



STATE OF MISSISSIPPI

PHIL BRYANT
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

TRUDY D. FISHER, EXECUTIVE DIRECTOR

May 28, 2013

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. John Milner
Brunini Attorneys At Law
P. O. Drawer 119
Jackson, MS 39205

**Re: Grenada Manufacturing LLC
Agreed Order No. 6265 13**

Dear Mr. Milner:

Enclosed you will find a copy of Agreed Order No. 6265 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 Chris Wells at (601) 961-5545.

Sincerely,

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

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

Enclosure
cc: Chris Wells

Agency Interest No. 3856
ENF20120004

OFFICE OF POLLUTION CONTROL

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BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 0 265 13

GRENADA MANUFACTURING LLC, AND
GRENADA STAMPING AND ASSEMBLY, INC.,
D/B/A ICE INDUSTRIES GRENADA
635 HIGHWAY 332
GRENADA, MISSISSIPPI 38901

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 Grenada Manufacturing LLC (“Grenada Manufacturing”); and Grenada Stamping and Assembly, Inc., d/b/a Ice Industries Grenada (“Grenada Stamping”) Respondents, in the above captioned cause and agree as follows:

1.

By letter dated April 10, 2012, Respondent Grenada Manufacturing was contacted by Complainant and notified of the following violations of Pretreatment Permit No MSP092210 at Outfall 001:

- A. In February 2012, the 5-day BOD Daily Maximum Concentration of 181.00 mg/l exceeded the permit limit of 45.00 mg/l by 302%;
- B. In February 2012, the 5-day BOD Monthly Average Concentration of 64.00 mg/l exceeded the permit limit of 30 mg/l by 113%;
- C. In February 2012, the Total Suspended Solids Daily Maximum Concentration of 162.00 mg/l exceeded the permit limit of 60.00 mg/l 170%;

- D In February 2012, the Total Suspended Solids Monthly Average Concentration of 58.00 mg/l exceeded the permit limit of 30.00 mg/l by 93%;
- E In February 2012, the Oil & Grease Daily Maximum Concentration of 95.20 mg/l exceeded the permit limit of 15.00 mg/l by 535%;
- F In February 2012, the Oil & Grease Monthly Average Concentration of 39.70 mg/l exceeded the permit limit of 10.00 mg/l by 297%.

By letter dated June 4, 2012, Respondent Grenada Manufacturing was contacted by Complainant and notified of the following Pretreatment permit violations at Outfall 001:

- G In March 2012, 5-day BOD Daily Maximum Concentration of 460.00 mg/l exceeded the permit limit of 45.00 mg/l by 922%;
- H In March 2012, 5-day BOD Monthly Average Concentration of 218.50 mg/l exceeded the permit limit of 30.00 mg/l by 628%;
- I In March 2012, 5-day BOD Daily Maximum Loading of 39.07 lb/day exceeded the permit limit of 30.00 lb/day by 30%;
- J In March 2012, TSS Daily Maximum Concentration of 132.00 mg/l exceeded the permit limit of 60.00 mg/l by 120%;
- K In March 2012, TSS Monthly Average Concentration of 66.00 mg/l exceeded the permit limit of 30.00 mg/l by 120%;
- L In March 2012, Oil & Grease Daily Maximum Concentration of 101.00 mg/l exceeded the permit limit of 15.00 mg/l by 573%;
- M In March 2012, Oil & Grease Monthly Average Concentration of 56.64 mg/l exceeded the permit limit of 10.00 mg/l by 466%;
- N In April 2012, 5-day BOD Daily Maximum Concentration of 169.00 mg/l exceeded the permit limit of 45.00 mg/l by 276%;
- O In April 2012, 5-day BOD Monthly Average Concentration of 90.00 mg/l exceeded the permit limit of 30.00 mg/l by 200%;
- P In April 2012, 5-day BOD Daily Maximum Loading of 59.47 lb/day exceeded the permit limit of 30.00 lb/day by 98%;

- Q. In April 2012, 5-day BOD Monthly Average Loading of 34.29 lb/day exceeded the permit limit of 20.00 lb/day by 71%;
- R. In April 2012, TSS Monthly Average Concentration of 44.00 mg/l exceeded the permit limit of 30.00 mg/l by 47%;
- S. In April 2012, TSS Monthly Average Loading of 22.63 lb/day exceeded the permit limit of 20.00 lb/day by 13%;
- T. In April 2012, Oil & Grease Daily Maximum Concentration of 16.00 mg/l exceeded the permit limit of 15.00 mg/l by 7%;
- U. In April 2012, Oil & Grease Monthly Average Concentration of 10.50 mg/l exceeded the permit limit of 10.00 mg/l by 5%.

According to subsequently-submitted Pretreatment permit Discharge Monitoring Reports at Outfall 001:

- V. In August 2012, the 5-day BOD Daily Maximum Concentration of 66.00 mg/l exceeded the permit limit of 45.00 mg/l by 46.7%;
- W. In August 2012, the 5-day BOD Monthly Average Concentration of 42.00 mg/l exceeded the permit limit of 30.00 mg/l by 40%;
- X. In August 2012, the TSS Daily Maximum Concentration of 92.00 mg/l exceeded the permit limit of 60.00 mg/l by 53.3%;
- Y. In August 2012, the TSS Monthly Average Concentration of 59.5 mg/l exceeded the permit limit of 30.00 mg/l by 98%;
- Z. In November 2012, Oil & Grease Daily Maximum Concentration of 22.10 mg/l exceeded the permit limit of 15.00 mg/l by 47%;
- AA. In November 2012, Oil & Grease Monthly Average Concentration of 11.05 mg/l exceeded the permit limit of 10.00 mg/l by 10.5%;
- AB. In January 2013, Oil & Grease Daily Maximum Concentration of 20.00 mg/l exceeded the permit limit of 15.00 mg/l by 33%;
- AC. In January 2013, 5-day BOD Daily Maximum Concentration of 188.00 mg/l exceeded the permit limit of 45.00 mg/l by 318%;

- AD. In January 2013, 5-Day BOD Monthly Average Concentration of 104.00 mg/l exceeded the permit limit of 30.00 mg/l by 247%.
- AE. In January 2013, the TSS Monthly Average Concentration of 33.5 mg/l exceeded the permit limit of 30.00 mg/l by 12%;

Respondent Grenada Stamping has implemented some housekeeping measures that have resulted in more consistent compliance with permit limits in recent months. On or about March 28, 2013, Respondent Grenada Stamping submitted an application for the modification of the pretreatment permit, requesting an increase in the permit limits. That application for modification is pending review. Also, in conjunction with this submission of the pretreatment permit modification application, on or about April 18, 2013, Respondent Grenada Stamping submitted a request for transfer of the pretreatment permit to Grenada Stamping.

2.

In lieu of a formal enforcement hearing concerning the violation(s) listed above, Complainant and Respondents agree to settle this matter as follows:

- A. Respondent Grenada Stamping agrees to pay and Complainant agrees to accept a civil penalty in the amount of \$25,000.00. Respondent Grenada Stamping 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 Respondents fail 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 Respondents for violations not addressed herein and for future violations of environmental laws, rules, and regulations.

5.

Respondents understand and acknowledge that they are entitled to an evidentiary hearing before the Commission pursuant to Miss. Code Ann. Section 49-17-31 (Rev. 2003), and that they have made an informed waiver of that right.

ORDERED, this the 23 day of May, 2013.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

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

AGREED, this the 13th day of May, 2013.

GRENADA MANUFACTURING LLC

BY: B.J. Anderson

TITLE: General Manager

STATE OF MS

COUNTY OF Grenada

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

SWORN AND SUBSCRIBED BEFORE ME, this the 13th day of May 2013.

Johnny L. Hayward, Chancery Clerk and Ex-Officio Notary Public



NOTARY PUBLIC BY Johnny L. Hayward D.C.

My Commission expires:
My Commission Expires Jan. 4, 2016

GRENADA STAMPING AND ASSEMBLY, INC.,
D/B/A ICE INDUSTRIES GRENADA

BY: Paul Bishop

TITLE: PRESIDENT

STATE OF Ohio

COUNTY OF Lucas

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Paul Bishop who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the President of Grenada Stamping and Assembly, Inc., d/b/a Ice Industries Grenada and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 7th day of May 2013.

Kathi Dowling
NOTARY PUBLIC

My Commission expires:

KATHI DOWLING
NOTARY PUBLIC • STATE OF OHIO
My commission expires Jan. 31, 2018

