



STATE OF MISSISSIPPI

PHIL BRYANT
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

TRUDY D. FISHER, EXECUTIVE DIRECTOR

September 19, 2012

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. John Moore
Moores Feed and Seed Store
157 Highway 15 South
Pontotoc, MS 38863

**Re: Moores Feed and Seed Store
Agreed Order No. 6176 12**

Enclosed you will find a copy of Agreed Order No. 6176 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 Chris Wells at (601) 961-5545.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Sanders", with a stylized flourish at the end.

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

Enclosure
cc: Chris Wells

Agency Interest No. 55289
ENF20110002

OFFICE OF POLLUTION CONTROL

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6 176 127

MOORE'S FEED STORE, INC.
157 HIGHWAY 15 SOUTH
PONTOTOC, MISSISSIPPI 38863

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 Moore's Feed Store, Inc. d/b/a Moore's Feed and Seed Store, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated June 8, 2011, Respondent was contacted by Complainant and notified of the following violation discovered during a Compliance Evaluation Inspection conducted by MDEQ staff on May 26, 2011 at the Moore's Feed and Seed Store construction site located at Highway 15 North, Pontotoc, Mississippi in Pontotoc County (the "Site"):

- A. Violation of MS Code Ann. 49-17-29 (2.b): Respondent failed to obtain coverage under Mississippi's Large Construction Storm Water General Permit before commencement of land disturbing activities.

On August 7, 2012, MDEQ received a Large Construction Notice of Intent (LCNOI) and Storm Water Pollution Prevention Plan (SWPPP) submitted by Respondent seeking coverage for the

construction activities at the Site under Mississippi's Large Construction Storm Water General Permit. The LCNOI and SWPPP were determined to meet the minimum requirements for issuance of a Certificate of Coverage for the Site under Mississippi's Large Construction Storm Water General Permit.

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 \$37,000. 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 her designee.
- B. Respondent agrees to maintain existing erosion/sediment control measures until such time as the approved SWPPP has been fully implemented in accordance with the implementation sequence contained therein and further agrees to submit to MDEQ written verification when the approved SWPPP has been fully implemented.

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, regulations, and permits.

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 18 day of September, 2012.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: [Signature]
for TRUDY D. FISHER
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the _____ day of _____, 2012.

MOORE'S FEED STORE, INC.

BY: [Signature: Sherina Waldrop]

TITLE: Sec. Treas.

STATE OF Mississippi

COUNTY OF Pontotoc

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Sherina Waldrop who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Sec. Treas. of Moore's Feed Store, Inc. and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 6 day of September, 2012.

[Signature: Melinda Nanchi] Great Clerk
NOTARY PUBLIC

My Commission expires: 1-1-2016

[Signature: Cindy D. Donna] DC



STATE OF MISSISSIPPI
PHIL BRYANT
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
TRUDY D. FISHER, EXECUTIVE DIRECTOR

August 20, 2012

CERTIFIED MAIL: 7011 2000 0002 6756 2883

Mr. John Moore
Moore's Feed Store, Inc.
157 Highway 15 South
Pontotoc, Mississippi 38863

Re: Agreed Order for signature
Moore's Feed Store, Inc.
Pontotoc, Pontotoc County
GP-Construction Permit No. MSR105919

Dear Mr. Moore:

Enclosed please find an Agreed Order that reflects agreements reached to resolve certain environmental issues with your company.

Please sign the order before a Notary Public in the appropriate space and return the original water-marked order in the enclosed, self-addressed envelope to MDEQ Attn: Kim Smith, PO Box 2261 Jackson, MS 39225.

If you have any questions, please contact me at (601) 961-5545.

Sincerely,

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

Christopher G. Wells
Senior Attorney
Office of Pollution Control

Cc: Mr. Gary Rikard (via electronic mail)
Enclosure