

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. **6327 13**

Specialty Abatement Services, Inc.  
P. O. Box 15925  
Hattiesburg, MS 39404

RESPONDENT

AGREED ORDER

COME NOW THE Mississippi Commission on Environmental Quality (Commission), Complainant, and Specialty Abatement Services, Inc., Respondent, in the above captioned cause and agree as follows:

1.

On August 15, 2013 Respondent was contacted by Complainant and notified of the following violations:

An asbestos removal project by Respondent involving the RaceTrac development site, 715 Highway 49, Richland, Mississippi was deficient of asbestos emission control procedures. An inspection by the Office of Pollution Control on July 2, 2013 discovered the failure to adequately wet regulated asbestos containing material during removal, as required. This requirement is found in 61.145(c) of Part 61, Subpart M of Title 40 of the Code of Federal Regulations. These Federal regulations are duly adopted regulations of the Commission and are incorporated by reference into Air Emission Regulations for the Prevention, Abatement, and Control of Air Contaminants, Provisions for Hazardous Air Pollutants (11 Miss. Admin. Code, Part 2, Chapter 1, Rule 1.8).

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 the sum of \$5,000.00 due and payable no later than October 31, 2013, as full and complete settlement thereof.

3.

In the event Respondent fails to comply with any of the terms of this Agreed Order, the Agreed Order shall become fully enforceable through the appropriate chancery court. The Mississippi Department of Environmental Quality, acting on behalf of the Commission, may proceed in chancery court and may submit an affidavit to the chancery court, along with an appropriate complaint to enforce this Agreed Order of the Commission, and such affidavit shall be prima facie evidence upon which to obtain a final judgment against Respondent in favor of the Mississippi Commission on Environmental Quality.

4.

Nothing in this Agreed Order shall limit the rights of the Mississippi Department of Environmental Quality or the Mississippi Commission on Environmental Quality 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.

5.

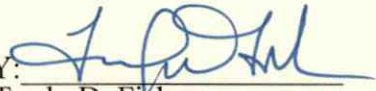
Nothing contained in this Agreed Order shall limit the rights of Complainant to take enforcement or other actions against Respondent for violations not addressed herein and for future violations of environmental laws, rules, and regulations.

6.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Section 49-17-31 of the Mississippi Code Annotated (Rev. 2003), and that it has made an informed waiver of that right.

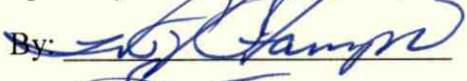
ORDERED, this the 26 day of September, 2013

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

BY:   
Trudy D. Fisher  
EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT  
OF ENVIRONMENTAL QUALITY

AGREED, this the 19<sup>th</sup> day of SEPTEMBER, 2013

Specialty Abatement Services, Inc.

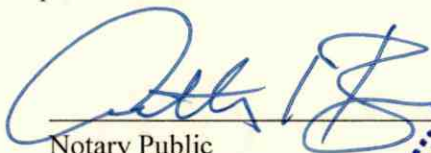
By:   
Title: Sec-TESA

Corporation

STATE OF Mississippi

COUNTY OF Forrest

Personally appeared before me, the undersigned authority in and for the said county and state, on this 19<sup>th</sup> day of September, 2013, within my jurisdiction, the within named W. H. Stamps who acknowledged that (he)(she) is Secretary/Treasurer of Specialty Abatement Serv., a MS corporation, and that for and on behalf of the said corporation, and as its act and deed, (he)(she) executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.



Notary Public



My Commission Expires:

November 25, 2016

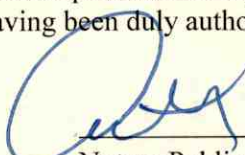


Representative Capacity

STATE OF Mississippi

COUNTY OF Forrest

Personally appeared before me, the undersigned authority in and for the said county and state, on this 19<sup>th</sup> day of September, 20 13, within my jurisdiction, the within named W. H. Stamps, who acknowledged that (he)(she) is Secretary/Treasurer of Specialty Abatement Serv, and that in said representative capacity, (he)(she) executed the above and foregoing instrument, after first having been duly authorized so to do.

  
Notary Public



My Commission Expires:

November 25, 2016