



STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHRIS WELLS, INTERIM EXECUTIVE DIRECTOR

January 21, 2020

CERTIFIED MAIL #7012 2920 0000 4177 1573

Mr. Joe Harrell
Enviva Pellets Amory, LLC
142 NC Route 561 East
Ahoskie, NC 27910

**Re: Enviva Pellets Amory, LLC
Agreed Order No. 7020 20**

Dear Mr. Harrell:

Enclosed you will find a copy of Agreed Order No. 7020 20, 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 Charity Rockingham at (601) 961-5722.

Sincerely,

For

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

Enclosure
cc: Charity Rockingham

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO.

7020 20

ENVIVA PELLETS AMORY, LLC
205 MARTIN LUTHER KING JR ROAD
AMORY, MS 38821

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 Enviva Pellets Amory, LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated July 22, 2019, Respondent was contacted by Complainant and notified of the following violation at its facility located at 205 Martin Luther King Jr. Road, Amory, Mississippi in Monroe County:

- A. Violation of MS. Code Ann. § 49-17-29(2b): which states in part that "...it is unlawful for any person to carry on any of the following activities, unless that person holds a current permit for that activity from the Permit Board as may be required for the disposal of all wastes which are or may be discharged into the waters of the state...(iii) the construction, installation or operation of any industrial, commercial or other establishment, including irrigation projects or any extension or modification thereof or addition thereto, the operation of which would cause an increase in the discharge of wastes into the waters of the state..." Respondent failed to obtain recoverage under Mississippi's Baseline Storm

Water General Permit.

Respondent has since applied for and received coverage under Mississippi's Baseline Storm Water General Permit. Coverage No. MSR002386 was issued on September 12, 2019.

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 \$10,000. 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.

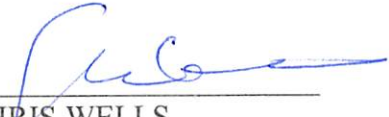
Nothing contained in this Agreed Order shall limit the rights of MDEQ or the Commission to take enforcement or other actions against Respondent for violations not addressed herein and for future violations of environmental laws, rules, and regulations.

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 21st day of January, 2020.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 
CHRIS WELLS
INTERIM EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY



AGREED, this the 10th day of January, 2019.

ENVIVA PELLETS AMORY, LLC

BY: [Signature]

TITLE: Executive Vice President, Operations

STATE OF Maryland

COUNTY OF Montgomery

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Edward R. Smith who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Executive Vice President, Operations of Enviva Pellets Amory, LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 10th day of January, 2019.

[Signature: Ann Marie Pulsch]
ANN MARIE PULSCH
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires September 11, 2023
NOTARY PUBLIC

My Commission expires: _____

