



STATE OF MISSISSIPPI
PHIL BRYANT
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
TRUDY D. FISHER, EXECUTIVE DIRECTOR

June 11, 2012

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Barry Woodward
Grayhawk
PO Box 2147
Madison, MS 39130

**Re: Grayhawk
Agreed Order No. 6125 12**

Dear Mr. Woodward:

Enclosed you will find a copy of Agreed Order No. 6125 12, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Trudy Fisher, 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. 35894
ENF20110003

OFFICE OF POLLUTION CONTROL

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6 125 12

ACADIA PROPERTIES
PO BOX 2147
MADISON, MISSISSIPPI 39130

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 Acadia Properties (Respondent), in the above captioned cause and agree as follows:

1.

By letter dated November 14, 2011, Respondent was contacted by Complainant and notified of the following violations of Mississippi's Large Construction Storm Water General Permit Certificate of Coverage Number MSR 104711. The violations were discovered during a Compliance Evaluation Inspection at the Grayhawk Subdivision development located off of Stribling Road Extension, Gluckstadt, Mississippi in Madison County:

- A. Violation of ACT 6 Section S-1, Condition (1): The coverage Recipient shall: (1) Implement the site-specific SWPPP.
- B. Violation of ACT 6 Section S-2, Condition (9): Erosion and sediment controls shall be maintained at all times.

At an Administrative Conference held at the MDEQ office on December 1, 2011, Respondent

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provided documentation demonstrating that the Storm Water Pollution Prevention Plan (SWPPP) had been fully implemented. Site inspections conducted on February 16 and March 30, 2012, confirmed that the SWPPP had been implemented.

2.

In lieu of a formal enforcement hearing concerning the violations 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 \$10,000. 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 her designee. The penalty payment shall be submitted to the following address:

Mississippi Department of Environmental Quality
Attention: Mona Varner
P.O. Box 2261
Jackson, MS 39255

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. Section 49-17-31 (Rev. 2003), and that it has made an

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informed waiver of that right.

ORDERED, this the 1 day of June, 2012.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

BY: [Signature]
TRUDY D. FISHER
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 21st day of May, 2012.

ACADIA PROPERTIES

BY: [Signature]

TITLE: Member

STATE OF Mississippi

COUNTY OF Hinds

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

SWORN AND SUBSCRIBED BEFORE ME, this the 21st day of May, 2012.

[Signature]
NOTARY PUBLIC

My Commission expires: May 20, 2015

