



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

December 31, 2019

CERTIFIED MAIL #7012 2920 0000 4177 1511

Ms. Shelby Olsen
Omega Protein, Inc.
9730 Andrew Road
Abbeville, LA 70510

**Re: Omega Protein, Inc.
Agreed Order No. 7011 19**

Dear Ms. Olsen:

Enclosed you will find a copy of Agreed Order No. 7011 19, 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,

A handwritten signature in blue ink, appearing to read "Tim Aultman", with the word "FOR" written below it.

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

Enclosure
cc: Charity Rockingham

Agency Interest No. 1823
ENF20190003

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO.

7011 19

OMEGA PROTEIN, INC.
5735 ELDER FERRY ROAD
MOSS POINT, MISSISSIPPI 39562

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 Omega Protein, Inc., Respondent, in the above captioned cause and agree as follows:

1.

By letters dated August 19, 2019 and October 25, 2019, Respondent was contacted by Complainant and notified of the following violations of NPDES Permit No. MS0002950 at its facility located at 5735 Elder Ferry Road, Moss Point, Mississippi in Jackson County:

- A. Violation of the 5-day Biochemical Oxygen Demand (BOD₅) Monthly Average pounds per day (lbs/day) effluent limitations from June through August of 2019.
- B. Violation of the 5-day Biochemical Oxygen Demand (BOD₅) Daily Maximum pounds per day (lbs/day) effluent limitations from June through August of 2019.
- C. Violation of Ammonia (as Nitrogen) Monthly Average pounds per day (lbs/day) effluent limitations for June and July of 2019.

- D. Violation of Ammonia (as Nitrogen) Daily Maximum pounds per day (lbs/day) effluent limitations for May through July of 2019.

By letter dated December 3, 2019, Respondent reported that the facility is back in compliance with the limits of NPDES Permit No. MS0002950.

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 \$37,500. 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 30th day of DECEMBER, 2019.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 20 day of December 2019, 2019.

OMEGA PROTEIN, INC.

BY: [Signature]

TITLE: Vice President

STATE OF Texas

COUNTY OF Harris

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named John David Helda who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Vice President of Omega Protein, Inc. and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 20 day of December, 2019.

[Signature]
NOTARY PUBLIC

My Commission expires: 01-18-2021

