



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

March 6, 2013

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Scott Selman
Traditions, A Division of Valley Services Inc
100 Valley Drive
Pearl, MS 39208

**Re: Traditions, A Division of Valley Services Inc
Agreed Order No. 6225 13**

Dear Mr. Selman:

Enclosed you will find a copy of Agreed Order No. 6225 13, 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 Kenny LeFleur at (601) 961-5050.

Sincerely,

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

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

Enclosure
cc: Kenny LeFleur

Agency Interest No. 57103
ENF20120003

OFFICE OF POLLUTION CONTROL

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6 225 13

TRADITIONS, A DIVISION OF VALLEY SERVICES INC
100 VALLEY DRIVE
PEARL, MISSISSIPPI 39208

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 Traditions, A Division of Valley Services Inc., Respondent, in the above captioned cause and agree as follows:

1.

Respondent submitted a National Pollutant Discharge Elimination System (NPDES) Water-Pretreatment Permit application to Complainant on March 19, 2012, for wastewater discharges from its facility located at 100 Valley Drive, Pearl, Mississippi, in Rankin County, to the City of Jackson Publicly Owned Treatment Works (POTW). Complainant notified Respondent by letter dated April 3, 2012, that historic discharges may have been in violation of Commission regulation(s) and requested a response from Respondent before determining if enforcement action was warranted.

Respondent submitted the required records on April 11, 2012. Review of these records by MDEQ revealed that Respondent has been discharging wastewater to the POTW since 2001. The review also revealed that an NPDES Water-Pretreatment Permit was required prior to discharging wastewater to the POTW. Therefore, Respondent was in violation of the following Mississippi Wastewater Regulations for failure to apply for and obtain an NPDES Water-

Pretreatment Permit prior to discharge:

- A. WPC-1, B.2 (a): Any person discharging into waters of the State or to any publicly owned treatment works, shall promptly make application for and obtain from the Permit Board a valid NPDES, UIC, or a State permit according to procedures and deadlines set forth in these regulations.

Respondent submitted a revised permit application to MDEQ on April 27, 2012.

Respondent was issued NPDES Permit No. MSP092300 on January 7, 2013.

2.

In lieu of a formal enforcement hearing concerning the violation 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 \$18,000.00. Respondent shall pay this penalty to MDEQ within forty-five (45) days after execution of this Agreed Order by the MDEQ Executive Director or her designee (the "Effective Date"). Payment shall be submitted to the following address:

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

3.

The parties agree that, by entering into this Agreed Order, Respondent does not admit any of the allegations addressed in Paragraph 1 of this Agreed Order. Without admitting any liability, Respondent consents to entry of this Agreed Order, which the parties agree shall serve as the full resolution of any violations that were alleged by Complainant. The parties further agree that the

AGREED, this the 28th day of Feb., 2013.

TRADITIONS, A DIVISION OF VALLEY SERVICES INC

BY: J. Walt

TITLE: PRESIDENT & CEO

STATE OF Mississippi

COUNTY OF Rankin

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Jim Walt who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the _____ of Traditions, A Division of Valley Services Inc and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 28th day of Feb, 2013.

Sydney D. Broome
NOTARY PUBLIC

My Commission expires: _____



Complainant continues to assert that the matters set forth in Paragraph 1 of in this Agreed Order were violations of the environmental laws, regulations and/or permits applicable to Respondent. 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 5 day of March, 2013.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

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