



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

March 10, 2015

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Rob Steele
S and B Industrial Minerals North America, Aberdeen Facility
10033 IMC Road
Aberdeen, Mississippi 39730-8408

**Re: S and B Industrial Minerals North America, Aberdeen Facility
Agreed Order No. 6505 15**

Dear Mr. Steele:

Enclosed you will find a copy of Agreed Order No. 6505 15, 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 Fees Division at P.O. Box 2339, Jackson, MS 39225.

If you have any questions regarding your obligations under the enclosed order, please contact Danny Beasley at (601) 961-5356.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Sanders".

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

Enclosure
cc: Danny Beasley

Agency Interest No. 2083
ENF20150001

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6505 157

S AND B INDUSTRIAL MINERALS NORTH AMERICA
920 CASSATT ROAD
SUITE 205
BERWYN, PA 19312

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 S and B Industrial Minerals North America, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated September 22, 2014, Respondent was contacted by Complainant and notified of the following violations of Air-Synthetic Minor Operating Permit No. 1840-00010 at its facility located at 10033 IMC Road, Aberdeen, Mississippi in Monroe County:

A. (1) Failure to comply with Record-Keeping Requirement R-1:

"R-1 Production: The permittee shall record the production of bentonite both on a daily basis and on a twelve month rolling total."

B. (2) Failure to comply with Monitoring Requirement M-1:

"M-1 For Emission Point AA-001, the permittee is required to perform stack testing in accordance with EPA Reference Methods 1-5 to demonstrate compliance with the permitted emission limitations for particulate matter. The permittee shall demonstrate compliance with the emission limitations by September 1, 2011, and submit stack test reports within thirty (30) days after the test is completed, and biennially thereafter."

By letter dated October 22, 2014, Respondent alleges to have trained facility personnel on procedures for insuring compliance with Record-Keeping Requirement R-1. On November 24, 2014, Respondent submitted a stack test report demonstrating compliance with the particulate emission limits in the Air-Synthetic Minor Operating Permit No. 1840-00010.

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 \$50,000. 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: 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 20th day of February, 2015.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

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

AGREED, this the _____ day of _____, 2015.

S AND B INDUSTRIAL MINERALS NORTH AMERICA

BY: [Signature]
TITLE: Executive Vice President

STATE OF PA.

COUNTY OF CHESTER

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Robert C Steele who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Executive Vice President of S and B Industrial Minerals North America and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 3 day of February 2015.

[Signature]
NOTARY PUBLIC

My Commission expires: 7/28/2018

