



STATE OF MISSISSIPPI

PHIL BRYANT
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

TRUDY D. FISHER, EXECUTIVE DIRECTOR

June 27, 2012

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. John Stubbs
Nidec Motor Corporation
710 Venture Drive, Suite 100
Southaven, MS 38672

**Re: Nidec Motor Corporation
Agreed Order No. 6136 12**

Dear Mr. Stubbs:

Enclosed you will find a copy of Agreed Order No. 6136 12, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Trudy Fisher, 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 Fees Division at P.O. Box 2339, Jackson, MS 39225.

If you have any questions regarding your obligations under the enclosed order, please contact Mohammad Yassin at (601) 961-5195.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Sanders", with a long horizontal flourish extending to the right.

Chris Sanders, P.E.
Chief, Environmental Compliance and Enforcement Division

Enclosure
cc: Mohammad Yassin

Agency Interest No. 18531
ENF20120002

OFFICE OF POLLUTION CONTROL

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6 136 12

NIDEC MOTOR CORPORATION
8050 WEST FLORISSANT AVENUE
ST. LOUIS, MISSOURI 63136

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 Nidec Motor Corporation, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated March 6, 2012, Respondent was contacted by Complainant and notified of the following alleged violations at its facility located at 710 Venture Drive, Suite 100, Southaven, Mississippi in Desoto County:

- A. An apparent violation of air Synthetic Minor Operating Permit No. 0680-00101 (the "Permit), condition I.8, which requires that, for renewal of the permit, the applicant shall make application not less than one-hundred eighty (180) days prior to the expiration date of the permit substantiated with current emission data, test results or reports or other data as deemed necessary by the Mississippi Environmental Quality Permit Board. The renewal application for the Respondent's air permit was not received until after the permit expired. The

permit expired on February 28, 2012, and the application was submitted on or about March 23, 2012.

- B. An apparent violation of Commission regulation AP-S-2, I.D.1 which requires a state permit to operate for synthetic minor sources, major Title V sources, and significant minor sources. Due to the expiration of the Permit, Respondent has operated without a valid air operating permit since February 28, 2012.

2.

In lieu of a formal enforcement hearing concerning the alleged 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 \$15,000.00. Respondent shall pay this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Executive Director. The settlement payment shall be submitted to:

Mississippi Department of Environmental Quality
Attn: Mona Varner
P.O. Box 2339
Jackson, MS 39225

- B. Until the Mississippi Environmental Quality Permit Board or its designee acts on the renewal application for Respondent's Permit, Respondent shall comply with the terms and conditions of Synthetic Minor Operating Permit 0680-00101 issued October 8, 2010.

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. Section 49-17-31 (Rev. 2003), and that it has made an informed waiver of that right.

ORDERED, this the 25 day of June, 2012.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

TRUDY D. FISHER
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 11 day of June, 2012.

NIDEC MOTOR CORPORATION

BY: [Signature]

TITLE: Director of Operations

STATE OF MS

COUNTY OF DeSoto

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named John Stuller who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Director of ops of Nidec Motor Corporation and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 11 day of June, 2012.

[Signature]
NOTARY PUBLIC

My Commission expires: 8/5/2015

