



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

June 27, 2016

CERTIFIED MAIL #7010 0780 0001 9992 6681

Mr. Stephen "Steve" Lewis
Croft LLC
PO Box 826
McComb, MS 39649

**Re: Croft LLC
Agreed Order No. 6660 16**

Dear Mr. Lewis:

Enclosed you will find a copy of Agreed Order No. 6660 16, 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 Mohammad Yassin at (601) 961-5195.

Sincerely,

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

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

Enclosure
cc: Mohammad Yassin

Agency Interest No. 1089
ENF20160001

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6660 16

CROFT LLC
PO BOX 826
MCCOMB, MISSISSIPPI 39649

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 Croft LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated January 6, 2016, Respondent was contacted by Complainant and notified of the following violations at its facility located at 1800 North Clark Avenue, Magnolia, Mississippi in Pike County:

- A. In violation of MHWMR, 40 CFR 262.34(a), and 40 CFR 265.016, Respondent failed to properly train each employee at the facility whose work is related to hazardous waste management.
- B. In violation of MHWMR, 40 CFR 262.34(a)(4), and 40 CFR 268.7, at the time of inspection, Respondent could not produce records showing Land Disposal Restriction forms for materials shipped in 3/2/15, 6/15/15, and 9/23/15 shipments.
- C. In violation of MHWMR, 40 CFR 262.34(a)(4), & 40 CFR 265.54(d), the Contingency Plan had not been reviewed, and immediately amended, as necessary, when the list of Emergency Coordinators changed.

By letters dated January 20, 2016 and June 2, 2016, Respondent alleged to have implemented measures that have resulted in a return to compliance with the applicable regulations.

2.

In lieu of a formal enforcement hearing concerning the violations listed above, Complainant and Respondent agree to settle this matter as follows:

Respondent agrees to pay and Complainant agrees to accept a civil penalty in the amount of \$14,700.00. 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 23rd day of JUNE, 2016.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 17 day of JUNE, 2016.

CROFT LLC

BY: Stephen C. Lewis

TITLE: V.P. - DIRECTOR OF OPERATIONS

STATE OF Mississippi

COUNTY OF Pike

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

SWORN AND SUBSCRIBED BEFORE ME, this the 17th day of June, 2016.

Susan R. Bellipanni
NOTARY PUBLIC



My Commission expires: 4-24-17