



STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHRIS WELLS, INTERIM EXECUTIVE DIRECTOR

July 24, 2020

CERTIFIED MAIL #7012 2920 0000 4177 1863

Mr. Thomas Oliver
Dixie Springs Enterprises, LLC
1119 Dixie Springs Road
Summit, MS 39666

**Re: Van Norman Curve Development
Agreed Order No. 7059 20**

Dear Mr. Oliver:

Enclosed you will find a copy of Agreed Order No. 7059 20, which has been executed by the Interim Executive Director of the Mississippi Department of Environmental Quality, Chris Wells, 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 "Michelle Clark".

Michelle Clark, P.E., BCEE, Chief
Environmental Compliance and Enforcement Division

Enclosure
cc: Charity Rockingham

Agency Interest No. 76350
ENF20200001

OFFICE OF POLLUTION CONTROL
Post Office Box 2261 Jackson, Mississippi 39225-2261 Tel: (601) 961-5171 Fax: (601) 354-6612 www.mdeq.ms.gov
AN EQUAL OPPORTUNITY EMPLOYER

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. **7059 : 20**

DIXIE SPRINGS ENTERPRISES, LLC
1119 DIXIE SPRINGS ROAD
SUMMIT, MISSISSIPPI 39666

RESPONDENT

AGREED ORDER

COME NOW the Mississippi Commission on Environmental Quality (Commission), acting through the staff and Interim Executive Director of the Mississippi Department of Environmental Quality (MDEQ), Complainant, and Dixie Springs Enterprises, LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated November 12, 2019, Respondent was contacted by Complainant and notified of the following violation at its residential development, located on Dixie Springs Road, Summit, Mississippi in Pike County:

Violation of MS Code Ann. 49-17-29(2b): 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 coverage under Mississippi's Large Construction Storm Water

7029 50

General Permit before the commencement of construction activities.

Respondent submitted a Large Construction Notice of Intent (LCNOI) to MDEQ on February 28, 2020. The LCNOI is under review by the Environmental Permits Division.

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 \$6,000.00. 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

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 24th day of July, 2020.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 
CHRIS WELLS
INTERIM EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the _____ day of _____, 2020.

DIXIE SPRINGS ENTERPRISES, LLC

BY: [Signature]

TITLE: Owner

STATE OF MS

COUNTY OF Pike

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

SWORN AND SUBSCRIBED BEFORE ME, this the 10th day of July, 2020.

[Signature]
NOTARY PUBLIC

My Commission expires: 8/4/20

