

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

7252 23

VS.

ORDER NO. _____

TOWN OF WESSON
1011 SPRING STREET
WESSON, MISSISSIPPI 39191

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 Wesson, Respondent, in the above captioned cause and agree as follows:

1.

By letters dated November 18, 2022, Respondent was contacted by Complainant and notified of the following violations of NPDES Permit No. MS0023779 at its wastewater treatment facility, Wesson POTW:

- A. Respondent violated the effluent Total Ammonia Nitrogen [as N] concentration limitation during the October through December 2021, January through March 2022, and April through June 2022 monitoring periods.
- B. Respondent violated the effluent Total Ammonia Nitrogen [as N] loading limitation during the October through December 2021, January through March 2022, and April through June 2022 monitoring periods.
- C. Respondent violated the effluent BOD, 5-day, 20 deg. C concentration limitation during the October through December 2021 and January through March 2022 monitoring periods.

Additionally, Respondent violated the effluent Total Ammonia Nitrogen [as N] limitations during the July through September 2022 monitoring period.

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 \$3,750.00. 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. By no later than June 30, 2023, Respondent shall complete installation of the replacement air diffusers necessary to achieve compliance with the effluent limitations listed in NPDES Permit No. MS0023779. Upon installation, Respondent shall submit documentation to MDEQ.
- C. If Respondent fails to comply with Paragraphs 2.B., Respondent agrees to pay a stipulated penalty payable to Complainant in the amount of \$1,000.00. Respondent agrees to pay an additional stipulated penalty in the amount of \$500.00 per month until compliance is met. The stipulated penalty will be due within forty-five (45) days of written notification by Complainant that such payment became due.

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. § 49-17-31, and that it has made an informed waiver of that right.

ORDERED, this the 5th day of May, 2023.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

BY: [Signature]
CHRIS WELLS
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 5 day of May, 2023.

TOWN OF WESSON

BY: [Signature]
HONORABLE ALTON SHAW
MAYOR
TOWN OF WESSON

STATE OF MISSISSIPPI

COUNTY OF Copiah



PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Honorable Alton Shaw who first being duly sworn, did state upon his oath and acknowledge to me that he is the Mayor of the Town of Wesson and is authorized to sign and enter this Agreement.



SWORN AND SUBSCRIBED BEFORE ME, this the 5 day of May, 2023.

[Signature]
NOTARY PUBLIC

My Commission expires: June 11, 2025