

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO.

6818 17

SHUQUALAK LUMBER COMPANY INC, PLANER MILL DIVISION
P.O. BOX 68
SHUQUALAK, MISSISSIPPI 39361

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 Shuqualak Lumber Company Inc, Planer Mill Division, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated September 28, 2017, Respondent was contacted by Complainant and notified of the following violations at its facility located at 402 Oak Street, Shuqualak, Mississippi in Noxubee County:

A. Late submittal of renewal application:

Condition 1.16 of the Title V Permit No. 2000-00013: "Expiration of this permit terminates the permittee's right to operate unless a timely and complete renewal application has been submitted. A timely application is one which is submitted at least six (6) months prior to expiration of the Title V permit." The renewal application was due not later than August 31, 2016, 6 months prior to the February 28, 2017 expiration. The Title V permit renewal application was received on September 15, 2016.

B. Operating without a permit:

Consequently, on February 28, 2017 the facility's Title V Operating Permit expired and along with it the right to operate air emissions equipment. The facility continued to operate air emissions equipment after that date which constitutes a violation of Ref.: 11 Miss. Admin. Code Pt. 2, R.6.1.B.(1) which states, "Except as provided or excepted below all Title V sources must comply with all provisions herein with regard to Title V permit responsibilities including but not limited to filing an application for and obtaining a Title V permit."

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 shall comply with the terms and conditions of the Title V Permit No. 2000-00013, which was issued March 7, 2012, and expired on February 28, 2017, until the Mississippi Environmental Quality Permit Board or its designee acts on the renewal application for Respondent's Permit.

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 19th day of DECEMBER, 2017.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 
GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 4th day of December, 2017.

SHUQUALAK LUMBER COMPANY INC, PLANER MILL DIVISION

BY: David E. Jones

TITLE: Environmental Mgr

STATE OF Mississippi

COUNTY OF Neshoba

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named David E. Jones who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Environmental Manager of Shuqualak Lumber Company Inc, Planer Mill Division and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 4th day of December, 2017.

Brenda J. Butler
NOTARY PUBLIC

My Commission expires:

