



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

June 30, 2015

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Richard Barako  
United Gilsonite Laboratories  
PO Box 70  
Scranton, PA 185010070

**Re: United Gilsonite Laboratories  
Agreed Order No. 6535 15**

Mr. Richard Barako:

Enclosed you will find a copy of Agreed Order No. 6535 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,

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

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

Enclosure  
cc: Rick Sumrall

Agency Interest No. 12247  
ENF20150002

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6535 15

UNITED GILSONITE LABORATORIES  
P.O. BOX 70  
SCRANTON, PA 18501-0070

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 United Gilsonite Laboratories, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated January 7, 2015, Respondent was contacted by Complainant and notified of the following violation at its facility located at 3908 Beasley Road Extension, Jackson, Mississippi in Hinds County:

- A. Failure to submit timely annual synthetic minor monitoring reports as required by the facility's Synthetic Minor Operating Permit (SMOP) No. 1080-00232 in Conditions S-2 and S-3.

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 \$7,700. 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 23<sup>rd</sup> day of June, 2015.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

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

AGREED, this the 8<sup>th</sup> day of JUNE, 2015.

UNITED GILSONITE LABORATORIES

BY: Richard Barako

TITLE: EHS MANAGER

STATE OF PENNSYLVANIA

COUNTY OF LACKAWANNA

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named RICHARD BARAKO who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the EHS MANAGER of United Gilsonite Laboratories and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 8 day of JUNE, 2015.

Donald R. Mancuso  
NOTARY PUBLIC

My Commission expires: 7/14/2018

