



# State of Mississippi

**TATE REEVES**  
Governor

**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY**

CHRIS WELLS, EXECUTIVE DIRECTOR

April 12, 2023

CERTIFIED MAIL #7019 1120 0000 4785 9125

Mr. Tim Fox  
Lincoln Terminal Company, Inc.  
22 South Main Street  
Greenville, South Carolina 29601

**Re: Lincoln Terminal Company Inc  
Agreed Order No. 7243 23**

Dear Mr. Fox:

Enclosed you will find a copy of Agreed Order No. 7243 23, 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,

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

Enclosure  
cc: Geoffrey Martin

Agency Interest No. 74865  
ENF20230001

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO.

**7243 23**

LINCOLN TERMINAL COMPANY, INC.  
151 L E BARRY ROAD  
NATCHEZ, MISSISSIPPI 39120

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 Lincoln Terminal Company, Inc., Respondent, in the above captioned cause and agree as follows:

1.

By letter dated September 19, 2022, Respondent was contacted by Complainant and notified of the following violation of Synthetic Minor Operating Permit No. 0040-00060 discovered during a Compliance Evaluation Inspection at Respondent's facility on July 28, 2022:

- A. Condition 5.4: Respondent failed to conduct a subsequent stack test on Emission Point AA-001 within twenty-five (25) months of the previous test. Respondent was required to conduct the subsequent stack no later than May 31, 2022. Respondent conducted the subsequent stack test one hundred (100) days late on September 8, 2022.

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 \$25,000.00. 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 12<sup>th</sup> day of April, 2023.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

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

AGREED, this the 24<sup>th</sup> day of March, 2023.

LINCOLN TERMINAL COMPANY, INC.

BY: [Signature]

TITLE: CEO

STATE OF South Carolina

COUNTY OF Greenville



PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Larry Burgamy who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the CEO of Lincoln Terminal Company, Inc. and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 24<sup>th</sup> day of March, 2023.

[Signature]  
NOTARY PUBLIC

DEBORAH S. NORTHCUTT  
Notary Public, State of South Carolina  
My Commission Expires 2/14/2024

My Commission expires: \_\_\_\_\_