



State of Mississippi

TATE REEVES
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

August 4, 2021

CERTIFIED MAIL #7019 1120 0000 4785 6032

Mr. David Carroll
Hunt Southland Refining Company, LLC
2200 Jack Warner Pkwy, Suite 400
Tuscaloosa, AL 35401

**Re: Hunt Southland Refining Company LLC
Agreed Order No. 7143 21**

Dear Mr. Carroll:

Enclosed you will find a copy of Agreed Order No. 7143 21, 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,

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

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

Enclosure
cc: Felisa Keyes

Agency Interest No. 7045
ENF20210004

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. **7143 21**

HUNT SOUTHLAND REFINING COMPANY LLC
177 HANEY ROAD
HEIDELBERG, MISSISSIPPI 39439

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 Hunt Southland Refining Company LLC, Respondent, in the above captioned cause and agree as follows:

1.

Respondent owns and operates a wastewater treatment system located at 177 Haney Road, Heidelberg, Mississippi in Jones County, subject to NPDES Permit Number MS0001686. By letter dated February 3, 2021, March 9, 2021, and June 8, 2021, Respondent was contacted by Complainant and notified of the following violations:

- A. Respondent exceeded the effluent Total Sulfide concentration and loading limitations during July through October of 2020.
- B. Respondent exceeded the effluent Total Suspended Solids concentration limitations during August and September of 2020.
- C. Respondent exceeded the effluent Total Suspended Solids loading limitation during August 2020.
- D. Respondent exceeded the effluent Total Ammonia Nitrogen concentration and loading limitations during December 2020.

- E. Respondent exceeded the effluent Total Zinc concentration and loading limitations during December 2020 and January 2021.

On April 14, 2021, MDEQ conducted an administrative conference call with Respondent regarding the Notice of Violation dated February 3, 2021.

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 \$52,500.00. 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 January 31, 2022, Respondent shall complete the following operational upgrades to its wastewater treatment system to return the facility to compliance with its NPDES Permit No. MS0001686 limitations and submit documentation of completion to MDEQ.
1. Test seeding / bioaugmentation of the ADVENT Integral System (AIS).
 2. Evaluate anti-scalant for the Dissolved Air Flotation (DAF) recycle.
 3. Enhancements to wastewater parameter monitoring, including adjustments to frequency, locations, and equipment.
 4. Adjustments to polymer addition.
 5. Additional operator training, including updates to procedures.

- C. On or before August 31, 2023, Respondent shall complete the following mechanical upgrades to its wastewater treatment system to return the facility to compliance with its NPDES Permit No. MS0001686 limitations and submit documentation of completion to MDEQ.
1. Evaluate the need for additional biomass treatment and implement recommendations.
 2. Provide additional equalization and surge capacity for the wastewater treatment system influent.
 3. Add a separation wall to the outlet of the wastewater cooling tower.
- D. If Respondent fails to comply with any of the requirements established in Paragraphs 2.B. and 2.C. of this Agreed Order, Respondent shall pay a stipulated penalty payable to Complainant, due within thirty (30) days of written notification from MDEQ, in the amount of \$2,500.00. Respondent shall also pay an additional stipulated penalty in the amount of \$100.00 per day until compliance with Paragraphs 2.B. and 2.C. is achieved.
- E. Until August 31, 2023, Respondent shall comply with the following interim limitations. All other permit limits and requirements of NPDES Permit No. MS0001686 remain in effect.
1. Total Suspended Solids Concentration Monthly Average 75 mg/L
 2. Total Suspended Solids Concentration Daily Max Report Only
 3. Total Suspended Solids Loading Monthly Average Report Only
 4. Total Suspended Solids Loading Daily Max Report Only
 5. Total Ammonia Nitrogen Concentration Monthly Average 3.4mg/L
 6. Total Ammonia Nitrogen Concentration Daily Max Report Only
 7. Total Ammonia Nitrogen Loading Monthly Average Report Only
 8. Total Ammonia Nitrogen Loading Daily Max Report Only
 9. Total Sulfide Concentration Monthly Average 1.44 mg/L
 10. Total Sulfide Concentration Daily Max Report Only

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|-----|---------------------------------------|-------------|
| 11. | Total Sulfide Loading Monthly Average | Report Only |
| 12. | Total Sulfide Loading Daily Max | Report Only |

During the period that the interim limits are applicable, Respondent agrees to pay to Complainant a stipulated penalty of \$1,000.00 for each violation of an interim limitation. The stipulated penalty will be payable to MDEQ, due within forty-five (45) days of written notification by Complainant that such payment became due.

3.

Notwithstanding the provision by this Agreed Order for stipulated penalties to accrue in certain circumstances, 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 the excess of the amount of stipulated penalties included in this Agreed Order, up to and including the statutory maximum penalty.

4.

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.

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.

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 2nd day of August, 2021.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 
CHRIS WELLS
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY



MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

AGREED, this the 23rd day of July, 2021.

HUNT SOUTHLAND REFINING COMPANY LLC

BY: David L. Carroll

TITLE: Secretary

STATE OF ALABAMA

COUNTY OF TUSCALOOSA

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named David L. Carroll who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Secretary of Hunt Southland Refining Company LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 23rd day of July, 2021.

Michelle Buffington
NOTARY PUBLIC

My Commission expires: 2/4/2023