



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

December 20, 2011

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Danny Anderson  
North Lamar Concrete Inc  
PO Box 616  
Purvis, MS 39475

Re: ~~North Lamar Concrete Inc~~  
Agreed Order No. 6064 11

Dear Mr. Anderson:

Enclosed you will find a copy of Agreed Order No. 6064 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 first 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. All future installment payments should be mailed 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 Jake White at (601) 961-5513.

Sincerely,

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

Enclosure  
cc: Jake White

Agency Interest No. 16816  
ENF20110002

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO.

**6064 11**

NORTH LAMAR CONCRETE INC  
217 TODD ROAD  
SUMRALL, MS 39482

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 North Lamar Concrete Inc, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated April 5, 2011, Respondent was contacted by Complainant and notified of the following violation(s) at its facility located at 217 Todd Road, Sumrall, Mississippi in Lamar County, Ready-Mix Concrete General Permit (RMCGP) Coverage No. MSG110212:

- A. RMCGP MSG110212: ACT11;S-1 – Failure to submit Discharge Monitoring Reports (DMR) prior to 2009, and late DMR submittals in 2009 and 2010.
- B. RMCGP MSG110212: ACT15;S-1 – Failure to conduct required monthly storm water inspections.
- C. RMCGP MSG110212: ACT17;S-1 – Failure to submit the required Annual Comprehensive Site Inspections and SWPPP Evaluations since March 12, 2002.
- D. RMCGP MSG110212: ACT23;S-1 – Failure to conduct yearly storm water

training as required.

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 \$9,000. Respondent shall pay this penalty to MDEQ in twelve (12) monthly installments as outlined below:

<u>Installment Due Date</u>	<u>Installment Amount</u>
November 1, 2011	\$750
December 1, 2011	\$750
January 1, 2012	\$750
February 1, 2012	\$750
March 1, 2012	\$750
April 1, 2012	\$750
May 1, 2012	\$750
June 1, 2012	\$750
July 1, 2012	\$750
August 1, 2012	\$750
September 1, 2012	\$750
October 1, 2012	\$750

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. Any failure by Respondent to make an installment payment as outlined in Paragraph 2.A. above shall constitute a violation of this Agreed Order. However, should Complainant choose not to take an additional enforcement action as to any particular delinquent installment payment, Complainant shall not thereby waive its right to take an enforcement action as to other, or subsequent, defaults by Respondent.

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 16 day of December, 2011.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

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

AGREED, this the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

NORTH LAMAR CONCRETE INC  
PO BOX 616  
PURVIS, MISSISSIPPI 39475

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

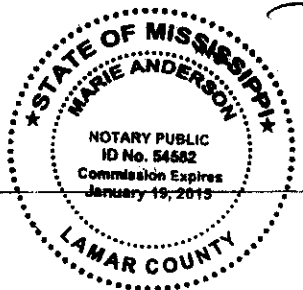
STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Danny Anderson who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the President of North Lamar Concrete Inc and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 5<sup>th</sup> day of Dec., 2011.

My Commission expires: \_\_\_\_\_



Marie Anderson  
NOTARY PUBLIC