



STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHRIS WELLS, EXECUTIVE DIRECTOR

September 8, 2025

CERTIFIED MAIL # 7019 1120 0000 4785 7190

Mr. David Rhea
AFCO Plastic Products
11000 Green Valley Drive
Olive Branch, Mississippi 38654

**Re: AFCO Plastic Products
Agreed Order No. 7551 25**

Dear Mr. Rhea:

Enclosed you will find a copy of Agreed Order No. 7551 25, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Chris Wells, 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 Geoffrey Martin at (601) 961-5024.

Sincerely,

A handwritten signature in blue ink that reads "Michelle Clark".

Michelle Clark, P.E., BCEE, Chief
Environmental Compliance and Enforcement Division

Enclosure
cc: Geoffrey Martin

Agency Interest No. 5672
ENF20250002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 7551 25

AFCO INDUSTRIES, LLC
11000 GREEN VALLEY DRIVE
OLIVE BRANCH, MISSISSIPPI 38654

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 AFCO Industries, LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated April 2, 2025, Respondent was contacted by Complainant and notified of the following violation at its facility located at 11000 Green Valley Drive, Olive Branch, Mississippi in Desoto County:

- A. Respondent discharged process wastewater to the City of Olive Branch's sanitary sewer system without a valid Pretreatment Permit in Violation of 11 Miss. Admin Code Pt. 6, R.1.1.1.B(2)(a), which states, "Any person discharging into waters of the State or to any publicly owned treatment works or operating a treatment works from which no discharge occurs, shall promptly make application for and obtain from the Permit Board a valid NPDES, UIC, or State permit according to procedures and deadlines set forth in these regulations." and 11 Miss. Admin Code Pt. 6, R.1.1.1.B(2)(b)(4) which states, "Any person discharging wastes into a publicly owned treatment works and which is subject to Federal pretreatment standards (40

CFR 403), or which, in the opinion of the Permit Board, would cause interference with the proper operation of the publicly owned treatment works, cause violations of water quality standards by passing through the publicly owned treatment works, or cause contamination of sludge which would limit or prevent the proper disposal of the sludge, shall apply to the Permit Board for a State permit.”

On August 13, 2024, Respondent submitted to Complainant, an Application for a State Operating Pretreatment Permit. On May 1, 2025, the Mississippi Environmental Quality Permit Board issued Pretreatment Permit No. MSP092475 to Respondent.

2.

In lieu of a formal enforcement hearing concerning the violation 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 \$7,500.00. 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 settlement payment shall be submitted to:

Mississippi Department of Environmental Quality
Attn: Accounts Receivable
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 8th day of September, 2025.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 
CHRIS WELLS
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 26 day of August, 2025.

AFCO INDUSTRIES, LLC

BY: 
DAVID RHEA
PLANT MANAGER

STATE OF MS

COUNTY OF DeSoto

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named DAVID RHEA who first being duly sworn, did state upon his oath and acknowledge to me that he is the PLANT MANAGER of AFCO INDUSTRIES, LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 26 day of August, 2025.


NOTARY PUBLIC

My Commission expires: 2/27/2029

