November 13, 2020

CERTIFIED MAIL #7012 2920 0000 4177 2044

Mr. Dennis Jones, Plant Manager
Duraco, Inc.
PO Box 6127
Jackson, Mississippi 39288

>   Re: **Duraco Inc.**
>   **Order No. 7083 20**

Dear Mr. Jones:

Enclosed you will find a copy of Order No. 7083 20, which has been executed by the 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 Felisa Keyes at (601) 961-5319.

Sincerely,

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

Enclosure
cc:

Agency Interest No. 12877
ENF20200002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.   ORDER NO. **7083 20**

DURACO INC
2000 OLD WHITFIELD ROAD
PEARL, MISSISSIPPI 39208
                              RESPONDENT

<u>AGREED ORDER</u>

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 Duraco, Inc., Respondent, in the above captioned cause and agree as follows:

1.

By letter dated June 23, 2020, Respondent was contacted by Complainant and notified of the following violations of Mississippi's Baseline Storm Water General NPDES Permit (Coverage No. MSR001460) at its facility located at 2000 Old Whitfield Road, Pearl, Mississippi in Rankin County:

A.   Violation of Act 5, Condition T-3(4): Failure to maintain Monthly Spill and Leak Log.

B.   Violation of Act 5, Condition T-7(8): Failure to maintain Illicit Connection Certification.

C.   Violation of Act 5, Condition T-8(9): Failure to conduct Monthly Inspections and Jar Tests.

D.   Violation of Act 7, Condition S-1(4): Failure to amend the SWPPP.

E.   Violation of Act 8, Condition S-2: Failure to conduct Annual Site Inspection and

SWPPP Evaluation.

F.   Violation of Act 12, Condition S-2: Failure to conduct Annual Training.

By email dated June 30, 2020 and letter dated October 15, 2020, the Respondent asserts the facility has returned to compliance with Mississippi's Baseline Storm Water General NPDES Permit (Coverage No. MSR001460).

<center>2.</center>

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 $5,425.00. 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

<center>3.</center>

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.

<center>4.</center>

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.

AGREED, this the 6th day of _November_, 2020.

DURACO, INC.

BY: _Dennis Jones_

TITLE: _Plant Manager_

STATE OF _Mississippi_

COUNTY OF _Rankin_

      PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named _Dennis Jones_ who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the _Plant Manager_ of Duraco, Inc. and is authorized to sign and enter this Agreement.

      SWORN AND SUBSCRIBED BEFORE ME, this the 6 day of _November_, 2020.

Annette Spruill
NOTARY PUBLIC

My Commission expires: _Dec. 28, 2021_

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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 13th _~~6th~~_ day of _November_ , 2020.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: _____

CHRIS WELLS
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY