



STATE OF MISSISSIPPI
HALEY BARBOUR
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
TRUDY D. FISHER, EXECUTIVE DIRECTOR

August 16, 2011

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Patrick Hoover
Southern Container LLC
1478 Middlebuster Road
Hernando, MS 38632

**Re: Southern Container LLC
Agreed Order No. 6003 11**

Dear Mr. Hoover:

Enclosed you will find a copy of Agreed Order No. 6003 11, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Trudy Fisher, on behalf of the Mississippi Commission on Environmental Quality.

The enclosed Order assesses a civil penalty. The first 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. All future installment payments should be mailed to the MDEQ Fees Division at P.O. Box 2339, Jackson, MS 39225.

If you have any questions regarding your obligations under the enclosed order, please contact Kevin Posey at (601) 961-5128.

Sincerely,

A handwritten signature in cursive script that reads "Chris Sanders".

Chris Sanders, P. E.
Chief, Environmental Compliance and Enforcement Division

Enclosure
cc: Kevin Posey

Agency Interest No. 16532
ENF20110003

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO.

6003 11

SOUTHERN CONTAINER LLC
1478 MIDDLEBUSTER ROAD
HERNANDO, MISSISSIPPI 38632

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 Southern Container LLC, Respondent, in the above captioned cause and agree as follows:

1.

Respondent owns and operates a wastewater treatment system at Southern Container, LLC, located in Panola County and subject to Water Pretreatment Permit No. MSP091907. By letter dated May 19, 2011, Respondent was contacted by Complainant and notified of the following violations:

- A. The effluent titanium limitation was exceeded during the months of October and December 2010.
- B. The effluent total recoverable zinc limitation was exceeded during the months of October, November, and December 2010 and February, March, and May 2011.
- C. The effluent total recoverable copper limitation was exceeded during the months of November and December 2010 and February, March, and May 2011.
- D. The effluent total recoverable lead limitation was exceeded during the months of

1. The first part of the report is a general introduction to the subject of the study. It discusses the importance of the study and the objectives of the research.

2. The second part of the report is a detailed description of the methodology used in the study. It includes information about the sample size, the data collection methods, and the statistical analysis techniques.

3. The third part of the report is a discussion of the results of the study. It presents the findings of the research and compares them with the previous studies in the field.

4. The fourth part of the report is a conclusion and a list of references. The conclusion summarizes the main findings of the study and provides recommendations for future research.

5. The fifth part of the report is an appendix containing additional information related to the study, such as raw data, questionnaires, and interview transcripts.

6. The sixth part of the report is a bibliography listing all the sources used in the study.

7. The seventh part of the report is a list of figures and tables used in the study.

8. The eighth part of the report is a list of abbreviations and acronyms used in the study.

December 2010 and February and March 2011.

- E. The effluent total recoverable nickel limitation was exceeded during the months of December 2010 and April 2011.
- F. The effluent vanadium limitation was exceeded during the month of December 2010. Respondent reported the probable cause of these violations once the Notice of Violation was issued. Respondent allegedly identified the source causing the violations and no longer accepts material from that client.

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 \$5,250.00. Respondent shall pay this penalty to MDEQ in three equal installments in accordance with the following schedule:

<u>Installment Due Date</u>	<u>Installment Amount</u>
September 30, 2011	\$1,750.00
October 31, 2011	\$1,750.00
November 30, 2011	\$1,750.00

- B. If Respondent fails to submit payment in accordance with the schedule established in Paragraph 2.A. of this Agreed Order, Respondent shall pay a stipulated penalty of \$100 per day of violation of the relevant deadline.

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. Section 49-17-31 (Rev. 2003), and that it has made an informed waiver of that right.

ORDERED, this the 16 day of August, 2011.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

TRUDY D. FISHER
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY



AGREED, this the 9 day of AUG., 2011.

SOUTHERN CONTAINER LLC

BY: Patrick Hoover

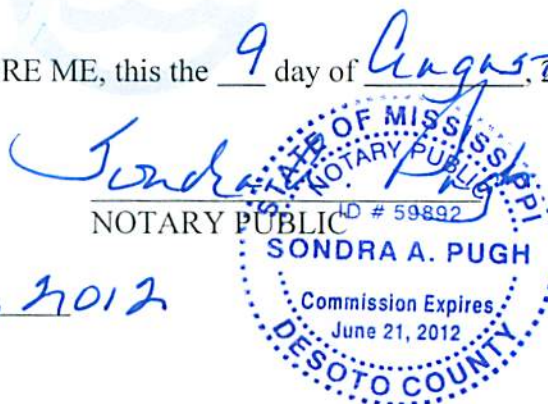
TITLE: President

STATE OF MS

COUNTY OF Desoto

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Patrick Hoover who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the President of Southern Container LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 9 day of August, 2011.



My Commission expires: June 21, 2012