



# State of Mississippi

TATE REEVES  
Governor

## MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

September 27, 2022

**CERTIFIED MAIL #7019 1120 000 4787 3367**

Mr. John W. McCurdy  
JWM Development, LLC  
31 Highway 328  
Oxford, Mississippi 38655

**Re: JWM Development LLC, Highlands Subdivision Phase 12  
Agreed Order No. 7216 22**

Dear Mr. McCurdy:

Enclosed you will find a copy of Agreed Order No. 7216 22, 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 Geoffrey Martin at (601) 961-5024.

Sincerely,

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

Enclosure  
cc: Geoffrey Martin

Agency Interest No. 80160  
ENF20220002

OFFICE OF POLLUTION CONTROL

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

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BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

**7216 22**

VS.

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

JWM DEVELOPMENT, LLC  
31 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 JWM Development, LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated April 11, 2022, Respondent was contacted by Complainant and notified of the following alleged violations at its project site, Highlands Subdivision Phase 12, located at Highlands Circle Road, Oxford, Mississippi in Lafayette County:

- A. Violation of ACT 6 Condition S-1 (1): Failure to implement the SWPPP.
- B. Violation of ACT 6 Condition S-3 (11): Failure to maintain erosion controls.
- C. Violation of ACT 7 Condition L-1 (1): Failure to meet non-numeric limitation requirements.
- D. Violation of ACT 6 Condition S-5 (1): Failure to maintain weekly inspection reports.

By correspondences dated April 25, 2022, May 6, 2022, and August 19, 2022, Respondent documented the corrective actions taken to address the above-mentioned alleged violations to return

to compliance with its Large Construction Storm Water General Permit, Coverage No. MSR108539.

2.

In lieu of a formal enforcement hearing concerning the alleged 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 \$14,000.00. 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

- B. Respondent agrees to the relief set forth herein as a compromise settlement and without any admission of liability.

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 27th day of September, 2022.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

BY:   
CHRIS WELLS  
EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT  
OF ENVIRONMENTAL QUALITY

AGREED, this the 26th day of September, 2022.

JWM DEVELOPMENT, LLC

BY: 

TITLE: John W McCurdy II member, manager

STATE OF Lafayette

COUNTY OF Mississippi

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 member manager of JWM Development, LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 26th day of September, 2022.

  
NOTARY PUBLIC

My Commission expires: Sept 5 2023

