



STATE OF MISSISSIPPI
HALEY BARBOUR
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
TRUDY D. FISHER, EXECUTIVE DIRECTOR

February 15, 2011

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Jason Chanslor
US Army COE, Vicksburg District, Highway 7 Boat Ramp
29049 Highway 315
Sardis, Mississippi 38666

**Re: US Army COE, Vicksburg District, Highway 7 Boat Ramp
Agreed Order No. 5902 11**

Dear Mr. Chanslor:

Enclosed you will find a copy of Agreed Order No. 5902 11, 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 Derick Milner at (601) 961-5247.

Sincerely,

A handwritten signature in blue ink that reads "Jerry W. Cain".

Jerry W. Cain, P.E., DEE
Director, Office of Pollution Control

Enclosure
cc: Derick Milner

Agency Interest No. 49918
ENF20110001

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 5902 11

AMERICAN CONTRACTOR AND TECHNOLOGY, INC
218 EAST GOVERNMENT STREET
PENSACOLA, FL 32502

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 American Contractor and Technology, Inc. , Respondent, in the above captioned cause and agree as follows:

1.

By letter dated November 3, 2010, Respondent was contacted by Complainant and notified of the following violations of the Large Construction General Storm Water Permit Certificate of Coverage Number MSR105658 at its facility located on Highway 7, Harmontown, Mississippi in Lafayette County (the "Site"):

- A. *Violation of Section S-1 Part (1) Failure to implement the Storm Water Pollution Prevention Plan (SWPPP). The SWPPP had not been implemented.*
- B. *Violation of Section S-1 Part (2) Failure to ensure that appropriate Best Management Practices (BMP's) are in place before commencement of construction. BMP's were not installed before construction activities began.*

The construction of the Hwy 7 Boat Ramp has been completed and the site has been stabilized with rip-rap rock, vegetation, and a concrete boat ramp.

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 \$7,000.00 for the matters addressed herein. Respondent shall pay this penalty to MDEQ within thirty (30) days after this Agreed Order has been executed by the MDEQ Executive Director.

The penalty payment shall be submitted to the following address:

Mississippi Department of Environmental Quality
Attention: Mona Varner
P.O. Box 2261
Jackson, MS 39255

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. Section 49-17-31 (Rev. 2003), and that it has made an informed waiver of that right.

ORDERED, this the 9 day of February, 2011.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

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

AGREED, this the 2 day of February, 2011.

AMERICAN CONTRACTOR AND TECHNOLOGY, INC.

BY: [Signature] Jason Chanslor

TITLE: President

STATE OF Florida

COUNTY OF Escambia

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named JASON CHANSLOR who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the PRESIDENT of American Contractor and Technology, Inc. and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 2nd day of FEBRUARY, 2011.



Nancy S. Neiger
NOTARY PUBLIC

My Commission expires: OCT. 14, 2013



STATE OF MISSISSIPPI
HALEY BARBOUR
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
TRUDY D. FISHER, EXECUTIVE DIRECTOR

January 31, 2011

FED EX 8731 7502 0560

Jason Chanslor
American Contractor and Technology, Inc.
218 East Government Street
Pensacola, FL 32502

Re: US Army COE, Vicksburg District, Highway 7 Boat Ramp
Harmontown, Lafayette County
GP-Construction Coverage No. MSR105658

Dear Mr. Chanslor:

Enclosed please find an Agreed Order that reflects our understanding of agreements reached to resolve certain environmental issues with your company.

If you concur with this Agreed Order, please sign the order before a Notary Public in the appropriate space and return the original water-marked order in the enclosed, self-addressed envelope to MDEQ Attn: Kim Smith, PO Box 2261 Jackson, MS 39225 by February 14, 2011.

If you have any questions, please contact me at (601) 961-5247.

Sincerely,

A handwritten signature in blue ink, appearing to read "Derick Milner".

Derick Milner, G.E.
Construction and Building Materials Branch
Environmental Compliance and Enforcement Division

Enclosure



Agency Interest No. 49918
ENF20110001

OFFICE OF POLLUTION CONTROL
POST OFFICE BOX 2261 • JACKSON, MISSISSIPPI 39225-2261 • TEL: (601) 961-5171 • FAX: (601) 354-6612 • www.deq.state.ms.us
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