



STATE OF MISSISSIPPI
PHIL BRYANT
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
GARY C. RIKARD, EXECUTIVE DIRECTOR

November 24, 2014

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Robert Haggerty
Cooper Tire Company, The
PO Box 170
Tupelo, MS 388020170

**Re: Cooper Tire Company, The
Agreed Order No. 6479 14**

Dear Mr. Haggerty:

Enclosed you will find a copy of Agreed Order No. 6479 14, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Gary Rikard, on behalf of the Mississippi Commission on Environmental Quality.

The enclosed Order assesses a civil penalty. The penalty payment, when due, should be made by check payable to the Mississippi Department of Environmental Quality and returned in the enclosed, self-addressed envelope to the MDEQ Fees Division at P.O. Box 2339, Jackson, MS 39225.

If you have any questions regarding your obligations under the enclosed order, please contact Rick Sumrall at (601) 961-5791.

Sincerely,

*Kim Smith
for*

Chris Sanders, P.E.
Chief, Environmental Compliance and Enforcement Division

Enclosure
cc: Rick Sumrall

Agency Interest No. 11536
ENF20140002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. **6479 14**

COOPER TIRE & RUBBER COMPANY
1804 SOUTH GREEN STREET
TUPELO, MISSISSIPPI 38804

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 Cooper Tire & Rubber Company, Respondent, in the above captioned cause and agree as follows:

1.

Respondent has been issued the Pretreatment Permit MSP090763 (the "Permit") for the discharge of wastewater from its facility located at 1804 South Green Street, Tupelo, Mississippi in Lee County on October 4th, 2013. By letter dated January 16, 2014, Respondent was contacted by Complainant and notified of the following violations of the Permit:

- A. Respondent exceeded the monthly average limitation for three monitoring periods (October 2013, November 2013, and December 2013) for Copper (Total Recoverable) Effluent [Phase 1].

2.

In lieu of a formal enforcement hearing concerning the violation(s) 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 \$8,750. Respondent shall pay this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Executive Director. The settlement payment shall be submitted to:

Mississippi Department of Environmental Quality
Attn: Jennifer Parish
P.O. Box 2339
Jackson, MS 39225

- B. Respondent shall replace copper heat exchanger coils on the system known as the "Thermsavers" unit at Respondent's Tupelo, Mississippi facility, and investigate the need to include copper in a pretreatment system, to reduce its copper discharge.

As of the time of the execution of this Agreed Order, Respondent has achieved compliance with the Permit effluent limitations, as revised on April 25, 2014 for copper for four (4) consecutive months. Compliance has been demonstrated through the submission of discharge monthly reports from Respondent to MDEQ.

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.

6.

Nothing contained in this Agreed Order shall be deemed as an admission by Respondent of a violation of Mississippi law, regulation or administrative or executive rules, regulations or orders.

ORDERED, this the 20th day of November, 2014.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY:

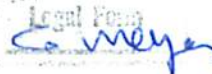

GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 10th day of November, 2014.

COOPER TIRE & RUBBER COMPANY

BY: Chris Ostrander, Chris Ostrander

TITLE: SVP + President

Approved as
Legal Counsel


STATE OF Ohio

COUNTY OF Hancock

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Chris Ostrander who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the SVP and President of Cooper Tire & Rubber Company and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 10th day of November, 2014.

Linda A. Bishop
NOTARY PUBLIC

My Commission expires: April 1, 2017

LINDA A BISHOP
Notary Public, State of Ohio
Hancock County
My Commission Expires April 1, 2017