



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Multimedia Enforcement/Voluntary Self-Disclosure: Mississippi Commission of Environmental Quality and B&D Plastics, LLC Enter into an Agreed Order Addressing Alleged Violations

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The Mississippi Commission of Environmental Quality ("Commission") and B&D Plastics, LLC ("B&D") entered into an August 8th Agreed Order ("AO") addressing alleged air, hazardous waste and storm water violations. See Order No. 6676 16.

B&D is stated to operate a facility in Gautier, Mississippi.

B&D contacted the Mississippi Department of Environmental Quality by letter dated June 20, 2014 and identified certain violations of 11 Mississippi Administrative Code. The notification constituted a voluntary self-disclosure. The alleged violations were stated to have been discovered during a B&D internal audit in May 2014 at its facility.

The alleged violations included:

- Part 2, Chapter 6 – B&D had the potential to emit more than 10 tons per year of a single hazardous air pollutant making it a major source for hazardous air pollutants and thus triggering the Title V program and certain other regulations
- Part 3, Chapter 1 – B&D failed to make a proper hazardous waste determination for hazardous waste onsite and had the potential to exceed the threshold of a conditionally exempt small quantity generator
- Part 6, Chapter 1 – B&D determined it needed an individual National Pollution Discharge Elimination System permit for storm water, but had not submitted a Notice of Intent to be covered by general permit for storm water

The AO states that B&D has taken the following steps to come into compliance:

- Submitted a complete Title V permit application to Mississippi Department of Environmental Quality, received August 19, 2014. The application included notification of applicability of 40 CFR Part 63, Subpart WWWW
- Submitted a notification of status as a small quantity generator of hazardous waste, received May 20, 2015

- Submitted a Baseline Notice of Intent for coverage under the Baseline Storm Water General Permit MSR002192 to the Mississippi Department of Environmental Quality, received July 23, 2014

B&D agrees to pay the Mississippi Department of Environmental Quality the sum of \$21,318.35, which includes the total past due Title V fees of \$19,380.32 and a 10% late penalty payment of \$1,938.03 for Federal Fiscal Years 2013, 2014, and 2015.

[A copy of the AO can be downloaded here.](#)