



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

December 12, 2011

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Keith White  
Oxford Sand Company Inc  
107 Cedar Hill Drive  
Oxford, MS 38655

**Re: Oxford Sand Company Inc  
Agreed Order No. 6055 11**

Dear Mr. White:

Enclosed you will find a copy of Agreed Order No. 6055 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 Danny Beasley at (601) 961-5356.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Sanders".

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

Enclosure  
cc: Danny Beasley

Agency Interest No. 15002  
ENF20110002

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6055 11

OXFORD SAND COMPANY, INC.  
107 CEDAR HILL DRIVE  
OXFORD, MISSISSIPPI 38655

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 Oxford Sand Company, Inc., Respondent, in the above captioned cause and agree as follows:

1.

By letter dated June 27, 2011, Respondent was contacted by Complainant and notified of the following violations of Mississippi Ready Mix Concrete General Permit Certificate of Coverage MSG110167 discovered during a Compliance Evaluation Inspection (CEI) conducted by MDEQ staff on May 26, 2011 at Respondent's facility located at 585 Pontotoc County Industrial Park Rd, Ecu, Mississippi in Pontotoc County:

A. Violation of ACT 12 Section L-1, Condition (2) Process Water Limitation

Requirements:

A file review revealed that all quarterly Discharge Monitoring Reports (DMRs) submitted for the facility were marked "No Discharge". The inspection found that process water is mixed with storm water in two onsite interconnected ponds. On the

day of the CEI the second pond was discharging into a ditch which flows along the north facility boundary.

B. Violation of ACT 13 Section T-4, Good Housekeeping:

The May 26, 2011 CEI discovered that while the on-site fuel tanks were inside a concrete containment structure, the storm water discharge pipe draining the structure did not have a cutoff valve. This configuration would allow any leaking fuel to flow freely outside the containment structure.

C. Violation of ACT 15 Section S-1, Industrial Storm Water Site Inspections and SWPPP Evaluation:

The May 26, 2011 CEI revealed that monthly visual site inspections had not been conducted.

D. Violation of ACT 23 Section S-1, Training Program Requirements:

The May 26, 2011 CEI revealed that a training program had not been implemented for personnel responsible for complying with the requirements of the facility's Ready Mix Concrete General Permit.

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 \$13,087. 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 her designee. 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

MDEQ that Respondent has developed and implemented policy and procedures to adequately address the violations of Mississippi Ready Mix General Permit Certificate of Coverage MSG110167 listed herein.

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 12 day of December, 2011.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

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

AGREED, this the 2<sup>ND</sup> day of DECEMBER, 2011.

OXFORD SAND COMPANY, INC.

BY: [Signature]

TITLE: VICE PRESIDENT

STATE OF MISSISSIPPI

COUNTY OF LAFAYETTE

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Berth White who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Vice President of Oxford Sand Company, Inc. and is authorized to sign and enter this Agreement.

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

[Signature]  
NOTARY PUBLIC

My Commission expires 8/30/12

