



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

October 3, 2011

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Robert Kimbrough
Delta Oil Mill
PO Box 29
Jonestown, MS 386390029

**Re: Delta Oil Mill
Agreed Order No. 6030 11**

Dear Mr. Kimbrough:

Enclosed you will find a copy of Agreed Order No. 6030 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 William Rider at (601) 961-5184.

Sincerely,

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

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

Enclosure
cc: William Rider

Agency Interest No. 2192
ENF20110002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6030 11

DELTA OIL MILL
PO BOX 29
JONESTOWN, MISSISSIPPI 38639-0029

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 Delta Oil Mill, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated May 12, 2011, Respondent was contacted by Complainant and notified of the following violations at Respondent's facility located at 215 West River Road, Greenwood, Mississippi, in Leflore County:

- A. Failure to monitor for Total Ammonia Nitrogen since permit reissuance on August 9, 2010, in violation of Water - NPDES Permit No. MS0001317 effluent limitations and monitoring requirements
- B. Failure to monitor for Biochemical Oxygen Demand (5-Day) for the July through September 2010 quarterly reporting periods in violation of Water - NPDES Permit No. MS0001317 effluent limitations and monitoring requirements

In a letter to Complainant dated May 18, 2011, Respondent alleged that all violations have been corrected. Subsequent quarterly discharge monitoring reports submitted by Respondent indicate that all parameters are being monitored and are within permitted effluent discharge limitations.

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 \$12,000.00. Respondent shall pay this penalty to MDEQ within forty-five (45) days after execution of this Agreed Order by the MDEQ Executive Director or her designee. Payment shall be submitted to the following address:

Mississippi Department of Environmental Quality
Att: Mona Varner
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. Section 49-17-31 (Rev. 2003), and that it

has made an informed waiver of that right.

ORDERED, this the 29 day of September, 2011.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

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

AGREED, this the 15TH day of SEPTEMBER, 2011.

DELTA OIL MILL

BY: [Signature]

TITLE: PRESIDENT + GEN. MGR.

STATE OF Mississippi

COUNTY OF Coahoma

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named J Scott Middleton Jr. who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the President + General Manager of Delta Oil Mill and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 15 day of September, 2011.

[Signature]
NOTARY PUBLIC



My Commission expires: 11/28/2011