



State of Mississippi

TATE REEVES
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

October 24, 2022

CERTIFIED MAIL #7019 1120 0000 4787 3374

Mr. Billy Stewart
Blue Mountain Production Company
31 County Road 827
Blue Mountain, MS 38610

**Re: Blue Mountain Production Company, Taylor and Plant Property Mine
Agreed Order No. 7221 22**

Dear Mr. Stewart:

Enclosed you will find a copy of Agreed Order No. 7221 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 Geoffrey Martin at (601) 961-5024.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Clark".

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

Enclosure
cc: Geoffrey Martin

Agency Interest No. 992
ENF20220002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

7221 22

VS.

ORDER NO. _____

BLUE MOUNTAIN PRODUCTION COMPANY
31 COUNTY ROAD 827
BLUE MOUNTAIN, MISSISSIPPI 38610

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 Blue Mountain Production Company, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated April 12, 2022, Respondent was contacted by Complainant and notified of the following violation of Title V Operating Permit No. 2620-00003:

- A. Condition 3.B.7: Respondent emitted 0.033 grams per dry standard cubic meter (g/dscm) of Particulate Matter (PM) from Emission Point AA-005 during a stack test on September 22, 2021. This exceeded the PM limit of 0.032 g/dscm.

2.

By letter dated February 16, 2022, Respondent submitted the results of a stack test conducted on February 1, 2022. During this test, Respondent emitted 0.005 g/dscm from Emission Point AA-005. This value is below the permitted PM limit of 0.032 g/dscm.

3.

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 \$19,125.00. 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

4.

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.

5.

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.

6.

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 24th day of October, 2022.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

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

AGREED, this the 19th day of October, 2022.

BLUE MOUNTAIN PRODUCTION COMPANY

BY: [Signature]

TITLE: Plant Manager

STATE OF Mississippi

COUNTY OF Tippah

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

SWORN AND SUBSCRIBED BEFORE ME, this the 19th day of October, 2022.

[Signature]
NOTARY PUBLIC

My Commission expires: 5/21/23

