



# State of Mississippi

**TATE REEVES**  
Governor

## MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

December 17, 2021

**CERTIFIED MAIL #7019 1120 0000 4785 5806**

Mr. Jim Bishop  
Polychemie, Inc.  
3080 Port and Harbor Drive  
Bay St. Louis, MS 39520

**Re: Polychemie, Inc**  
**Agreed Order No. 7166 21**

Dear Mr. Bishop,

Enclosed you will find a copy of Agreed Order No. 7166 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 Brad Justice at (601) 961-5064.

Sincerely,

A handwritten signature in black ink that reads "Mark Williams".

Mark Williams, P.E., BCEE, Chief  
Waste Division

Enclosure  
cc: Brad Justice

Agency Interest No. 83  
ENF20210002

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

**7166 · 21**

VS.

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

Polychemie Inc  
3080 Port and Harbor Drive  
Bay St. Louis, Mississippi 39520

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

1.

By letter dated April 5, 2021, Respondent was contacted by Complainant and notified of the following violations at its facility located at Port Bienville Industrial Park, Road D, Pearllington, Mississippi in Hancock County. The alleged violations were detected during the Complainant's compliance evaluation inspection of Respondent's facility on February 23, 2021. The Respondent is considered a large quantity generator of hazardous waste and was cited under 11 Mississippi Administrative Code, Part 3, Chapter 1, Rule 1.3 of the Mississippi Hazardous Waste Management Regulations (MHWMR) for failure to comply with the following:

- A. 40 C.F.R. Part 262.15(a)(5)(ii), which states: a generator is required to mark or label it's containers with a hazardous indicator label;
- B. 40 C.F.R. Part 262.17(a)(1)(v); which stipulates: at least weekly, a generator is required to inspect central accumulation areas for leaking or damaged containers;
- C. 40 C.F.R. Part 262.17(a)(6) which incorporates 40 C.F.R. Part 262.262(b); which

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states: a large quantity generator must complete and include a Quick Reference Guide to the generator's Contingency Plan.

2.

In lieu of a formal enforcement hearing concerning the violation(s) 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 \$12,000. 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: Respondent has implemented corrective measures for these violations and agrees to maintain these corrective measures to insure continued compliance with the applicable sections of the MHWMR. The Respondent's letter dated May 24, 2021 provided information Respondent's facility had returned to compliance with MHWMR and was used as the basis for this Agreement.

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.



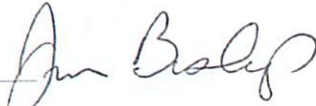
ORDERED, this the 17th day of December, 2021.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

BY:   
CHRIS WELLS  
EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT  
OF ENVIRONMENTAL QUALITY

AGREED, this the 14th day of December, 2021.

**Polychemie Inc.**

BY: Jim Bishop 

TITLE: Plant Manager

STATE OF Mississippi

COUNTY OF Hancock

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

SWORN AND SUBSCRIBED BEFORE ME, this the 14th day of December, 2021.

  
NOTARY PUBLIC

My Commission expires: Oct 24, 2023

