippi

COUNTY OF Washington

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

SWORN AND SUBSCRIBED BEFORE ME, this the 6th day of April, 2021.

Madison Bruton
NOTARY PUBLIC

My Commission expires: August 24, 2024

