



STATE OF MISSISSIPPI

PHIL BRYANT
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

TRUDY D. FISHER, EXECUTIVE DIRECTOR

April 3, 2014

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Chris Galloway
Federal Express Corporation
3620 Hacks Cross Road
Building B, Floor 2
Memphis, Tennessee 38125

**Re: Federal Express Corporation, TUPA
Agreed Order No. 6402 14**

Dear Mr. Galloway:

Enclosed you will find a copy of Agreed Order No. 6402 14, 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 Thomas Tynes at (601) 961-5578.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Sanders".

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

Enclosure
cc: Thomas Tynes

Agency Interest No. 11893
ENF20140001

OFFICE OF POLLUTION CONTROL

POST OFFICE BOX 2261 • JACKSON, MISSISSIPPI 39225-2261 • TEL: (601) 961-5171 • FAX: (601) 354-6612 • www.deq.state.ms.us

AN EQUAL OPPORTUNITY EMPLOYER

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6402 14

FEDERAL EXPRESS CORPORATION
3620 HACKS CROSS ROAD
BUILDING B, FLOOR 2
MEMPHIS, TENNESSEE 38125

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 Federal Express Corporation, Respondent, in the above captioned cause and agree as follows:

1.

By letters dated October 10, 2013, and February 14, 2014, Respondent was contacted by Complainant and notified of the following violations at its facilities located in Tupelo, Batesville and Corinth, MS. The Tupelo facility is located at 1155 South Gloster Road, Tupelo MS 38801. The Batesville facility is located at 510 Highway 35 North, Batesville MS 38606. The Corinth facility is located at 3003 Tecumseh Road, Corinth MS 38834.

- A. MSR001761 - Tupelo: Federal Express Corporation did not apply for re-coverage under the new Baseline Storm Water General Permit issued on September 29, 2010, and was operating without a storm water permit. This is a violation of 11 Miss. Admin. Code Pt. 6, R. 1.1.1.B(2)(b)(1). Application for re-coverage was

received on September 26, 2013, and a Certificate of Coverage was issued October 3, 2013.

- B. MSR001762 - Batesville: Federal Express Corporation did not apply for re-coverage under the new Baseline Storm Water General Permit issued on September 29, 2010, and was operating without a storm water permit. This is a violation of 11 Miss. Admin. Code Pt. 6, R. 1.1.1.B(2)(b)(1). Application for re-coverage was received on September 26, 2013, and a Certificate of Coverage was issued on October 7, 2013.
- C. MSR001757 - Corinth: Federal Express Corporation did not apply for re-coverage under the new Baseline Storm Water General Permit issued on September 29, 2010, and was operating without a storm water permit. This is a violation of 11 Miss. Admin. Code Pt. 6, R. 1.1.1.B(2)(b)(1). Application for re-coverage was received on September 26, 2013, and a Certificate of Coverage was issued on October 22, 2013.

2.

In lieu of a formal enforcement hearing concerning the violations 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 \$15,000. 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: Jennifer Parish
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 3 day of April, 2014.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

TRUDY D. FISHER
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the _____ day of _____, 2014.

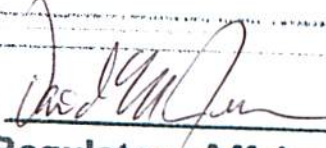
FEDERAL EXPRESS CORPORATION

BY: 

TITLE: MANAGING DIRECTOR

STATE OF Tennessee

COUNTY OF Shelby

Approved: 
Regulatory Affairs
FedEx Legal Department

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction

aforesaid, the within named KAREN ELLIS who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the MANAGING DIRECTOR of Federal Express Corporation and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 24 day of March, 2013⁴ KSE

K. D. McNeil
NOTARY PUBLIC

My Commission expires: _____

MY COMMISSION EXPIRES:
AUGUST 16, 2014

