



State of Mississippi

TATE REEVES
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

May 9, 2022

CERTIFIED MAIL #7019 1120 0000 4785 5882

Mr. Ryan Johnson
AEI, LLC
140 Matthews Drive
Senatobia, MS 38668

**Re: AEI, LLC
Agreed Order No. 7188 22**

Dear Mr. Johnson:

Enclosed you will find a copy of Agreed Order No. 7188 22, 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 Charity Rockingham at (601) 961-5722.

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: Charity Rockingham

Agency Interest No. 904
ENF20210004 -

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. **7188 22**

AEI, LLC
140 MATTHEWS DRIVE
SENATOBIA, MISSISSIPPI 38668

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 AEI, LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letters dated October 12, 2021 and November 22, 2021, Respondent was contacted by Complainant and notified of the following violations at its facility located at 140 Matthews Drive, Senatobia, Mississippi in Tate County:

- A. Title V Operating Permit No. 2600-00026, Condition 5.A.4: Facility failed to timely submit a Semi-Annual Monitoring Report in January 2021.
- B. Title V Operating Permit No. 2600-00026, Condition 4.2: Facility failed to timely submit an Annual Certification of Compliance in January 2021.
- C. NPDES Pretreatment Permit No. MSP091349, Condition S-2: Facility failed to timely submit Discharge Monitoring Reports for August and September 2021.

By email dated April 12, 2022, Respondent asserts the violations have been addressed. Respondent also asserts the associated reports did not identify noncompliance with underlying

operating parameter requirements.

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 \$19,875.00. 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

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 1st day of May, 2022.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

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

AGREED, this the 5 day of May, 2022.

AEI, LLC
BY: [Signature]
TITLE: Plant Manager

STATE OF South Dakota
COUNTY OF Brookings

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Ryan Johnson who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Plant Manager of AEI, LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 5th day of May, 2022.

[Signature]
NOTARY PUBLIC



My Commission expires: 5-17-2023