



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

November 19, 2019

**CERTIFIED MAIL #7012 2920 0000 4177 1467**

Mr. J. McCurdy  
MFM Development, LLC  
93 Highway 328  
Oxford, MS 38655

**Re: Leslie Court Subdivision  
Agreed Order No. 7003 19**

Dear Mr. McCurdy:

Enclosed you will find a copy of Agreed Order No. 7003 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.

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 Accounts Receivable at P.O. Box 2339, Jackson, MS 39225.

If you have any questions regarding your obligations under the enclosed order, please contact Charity Rockingham at (601) 961-5722.

Sincerely,

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

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

Enclosure  
cc: Charity Rockingham

Agency Interest No. 74834  
ENF20190002

OFFICE OF POLLUTION CONTROL

POST OFFICE BOX 2261 • JACKSON, MISSISSIPPI 39225-2261 • TEL: (601) 961-5171 • FAX: (601) 354-6612 • [www.deq.state.ms.us](http://www.deq.state.ms.us)

AN EQUAL OPPORTUNITY EMPLOYER

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

7003 19<sup>th</sup>

VS.

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

MFM DEVELOPMENT, LLC  
93 HIGHWAY 328  
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 MFM Development, LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated August 28, 2019, Respondent was contacted by Complainant and notified of the following violations at its construction development, Leslie Court Subdivision, located at Highway 30 and Highway 7, Oxford, Mississippi in Lafayette County:

- A. Violation of ACT6 Condition S-1 (1) Failure to implement SWPPP.
  - a. Silt fencing was not installed as required by the SWPPP.
  - b. Sediment basin was not installed as required by the SWPPP.

During the administrative conference held on October 31, 2019, Respondent asserted that the facility has fully implemented the approved storm water pollution prevention plan and is in compliance with the Large Construction Storm Water General Permit requirements.

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 \$6,275. 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

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.

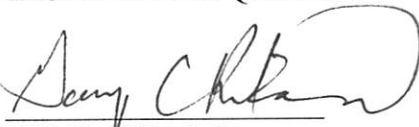
Nothing contained in this Agreed Order shall limit the rights of MDEQ or the Commission to take enforcement or other actions against Respondent for violations not addressed herein and for future violations of environmental laws, rules, and regulations.

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 19<sup>th</sup> day of NOVEMBER, 2019.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

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

AGREED, this the 7<sup>th</sup> day of November, 2019.

MFM DEVELOPMENT, LLC

BY: 

TITLE: member, manager

STATE OF MISSISSIPPI

COUNTY OF LAFAYETTE

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named JOHN W. McCurdy II who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the managing member of MFM Development, LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 7<sup>th</sup> day of November, 2019.

  
NOTARY PUBLIC

My Commission expires: Sept 5 2023