



State of Mississippi

TATE REEVES
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

October 28, 2021

CERTIFIED MAIL #7019 1120 0000 4785 6131

Mr. Jonathan McLendon
M & M Processing, LLC
260 Maple Street
Biloxi, Mississippi 39530

**Re: M & M Processing, LLC
Agreed Order No. 7157 21**

Dear Mr. McLendon:

Enclosed you will find a copy of Agreed Order No. 7157 21, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Chris Wells, 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 Geoffrey Martin at (601) 961-5024.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle Clark".

Michelle Clark, P.E., BCEE, Chief
Environmental Compliance and Enforcement Division

Enclosure
cc: Geoffrey Martin

Agency Interest No. 4799
ENF20210002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. **7157 21**

M & M PROCESSING, LLC
260 MAPLE STREET
BILOXI, MISSISSIPPI 39530

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 M & M Processing, LLC, Respondent, in the above captioned cause and agree as follows:

1.

On November 30, 2018, Respondent's parent company, Biloxi Freezing & Processing, LLC, leased the facility located at 260 Maple Street from Gollott Seafood Investments, LLC. Respondent began operations resulting in the discharge of process wastewater into Harrison County Utility Authority, East Biloxi POTW (NPDES Permit No. MS0023159) in May 2019.

2.

By letter dated October 14, 2021, Respondent was contacted by Complainant and notified of the following alleged violation:

- A. Respondent did discharge wastewater into a POTW without making application for and obtaining a valid State permit in violation of 11 Miss. Admin. Code Pt. 6, Ch. 1 Rule 1.1.1.B(2)(a) and (b)(4).

3.

On September 15, 2021, Respondent submitted a Request for the Transfer of Pretreatment Permit No. MSP092445 from Gollott Seafood Investments, LLC to M & M Processing, LLC. The request is under review by MDEQ's Environmental Permits Division (EPD).

4.

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 \$7,500.00. 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

- B. Respondent agrees to comply with Pretreatment Permit No. MSP092445 until MDEQ's Environmental Permits Division acts on the September 15, 2021 Request for the Transfer of Pretreatment Permit No. MSP092445. Respondent shall submit the analytical results required by Condition No. S-1 to MDEQ's Environmental Compliance and Enforcement Division (ECED) no later than the 28th day of the month following the completed monitoring period. The results shall be submitted to:

Mississippi Department of Environmental Quality
Attn: Chief, ECED Water I Branch
P.O. Box 2261
Jackson, MS 39225

5.

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.

6.

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.

7.

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 28th day of October, 2021.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

BY: [Signature]
CHRIS WELLS
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the _____ day of _____, 2021.

M & M PROCESSING, LLC

BY: [Signature]

TITLE: President

STATE OF MS

COUNTY OF Harrison

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Jonathan McJendon who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the President of M & M Processing, LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 19 day of October, 2021.

[Signature]
NOTARY PUBLIC

My Commission expires: 12/05/22

