



STATE OF MISSISSIPPI

PHIL BRYANT
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

TRUDY D. FISHER, EXECUTIVE DIRECTOR

October 18, 2012

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Keith Kirk
Faurecia Automotive Seating Canada LTD
6141 Vipond Drive
Mississauga
Ontario, Canada L5T 2B2
See Above, Ontario 00000-0000

**Re: Faurecia Automotive Seating Canada LTD
Agreed Order No. 6186 12**

Dear Mr. Kirk:

Enclosed you will find a copy of Agreed Order No. 6186 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 a stylized flourish below it.

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

Enclosure
cc: Mohammad Yassin

Agency Interest No. 5442
ENF20120002

OFFICE OF POLLUTION CONTROL

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AN EQUAL OPPORTUNITY EMPLOYER

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6 186 12

FAURECIA AUTOMOTIVE SEATING CANADA LTD
6141 VIPOND DRIVE
MISSISSAUGA
ONTARIO, CANADA L5T 2B2
SEE ABOVE, ONTARIO 00000-0000

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 Faurecia Automotive Seating Canada LTD, Respondent, in the above captioned cause and agree as follows:

1.

By letters, dated May 31, 2012, July 27, 2012, and September 4, 2012, Respondent was contacted by Complainant and notified of the following violations at its facility located at 907 Delta Council Drive, Cleveland, Mississippi in Bolivar County:

A. Condition S-2 of Pretreatment permit No. MSP092077

Monitoring results obtained during the previous reporting period shall be summarized and reported on a Discharge Monitoring Report Form (EPA No. 3320-1) POSTMARKED NO LATER THAN THE 28TH DAY OF THE MONTH FOLLOWING THE COMPLETED REPORTING PERIOD.

Discharge monitoring reports for January, February, March, and April 2012 were submitted late. Complainant received these report on June 1, 2012.

B. 40 CFR 262.12 (c) – EPA Identification Numbers

A generator must not offer his hazardous waste to transporters or to treatment, storage, or disposal facilities that have not received an EPA identification number.

C. 40 CFR 262.20 (a) General Requirements

A generator who transports, or offers for transport a hazardous waste for offsite treatment, storage, or disposal, or a treatment, storage, and disposal facility who offers for transport a rejected hazardous waste load, must prepare a Manifest (OMB Control number 2050–0039) on EPA Form 8700–22, and, if necessary, EPA Form 8700–22A, according to the instructions included in the appendix to this part.

Respondent exceeded the conditional exempt small quantity generator (CESQG) limit by generating 480 pounds of hazardous wastes in May 2011. These wastes were sent unmanifested to a Subtitle D (solid waste) landfill. The wastes should have been manifested as hazardous waste and disposed of in a Subtitle C (hazardous waste) landfill.

2.

In lieu of a formal enforcement hearing concerning the violation(s) 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 \$11,615. 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 15 day of October, 2012.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

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

AGREED, this the 16th day of October, 2012.

FAURECIA AUTOMOTIVE SEATING CANADA LTD

BY: Kathie Kirk

TITLE: Plant Manager

STATE OF Mississippi

COUNTY OF Bolivar

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Kathie Kirk who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Plant Manager of Faurecia Automotive Seating Canada LTD and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 1 day of October, 2012.

Teresa Thompson
NOTARY PUBLIC

My Commission expires: 1/21/2014

