

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO.

6839 18

VALLEY SERVICES INC., DBA TRADITIONS
100 VALLEY DRIVE
PEARL, MISSISSIPPI 39208

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 Valley Services Inc., dba Traditions, Respondent, in the above captioned cause and agree as follows:

1.

By letters dated June 22, 2017, August 30, 2017, December 4, 2017, and January 4, 2018, Respondent was contacted by Complainant and notified of the following discharge limitation violations of Pretreatment Permit No. MSP092300, at its facility located at 100 Valley Drive, Pearl, Mississippi in Rankin County:

- A. Violations of Biochemical Oxygen Demand (BOD) milligram per liter (mg/L) monthly average limitation of 500 mg/L for the following: August 2016, September 2016, October 2016, November 2016, December 2016, February 2017, March 2017, May 2017, and November 2017.
- B. Violations of Biochemical Oxygen Demand (BOD) milligram per liter (mg/L) daily maximum limitation of 750 mg/L for the following: August 2016, September 2016, October 2016, November 2016, December 2016, February 2017, March 2017, May 2017, and October 2017.

- C. Violations of Total Kjeldahl Nitrogen (TKN) milligram per liter (mg/L) monthly average limitation of 30 mg/L for the following: November 2016, December 2016, March 2017, April 2017, and May 2017.
- D. Violations of Total Kjeldahl Nitrogen (TKN) milligram per liter (mg/L) daily maximum limitation of 45 mg/L for the following: November 2016, December 2016, March 2017, April 2017, and November 2017.
- E. Violations of Oil and Grease milligram per liter (mg/L) daily maximum limitation of 100 mg/L for the following: August 2016, October 2016, December 2016, February 2017, and April 2017.

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 \$42,500. Respondent shall pay this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Executive Director or his designee, the "Execution Date." The settlement payment shall be submitted to:

Mississippi Department of Environmental Quality
Attn: Accounts Receivable
P.O. Box 2339
Jackson, MS 39225

- B. Respondent shall perform an engineering study to determine the cause(s) of the permit exceedances and develop a detailed workplan. The engineering study and workplan shall be completed and submitted to MDEQ within 90 days of the execution date of the Agreed Order.
- C. Respondent shall implement the workplan required in Paragraph 2.B and submit documentation of completion to MDEQ within twelve (12) months of submittal of the workplan.

D. If Respondent fails to comply with any of the requirements established in Paragraphs 2.B or 2.C of this Agreed Order, Respondent shall pay a stipulated penalty to Complainant, due within thirty (30) days of written notification from MDEQ, in the amount of \$7,500.00. Respondent shall also pay an additional stipulated penalty in the amount of \$100.00 per day until compliance with Paragraphs 2.B and 2.C is achieved.

E. Respondent shall comply with the following interim loading limits for a period not to exceed sixteen (16) months from the execution date of the Agreed Order. All other permit limits and requirements remain in effect.

(a) Oil & Grease Daily Maximum	80 lbs/day
(b) Total Kjeldahl Nitrogen Daily Maximum	47 lbs/day
(c) Biochemical Oxygen Demand Monthly Average	413 lbs/day
(d) Biochemical Oxygen Demand Daily Maximum	930 lbs/day

During the period that the interim limits are applicable, Respondent agrees to pay to Complainant a stipulated penalty of \$2,500.00 for each violation of an interim limitation. The stipulated penalty will be payable to Complainant, due within thirty (30) days of written notification by MDEQ that such payment became due.

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 12th day of MARCH, 2018.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 5TH day of MARCH, 2018.

VALLEY SERVICES INC, DBA TRADITIONS

BY: Jim Walt

TITLE: PRESIDENT & CEO

STATE OF MISSISSIPPI

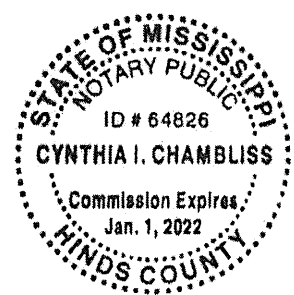
COUNTY OF HINDS

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Jim Walt who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the President & CEO of Valley Services Inc., dba Traditions and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 5th day of March, 2018.

Cynthia I. Chambliss
NOTARY PUBLIC

My Commission expires: 1/1/22





STATE OF MISSISSIPPI
PHIL BRYANT
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
GARY C. RIKARD, EXECUTIVE DIRECTOR

February 20, 2018

CERTIFIED MAIL #7012 2920 0000 4177 0170

Mr. Nathan Chenaux
Transcontinental Gas Pipe Line Company LLC, Station 77
PO Box 1396
Houston, TX 77251-1396

**Re: Transcontinental Gas Pipe Line Company LLC, Station 77
Agreed Order No. 6833 18**

Dear Mr. Chenaux:

Enclosed you will find a copy of Agreed Order No. 6833 18, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Gary Rikard, 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 Accounts Receivable at P.O. Box 2339, Jackson, MS 39225.

If you have any questions regarding your obligations under the enclosed order, please contact Felisa Keyes at (601) 961-5319.

Sincerely,

Renee Odom
for

Tim Aultman, P.E.
Chief, Environmental Compliance and Enforcement Division

Enclosure
cc: Felisa Keyes

Agency Interest No. 2870
ENF20170002