

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6850 18

TOWN OF ROXIE  
P.O. BOX 117  
ROXIE, MISSISSIPPI 39661-0117

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 the Town of Roxie, Respondent, in the above captioned cause and agree as follows:

1.

By letters dated July 24, 2017 and March 1, 2018, Respondent was contacted by Complainant and notified of the following violations of NPDES Permit No. MS0024830 at its wastewater treatment facility located at 147 East Boulevard, Roxie, Mississippi in Franklin County:

- A. The Total Suspended Solids (TSS) Minimum Percent Removal limitation was exceeded for 2016 and 2017.
- B. The 5-day Biochemical Oxygen Demand (BOD) Maximum Monthly Average limitation was exceeded for 2016 and 2017.
- C. The 5-day Biochemical Oxygen Demand (BOD) Minimum Percent Removal Limitation was exceeded for 2017.
- D. The Total Residual Chlorine Maximum Monthly Average limitation was exceeded for 2017.

- E. The Total Residual Chlorine Maximum Weekly Average was exceeded for 2017.

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 \$750.00. 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

- B. On or before October 31, 2019, Respondent shall complete the following upgrades to the wastewater treatment facility:
- a. Install a new gas feed chlorination/de-chlorination disinfection system.
  - b. Repair seven lift stations, as needed.
  - c. Clean collection system and perform line point repairs, as needed, to address Inflow and Infiltration (I and I).

- C. Within 30 days of satisfying paragraph 2.B. or by November 30, 2019, whichever comes first, Respondent shall submit documentation of completion of upgrades required by paragraph 2.B. to the following:

Mississippi Department of Environmental Quality  
Attn: Chief, Enforcement Branch  
P.O. Box 2261  
Jackson, MS 39225

- D. Respondent agrees to pay a stipulated penalty payable to Complainant, due within forty-five (45) days of written notification from MDEQ, in the amount of \$1,000.00 if compliance is not met on or before the dates specified in paragraphs 2.B. or 2.C. Respondent agrees to pay an additional stipulated penalty in the amount of \$100.00

per month until compliance is met with paragraphs 2.B. and 2.C.

3.

Notwithstanding the provision by this Agreed Order for stipulated penalties to accrue in certain circumstances, in the event Respondent fails, or refuses, to pay any stipulated penalty provided for in this Agreed Order, the Commission reserves the right to conduct a separate enforcement action concerning any violation by Respondent of this Agreed Order or of the laws or regulations within the jurisdiction of the Commission. If the Commission conducts a separate enforcement action concerning a violation for which stipulated penalties are provided in this Agreed Order, the Commission will be deemed to have waived the right to collect stipulated penalties in lieu of the right to conduct the separate enforcement action. In that separate enforcement action, the Commission may seek penalties, injunctive relief, or other appropriate relief different from or in the excess of the amount of stipulated penalties included in this Agreed Order, up to and including the statutory maximum penalty.

4.

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.

5.

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.

6.

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 11<sup>TH</sup> day of MAY, 2018.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

BY: [Signature]  
GARY C. RIKARD  
EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT  
OF ENVIRONMENTAL QUALITY

AGREED, this the 8<sup>TH</sup> day of MAY, 2018.

TOWN OF ROXIE

BY: [Signature]  
TITLE: Mayor

STATE OF MISSISSIPPI

COUNTY OF RANKIN

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

SWORN AND SUBSCRIBED BEFORE ME, this the 8<sup>TH</sup> day of MAY, 2018.

[Signature]  
NOTARY PUBLIC

My Commission expires: April 13, 2021

