



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

JUN 05 2012

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. William L. Lloyd, Operations Director  
Alliance One International, Inc.  
P.O. Box 166  
Farmville, North Carolina 27828-0166

SUBJ: Consent Agreement and Final Order:  
Docket No. CWA-04-2012-5014

Dear Mr. Lloyd:

Enclosed is a copy of the Consent Agreement and Final Order for the above referenced matter. This CAFO became effective on the date of filing with the Regional Hearing Clerk as required by 40 C.F.R. §§ 22.6 and 22.31, and as indicated on the Certificate of Service.

The United States Environmental Protection Agency hereby notifies you that the Expedited Settlement Agreement has been executed by both parties and is binding on the EPA and you. Upon receipt of your assessed penalty of \$500.00, the EPA will take no further action against you for the violations cited in the ESA. Your copy of the executed ESA is enclosed.

You must submit your payment within thirty (30) days of your receipt of this letter by either electronic funds transfer, certified or cashiers check made payable to "Environmental Protection Agency." The check and a letter accompanying the check shall reference the name of the responsible party (Oil Spill Liability Trust Fund-311, Alliance One International, Inc.) and the EPA docket number CWA-04-2012-5014, and shall be sent depending upon your preferred method of payment identified in Enclosure A.

At the same time, you shall send a separate copy of each check and a written statement that the payment is being made in accordance with this CAFO, to the persons at the following addresses:

Ms. Patricia Bullock  
Regional Hearing Clerk  
U.S. EPA - Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960

Mr. Mel Rechtman  
South Enforcement and Compliance Section  
RCRA and OPA Enforcement and Compliance Branch  
U.S. Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303

If you have any questions, please contact Mel Rechtman at (404) 562-8745.

Sincerely,



César A. Zapata, Chief  
RCRA and OPA Enforcement and Compliance Branch  
RCRA Division

Enclosures:

1. Expedited Settlement Agreement
2. Payment Information

cc: USCG

ENCLOSURE A

COLLECTION INFORMATION

CHECK PAYMENTS:

U.S. Environmental Protection Agency  
Fines and Penalties  
P.O. Box 979077  
St. Louis, Missouri 63197-9000

WIRE TRANSFERS:

Wire transfers should be directed to the Federal Reserve Bank of New York

Federal Reserve Bank of New York  
ABA = 021030004  
Account = 68010727  
SWIFT address = FRNYUS33  
33 Liberty Street  
New York, New York 10045  
Field Tag 4200 of the Fedwire message should read "D 68010727 Environmental Protection Agency"

OVERNIGHT MAIL:

U.S. Bank  
1005 Convention Plaza  
Mail Station SL-MO-C2GL  
St. Louis, Missouri 63101

Contact: Natalie Pearson 314-418-4087

ACH (also known as REX or remittance express)

Automated Clearinghouse (ACH) for receiving U.S. currency  
US Treasury REX / ACH Receiver  
5700 Rivertech Court  
Riverdale, Maryland 20737  
Contacts: John Schmid 202-874-7028 or  
Remittance Express 1-866-234-5681  
ABA = 051036706  
Transaction Code 22 – checking  
Environmental Protection Agency  
Account 310006  
CTX Format

ON LINE PAYMENT:

There is now an On Line Payment Option, available through the Dept. of Treasury.  
This payment option can be accessed from the information below:

[www.pay.gov](http://www.pay.gov)

Enter sfo 1.1 in the search field

Open form and complete required fields.

MAY 23 2012

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
61 FORSYTH STREET, ATLANTA, GEORGIA 30303  
EXPEDITED SPILL SETTLEMENT AGREEMENT

DOCKET NO. CWA-04-2012-5014

On: February 16, 2012 Time: 17:30:  
At or near 2400 Stantonsburg Road, "Wilson, Wilson  
County, North Carolina, Alliance One International, Inc.  
(Respondent) discharged an estimated 250 gallons of oil  
in violation of Section 311(b)(3) of the Clean Water Act  
(the Act), as noted on the attached ALLEGED CIVIL  
VIOLATION (Form), which is hereby incorporated by  
reference.

The EPA finds the Respondent's conduct is subject to the  
discharge prohibition of Section 311(b)(3) of the Act, as  
described in that statute and further described by  
40 C.F.R. § 110.3. The Respondent admits being subject  
to Section 311(b)(3) and that the EPA has jurisdiction  
over the Respondent and the Respondent's conduct as  
described in the Form. Respondent neither admits nor  
denies the Allegation in the Form.

The EPA is authorized to enter into this Expedited Spill  
Settlement Agreement under the authority vested in the  
Administrator of the EPA by Section 311(b)(6)(B)(i) of  
the Act, 33 U.S.C. § 1321(b)(6)(B)(i), as amended by the  
Oil Pollution Act of 1990, and by 40 C.F.R. § 22.13(b).  
The parties enter into this Expedited Spill Settlement  
Agreement in order to settle the civil violation described  
in the Form for a penalty of \$500.00. Respondent consents  
to the assessment of this penalty.

This Expedited Spill Settlement Agreement is also subject  
to the following terms and conditions: Respondent  
certifies, subject to civil and criminal penalties for making  
a false submission to the United States Government, that  
it has investigated the cause of the spill, it has cleaned up  
the spill pursuant to federal requirements at a cost of  
\$23,819-, and it has taken corrective actions that will  
prevent future spills. The Respondent also by signature on  
this Expedited Spill Settlement Agreement agrees to  
payment of the penalty assessed. Do not enclose  
payment. Upon receiving written execution of this  
Agreement, Respondent shall submit payment within 30  
days by certified check or electronic funds transfer for  
\$500.00 payable to the "US Environmental Protection  
Agency CWA-311". Instructions on how to make this  
payment will be included in the written notice that will be  
issued when the Expedited Spill Settlement Agreement  
becomes effective.

Upon signing and returning this Expedited Spill  
Settlement Agreement to the EPA, Respondent waives  
the opportunity for a hearing or appeal pursuant to  
Section 311 of the Act, and consents to the EPA's  
approval of the Expedited Spill Settlement Agreement  
without further notice.

After this Expedited Spill Settlement Agreement  
becomes effective and the assessed penalty is paid, the  
EPA will take no further action against the Respondent  
for the violation of Section 311(b)(3) of the Act  
described in the Form. However, the EPA does not  
waive any rights to take any enforcement action for any  
other past, present, or future violation by the Respondent  
of Section 311(b)(3) of the Act or of any other federal  
statute or regulation. By its first signature, the EPA  
ratifies the Findings and Alleged Violation set forth in  
the Form.

This Expedited Spill Settlement Agreement is binding on  
the parties signing below, and effective upon the EPA's  
filing of the document with the Regional Hearing Clerk.  
If the Respondent does not sign and return this  
Expedited Spill Settlement Agreement as presented  
within 14 days of the date of its receipt, the proposed  
Expedited Spill Settlement Agreement is withdrawn  
without prejudice to the EPA's ability to file any other  
enforcement action for the violation identified in the  
Form.

APPROVED BY RESPONDENT:

Name (print): WILLIAM L. LLOYD  
Title (print): OPERATIONS DIRECTOR - NORTH/CENTRAL Am  
Signature: [Handwritten Signature]

APPROVED BY THE EPA:

[Handwritten Signature] Date 05/30/12  
César A. Zapata, Chief  
RCRA and OPA Enforcement and Compliance Branch  
RCRA Division

IT IS SO ORDERED: June 4, 2012 Date

[Handwritten Signature]  
Susan B. Schub  
Regional Judicial Officer

RECEIVED  
EPA REGION IV  
2012 JUN -5 AM 8:04  
HEARING CLERK

## **ALLEGED CIVIL VIOLATION - DOCKET NO. CWA-04-2012-5014**

1. Alliance One International, Inc., Respondent, is a corporation with a place of business located at meaning of Section 311(a)(7) of the Clean Water Act, 33 U.S.C. § 1321(a)(7) (Act).
2. Respondent is the owner of an onshore facility within the meaning of Section 311(a)(10) of the Act, 33 U.S.C. § 1321(a)(10), which was located at or near 2400 Stantonsburg Road, Wilson, Wilson County, North Carolina (“facility”).
3. Section 311(b)(3) of the Act prohibits the discharge of oil into or upon the navigable waters of the United States or adjoining shorelines in such quantities that have been determined may be harmful to the public health or welfare or environment of the United States.
4. For purposes of Section 311(b)(3) and (b)(4) of the Act, 33 U.S.C. § 1321(b)(3) and (b)(4), discharges of oil into or upon the navigable waters of the United States in such quantities that have been determined may be harmful to the public health, welfare or environment of the United States are defined in 40 C.F.R. § 110.3 to include discharges of oil that (1) violate applicable water quality standards, (2) cause a film or a sheen upon or discoloration of the surface of the water or adjoining shorelines or, (3) cause a sludge or emulsion to be deposited beneath the surface of the water or upon the adjoining shorelines.
5. On February 16, 2012, Respondent discharged an estimated 250 gallons of oil as defined in Section 311(a)(1) of the Act, 33 U.S.C. § 1321(a)(1), from its facility upon an unnamed tributary of the Hominy Swamp Creek, which flows into Contentnea Creek, which flows into the Neuse River, and adjoining shorelines.
6. The unnamed tributary of the Hominy Swamp Creek, which flows into the Contentnea Creek, which flows into the Neuse River, is a “navigable water of the United States”, as defined in Section 502(7) of the Act, 33 U.S.C. § 1362(7), and 40 C.F.R. § 110.1, and is subject to the jurisdiction of Section 311 of the Act.
7. Respondent’s February 16, 2012, discharge of oil from its facility caused a sheen upon or discoloration of the surface or the adjoining shoreline of the unnamed tributary of the Hominy Swamp Creek, or caused a sludge or emulsion to be deposited beneath the surface, and therefore, was in a quantity that has been determined may be harmful under 40 C.F.R. § 110.3.
8. Respondent’s February 16, 2012, discharge of oil from its facility into or upon the unnamed tributary of the Hominy Swamp Creek and adjoining shorelines in a quantity that has been determined may be harmful under 40 C.F.R. § 110.3 violated Section 311(b)(3) of the Act. Pursuant to Section 311(b)(6)(B)(i) of the Act, and 40 C.F.R. § 19.4, the Respondent is liable for civil penalties of up to \$16,000 per violation, up to a maximum of \$37,500.

Docket No. CWA-04-2012-5014

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the attached Consent Agreement and Final Order, in the Matter of Alliance One International, Inc., Docket No. CWA-04-2012-5014 (filed with the Regional Hearing Clerk ~~JUN 05 2012~~ 2012) was served on ~~JUN 05 2012~~ 2012 in the manner specified to each of the person set forth below:

Mr. William L. Lloyd, Operations Director  
Alliance One International, Inc.  
P.O.Box 166  
Farmville, North Carolina 27828-0166

CERTIFIED MAIL  
Return Receipt Requested

Mel Rechtman  
RCRA and OPA Enforcement and Compliance Branch  
U.S. EPA - Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303

Via EPA's Internal Mail

Quantindra Smith  
RCRA & OPA Enforcement & Compliance Branch  
U.S. EPA - Region 4  
61 Forsyth Street  
Atlanta, Georgia 30303

Via EPA's Internal Mail and PDF

Date: 6-5-12



Patricia Bullock, Regional Hearing Clerk  
United States Environmental  
Protection Agency, Region 4  
Atlanta Federal Center  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303  
(404) 562-9511

**EPA ACCOUNTS RECEIVABLE CONTROL NUMBER FORM**

**TO BE COMPLETED BY THE ORGINATING OFFICE:**

(Attach a copy of the final order and transmittal letter to Defendant/Respondent)

This form was originated by: Mel Rechtman on 5/23/12  
(Name) (Date)

in the ROECB at 404/562-8745  
(Office) (Phone Number)

- |  |  |
|--|--|
| <input type="checkbox"/> Non-SF Judicial Order/Consent Decree<br>USAO COLLECTS | <input checked="" type="checkbox"/> Administrative Order/Consent Agreement<br>FMO COLLECTS PAYMENT |
| <input type="checkbox"/> SF Judicial Order/Consent Decree<br>DOJ COLLECTS      | <input type="checkbox"/> Oversight Billing - Cost Package required:<br>Sent with bill              |
| <input type="checkbox"/> Other Receivable                                      | <input type="checkbox"/> Not sent with bill  |
| <input type="checkbox"/> This is an original debt                              | <input type="checkbox"/> Oversight Billing - Cost Package not required                             |
|  | <input type="checkbox"/> This is a modification  |

PAYEE: Alliance One International, Inc.

The Total Dollar Amount of the Receivable: 500.00  
(If installments, attach schedule of amounts and respective due dates. See other side of this form.)

The Case Docket Number: CWA-04-2012-5014

The Site Specific Superfund Account Number:

The Designated Regional/Headquarters Program Office: RCRA Division

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**To Be Completed By Cincinnati Finance Center**

The IFMS Accounts Receivable Control Number is: \_\_\_\_\_ Date: /2011

**DISTRIBUTION:**

A. **JUDICIAL ORDERS:** Copies of this form with an attached copy of the front page of the **FINAL JUDICIAL ORDER** should be mailed to:

- |  |   |
|--|---|
| 1. Debt Tracking Officer<br>Environmental Enforcement Section<br>Department of Justice RM 1647<br>P.O. Box 7611, Benjamin Franklin Station<br>Washington, D.C. 20044 | 2. Originating Office (EAD)<br>3. Designated Program Office |
|--|---|

B. **ADMINISTRATIVE ORDERS:** Copies of this form with an attached copy of the front page of the Administrative Order Should be to:

- |  |   |
|--|---|
| 1. Originating Office<br>2. Regional Hearing Clerk | 3. Designated Program Office<br>4. Regional Counsel (EAD) |
|--|---|