



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
SAM NUNN
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA GEORGIA 30303-8960
SEP 14 2010

CERTIFIED MAIL 70091680000201412661
RETURN RECEIPT REQUESTED

Mr. Tommy Cobb
G&C Construction, LLC
5510 Kiln-DeLisle Road
Kiln, MS 39556

Re: Administrative Compliance Order; Docket No. CWA-04-2010-5805
Information Request Letter; Docket No. 308-010-048

Dear Mr. Cobb:

The U.S. Environmental Protection Agency (EPA) has determined that you are in violation of Section 301(a) of the Clean Water Act (CWA), 33 U.S.C. § 1311(a), for discharging or directing the discharge of dredged and/or fill material, into waters of the United States on property located east of McGregor Road in Vancleave, Jackson County, Mississippi. According to our preliminary investigation, the discharges were discovered in December 2009 in connection with a mining operation. The discharges were made without a U.S. Army Corps of Engineers (COE) permit. The unauthorized impacts occurred in a perennial tributary of Mounagers Creek, flowing into Bluff Creek, a navigable water of the United States, and its abutting jurisdictional wetlands near latitude 30°33'16" north and longitude 88°40'18" west [see Exhibits A and B of enclosed Administrative Compliance Order (ACO) and Information Request].

EPA is issuing the enclosed Compliance Order under the authority of CWA Section 309(a), 33 U.S.C. § 1319(a). In order for EPA to fulfill its responsibilities under CWA Sections 309 and 404 of the CWA, 33 U.S.C. §§ 1319 and 1344, we need certain information to aid us in reaching an appropriate enforcement resolution. EPA is authorized to gather information pertaining to this matter under CWA Section 308, 33 U.S.C. § 1318. Failure to respond to this letter, or falsification of any information in the response, may result in the issuance of an administrative, civil, or criminal action with penalties of up to \$37,500 per day.

Please provide the information requested in the Information Request within 30 days of receipt of this letter. Your response should be addressed to:

Ms. Constance Tallman
U.S. Environmental Protection Agency, Region 4
Atlanta Federal Center
Wetlands Enforcement/15th Floor
61 Forsyth Street S.W.
Atlanta, Georgia 30303