



STATE OF MISSISSIPPI  
HALEY BARBOUR  
GOVERNOR  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
TRUDY D. FISHER, EXECUTIVE DIRECTOR

September 12, 2011

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. F. Marc Holman  
DuPont DeLisle Facility  
PO Box 430  
Pass Christian, MS 39571

**Re: DuPont DeLisle Facility  
Agreed Order No. 6018 11**

Dear Mr. Holman:

Enclosed you will find a copy of Agreed Order No. 6018 11, 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 Jan Patton at (601) 961-5782.

Sincerely,

A handwritten signature in blue ink that reads "Chris Sanders".

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

Enclosure  
cc: Jan Patton

Agency Interest No. 1832  
ENF20110002

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO.

6018 11

DUPONT DELISLE FACILITY  
7685 KILN DELISLE ROAD  
PO BOX 430  
PASS CHRISTIAN, MISSISSIPPI 39571

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 DuPont DeLisle Facility (“DuPont”), Respondent, in the above captioned cause, and agree as follows:

1.

MDEQ issued Prevention of Significant Deterioration (PSD) Permit to Construct No. 1020-00115 (the “Permit”) on March 21, 2011 that included a 33.0 lb/hr Particulate Matter (PM) limit for combined filterable and condensable PM for Emission Point AJ-201. Respondent notified the Complainant in a letter dated April 19, 2011 that stack testing performed on March 1, 2011, prior to permit issuance, indicated that the source would likely not meet the emission limits proposed in the draft Permit. The Respondent conducted an additional stack test on May 3-4, 2011 that indicated PM emissions of 49.27 lb/hr, in excess of the applicable limit. On May 25, 2011, the Complainant notified the Respondent of the alleged violation for failure to meet the PM emission limit for AJ-201. Subsequent, to the second failed test, Respondent submitted a revised Permit application to modify the PM limit for AJ-201.

2.

In lieu of a formal enforcement hearing concerning the alleged violation referenced above, Complainant and Respondent agree to settle this matter as follows:

Respondent agrees to pay and Complainant agrees to accept a civil penalty in the amount of \$28,350.00. Respondent shall pay this penalty to Complainant within 45 days after this Agreed Order has been executed by the MDEQ Executive Director or her designee and shall submit the payment to the following address:

Mississippi Department of Environmental Quality  
ATTN: Mona Varner  
P.O. Box 2339  
Jackson, MS 39255

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 the 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. Section 49-17-31 (Rev. 2003), and that it

has made an informed waiver of that right.

ORDERED, this the 12 day of September, 2011.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

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

AGREED, this the 1 day of SEPTEMBER, 2011.

DUPONT DELISLE FACILITY

BY: J. M. Holman

TITLE: PLANT MANAGER

STATE OF MISSISSIPPI

COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named F. MARK HOLMAN who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the PLANT MANAGER of DuPont DeLisle Facility and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 1st day of SEPTEMBER, 2011.

Simone Bellow  
NOTARY PUBLIC



My Commission expires: May 22, 2014