



STATE OF MISSISSIPPI  
HALEY BARBOUR  
GOVERNOR  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
TRUDY D. FISHER, EXECUTIVE DIRECTOR

June 20, 2011

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Clyde Woodward  
Cavenham Forest Industries LLC  
EMS Services Inc, PO Box 15369  
Hattiesburg, MS 394045369

**Re: Cavenham Forest Industries LLC  
Agreed Order No. 5982 11**

Dear Mr. Woodward:

Enclosed you will find a copy of Agreed Order No. 5982 11, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Trudy Fisher, 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 Tim Aultman at (601) 961-5653.

Sincerely,

A handwritten signature in black ink that reads "Jerry W. Cain" with the number "18" written below it.

Jerry W. Cain, P.E., DEE  
Director, Office of Pollution Control

Enclosure  
cc: Tim Aultman

Agency Interest No. 1481  
ENF20110002

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 5982 11

CAVENHAM FOREST INDUSTRIES LLC  
PO BOX 2219  
HATTIESBURG, MISSISSIPPI 39505

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 Cavenham Forest Industries LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated March 9, 2011, Respondent was contacted by Complainant and notified of the following violations of its NPDES Permit No. MS0044580 at its facility located at 9502 Creosote Road, Gulfport, Mississippi in Harrison County:

- A. *NPDES Permit Condition T-58: The Permittee shall analyze the effluent wastewater from Outfall 001 for dioxin and furan compounds semiannually...Reports of analysis for dioxin and furans shall be submitted within 90 days of each sampling event.* The permit was issued October 5, 2007, but the facility did not begin conducting this sampling until July 27, 2010. Five sampling events were missed.

2.

In lieu of a formal enforcement hearing concerning the violations 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 \$17,180. 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 her designee.

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. Section 49-17-31 (Rev. 2003), and that it has made an informed waiver of that right.

ORDERED, this the 15<sup>th</sup> day of June, 2011.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

BY: 

 TRUDY D. FISHER  
EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT  
OF ENVIRONMENTAL QUALITY

AGREED, this the 9<sup>th</sup> day of June, 2011.

CAVENHAM FOREST INDUSTRIES LLC

BY: [Signature]  
Clyde Woodward  
TITLE: Authorized Agent

STATE OF MS

COUNTY OF Leflore

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Clyde Woodward who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Agent of Cavenham Forest Industries LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 9<sup>th</sup> day of June, 2011.



[Signature]  
NOTARY PUBLIC

My Commission Expires May 20, 2012

