



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

May 21, 2012

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. John McFarland
Trinity Yachts LLC
13085 Industrial Seaway Road
Gulfport, MS 39503

**Re: Trinity Yachts LLC
Agreed Order No. 6120 12**

Dear Mr. McFarland:

Enclosed you will find a copy of Agreed Order No. 6120 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 Mohammad Yassin at (601) 961-5195.

Sincerely,

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

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

Enclosure
cc: Mohammad Yassin

Agency Interest No. 3166
ENF20120002

OFFICE OF POLLUTION CONTROL

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

ORDER NO. 6120 12

TRINITY YACHTS LLC
13085 INDUSTRIAL SEAWAY ROAD
GULFPORT, MISSISSIPPI 39503

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

1.

By letter dated March 12, 2012, Respondent was contacted by Complainant and notified of the following violations at its facility located at 13085 Industrial Seaway Road, Gulfport, Mississippi in Harrison County:

A. Condition T-25 of the Synthetic Minor Operating Permit No. 1020-00027:

For renewal of this permit the applicant shall make application not less than one hundred eighty (180) days prior to the expiration date of the permit substantiated with current emissions data, test results or reports or other data as deemed necessary by the Mississippi Environmental Quality Permit Board. [APC-S-2, VIII]

B. APC-S-2 I.D.1 Permitting Requirements:

Permit Types. The Permit Board will issue two types of air pollution control permits, a permit to construct air emissions equipment and a State Permit to operate such equipment. A State Permit to Operate is required for synthetic minor sources, major Title V sources, and significant minor sources.

The Respondent's former permit expired on June 30, 2011. A renewal application was received by Complainant on June 13, 2011, which was not within the required 180 days prior to expiration of the permit. A new Synthetic Minor Operating Permit was issued to Respondent on August 23, 2011 and expires July 31, 2016.

2.

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

Respondent agrees to pay and Complainant agrees to accept a civil penalty in the amount of \$6,000. Respondent shall pay this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Executive Director. 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 21 day of May, 2012.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

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

AGREED, this the 17th day of May, 2012.

TRINITY YACHTS LLC

BY: John McFarland Jr

TITLE: Safety / Environmental manager

STATE OF Mississippi

COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named John McFarland, Jr. who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Safety/Environmental Mgr of Trinity Yachts LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 17th day of May, 2012.

Marilyn Lydia Cameron
NOTARY PUBLIC

My Commission expires: 04/17/2014





RECEIVED

MAY 18 2012

Dept. of Environmental Quality

STATE OF MISSISSIPPI

PHIL BRYANT
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

TRUDY D. FISHER, EXECUTIVE DIRECTOR

May 8, 2012

CERTIFIED MAIL: 7004 1160 0003 4139 3406

Mr. John McFarland
Trinity Yachts LLC
13085 Industrial Seaway Road
Gulfport, Mississippi 39503

Re: Trinity Yachts LLC
Gulfport, Harrison County
Air-Synthetic Minor Operating Permit No. 102000027

Dear Mr. McFarland:

Enclosed please find an Agreed Order that reflects our understanding of agreements reached to resolve certain environmental issues with your company.

If you concur with this Agreed Order, please sign the order before a Notary Public in the appropriate space and return the original water-marked order in the enclosed, self-addressed envelope to MDEQ Attn: Kim Smith, PO Box 2261 Jackson, MS 39225. Do not submit any penalty payment at this time. You will receive specific penalty payment instructions at a later date after the MDEQ Executive Director has executed the order.

If you have any questions, please contact me at (601) 961-5195.

Sincerely,

Mohammad Yassin, PhD, PE, BCEE
Metal and Metal Fabricators Branch
Environmental Compliance and Enforcement Division

Enclosure

Agency Interest No. 3166
ENF20120002

ECED