



STATE OF MISSISSIPPI

PHIL BRYANT
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

TRUDY D. FISHER, EXECUTIVE DIRECTOR

July 19, 2012

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Wes Hendricks
PSL North America, LLC
PO Box 4590
Bay St. Louis, Mississippi 39520

**Re: PSL North America, LLC
Agreed Order No. 6151 12**

Dear Mr. Hendricks:

Enclosed you will find a copy of Agreed Order No. 6151 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 that reads "Kim Smith" with "for" written below it.

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

Enclosure
cc: Mohammad Yassin

Agency Interest No. 35940
ENF20120002

OFFICE OF POLLUTION CONTROL

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6151 12

PSL NORTH AMERICA, LLC
PO BOX 4590
BAY ST. LOUIS, MISSISSIPPI 39520

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 PSL North America, LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated April 17, 2012, Respondent was contacted by Complainant and notified of the following violation(s) at its facility located at 13092 Sea Plane Road, Bay St. Louis, Mississippi in Hancock County:

Condition S-2 of Synthetic Minor Operating Permit No. 1000-00052:

Except as otherwise specified herein, the permittee shall Submit a certified annual synthetic minor monitoring report: Due annually, by the 31st of January for preceding calendar year. This report shall address any required monitoring specified in the permit. [APC-S-2 II.B(11)]

The Respondent's annual monitoring report for 2011 was submitted late. It was due on January 31, 2012; Respondent submitted the report on May 21, 2012.

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 \$15,000. 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 19 day of July, 2012.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

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

AGREED, this the 2nd day of July, 2012.

PSL NORTH AMERICA, LLC

BY: Wesley A. Hendricks

TITLE: General Manager

STATE OF Mississippi

COUNTY OF Hancock

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Wesley Hendricks who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the General Manager of PSL North America, LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 2 day of July, 2012.

Rhonda Smith Ladner
NOTARY PUBLIC

My Commission expires: May 1, 2016

