



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

June 15, 2015

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Ms. Kristi Unzicker
Genesis Rail Services LLC, Natchez Terminal
Genesis Energy LP, 919 Milam, Suite 2100
Houston, TX 77002

**Re: Genesis Rail Services LLC, Natchez Terminal
Agreed Order No. 6531 15**

Dear Ms. Unzicker:

Enclosed you will find a copy of Agreed Order No. 6534 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 Rick Sumrall at (601) 961-5791.

Sincerely,

*Ken Smith
for*

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

Enclosure
cc: Rick Sumrall

Agency Interest No. 154
ENF20150002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO.

6531 151

GENESIS RAIL SERVICES, LLC, NATCHEZ TERMINAL
120 L E BARRY ROAD
NATCHEZ, MISSISSIPPI 39120

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 Genesis Rail Services, LLC, Natchez Terminal, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated January 24, 2015, Respondent was contacted by Complainant and notified of the following violation(s) at its facility located at 120 L E Barry Road, Natchez, Mississippi in Adams County:

- A. The facility failed to utilize the sulfatreat catalyst system while barge loading which is a violation of Condition L-6 of the facility's Synthetic Minor Operating Permit (SMOP) No. 0040-00054.
- B. The facility failed to submit a fill notification for Tank 30031 which is a violation of 40 CFR 60.113b(a)(5).

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 \$60,000. Respondent shall pay this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Executive Director. The settlement payment shall be submitted to:

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

- B. Respondent also agrees to complete and submit a new SMOP application to MDEQ's permitting division by July 1, 2015.

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 4th day of JUNE, 2015.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

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

AGREED, this the 13 day of May, 2015.

GENESIS RAIL SERVICES, LLC, NATCHEZ TERMINAL

BY: [Signature]
TITLE: VP - HSSE

STATE OF TEXAS
COUNTY OF HARRIS



PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named JEFFREY W. GIFFORD who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Vice President, HSSE of Genesis Rail Services, LLC, Natchez Terminal and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 13 day of May, 2015.

[Signature]
NOTARY PUBLIC

My Commission expires: 6-26-2016

