

#### STATE OF MISSISSIPPI

## TATE REEVES GOVERNOR

## MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY CHRIS WELLS, EXECUTIVE DIRECTOR

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

Post Office Box 2261 Jackson, Mississippi 39225-2261·Tel: (601) 961-5171·www.mdeq.ms.gov AN EQUAL OPPORTUNITY EMPLOYER

# BEFORE THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

**COMPLAINANT** 

**7083** 20

VS.

ORDER NO.

DURACO INC 2000 OLD WHITFIELD ROAD PEARL, MISSISSIPPI 39208

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 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

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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).

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 \$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

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.

AI ID 12877 ENF20200002 Page 2 of 4

**ECED** 

AGREED, this the 6 day of November, 2020.
DURACO, INC.
BY: Dennin Jon
BY: Dennin Jom  TITLE: Plant Manager
STATE OF Minimique
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 OF MISS
My Commission expires: Dec. 28, 2021
Commission of the contract of

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

of November, 2

, 2020.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

BY:

CHRIS WELLS

EXECUTIVE DIRECTOR MISSISSIPPI DEPARTMENT

OF ENVIRONMENTAL QUALITY