

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 7219 22

HAZLEHURST POTW
209 SOUTH EXTENSION STREET
HAZLEHURST, MISSISSIPPI 39083

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

1.

By letter dated June 14, 2021, Respondent was contacted by Complainant and notified of the following violations discovered during a Compliance Evaluation Inspection on April 19, 2021 at its facility located at 2115 West Gallitin Street, Hazlehurst, Mississippi in Copiah County:

- A. Condition No. T-28 of NPDES Permit No. MS0023884 for failure to properly operate, maintain, and when necessary, promptly replace all facilities and systems of collection, treatment, and control which are installed or used to achieve compliance with the conditions of the permit. The influent pump station, two of the lagoon's aerators, the sand filter, the flow meter, and the chlorine gas feed system were noted to be inoperable at the time of the inspection.
- B. Condition No. T-25 of NPDES Permit No. MS0023884 for failure to maintain all records and results of monitoring activities required by the permit for a minimum of three (3) years. The operator's logs and calibration records were not provided during

the inspection or following a request dated June 14, 2021.

By letter dated April 5, 2022, Respondent was contacted by Complainant and notified of the following violations:

- C. Respondent violated the effluent Total Suspended Solids concentration limitation during the 2019 monitoring period.
- D. Respondent violated the minimum effluent Dissolved Oxygen limitation during the 2020 monitoring period.
- E. Respondent violated the effluent Total Ammonia Nitrogen [as N] concentration limitation during the 2020 and 2021 monitoring periods.
- F. Respondent violated the effluent Fecal Coliform limitation during the 2020 monitoring period.
- G. Respondent violated the effluent Total Residual Chlorine concentration limitation during the 2021 monitoring period.

2.

By letters dated December 15, 2021 and February 7, 2022, Respondent asserted the following:

- A. The violations of Condition No. T-28 were corrected. The influent pump station was operational on December 10, 2021. The lagoon's aerators were operational on June 22, 2021. The sand filters were scarified and raked on June 17, 2021. The chlorine gas feed system was operational on June 22, 2021. An operational effluent flow meter was installed and calibrated.
- B. The violation of Condition No. T-25 of NPDES Permit No. MS0023884 was corrected. Inframark LLC began management and operation of the facility on September 1, 2021.

3.

By letter dated February 4, 2022, the MDEQ Executive Director executed Loan Agreement No. SRF-C280795-02-1. Respondent asserts that this project will return the facility to compliance with its NPDES Permit No. MS0023884.

4.

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 \$2,062.50. 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. Complainant shall hold in abeyance, and Respondent shall not be required to pay a civil penalty, in the amount of \$2,062.50, pending Respondent's compliance with the requirements set forth in Section 4.C. of this Agreed Order. Should the Respondent fail to comply with any of the requirements set forth in Section 4.C., the amount held in abeyance shall become immediately due and payable upon Respondent's receipt of written notification from Complainant.
- C. By no later than September 30, 2023, Respondent shall complete construction of the project to return the facility to compliance with its NPDES Permit No. MS0023884 and submit documentation of completion to MDEQ.
- D. Until no later than December 31, 2023, Respondent shall comply with the following interim effluent limitations:

No.	Parameter	Limit	Frequency	Sample Type
1.	Ammonia Nitrogen, Total (as N) Effluent	16.8 pounds per day Maximum Monthly Average	Quarterly	Grab Sampling
2.	Ammonia Nitrogen, Total (as N) Effluent	24 pounds per day Maximum Weekly Average	Quarterly	Grab Sampling

3.	Ammonia Nitrogen, Total (as N) Effluent	2.4 mg/L Maximum Monthly Average	Quarterly	Grab Sampling
4.	Ammonia Nitrogen, Total (as N) Effluent	3.6 mg/L Maximum Weekly Average	Quarterly	Grab Sampling
5.	Chlorine, total residual Effluent	0.0132 mg/L Maximum Monthly Average	Weekly	Grab Sampling
6.	Chlorine, total residual Effluent	0.0228 mg/L Maximum Weekly Average	Weekly	Grab Sampling
7.	Solids (Total Suspended) Effluent	240 pounds per day Maximum Monthly Average	Quarterly	Grab Sampling
8.	Solids (Total Suspended) Effluent	480 pounds per day Maximum Weekly Average	Quarterly	Grab Sampling

All other permit limitations and requirements of NPDES Permit No. MS0023884 shall remain in effect.

- E. During the period that the interim limitations are applicable, Respondent agrees to pay Complainant a stipulated penalty of \$100.00 for each violation of an interim limitation. The stipulated penalty will be payable to Complainant, due within forty-five (45) days of written notification by MDEQ that such payment is due.

5.

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.

6.

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.

7.

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 21st day of October, 2022.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

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

AGREED, this the _____ day of _____, 2022.

HAZLEHURST POTW

BY: [Signature]

TITLE: MAYOR

STATE OF Mississippi

COUNTY OF Copiah

MISSISSIPPI DEPARTMENT OF

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Kenneth Ramsey who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Mayor of Hazlehurst POTW and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 19th day of October, 2022.

[Signature]
NOTARY PUBLIC

My Commission expires: 9/25/26

