



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

June 3, 2019

**CERTIFIED MAIL #7012 2920 0000 4177 0934**

Mr. Jason Scruggs, Owner  
JS, LLC  
3575 Tom Watson Drive  
Salttillo, MS 38866

**Re: Scruggs Commons Subdivision  
Agreed Order No. 6943 19**

Dear Mr. Scruggs:

Enclosed you will find a copy of Agreed Order No. 6943 19, 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 Felisa Keyes at (601) 961-5319.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tim Aultman".

Tim Aultman, P.E.  
Chief, Environmental Compliance and Enforcement Division

Enclosure  
cc: Felisa Keyes

Agency Interest No. 71547  
ENF20190001

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

**6943 19**

VS.

ORDER NO. \_\_\_\_\_

JS, LLC  
3575 TOM WATSON  
SALTILLO, MISSISSIPPI 38866

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

1.

By letter dated August 14, 2018, Respondent was contacted by Complainant and notified of the following violation discovered during the Compliance Evaluation Inspection (CEI) on July 31, 2018 at Scruggs Commons Subdivision located at 3575 Tom Watson Drive, Saltillo, Mississippi in Lee County:

- A. Violation of Miss. Code Ann. § 49-17-29 (2)(b), which states in part that "...it is unlawful for any person to carry on any of the following activities, unless that person holds a current permit for that activity from the Permit Board as may be required for the disposal of all wastes which are or may be discharged into the waters of the state...(iii) the construction, installation or operation of any industrial, commercial or other establishment, including irrigation projects or any extension or modification thereof or addition thereto, the operation of which would cause an increase in the discharge of wastes into the waters of the state..." Respondent failed to obtain

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coverage under Mississippi's Large Construction Storm Water General Permit before commencement of land disturbing activities.

On January 4, 2018, Respondent submitted a Large Construction Notice of Intent (NOI) to the Environmental Permits Division of MDEQ and it is currently under review.

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 \$10,190.00. 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: Accounts Receivable

P.O. Box 2339

Jackson, MS 39225

- B. With the exception of those limited activities necessary to install sediment and erosion controls, Respondent shall not conduct any construction activities until Respondent obtains coverage under Mississippi's Large Construction Storm Water General Permit and the Storm Water Pollution Prevention Plan (SWPPP) has been fully implemented.

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 31<sup>st</sup> day of MAY, 2019.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

BY: 

GARY C. EIKARD  
EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT  
OF ENVIRONMENTAL QUALITY

AGREED, this the 21 day of May, 2019.

JS, LLC

BY: Jason Scruggs

TITLE: Partner - Owner

STATE OF Ms

COUNTY OF Itawamba

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Jason Scruggs who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Partner - Owner of JS, LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 21 day of May, 2019.

Mary Lindley  
NOTARY PUBLIC

My Commission expires: Oct 18, 2019

