



STATE OF MISSISSIPPI

PHIL BRYANT
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

TRUDY D. FISHER, EXECUTIVE DIRECTOR

September 7, 2012

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Andrew Conner
Rankin County Board of Supervisors, Erlich Road Project
211 East Government Street
Suite A
Brandon, Mississippi 39402

**Re: Rankin County Board of Supervisors, Erlich Road Project
Agreed Order No. 6169 12**

Dear Mr. Conner:

Enclosed you will find a copy of Agreed Order No. 6169 12, 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. 38717
ENF20120002

OFFICE OF POLLUTION CONTROL

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

6 169 12

VS.

ORDER NO. _____

EUTAW CONSTRUCTION COMPANY, INC
P.O. BOX 36
ABERDEEN, MS 39730

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 Eutaw Construction Company, Inc. Respondent, in the above captioned cause and agree as follows:

1.

By letter dated August 8, 2012, Respondent was contacted by Complainant and notified of the following violation of Mississippi's Large Construction Storm Water General Permit Certificate of Coverage Number MSR105306. The violation was discovered during a Compliance Evaluation Inspection (CEI) at the Rankin County Board of Supervisors Erlich Road Project located in Florence, Mississippi in Rankin County:

- A. Violation of ACT 6 Section S-2, Condition (7): The coverage recipient shall: (7) Install additional and/or alternative erosion and sediment controls when existing controls prove to be ineffective in preventing sediment from leaving the site.

At an Administrative Conference held at the MDEQ office on August 17, 2012, Respondent provided documentation demonstrating that, subsequent to the CEI, additional erosion and sediment control measures have been implemented at the project site.

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 \$5,000.00. 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 her designee. The settlement payment shall be submitted to:

Mississippi Department of Environmental Quality
Attn: Mona Varner
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. Section 49-17-31 (Rev. 2003), and that it has made an informed waiver of that right.

ORDERED, this the 7 day of September, 2012.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

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

AGREED, this the 30th day of August, 2012.

EUTAW CONSTRUCTION COMPANY, INC.

BY: [Signature]

TITLE: VICE PRESIDENT

STATE OF Mississippi

COUNTY OF Monroe

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

SWORN AND SUBSCRIBED BEFORE ME, this the 30th day of August, 2012.

[Signature]
NOTARY PUBLIC

My Commission expires: July 31, 2014





CONSTRUCTION COMPANY, INC.



August 30, 2012

Mississippi Dept. of Environmental Quality
Office of Pollution Control
P O Box 2261
Jackson, MS 39225-2261
Attn: Kim Smith

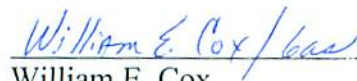
Ref: Agreed Order
Rankin County Board of Supervisors, Erlich Road Project
Florence, Rankin County
GP-Construction Permit No. MSR105948

Dear Sirs:

Per your request, attached is the executed Agreed Order mentioned above.

Please let us know should you need anything else at this time.

Sincerely,


William E. Cox
Vice President
Eutaw Construction Co., Inc.

WEC/bas

Enclosure

HATTIESBURG OFFICE

410 Old Richton Rd.
Petal, Mississippi 39465
601-544-0168 • Fax: 601-544-0195

CORPORATE OFFICE

PO Box 36 • 109 W. Commerce St.
Aberdeen, Mississippi 39730
662-369-8868 • Fax: 662-369-7770

JACKSON OFFICE

PO Box 2482 • 167 Orchard Lane
Madison, Mississippi 39130
601-855-7474 • Fax: 601-855-7787



STATE OF MISSISSIPPI

PHIL BRYANT
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

TRUDY D. FISHER, EXECUTIVE DIRECTOR



August 28, 2012

CERTIFIED MAIL: 7011 2000 0002 6756 22234

Mr. Andrew Conner
Eutaw Construction Company, Inc.
P.O. Box 36
Aberdeen, MS 39730

Re: Agreed Order
Rankin County Board of Supervisors, Erlich Road Project
Florence, Rankin County
GP-Construction Permit No. MSR105948

Dear Mr. Conner:

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.

If you have any questions, please contact me at (601) 961-5056.

Respectfully,

Danny Beasley
Construction and Building Materials Branch
Environmental Compliance and Enforcement Division

Enclosure