



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

January 27, 2017

**CERTIFIED MAIL #7010 0780 0001 9992 7084**

Mr. Jeff Ryan  
Airbus Helicopters, Inc.  
2701 North Forum Drive  
Grand Prairie, TX 75052

Re: Airbus Helicopters, Inc.  
1782 Airport Rd  
Columbus, MS 39701

Dear Mr. Ryan:

Enclosed you will find a copy of **Agreed Order No. 6717 17**, 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-addresses 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 "Tim Aultman".

Tim Aultman, P.E.  
Chief, Environmental Compliance and Enforcement Division

Enclosure  
cc: Mohammad Yassin

Agency Interest No. 18018  
ENF20170001

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

6717 17

VS.

ORDER NO. \_\_\_\_\_

AIRBUS HELICOPTERS INC  
1782 AIRPORT ROAD  
COLUMBUS, MISSISSIPPI 39701

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 Airbus Helicopters Inc, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated May 24, 2016, Respondent was contacted by Complainant and notified of the following violations at its facility located at 1782 Airport Road, Columbus, Mississippi in Lowndes County:

- A. In the alodine waste treatment process, Airbus was treating hazardous waste without a permit. This is in violation of 40 CFR §270.1(c), which states: *RCRA requires a permit for the "treatment," "storage," and "disposal" of any "hazardous waste" as identified or listed in 40 CFR part 261. The terms "treatment," "storage," "disposal," and "hazardous waste" are defined in §270.2.*
- B. The nine drums collecting baghouse dust from the paint prep booths were dated July 9, 2015, which is 264 days prior to the date of the inspection. The 90-day storage limit for LQGs has been exceeded and Airbus was storing hazardous waste without a permit. This is in violation of 40 CFR §262.34(b) which incorporates 40 CFR §270.1(c).



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

January 5, 2017

CERTIFIED MAIL: 7010 1670 0000 1401 0657

Mr. Jeff Ryan  
Airbus Helicopters Inc  
2701 North Forum Drive  
Grand Prairie, TX 75052

Re: Agreed Order  
Airbus Helicopters, Inc.  
Columbus, Mississippi  
Lowndes County  
Hazardous Waste-EPA ID No. MSR000101501

Dear Mr. Ryan:

Enclosed please find an Agreed Order that reflects our understanding of agreements reached to resolve certain environmental issues with your company.

If you concur with this Agreed Order, please sign the order before a Notary Public in the appropriate space and return the original water-marked order in the enclosed, self-addressed envelope to MDEQ Attn: Renee' Odom, PO Box 2261 Jackson, MS 39225. Please return the signed Order within ten days of receipt of this letter. Do not submit any penalty payment at this time. You will receive specific penalty payment instructions at a later date after the MDEQ Executive Director has executed the order.

If you have any questions, please contact me at (601) 961-5195.

Sincerely,

Mohammad Yassin, PhD, PE, BCEE  
Metal and Metal Fabricators Branch  
Environmental Compliance and Enforcement Division

RECEIVED

JAN 18 2017

Dept. of Environmental Quality

Agency Interest No. 18018  
ENF20170001  
ECED

OFFICE OF POLLUTION CONTROL

POST OFFICE BOX 2261 • JACKSON, MISSISSIPPI 39225-2261 • TEL: (601) 961-5171 • FAX: (601) 354-6612 • www.deq.state.ms.us

AN EQUAL OPPORTUNITY EMPLOYER

40 CFR §262.34(b) states: *A generator of 1,000 kilograms or greater of hazardous waste in a calendar month [...] who accumulates hazardous waste or acute hazardous waste for more than 90 days is an operator of a storage facility and is subject to the requirements of 40 CFR parts 264, 365, and 267 and the permit requirements of 40 CFR part 270 [...].*

40 CFR §270.1(c) states: *RCRA requires a permit for the “treatment,” “storage,” and “disposal” of any “hazardous waste” as identified or listed in 40 CFR part 261. The terms “treatment,” “storage,” “disposal,” and “hazardous waste” are defined in §270.2.*

- C. In the maintenance area, one box of waste lamps was not properly labelled. This is in violation of 40 CFR §273.14(e), which states: *Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: “Universal Waste—Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s)”.*
- D. In the maintenance building, the waste lamps were stored in open and over-packed boxes. This is in violation of 40 CFR §273.13(d)(1), which states: *a small quantity handler of universal waste must contain any lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.*
- E. In the maintenance building, a red hazardous waste bin full of batteries was not properly labeled. This is in violation of 40 CFR §273.14(a), which states: *Universal waste batteries (i.e., each battery), or a container in which the batteries are contained, must be labeled or marked clearly with any one of the following phrases: “Universal Waste—Battery(ies),” or “Waste Battery(ies),” or “Used Battery(ies).”*
- F. In the maintenance building, one of the lamp boxes as well as the red hazardous waste bin full of batteries was not dated. This is in violation of 40 CFR §273.15(c) which

*states: A small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.*

- G. Failure to label one 30-gallon container of hazardous waste with an accumulation start date in the 90-day storage area, in violation of 40 CFR §262.34(a)(2) which states: [...] *A generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, provided that the date upon which each period of accumulation begins is clearly marked and visible for inspection on each container.*

By letter dated May 27, 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 \$39,500. 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: 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.

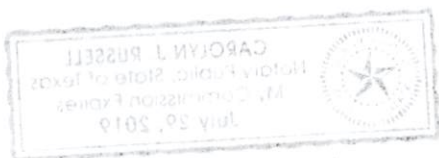
Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Miss. Code Ann. § 49-17-31, and that it has made an informed waiver of that right.

ORDERED, this the 26<sup>th</sup> day of JANUARY, 2017.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

BY: 

GARY C. RIKARD  
EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT  
OF ENVIRONMENTAL QUALITY



AGREED, this the 17<sup>th</sup> day of JANUARY, 2017.

AIRBUS HELICOPTERS INC

BY: Robert W. Boman  
Robert W. Boman

TITLE: Sr. Director/Head of Human Resources

STATE OF TEXAS

COUNTY OF TARRANT

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named ROBERT W. BOMAN who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Sr. Director / Head of Human Resources of Airbus Helicopters Inc and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 17<sup>th</sup> day of Jan, 2017.

Carolyn J. Russell  
NOTARY PUBLIC

My Commission expires: July 29, 2019

