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Clean Water Act Enforcement: Mississippi Commission of Environmental Quality and Mississippi Facility Enter into Agreed Order

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The Mississippi Commission of Environmental Quality ("MCEQ") and Genesis Rail Services, LLC ("Genesis") entered into a July 10th Agreed Order ("AO") addressing certain alleged National Pollution Discharge Elimination System and storm water permitting related violations. See Order No. 6769 17.

The AO states that Genesis was notified by MCEQ of violations at its facility located in Natchez, Mississippi by letter February 29, 2016. The violations are alleged to include:

1. The pH and total residual chlorine reported on the DMRs were tested outside of the allowed holding time by the laboratory after the sample arrived which is a violation of Condition T-18 of the facility's National Pollutant Discharge Elimination System Permit No. MS0047422.
2. Facility failed to submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) to MDEQ's Permits Division within 180 days of issuance as required in Condition S-3 of the facility's NPDES Permit No. MS0047422.

Genesis is stated to have undertaken the following actions on March 14, 2016, which included:

- Submitting the revised Storm Water Pollution Prevention Plan
- Made the appropriate changes in sampling procedures

The Storm Water Pollution Prevention Plan is stated to now be in compliance with all applicable regulations.

The AO assesses a civil penalty of \$21,000.

[A copy of the AO can be downloaded below.](#)