



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

March 27, 2017

CERTIFIED MAIL #7010 0780 0001 9992 7213

Mr. John Comino
Southern Hens, Inc.
PO Box 8000
Moselle, MS 39459

**Re: Southern Hens, Inc.
Agreed Order No. 6739 17**

Dear Mr. Comino:

Enclosed you will find a copy of Agreed Order No. 6739 17, 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 Zach Savell at (601) 961-5192.

Sincerely,

A handwritten signature in blue ink that reads "Tim Aultman".

Tim Aultman, P.E.
Chief, Environmental Compliance and Enforcement Division

Enclosure
cc: Zach Savell

Agency Interest No. 960
ENF20160004

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6739 17

SOUTHERN HENS INC
329 MOSELLE-SEMINARY ROAD
MOSELLE, MISSISSIPPI 39459

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 Southern Hens Inc, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated December 9, 2016, Respondent was contacted by Complainant and notified of the following violation at its facility located at 329 Moselle Seminary Road, Moselle, Mississippi in Jones County:

- A. Violation of NPDES Permit No. MS0046302, Condition T-25, for improper operation, maintenance, and replacement. The violation was discovered during an inspection that was conducted by MDEQ staff as a result of a complaint that was filed on October 27, 2016. A broken pump allowed untreated process wastewater to bypass treatment, flow into a stormwater retention pond, and ultimately discharge into the Leaf River.

Respondent took appropriate and immediate corrective actions, including but not limited to the cessation of the bypass and repair of the broken pump, in response to being notified of the violation of NPDES Permit No. MS0046302. These

corrective actions were relayed during the Administrative Conference held on February 14, 2017.

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 \$26,250. 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 27th day of MARCH, 2017.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

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

AGREED, this the 23rd day of ~~2017~~ March, 2017.

SOUTHERN HENS INC

BY: [Signature]

TITLE: General Manager

STATE OF Mississippi

COUNTY OF Jones

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named John Collins who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the General Manager of Southern Hens Inc and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 23 day of March, 2017.

My Commission expires: 1/21/19 [Signature] NOTARY PUBLIC



