



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

October 17, 2011

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Dick Dean
Tronox LLC, Hamilton Facility
PO Box 180
Hamilton, MS 39746

**Re: Tronox LLC, Hamilton Facility
Agreed Order No. 6038 11**

Dear Mr. Dean:

Enclosed you will find a copy of Agreed Order No. 6038 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 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 Fees Division at P.O. Box 2339, Jackson, MS 39225.

If you have any questions regarding your obligations under the enclosed order, please contact Ethan Mayeu at (601) 961-5613.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Sanders".

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

Enclosure
cc: Ethan Mayeu

Agency Interest No. 8587
ENF20110002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6038 11

TRONOX LLC
PO BOX 180
HAMILTON, MISSISSIPPI 39746

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

1.

By letter dated February 7, 2011, Respondent was contacted by Complainant and notified to be in violation of Section E.2 of Solid Waste Management Permit No. SW0480040466 for failure to fully implement the groundwater monitoring plan at its solid waste landfill located at 40034 Tronox Road, Hamilton, Mississippi.

2.

On March 16, 2011, a revised groundwater monitoring plan, submitted by Respondent on April 3, 2010, was approved by MDEQ. This groundwater monitoring plan was submitted as a part of a solid waste management permit reissuance application.

3.

In lieu of a formal enforcement hearing concerning the violation listed above, Complainant and Respondent agree to settle this matter as follows:

- A. Respondent agrees, upon reissuance of Solid Waste Management Permit No. SW0480040466, to implement the approved groundwater monitoring plan in accordance with the permit.
- B. Respondent agrees to pay and Complainant agrees to accept a civil penalty in the amount of \$7,500.00. Respondent shall pay this penalty to MDEQ within sixty (60) days after this Agreed Order has been executed by the MDEQ Executive Director or her designee. The settlement payment shall be submitted to:

Mississippi Department of Environmental Quality
Attn: Mona Varner
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. Section 49-17-31 (Rev. 2003), and that it has made an informed waiver of that right.

ORDERED, this the 11 day of October, 2011.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 
TRUDY D. FISHER
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 5th day of October, 2011.

TRONOX LLC

BY: R.R. Dean

TITLE: Interim Plant Manager

STATE OF Mississippi

COUNTY OF Monroe

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

SWORN AND SUBSCRIBED BEFORE ME, this the 5 day of Oct, 2011.

Donna K. Roane
NOTARY PUBLIC

My Commission expires: 8-24-13





October 6, 2011

Ms. Kim Smith
DEQ, Office of Pollution Control
P.O. Box 2261
Jackson, MS 39225

**RE: Proposed Agreed Order
Tronox LLC, Hamilton Facility
Solid Waste – NonMSW Landfill Permit No. SW0480040466**

Dear Ms. Smith:

Enclosed is the signed Agreed Order received Oct. 4, 2011.
If you have any questions please contact Terry Freeze, 662-343-8510.

Sincerely,

A handwritten signature in black ink, appearing to read "Dick Dean".

Dick Dean
Interim Plant Manager

Attachments

Certified Mail # 7001 1940 0001 8147 1143