



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

February 12, 2015

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Jeff Curtis
Safety Kleen Systems Inc
120 Richardson Drive
Jackson, MS 39209

**Re: Safety Kleen Systems Inc
Agreed Order No. 6501 15**

Dear Mr. Curtis:

Enclosed you will find a copy of Agreed Order No. 6501 15, 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 Cody Fisher at (601) 961-5065.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Sanders".

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

Enclosure
cc: Cody Fisher

Agency Interest No. 44
ENF20140002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6501 15

SAFETY-KLEEN SYSTEMS, INC.
5610 ALPHA DRIVE
BOYNTON BEACH, FL 33426

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 Safety-Kleen Systems, Inc., Respondent, in the above captioned cause and agree as follows:

1.

By letter dated October 27, 2014, Respondent was contacted by Complainant and notified of the following violations as the result of an unannounced compliance evaluation inspection at its facility located at 120 Richardson Drive, Jackson, Mississippi in Hinds County:

- A. MHWMR 262.34 (c)(2): When a generator accumulates more than 55 gallons of hazardous waste (or 1 quart of acute hazardous waste), the generator must mark the container with the date on which 55 gallons (or 1 quart of acute hazardous waste) is exceeded, and remove the excess of 55 gallons (or 1 quart of acute hazardous waste) within three days or comply with the 90-day area or 180-day area regulations, as appropriate. (Two 55-gallon drums of hazardous waste in the "Retain Area SAA" did not have the accumulation start date labeled).
- B. MHWMR 265.173 (a): A container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste. (One 55-gallon

drum of hazardous waste located in the "Retain Area SAA" was not properly closed).

- C. MHWMR 262.34 (c)(2): When a generator accumulates more than 55 gallons of hazardous waste (or 1 quart of acute hazardous waste), the generator must mark the container with the date on which 55 gallons (or 1 quart of acute hazardous waste) is exceeded, and remove the excess of 55 gallons (or 1 quart of acute hazardous waste) within three days or comply with the 90-day area or 180-day area regulations, as appropriate. (Two 55-gallon drums of hazardous waste in the "Return and Fill SAA" did not have the accumulation start date labeled).

An administrative conference was conducted on December 16, 2014, at which time Respondent provided documentation alleging the violations had been corrected.

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 \$7,425.00. Respondent denies that any violation occurred and does not admit the commission of any wrong nor does Respondent admit any liability by agreeing to enter into this Agreed Order settling the matter. Complainant continues to assert the violations occurred as alleged. 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

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 9th day of February, 2015.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: Gary C. Rikard
GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 4th day of February, 2015.

SAFETY-KLEEN SYSTEMS, INC.

BY: [Signature]

TITLE: Assistant Secretary

STATE OF Massachusetts


COUNTY OF Plymouth

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Michael McDonald who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Asst. Secretary of Safety-Kleen Systems, Inc. and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 4th day of February 2015.

[Signature: Coleen O'Donnell Robbie]
NOTARY PUBLIC

My Commission expires: 4.17.2020

 **COLEEN O'DONNELL ROBBIE**
Notary Public
Commonwealth of Massachusetts
My Commission Expires
April 17, 2020