



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. Michael Thornburg
Metal Coaters
951 Prisock Road
Jackson, Mississippi 39272

**Re: Metal Coaters
Agreed Order No. 6185 12**

Dear Mr. Thornburg:

Enclosed you will find a copy of Agreed Order No. 6185 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. 2070
ENF20120005

OFFICE OF POLLUTION CONTROL

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BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

6 185 12

VS.

ORDER NO. _____

METAL COATERS
951 PRISOCK ROAD
JACKSON, MISSISSIPPI 39272

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 Metal Coaters, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated March 27, 2012, Respondent was contacted by Complainant and notified of the following violations of Pretreatment Permit No. MSP090892 at Outfall 001:

- A. In January 2012, the Zinc Monthly Average Loading of 0.157 lbs/day exceeded the permit limit of 0.1354 lbs/day by 16%;
- B. In January 2012, the Zinc Daily Maximum Loading of 0.296 lbs/day exceeded the permit limit of 0.1354 lbs/day by 119%;
- C. In January 2012, the Cyanide Monthly Average Loading of 0.005 lbs/day exceeded the permit limit of 0.0008 lbs/day by 525%;
- D. In January 2012, the Cyanide Daily Maximum Loading of 0.005 lbs/day exceeded the permit limit of 0.002 lbs/day by 150%;

By letter dated July 16, 2012, Respondent was contacted by Complainant and notified of the following violations of Pretreatment Permit No. MSP090892 at Outfall 001:

- E. In February 2012, the Zinc Daily Maximum Loading of 0.248 lbs/day exceeded the permit limit of 0.1354 lbs/day by 83%;
- F. In February 2012, the Chromium Monthly Average Loading of 0.188 lbs/day exceeded the permit limit of 0.0510 lbs/day by 269%;
- G. In February 2012, the Chromium Daily Maximum Loading of 0.434 lbs/day exceeded the permit limit of 0.1252 lbs/day by 247%;
- H. In March 2012, the Zinc Daily Maximum Loading of 0.144 lbs/day exceeded the permit limit of 0.1354 lbs/day by 6%;
- I. In March 2012, the Chromium Monthly Average Loading of 0.272 lbs/day exceeded the permit limit of 0.0510 lbs/day by 433%;
- J. In March 2012, the Chromium Daily Maximum Loading of 0.492 lbs/day exceeded the permit limit of 0.1252 lbs/day by 293%;
- K. In April 2012, the Chromium Monthly Average Loading of 0.156 lbs/day exceeded the permit limit of 0.0510 lbs/day by 206%;
- L. In April 2012, the Chromium Daily Maximum Loading of 0.239 lbs/day exceeded the permit limit of 0.1252 lbs/day by 91%;
- M. In May 2012, the Zinc Monthly Average Loading of 0.148 lbs/day exceeded the permit limit of 0.1354 lbs/day by 9%;
- N. In May 2012, the Zinc Daily Maximum Loading of 0.418 lbs/day exceeded the permit limit of 0.1354 lbs/day by 209%;
- O. In May 2012, the Chromium Monthly Average Loading of 0.262 lbs/day exceeded the permit limit of 0.0510 lbs/day by 414%;
- P. In May 2012, the Chromium Daily Maximum Loading of 0.707 lbs/day exceeded the permit limit of 0.1252 lbs/day by 465%;

By letter dated August 14, 2012, Respondent was contacted by Complainant and notified of the following violations of Pretreatment Permit No. MSP090892 at Outfall 001:

- Q. In June 2012, the Zinc Monthly Average Loading of 0.160 lbs/day exceeded the

permit limit of 0.1354 lbs/day by 18%;

- R. In June 2012, the Zinc Daily Maximum Loading of 0.527 lbs/day exceeded the permit limit of 0.1354 lbs/day by 289%;
- S. In June 2012, the Chromium Monthly Average Loading of 0.469 lbs/day exceeded the permit limit of 0.0510 lbs/day by 820%;
- T. In June 2012, the Chromium Daily Maximum Loading of 1.115 lbs/day exceeded the permit limit of 0.1252 lbs/day by 790%;

Respondent implemented corrective actions which resulted in a return to compliance. No exceedances have been documented since July 2012.

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 \$17,500. Respondent shall pay this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Executive Director. 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 1 day of OCTOBER, 2012.

METAL COATERS

BY: Mark Traub

TITLE: REGIONAL OPERATIONS MANAGER

STATE OF MS

COUNTY OF HINDS

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named MARK TRAUB who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the REGIONAL OPERATIONS MANAGER of Metal Coaters and is authorized to sign and enter this Agreement.

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

Shameka R. Quinn
NOTARY PUBLIC

My Commission expires: July 29th, 2015

