



STATE OF MISSISSIPPI

PHIL BRYANT
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

TRUDY D. FISHER, EXECUTIVE DIRECTOR

August 22, 2014

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Steve Koehn
Superior Fish Products Inc
PO Box 700
Macon, MS 39341

**Re: Superior Fish Products Inc
Agreed Order No. 6446 14**

Dear Mr. Koehn:

Enclosed you will find a copy of Agreed Order No. 6446 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 Chris Sanders at (601) 961-5682.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Sanders", written over a horizontal line.

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

Enclosure
cc: Chris Sanders

Agency Interest No. 15712
ENF20140002

OFFICE OF POLLUTION CONTROL

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6446 14

SUPERIOR FISH PRODUCTS INC
PO BOX 700
MACON, MISSISSIPPI 39341

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 Superior Fish Products Inc., Respondent, in the above captioned cause and agree as follows:

1.

By letter dated January 9, 2014, Respondent was contacted by Complainant and notified of the following violation(s) at its facility located at 11751 US Highway 45 Bypass, Macon, Mississippi in Noxubee County:

- A. The effluent fecal coliform geometric mean was exceeded in August 2013.
- B. The effluent fecal coliform daily geometric was exceeded in August 2013.
- C. The effluent fecal coliform daily geometric was exceeded in September 2013.
- D. The effluent monthly average flow was exceeded in March 2014.
- E. The effluent oil and grease monthly average was exceeded in April 2014.
- F. The effluent monthly average flow was exceeded in April 2014.

Respondent found that the facility's disinfection system was not operating properly

causing fecal coliform exceedances in August and September of 2013. Repairs were made to the disinfection system and further fecal exceedances have not been observed. Excessive rainfall was the cause of the flow and oil and grease exceedances in March and April of 2014. No further exceedances have been observed since the excess rain events.

2.

In lieu of a formal enforcement hearing concerning the violation(s) 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 \$12,500. Respondent shall pay this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Executive Director. 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 19 day of August, 2014.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: [Signature]
TRUDY D. FISHER
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 12th day of August, 2014.

SUPERIOR FISH PRODUCTS INC

BY: Steve Kocher

TITLE: Plant Engineer

STATE OF Mississippi

COUNTY OF Noxubee

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Steve Kocher who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Plant Engineer of Superior Fish Products Inc. and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 12th day of August, 2014.

Christie C. Sabinson
NOTARY PUBLIC

My Commission expires: 1-9-16

