



# State of Mississippi

TATE REEVES  
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

April 7, 2021

**CERTIFIED MAIL #7012 2920 0000 4177 2228**

Mr. William Ashley  
Wellington Place  
3831 Majestic Oaks Drive  
Oxford, MS 38655

**Re: Wellington Place  
Agreed Order No. 7105 21**

Dear Mr. Ashley:

Enclosed you will find a copy of **Agreed Order No. 7105 21**, which has been executed by the 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,

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

Enclosure  
cc: Charity Rockingham

Agency Interest No. 72055  
ENF20190002

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. **7105 21**

PINE BLUFF INVESTMENTS, LLC  
3831 MAJESTIC OAKS DRIVE  
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 Pine Bluff Investments, LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated October 28, 2019, Respondent was contacted by Complainant and notified of the following violations of Large Construction Storm Water General Permit Coverage, MSR107474 at its Wellington Place development located on Anchorage Road, Oxford, Mississippi in Lafayette County:

- A. Violation of ACT3 Condition S-6 – Failure to submit Major Modification Form.
- B. Violation of ACT5 Condition T-4 (1) – Failure to implement soil stabilization.
- C. Violation of ACT6 Condition S-3 (11) – Failure to maintain storm water controls.
- D. Violation of ACT6 Condition S-5 – Failure to conduct weekly inspections.

By letter dated July 24, 2020, Respondent outlined corrective actions needed to bring the facility back in compliance with Large Construction Storm Water General Permit Coverage, MSR1074. By email correspondence dated, March 11, 2021, Respondent asserts the completion of the corrective actions and that the facility is back in compliance.

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 \$22,250.00. 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 5th day of April, 2021.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

BY   
CHRIS WELLS  
EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT  
OF ENVIRONMENTAL QUALITY

MISSISSIPPI DEPARTMENT OF  
ENVIRONMENTAL QUALITY

AGREED, this the 25<sup>th</sup> day of March, 2021.

PINE BLUFF INVESTMENTS, LLC

BY: [Signature]

TITLE: Managing Member

STATE OF Mississippi

COUNTY OF Lafayette

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named William Ashley who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the managing member of Pine Bluff Investments, LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 25<sup>th</sup> day of March, 2021.

[Signature]  
NOTARY PUBLIC  
PAMELA LYNN HENSLEY  
Commission Expires Nov. 17, 2022  
LAFAYETTE COUNTY

My Commission expires: November 17, 2022