



STATE OF MISSISSIPPI
PHIL BRYANT
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
GARY C. RIKARD, EXECUTIVE DIRECTOR

November 3, 2014

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Pete Alman
Pinelands LLC
1855 Crane Ridge Drive Suite C
Jackson, MS 39216

**Re: Pinelands LLC
Agreed Order No. 6468 14**

Dear Mr. Alman:

Enclosed you will find a copy of Agreed Order No. 6468 14, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Gary Rikard, 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 Danny Beasley at (601) 961-5356.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Sanders".

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

Enclosure
cc: Danny Beasley

Agency Interest No. 16697
ENF20140002

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6468 14

PINELANDS, LLC
1855 CRANE RIDGE DRIVE
SUITE C
JACKSON, MISSISSIPPI 39216

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 Pinelands, LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated May 13, 2014, Respondent was contacted by Complainant and notified of the following violation:

- A. Violation of Paragraph 2.C. of Agreed Order 6346-13. Respondent failed to complete construction of a new sediment basin within the timeframe specified.

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 \$25,000. Respondent shall pay this penalty to MDEQ on or

before January 15, 2015. The settlement payment shall be submitted to:

Mississippi Department of Environmental Quality

Attn: Jennifer Parish

P.O. Box 2339

Jackson, MS 39225

- B. Respondent agrees to complete construction of the new sediment basin on or before January 15, 2015. The sediment basin shall be constructed according to the specifications detailed in the revised SWPPP for the Pinelands development submitted to MDEQ in August, 2013.
- C. If Respondent fails to submit payment as described in Part 2.A. above or complete construction of the sediment basin according to the conditions specified by subparagraph 2.B. above, the Respondent shall pay a stipulated penalty of \$250 per day of violation.
- D. Stipulated penalties shall be due within thirty (30) days of written notification by MDEQ that a stipulated penalty is owed by Respondent.

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 30th day of October, 2014.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 
GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 29th day of October, 2014.

PINELANDS, LLC

BY: G. Barry Jackson
TITLE: Site Manager

STATE OF Miss.

COUNTY OF Rankin

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named G. BARRY JACKSON who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the MANAGERS of Pinelands, LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 29 day of OCT., 2014.

Caroline Kay Byrd
NOTARY PUBLIC



My Commission expires _____