

Copiah County
Solid waste - no permit
coverage



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

March 21, 2016

CERTIFIED MAIL 7010 1870 0003 4948 4367

Mr. George Donald
Charles Donald Pulpwood Inc, Hazlehurst Woodyard
PO Drawer 398
Port Gibson, MS 39150

Re: **Charles Donald Pulpwood Inc, Hazlehurst Woodyard**
Agreed Order No. 6633 16

Dear Mr. Donald:

Enclosed you will find a copy of Agreed Order No. 6633 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 first 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. All future installment payments should be mailed 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, appearing to read "Chris Sanders".

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

Enclosure
cc: Tim Aultman

Agency Interest No. 1249
ENF20160001



BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

6633 16

VS.

ORDER NO. _____

CHARLES DONALD PULPWOOD INC
31 POLO DRIVE
JACKSON, MISSISSIPPI 39211

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 Charles Donald Pulpwood Inc., Respondent, in the above captioned cause and agree as follows:

1.

By letter dated March 3, 2015, Respondent was contacted by Complainant and notified of the following violations at its Hazlehurst Woodyard located at Highway 28 West, Hazlehurst, Mississippi in Copiah County:

- A. Facility failed to operate the Wet Deck Log Spray system in a no discharge manner, except as the direct result of rainfall, as required for coverage under the Wet Deck Log Spray General Permit. {Wet Deck Log Spray General Permit, ACT 3, Condition No. T-2, Page 2}
- B. Facility failed to provide access to records (e.g. SWPPP, DMRs, etc.) associated with the Wet Deck Log Spray General Permit. {Wet Deck Log Spray General Permit, ACT 7, Condition No. S-1, Page 27 General Permit}

- C. Facility failed to provide secondary containment around the on-site diesel fuel container as required by the Wet Deck Log Spray General Permit. {Wet Deck Log Spray General Permit, ACT 6, Condition No. T-45, Page 24}
- D. Facility has allowed or contributed to the formation of an unauthorized dump on its property. This activity is prohibited by Mississippi Code Annotated Section 17-17-17. Additionally, the placement of waste in a location which is likely to cause pollution of State waters is also a violation of Mississippi Code Annotated Section 49-17-19.

During a follow-up site visit conducted on January 28, 2016 by MDEQ, the improper discharges from the wet deck recirculation pond had ceased, the records were readily available for review, the diesel fuel container had been adequately fitted with secondary containment, and the solid waste had been cleaned up.

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 \$15,000.00. Respondent shall pay this penalty to MDEQ in accordance with the following payment schedule:

<u>Installment Due Date:</u>	<u>Installment Amount:</u>
April 1, 2016	\$5,000.00
August 1, 2016	\$5,000.00
December 1, 2016	\$5,000.00

The settlement payments 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 16th day of MARCH, 2016.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 15th day of March, 2016.

CHARLES DONALD PULPWOOD INC. HAZLEHURST WOODYARD

BY: George R Donald

TITLE: VP

STATE OF MS

COUNTY OF Warren

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named George R. Donald who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Vice President of Charles Donald Pulpwood Inc., Hazlehurst Woodyard and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 15th day of March, 2016.

Kim Shuttlesworth
NOTARY PUBLIC



My Commission expires: _____