

**STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER RESOURCES DIVISION**

In the matter of:

AFO-000199

Date Entered:

2-5-14

Randy Petroschus, L.L.C.
Petro Farms
3545 102nd Avenue
Allegan, Michigan 49010

ACO-000199
_____ /

FIRST AMENDED ADMINISTRATIVE CONSENT ORDER

Administrative Consent Order (Consent Order) **ACO-000199** entered on **November 22, 2013**, between the Department of Environmental Quality (DEQ), Water Resources Division (WRD), and Randy Petroschus, L.L.C. (Petro Farms) is hereby amended as follows. Upon the consent of the parties and by the authority granted to the DEQ by the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, it is hereby **AGREED AND ORDERED**:

COMPLIANCE PROGRAM

The dates contained in paragraph **2.2**, of **ACO-000199** shall be amended as specified below:

- 2.2 By not later than **October 1, 2014**, Petro Farms shall obtain as-built drawings detailing all construction activities completed and confirming that the waste storage structure commonly referred to as "the sand settling cells" meets NRCS 313 of 2005 or has been repaired to meet the environmental equivalent. Petro Farms shall submit a copy of the as-built drawings to the WRD Kalamazoo District Supervisor, 7953 Adobe Road, Kalamazoo, Michigan 49009, not later than **October 11, 2014**.

PENALTIES

Paragraphs **8.1** and **8.4**, of ACO-000199 shall be amended as specified below:

- 8.1 Petro Farms agrees to pay to the State of Michigan a total of \$4,000.00 in resolution of this matter. Since a \$2,000 payment was made in accordance with ACO-000199, Petro Farms agrees to pay to the State of Michigan the remaining sum of **\$2,000.00**. Payment shall be made payable within **30 days** of the effective date of this Amended Administrative Consent Order.

- 8.4 Petro Farms agrees to pay all funds due pursuant to this agreement by check made payable to the State of Michigan and delivered to Accounting Services Division, Cashier's Office for the DEQ, P.O. Box 30657, Lansing, Michigan 48909-8157, or hand delivered to the Accounting Services Division, Cashier's Office for the DEQ, 425 W. Ottawa St., Lansing, Michigan 48933. To ensure proper credit, all payments made pursuant to this Consent Order must include the **Payment Identification No. WRD40061**.

GENERAL PROVISIONS

All other terms and conditions of **ACO-000199** shall remain in full force and effect and are not altered by this Amended Administrative Consent Order, except as specifically prescribed in this document.

Signatories

The undersigned CERTIFY they are fully authorized by the party they represent to enter into this Amended Consent Order to comply by consent and to EXECUTE and LEGALLY BIND that party to it.

DEPARTMENT OF ENVIRONMENTAL QUALITY

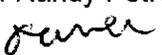


William Creal, Chief
Water Resources Division

2/5/2014
Date

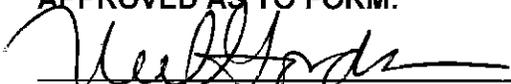
RANDY PETROSHUS, L.L.C.

By 

By: Randy Petrosus


Title
1-26-14
Date

APPROVED AS TO FORM:



By: Neil D. Gordon, Assistant Attorney General
For: S. Peter Manning, Chief
Environment, Natural Resources, and Agriculture Division
Michigan Department of Attorney General

1/31/14
Date