



# State of Mississippi

TATE REEVES  
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHRIS WELLS, EXECUTIVE DIRECTOR

March 24, 2023

**CERTIFIED MAIL #7019 1120 0000 4785 9095**

Mr. Wyatt Kane Kelly  
BID Group Construction US, Inc.  
5154 Highway 78  
Saint George, SC 29477

**Re: Gloster Forest Products, LLC  
Order No. 7240 23**

Dear Mr. McLendon:

Enclosed you will find a copy of **Order No. 7240 23**, 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:

Agency Interest No. 63928  
ENF20230002

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

**7240 23**

VS.

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

BID GROUP CONSTRUCTION US, INC.  
5154 HIGHWAY 78  
SAINT GEORGE, SOUTH CAROLINA 29477

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 BID Group Construction US, Inc., Respondent, in the above captioned cause and agree as follows:

1.

On October 11, 2022, the Mississippi Environmental Quality Permit Board (Permit Board) granted Certificate of Permit Coverage No. MSR108784 to Gloster Forest Products, LLC for Coverage under Mississippi's Large Construction Storm Water General NPDES Permit.

2.

By notice dated February 2, 2023, Respondent submitted a Prime Contractor Certification form to MDEQ. Respondent certified it was the prime contractor for the Gloster Forest Products, LLC construction project located at 700 E Railroad Avenue, Gloster, Mississippi in Amite County.

3.

By letter dated February 27, 2023, Respondent was contacted by Complainant and notified of

the following violations at the Gloster Forest Products, LLC construction site:

- A. Miss. Code Anno. 49-17-29 2(b): Respondent initiated unpermitted land disturbing activities.
- B. Act 6 Condition S-1 (1) of the Large Construction General Permit: Respondent failed to implement the site-specific Stormwater Pollution Prevention Plan (SWPPP) by not installing the silt fence as detailed in the SWPPP.
- C. Act 7 Condition L-1 of the Large Construction General Permit: Respondent discharged storm water that was brown and turbid in violation of the Non-Numeric Limitation Requirements.

4.

By letter dated March 13, 2023, Respondent asserted it had submitted an updated SWPPP and applied for coverage for Phase II of the construction project. Respondent also asserted it had installed silt fencing in disturbed areas and additional controls to improve the quality of water discharged from the construction site.

5.

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 \$10,500.00. 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

6.

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.

7.


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.

8.

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 23rd day of March, 2023.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

BY:   
CHRIS WELLS  
EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT  
OF ENVIRONMENTAL QUALITY

AGREED, this the 15 day of March, 2023.

BID GROUP CONSTRUCTION US, INC. .

BY:  Wyatt Kane Kelly

TITLE: SUP Business Resources

STATE OF South Carolina

COUNTY OF Dorchester

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Wyatt Kane Kelly who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the SUP Business Resources of BID Group Construction US, Inc. and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 15 day of March, 2023.

  
NOTARY PUBLIC

My Commission expires: February 17, 2026

