



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

December 15, 2014

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Andy Callicutt
Callicutt Farms
3883 Majestic Oaks Cove
Oxford, MS 38655

**Re: Callicutt Farms
Agreed Order No. 6486 14**

Dear Mr. Callicutt:

Enclosed you will find a copy of Agreed Order No. 6486 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.

If you have any questions regarding your obligations under the enclosed order, please contact Austin Byrd at (601) 961-5386.

Sincerely,

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

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

Enclosure
cc: Austin Byrd

Agency Interest No. 66595
ENF20140003

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6486 14

ANDY CALLICUTT
3883 MAJESTIC OAKS COVE
OXFORD, MISSISSIPPI 38655

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 Callicutt Farms, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated October 22, 2014, Respondent was contacted by Complainant and notified of the following violation at the Callicutt Farms development project located at 2420 South Lamar Blvd, Oxford, Mississippi in Lafayette County:

- A. Violation of MS Code Ann. 49-17-29 (2.b): Respondent failed to obtain coverage under Mississippi's Large Construction Storm Water General Permit before commencement of land disturbing activities.

On October 14, 2014, a complaint inspection was conducted at respondent's site and subsequent file review proved that a permit had not been issued.

2.

In lieu of a formal enforcement hearing concerning the violation(s) 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 \$5,000. 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: Jennifer Parish
P.O. Box 2339
Jackson, MS 39225

Respondent has applied for and received coverage under the Large Construction Storm Water General Permit. Coverage No. MSR106752 was issued to respondent on October 22, 2014.

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 9th day of December, 2014.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

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

AGREED, this the 1st day of December, 2014.

CALLICUTT FARMS

BY: [Signature]

TITLE: member

STATE OF Mississippi

COUNTY OF Lafayette

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

SWORN AND SUBSCRIBED BEFORE ME, this the 1st day of December, 2014.

[Signature]
NOTARY PUBLIC

My Commission expires: October 21, 2015

