



STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHRIS WELLS, EXECUTIVE DIRECTOR

July 6, 2026

CERTIFIED MAIL/RETURN RECEIPT REQUESTED #7019 1120 0000 4785 7244

Mr. Stacey Miller
USA Yeast Company LLC
457 JM Tatum Industrial Drive
Hattiesburg, Mississippi 39401

**Re: USA Yeast Company LLC
Agreed Order No. 7728 26**

Dear Mr. Miller:

Enclosed you will find a copy of Agreed Order No. 7728 26, 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 blue ink that reads "Michelle Clark".

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

Enclosure
cc: Geoffrey Martin

Agency Interest No. 16634
ENF20250004

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 7728 26

USA YEAST COMPANY, LLC
457 JM TATUM INDUSTRIAL DRIVE
HATTIESBURG, MISSISSIPPI 39401

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 USA Yeast Company, LLC, Respondent, in the above captioned cause and agree as follows:

1.

On June 28, 2023, Respondent and the City of Hattiesburg (the City) entered into an Agreement related to the treatment of Respondent's industrial effluent discharged to the City's sanitary sewer system. As part of the Agreement, Respondent agreed that its effluent load concentrations shall not exceed 10,000 pounds per day daily maximum of five-day Biochemical Oxygen Demand (BOD) and 8,000 pounds per day monthly average of BOD, and 6,000 pounds per day daily maximum of Total Suspended Solids (TSS) and 3,000 pounds per day monthly average of TSS from the Effective Date of the Agreement until the date three years from the Effective Date (the Interim Limits). Beginning on the date three years from the Effective Date, Respondent agreed that its effluent load concentrations shall not exceed 4,504 pounds per day daily maximum of five-day BOD and 3,002 pounds per day monthly average of BOD, and 2,250 pounds per day daily maximum of TSS and 1,500 pounds per day monthly average of TSS (the Final Limits).

On December 5, 2023, the Mississippi Environmental Quality Permit Board (Permit Board) issued State Operating Pretreatment Permit No. MSP091951 (the Pretreatment Permit) to Respondent. The Pretreatment Permit included the Interim Limits from Respondent's Agreement with the City as Phase I discharge limitations, effective until June 28, 2026, and the Final Limits as Phase II discharge limitations, effective beginning on June 29, 2026.

By letters dated January 8, 2025, April 15, 2025, June 6, 2025, October 14, 2025, January 6, 2026, and May 6, 2026, Respondent was contacted by Complainant and notified of the following violations of State Operating Pretreatment Permit No. MSP091951 (the Pretreatment Permit) at its yeast production facility (the Facility) located at 457 JM Tatum Industrial Drive, Hattiesburg Mississippi in Forrest County:

- A. Respondent violated the minimum pH discharge limitation during the January, February, March, April, May, June, and October monitoring periods in 2024; during the February, March, April, September, October and November monitoring periods in 2025; and during a Compliance Monitoring Inspection performed by MDEQ at Outfall 001 on April 1, 2025.
- B. Respondent violated the maximum pH discharge limitation during the January, February, March, April, May, June, July, August, September, October, and December monitoring periods in 2024 and during the January, February, April, May, June, July, August, September, October, and November monitoring periods in 2025.
- C. Respondent violated the Phase I Biochemical Oxygen Demand discharge limitation during the February, March, July and August monitoring periods in 2024 and during the January, February, March, May, September, October, and November monitoring periods in 2025.
- D. Respondent violated the Phase I Total Suspended Solids discharge limitation during the September 2024 monitoring period.

By letter dated May 19, 2025, Respondent was contacted by Complainant and notified of the following violations which were discovered by MDEQ during a Compliance Evaluation Inspection at the Facility on April 16, 2025:

- E. Respondent discharged molasses contaminated stormwater into waters of the State in

violation of Miss. Code Ann. § 49-17-29(2)(a) which states, “Except as in compliance with paragraph (b) of this subsection, it is unlawful for any person to cause pollution of any waters of the state or to place or cause to be placed any wastes in a location where they are likely to cause pollution of any waters of the state. It is also unlawful to discharge any wastes into any waters of the state which reduce the quality of those waters below the water quality standards established by the commission; or to violate any applicable pretreatment standards or limitations, technology-based effluent limitations, toxic standards or any other limitations established by the commission. Any such action is declared to be a public nuisance.”

- F. Respondent failed to obtain coverage under the Industrial Storm Water General Permit for Industrial Activities in violation of Miss. Code Ann. § 49-17-29(2)(b) which states, “It is unlawful for any person to carry on any of the following activities, unless that person holds a current permit for that activity from the Permit Board as may be required for the disposal of all wastes which are or may be discharged into the waters of the state, or unless that person is exempted from holding a permit by a regulation promulgated by the commission: [...] (iii) the construction, installation or operation of any industrial, commercial or other establishment, including irrigation projects or any extension or modification thereof or addition thereto, the operation of which would cause an increase in the discharge of wastes into the waters of the state or would otherwise alter the physical, chemical or biological properties of any waters of the state in any manner not already lawfully authorized.”

On August 8, 2025, MDEQ received an Industrial Stormwater Notice of Intent and Stormwater Pollution Prevention Plan from Respondent. Subsequently, on September 25, 2025, the Mississippi Environmental Quality Permit Board (Permit Board) issued Certificate of Permit Coverage No. MSR002568 to Respondent for coverage under the Industrial Storm Water General Permit for Industrial Activities.

By letter dated December 12, 2025, Respondent submitted to MDEQ a plan to achieve compliance with the discharge limitations required by the Pretreatment Permit. Respondent stated it

intends to install an additional capture tank on the southern side of the Facility to capture additional floor drains by July 2026. Additionally, Respondent stated it is in the process of adding an adding an Aerobic Digester at the Facility to treat the evaporator condensate for additional BOD and TSS removal. Respondent stated that this system will include an equalization tank which will add an additional stage of pH neutralization and is expected to be operational by July 2027.

Through the submittal of Discharge Monitoring Reports to NetDMR for the December monitoring period in 2025 and the January, February, and March monitoring periods in 2026, Respondent has demonstrated compliance with the pH, the Phase I Biochemical Oxygen Demand, and the Phase I Total Suspended Solids discharge limitations required by the Pretreatment Permit.

On February 17, 2026, Respondent and the City amended the Agreement previously entered into on June 28, 2023. The amended Agreement extended the agreed upon Interim Limits by one year until June 29, 2027. After which, the Final Limits will take effect.

By letter dated March 18, 2026, Respondent submitted to MDEQ a request to modify its Pretreatment Permit to reflect the amended Agreement between Respondent and the City.

On April 10, 2026, the Permit Board modified Respondent's State Operating Pretreatment Permit No. MSP091951. The modified Pretreatment Permit extended the effective date of the Biochemical Oxygen Demand and Total Suspended Solids Phase I discharge limitations through June 30, 2027. Beginning on July 1, 2027, the Phase II discharge limitations will take effect.

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 \$122,500.00. 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 Effective Date). The settlement payment shall be submitted to:

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

- B. Within forty-five (45) days of the Effective Date, Respondent agrees to submit to MDEQ the final design(s) certified by a Mississippi Registered Professional Engineer of any additional pretreatment system(s) necessary to meet the Phase II discharge limitations set forth in the Pretreatment Permit. This documentation shall be submitted to:

Mississippi Department of Environmental Quality
Attn: Manager, ECED Water I Branch
P.O. Box 2261
Jackson, MS 39225

- C. On or before July 31, 2026, Respondent agrees to submit to MDEQ written notification that documents the installation of the additional capture tank which will ensure the capture of all wastewater from the Facility's floor drains and be capable of neutralizing the pH of the wastewater if Respondent believes it will cause a violation of the pH discharge limitations required by the Pretreatment Permit. Respondent also agrees to submit a schematic of the floor drains routed to each of the Facility's capture tanks. This notification shall be submitted to the address provided in Section 2.B.
- D. On or before November 16, 2026, Respondent agrees to submit written notification to MDEQ documenting the status of the construction project referenced in Section 2.B. This notification shall be submitted to the address provided in Section 2.B.
- E. On or before June 29, 2027, Respondent agrees to submit to MDEQ a statement certified by a Mississippi Registered Professional Engineer that construction of the pretreatment system referenced in Section 2.B. is one hundred percent (100%) complete and operating in compliance with the Phase II discharge limitations set forth in the Pretreatment Permit. This notification shall be submitted to the address provided in Section 2.B.
- F. If Respondent fails to submit any written notification to MDEQ required by Sections

2.B., 2.C., 2.D. or 2.E., Respondent agrees to pay a stipulated penalty to MDEQ in the amount of \$1,000.00 per requirement. Respondent agrees to pay an additional stipulated penalty in the amount of \$1,000.00 per month per requirement until compliance is met. The stipulated penalty will be due within forty-five (45) days of written notification by Complainant that such payment is due.

- G. Until Respondent satisfies all requirements of this Agreed Order, Respondent agrees to pay a stipulated penalty to MDEQ in the amount of \$10,000.00 for any daily discharge of wastewater via Outfall 001 containing a pH of less than or equal to 2.0 or greater than or equal to 12.5. The stipulated penalty will be due within forty-five (45) days of written notification by Complainant that such payment is due.
- H. Certain requirements set forth above correspond to deadlines established in Respondent's amended Agreement with the City of Hattiesburg entered into on February 17, 2026. To the extent that those deadlines are extended pursuant to the terms of that amended Agreement, MDEQ agrees to extend the corresponding deadlines in this Agreed Order. Respondent shall submit written notifications to MDEQ documenting any deadline extensions as soon as practicable.

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.

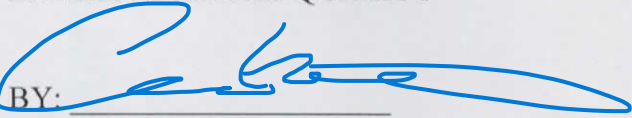
Nothing contained in this Agreed Order shall limit the rights of MDEQ or the Commission to take enforcement or other actions against Respondent for violations not addressed herein and for future violations of environmental laws, rules, and regulations.

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 6th day of July, 2026.

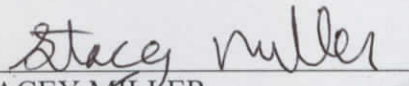
MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

CHRIS WELLS
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 25 day of June, 2026.

USA YEAST COMPANY, LLC

BY: 

STACEY MILLER
PLANT MANAGER

STATE OF Mississippi
COUNTY OF Forrest

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named STACEY MILLER who first being duly sworn, did state upon his oath and acknowledge to me that he is the PLANT MANAGER at USA YEAST COMPANY, LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 25 day of June, 2026.


NOTARY PUBLIC

My Commission expires: March 10, 2028

