

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

7063 20

VS.

ORDER NO. _____

MIDSOUTH GREEN LLC
202 COUNTY ROAD 217
OXFORD, MISSISSIPPI 38655

RESPONDENT

AGREED ORDER

COME NOW the Mississippi Commission on Environmental Quality (Commission), acting through the staff and Interim Executive Director of the Mississippi Department of Environmental Quality (MDEQ), Complainant, and Midsouth Green LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated November 20, 2019, Respondent was contacted by Complainant and notified of the following violation at Midsouth Green LLC, Green Mine located on County Road 217, Oxford, Mississippi in Lafayette County:

- A. Violation of Mississippi Air and Water Pollution Control Law (Sections 49-17-1, et seq., Mississippi Code of 1972), and Federal Regulation, 40 CFR 122.26(b)(14)(iii), Failure to obtain coverage under the Mining Storm Water General Permit.

Respondent has since applied for and received coverage under Mississippi's Mining Storm Water General Permit to discharge storm water associated with the operation of Midsouth Green LLC, Green Mine. Coverage No. MSR322853 was issued on April 7, 2020.

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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 \$2,800.00. Respondent shall pay this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Interim 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

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 24th day of August, 2020.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

CHRIS WELLS
INTERIM EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

AGREED, this the 18 day of August, 2020.

MIDSOUTH GREEN LLC

BY: Taylor McGowan

TITLE: Director of Operations

STATE OF Mississippi

COUNTY OF Safayette

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Taylor McGowan who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Director of Operations of Midsouth Green LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 18 day of August, 2020.



Annie Baker
NOTARY PUBLIC

My Commission expires: _____