



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

October 23, 2015

CERTIFIED MAIL 7010 1870 0003 4948 2066

Mr. John Childers
Childers Residential Development
PO Box 399
Fulton, MS 38843

**Re: Childers Residential Development
Agreed Order No. 6581 15**

Dear Mr. Childers:

Enclosed you will find a copy of Agreed Order No. 6581 15, 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 that reads "Renee Odom for".

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

Enclosure
cc: Danny Beasley

Agency Interest No. 66966
ENF20150001

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

6581 15

VS.

ORDER NO. _____

BEAVER LAKE SHORES, INC.
PO BOX 399
FULTON, MISSISSIPPI 38843

RESPONDENTS

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 Beaver Lake Shores, Inc., Respondent, in the above captioned cause and agree as follows:

1.

By letter dated March 16, 2015, Respondent were contacted by Complainant and notified of the following violation at Respondent's Beaver Lake Road Development Property:

A. Violation of MS Code Ann. 49-17-29(2a)

"(2)(a) 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..."

Complainant acknowledges that Respondent has made substantial progress toward stabilizing the property with a vegetative cover. Complainant also acknowledges that Respondent has agreed to maintain adequate sediment barriers to protect Waters of the State while working on complete stabilization of the property.

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 \$7,500. 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

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 they are entitled to an evidentiary hearing

before the Commission pursuant to Miss. Code Ann. § 49-17-31, and that they have made an informed waiver of that right.

ORDERED, this the 22nd day of October, 2015.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 8th day of Oct, 2015.

John Childers - Pres
BEAVER LAKE SHORES, INC.

STATE OF Mississippi
COUNTY OF Itawamba

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named John Childers who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the President of Beaver Lake Shores, Inc. and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 8th day of October, 2015.

Melanie Taylor
NOTARY PUBLIC

My Commission expires: 8/28/18

