



STATE OF MISSISSIPPI  
PHIL BRYANT  
GOVERNOR  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
TRUDY D. FISHER, EXECUTIVE DIRECTOR

April 5, 2012

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Benjamin Crim  
Hood Industries Inc, Wiggins  
15 Professional Parkway  
Hattiesburg, MS 39402

**Re: Hood Industries Inc, Wiggins  
Agreed Order No. 6101 12**

Dear Mr. Crim:

Enclosed you will find a copy of Agreed Order No. 6101 12, 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 Tim Aultman at (601) 961-5653.

Sincerely,

A handwritten signature in blue ink that reads "Chris Sanders".

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

Enclosure  
cc: Tim Aultman

Agency Interest No. 1642  
ENF20110002

OFFICE OF POLLUTION CONTROL

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6101 12

HOOD INDUSTRIES INC, WIGGINS  
PO BOX 98  
WIGGINS, MISSISSIPPI 39577

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 Hood Industries Inc, Wiggins, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated October 18, 2011, Respondent was contacted by Complainant and notified of the following violations of the Title V Operating Permit(TVOP) 2540-00003 at its facility located at 1945 South First Street, Wiggins, Mississippi in Stone County:

- A. Failure to comply with PM10 emission limitation (TVOP Condition 3.B.5), determined via stack test on June 3, 2011. The TVOP limitation for PM10 is 1.5 lb/hr. (as established in the Federally Enforceable Permit to Construct issued March 24, 1997 and modified August 16, 2000).
- B. Failure to demonstrate compliance in a timely manner (TVOP Condition 5.B.5). The facility was required to demonstrate compliance with submittal of a stack test by July 31, 2011. The test demonstrating compliance occurred on August 5, 2011.

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 \$8,500. 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 her Designee. The settlement shall be submitted to:

Mississippi Department of Environmental Quality  
Attn: Mona Varner  
P. O. Box 2339  
Jackson, MS 39225

- B. Until such time as the TVOP permit renewal is issued, any biennial stack testing performed in an effort to comply with Condition 5.B.5 of TVOP 2540-00003 shall be conducted and submitted on or before July 31<sup>st</sup>.

3.

The parties agree that, by entering into this Agreed Order and agreeing to the terms and conditions set forth in Paragraph 2 above, Respondent does not admit any of the allegations listed in Paragraph 1 of this Agreed Order and nothing contained herein shall be in any way construed as an admission of liability by Respondent. Without admitting any liability, Respondent consents to entry of this Agreed Order, which the parties agree shall serve as the full resolution of the alleged violations above. The parties further agree that the Commission continues to assert that the matters set forth in Paragraph 1 of this Agreed Order were violations of the environmental laws, regulations and/or permits applicable to Respondent.

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

ORDERED, this the 5 day of April, 2012.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

BY: 

TRUDY D. FISHER  
EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT  
OF ENVIRONMENTAL QUALITY

AGREED, this the 26<sup>TH</sup> day of MARCH, 2012.

HOOD INDUSTRIES INC, WIGGINS

BY: Don Grimm

TITLE: PRESIDENT

STATE OF Mississippi

COUNTY OF Lamar

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Don Grimm who first being duly sworn, did state upon his/her oath and acknowledge to me that he/~~she~~ is the President of Hood Industries Inc, Wiggins and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 26 day of March, 2012.

Deborah S. Cullman  
NOTARY PUBLIC

My Commission expires: August 11, 2015

