



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

May 16, 2024

CERTIFIED MAIL # 7019 1120 0000 4785 6179

Mr. Mark Stewart
Drexel Chemical Company
PO Box 13327
Memphis, Tennessee 38113-0327

**Re: Drexel Chemical Company
Agreed Order No. 7325 24**

Dear Mr. Stewart:

Enclosed you will find a copy of Agreed Order No. 7325 24, 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 Geoffrey Martin at (601) 961-5024.

Sincerely,

A handwritten signature in blue ink that reads "Michelle Clark".

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

Enclosure
cc: Geoffrey Martin

Agency Interest No. 2074
ENF20240002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO.

7325 24

DREXEL CHEMICAL COMPANY
1700 CHANNEL AVENUE
MEMPHIS, TENNESSE 38113

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 Drexel Chemical Company, Respondent, in the above captioned cause and agree as follows:

1.

By letters dated September 1, 2022; August 18, 2023; and February 5, 2024, Respondent was contacted by Complainant and notified of the following violations of NPDES Permit No. MS0037621 at its facility located at 1099 Drexel Road, Tunica, MS in Tunica County:

- A. Condition No. M-2 which states, "Routine visual site inspections shall be performed at a minimum of once per month to ensure the effectiveness of the SWPPP's design and implementation."
- B. Condition No. T-25 which states, "The permittee shall at all times properly operate, maintain, and when necessary, promptly replace all facilities and systems of collection, treatment and control which are installed or used by the permittee to achieve compliance with the conditions of this permit."
- C. Condition No. T-26 which states, "The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of the permit

that has reasonable likelihood of adversely affecting human health or the environment.”

- D. Respondent violated the annual maximum Arsenic concentration limitation at Outfall 003 during the 2022 monitoring period.
- E. Respondent violated the annual maximum Arsenic concentration limitation at Outfall 004 during the 2022 and 2023 monitoring periods.
- F. Respondent violated the minimum pH limitation at Outfall 001 and Outfall 003 during the 2022 monitoring period.

By letter dated September 12, 2022, Respondent asserted that it engaged a contractor to make repairs to a containment area leak that was the suspected source of arsenic. Additionally, Respondent asserted that it engaged an environmental remediation company to clean the affected areas on September 8-10, 2022.

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 \$23,750.00. 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

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 16th day of May, 2024.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

BY: 
CHRIS WELLS
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 13th day of May, 2024.

DREXEL CHEMICAL COMPANY

BY: 
MARK STEWART
PRESIDENT

STATE OF Tennessee

COUNTY OF Shelby

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named MARK STEWART, who first being duly sworn, did state upon his oath and acknowledge to me that he is the PRESIDENT of DREXEL CHEMICAL COMPANY and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 13th day of May, 2024.


NOTARY PUBLIC

My Commission expires: 12/2/25

