



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

September 5, 2018

CERTIFIED MAIL #7012 2920 0000 4177 0453

Mr. Andrew Moore
Associated Wholesale Grocers, Inc.
2929 Stateline Road
Southaven, Mississippi 38671

**Re: Associated Wholesale Grocers, Inc.
Agreed Order No. 6885 18**

Dear Mr. Moore:

Enclosed you will find a copy of Agreed Order No. 6885 18, 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 Accounts Receivable at P.O. Box 2339, Jackson, MS 39225.

If you have any questions regarding your obligations under the enclosed order, please contact Felisa Keyes at (601) 961-5319.

Sincerely,

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

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

Enclosure
cc: Felisa Keyes

Agency Interest No. 3148
ENF20180002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

6885 18

VS.

ORDER NO. _____

ASSOCIATED WHOLESALE GROCERS, INC.
2929 STATELINE ROAD
SOUTHAVEN, MISSISSIPPI 38671

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 Associated Wholesale Grocers, Inc., Respondent, in the above captioned cause and agree as follows:

1.

By letters dated January 18, 2018, and February 26, 2018, Respondent was contacted by Complainant and notified of the following violations of Water - Pretreatment Permit No. MSP091043. The facility is located at 2929 Stateline Road, Southaven, Mississippi in DeSoto County:

- A. Outfall 001: Violation of Biochemical Oxygen Demand (BOD) milligram per liter (mg/L) annual average limitation of 250 mg/L for the monitoring periods of 2016 and 2017.
- B. Outfall 001: Violation of Biochemical Oxygen Demand (BOD) milligram per liter (mg/L) daily maximum limitation of 375 mg/L for the monitoring periods of 2016 and 2017.
- C. Outfall 001: Violation of Total Suspended Solids (TSS) milligram per liter (mg/L) annual average limitation of 300 mg/L for the monitoring period of 2017.

6882 18

- D. Outfall 001: Violation of Total Suspended Solids (TSS) milligram per liter (mg/L) daily maximum limitation of 450 mg/L for the monitoring period of 2017.
- E. Outfall 001: Violation of Oil and Grease milligram per liter (mg/L) annual average limitation of 100 mg/L for the monitoring period of 2017.

Respondent asserts in correspondence dated June 7, 2018, that it has returned to compliance with the discharge limitations of Pretreatment Permit No. MSP091043.

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 \$7,000. Respondent shall pay this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Executive Director or his designee. The settlement payment shall be submitted to:

Mississippi Department of Environmental Quality
Attn: Accounts Receivable
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 9th day of SEPTEMBER, 2018.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY



AGREED, this the 28th day of August, 2018.

ASSOCIATED WHOLESALE GROCERS, INC.

BY: Andrew Moore

TITLE: EHS Manager

STATE OF Mississippi

COUNTY OF DeSoto

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Andrew Moore who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the EHS Manager of Associated Wholesale Grocers, Inc. and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 28th day of August, 2018.

Sharon W. Green
NOTARY PUBLIC

My Commission expires: June 12, 2020

