



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

September 11, 2013

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Tommy Griffith
True Temper Sports
PO Drawer E
Amory, MS 38821

**Re: True Temper Sports
Agreed Order No. 6309 13**

Dear Mr. Griffith:

Enclosed you will find a copy of Agreed Order No. 6309 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 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. 1824
ENF20130002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6309 13

TRUE TEMPER SPORTS
PO DRAWER E
AMORY, MISSISSIPPI 38821

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 True Temper Sports, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated June 21, 2013, Respondent was contacted by Complainant and notified of the following violation of the Mississippi Hazardous Waste Management Regulations for Large Quantity Generators at its facility located at 931 True Temper Circle, Amory, Mississippi in Monroe County:

A. **40 C.F.R. § 262.34(b)**

A generator of 1,000 kilograms or greater of hazardous waste in a calendar month, or greater than 1 kg of acute hazardous waste listed in §§261.31 or 261.33(e) in a calendar month, who accumulates hazardous waste or acute hazardous waste for more than 90 days is an operator of a storage facility and is subject to the requirements of 40 CFR parts 264, 265, and 267 and the permit requirements of 40 CFR part 270 unless he has been granted an extension to the 90-day period. Such extension may be granted by EPA if hazardous wastes must

remain on-site for longer than 90 days due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted at the discretion of the Regional Administrator on a case-by-case basis.

At the time of the inspection, there were twenty-four (24) 55-gallon drums of hazardous waste (caustic alkali liquids) that exceeded the 90-day storage limit. Of the twenty-four drums, eight were dated 1/10/13 and sixteen were dated 1/11/13. Respondent provided documentation indicating the drums were shipped to Chem Waste in Emelle, AL on July 24, 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 \$39,655. 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. § 49-17-31, and that it has made an informed waiver of that right.

ORDERED, this the 12 day of September, 2013.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

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

AGREED, this the 9 day of September, 2013.

TRUE TEMPER SPORTS

BY: [Signature]

TITLE: DIRECTOR OF Manufacturing Engineering

STATE OF Mississippi

COUNTY OF Monroe

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named TD Griffith who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Director of Manufacturing Engineering True Temper Sports and is authorized to sign and enter this Agreement.

DO SOLELY SIGNED AND SUBSCRIBED BEFORE ME, this the 28th day of August, 2013.



[Signature]
NOTARY PUBLIC

Commission expires: Oct 16, 2015