



STATE OF MISSISSIPPI  
TATE REEVES  
GOVERNOR  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHRIS WELLS, INTERIM EXECUTIVE DIRECTOR

July 22, 2020

**CERTIFIED MAIL #7012 2920 0000 4177 1856**

Mr. Justin Dawkins  
Von Drehle Corporation  
126 1st Street  
Cordova, NC 28330

**Re: Von Drehle Corporation  
Agreed Order No. 7058 20**

Dear Mr. Dawkins:

Enclosed you will find a copy of Agreed Order No. 7058 20, which has been executed by the Interim Executive Director of the Mississippi Department of Environmental Quality, Chris Wells, 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 Accounts Receivable at P.O. Box 2339, Jackson, MS 39225.

If you have any questions regarding your obligations under the enclosed order, please contact Charity Rockingham at (601) 961-5722.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michelle Clark".

Michelle Clark, P.E., BCEE, Chief  
Environmental Compliance and Enforcement Division

Enclosure  
cc: Charity Rockingham

Agency Interest No. 101  
ENF20200002

OFFICE OF POLLUTION CONTROL  
Post Office Box 2261 Jackson, Mississippi 39225-2261 · Tel: (601) 961-5171 · Fax: (601) 354-6612 · www.mdeq.ms.gov  
AN EQUAL OPPORTUNITY EMPLOYER

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

**7058 20**

VS.

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

VON DREHLE CORPORATION  
30 MAJORCA ROAD  
NATCHEZ, MISSISSIPPI 39120

RESPONDENT

AGREED ORDER

COME NOW the Mississippi Commission on Environmental Quality (Commission), acting through the staff and Interim Executive Director of the Mississippi Department of Environmental Quality (MDEQ), Complainant, and Von Drehle Corporation, Respondent, in the above captioned cause and agree as follows:

1.

By letters dated January 4, 2019, February 26, 2019, June 3, 2019, July 25, 2019, and March 31, 2020, Respondent was contacted by Complainant and notified of the following alleged violations of NPDES Permit MS0001309 at its facility located at 30 Majorca Road, Natchez, Mississippi 39120 in Adams County:

- A. Violation of the 5-day Biochemical Oxygen Demand (BOD<sub>5</sub>) Monthly Average loading pounds per day (lbs/day) effluent limitation from November of 2018 through April of 2019, October of 2019, and November of 2019.
- B. Violation of the 5-day Biochemical Oxygen Demand (BOD<sub>5</sub>) Daily Maximum loading pounds per day (lbs/day) effluent limitation from November of 2018 through April of 2019 and November of 2019.

5028 50

2.

In lieu of a formal enforcement hearing concerning the alleged 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 \$18,750.00. Respondent shall pay this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Executive Director or his designee. The settlement payment shall be submitted to:

Mississippi Department of Environmental Quality  
Attn: Accounts Receivable  
P.O. Box 2339  
Jackson, MS 39225

- B. On or before July 31, 2021, Respondent shall rehabilitate the skimmer arm of the primary clarifier, including thoroughly cleaning and making modifications to increase its efficacy and submit documentation of completion to MDEQ.
- C. On or before July 31, 2021, Respondent shall study the effects of utilizing virgin pulp as a raw material as an alternative to recycled paper and submit documentation of completion to MDEQ.
- D. Respondent agrees to comply with the following interim limits for 5-Day Biochemical Oxygen Demand (BOD<sub>5</sub>) beginning upon execution of this Agreed Order until July 31, 2021.

Pollutant	Monthly Average Loading Limit	Daily Maximum Loading Limit	Monthly Average Concentration Limit	Daily Maximum Concentration Limit
BOD <sub>5</sub>	2404 lbs/day	3134 lbs/day	Report mg/L	Report mg/L

- E. During the time interim limits are applicable, Respondent agrees to pay and

Complainant agrees to accept a stipulated penalty of \$1,500.00 per violation of an interim limit listed in Paragraph 2.D., due within forty-five (45) days of written notification from MDEQ that such payment became due.

- F. Complainant and Respondent agree all other requirements of NPDES Permit No. MS0001309 shall remain in full force and effect during this time.

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.

Notwithstanding the provision by this Agreed Order for stipulated penalties to accrue in certain circumstances, in the event Respondent fails, or refuses, to pay any stipulated penalty provided for in this Agreed Order, the Commission reserves the right to conduct a separate enforcement action concerning any violation by Respondent of this Agreed Order or of the laws or regulations within the jurisdiction of the Commission. If the Commission conducts a separate enforcement action concerning a violation for which stipulated penalties are provided in this Agreed Order, the Commission will be deemed to have waived the right to collect stipulated penalties in lieu of the right to conduct the separate enforcement action. In that separate enforcement action, the Commission may seek penalties, injunctive relief, or other appropriate relief different from or in excess of the amount of stipulated penalties included in this Agreed Order, up to and including the statutory maximum penalty.

5.

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.

6.

The parties agree that, by entering into this Agreed Order and agreeing to the terms and conditions set forth herein, Respondent does not admit any of the allegations listed above and nothing contained herein shall be in any way construed as an admission of liability by Respondent. Without admitting any liability, Respondent consents to entry of this Agreed Order, which the parties agree shall serve as the full resolution of the violations alleged above. The parties further agree that the Commission continues to assert that the matters set forth above were violations of the environmental laws, regulations and/or permits applicable to Respondent.

7.

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 22nd day of July, 2020.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

BY: 

CHRIS WELLS  
INTERIM EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT  
OF ENVIRONMENTAL QUALITY

AGREED, this the 16<sup>TH</sup> day of JULY, 2020.

VON DREHLE CORPORATION

BY: Justin Dawkins - JUSTIN DANKINS

TITLE: DIRECTOR OF OPERATIONS

STATE OF North Carolina

COUNTY OF Richmond

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Justin Dawkins who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Director of Operations of Von Drehle Corporation and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 16<sup>th</sup> day of July, 2020.

Jud A Ayer  
NOTARY PUBLIC

My Commission expires: 7-15-2023

