

At: 8/28/08

MSR10 9340

(NUMBER TO BE ASSIGNED BY STATE)

APPLICANT IS THE: OWNER PRIME CONTRACTOR

OWNER CONTACT INFORMATION

OWNER CONTACT PERSON: David Dreher
 OWNER COMPANY LEGAL NAME: dcd developments
 OWNER STREET OR P.O. BOX: 17000 kapalama rd
 OWNER CITY: pass christian STATE: MS ZIP: 39571
 OWNER PHONE #: (228) 6692304 OWNER EMAIL: gulfcoastgolfcarts@gmail.com

PREPARER CONTACT INFORMATION

IF NOI WAS PREPARED BY SOMEONE OTHER THAN THE APPLICANT

CONTACT PERSON: david dreher
 COMPANY LEGAL NAME: _____
 STREET OR P.O. BOX: 17000 kapalama rd
 CITY: pass christian STATE: ms ZIP: 39571
 PHONE # () 2286692304 EMAIL: gulfcoastgolfcarts@gmail.com

PRIME CONTRACTOR CONTACT INFORMATION

PRIME CONTRACTOR CONTACT PERSON: same
 PRIME CONTRACTOR COMPANY LEGAL NAME: _____
 PRIME CONTRACTOR STREET OR P.O. BOX: _____
 PRIME CONTRACTOR CITY: _____ STATE: _____ ZIP: _____
 PRIME CONTRACTOR PHONE #: () _____ PRIME CONTRACTOR EMAIL: _____

FACILITY SITE INFORMATION

FACILITY SITE NAME: Kapalama
 FACILITY SITE ADDRESS (If the physical address is not available, please indicate the nearest named road. For linear projects indicate the beginning of the project and identify all counties the project traverses.)
 STREET: 17065 kapalama rd
 CITY: pass christian STATE: ms COUNTY: hancock ZIP: 39571
 FACILITY SITE TRIBAL LAND ID (N/A If not applicable): _____
 LATITUDE: ___ degrees ___ minutes ___ seconds LONGITUDE: ___ degrees ___ minutes ___ seconds
 LAT & LONG DATA SOURCE (GPS (Please GPS Project Entrance/Start Point) or Map Interpolation): _____
 TOTAL ACREAGE THAT WILL BE DISTURBED: 2 acres

RECEIVED
JUL 26 2024

Dept. of Environmental Quality

DC

IS THIS PART OF A LARGER COMMON PLAN OF DEVELOPMENT? YES NO

IF YES, NAME OF LARGER COMMON PLAN OF DEVELOPMENT: _____
 AND PERMIT COVERAGE NUMBER: MSR10_____

ESTIMATED CONSTRUCTION PROJECT START DATE: _____
 YYYY-MM-DD

ESTIMATED CONSTRUCTION PROJECT END DATE: _____
 YYYY-MM-DD

DESCRIPTION OF CONSTRUCTION ACTIVITY: metal commercial building for leasing

PROPOSED DESCRIPTION OF PROPERTY USE AFTER CONSTRUCTION HAS BEEN COMPLETED:
commercial building that we are leasing out for small businesses.

SIC Code: _____ NAICS Code _____

NEAREST NAMED RECEIVING STREAM: _____

IS RECEIVING STREAM ON MISSISSIPPI'S 303(d) LIST OF IMPAIRED WATER BODIES? (The 303(d) list of impaired waters and TMDL stream segments may be found on MDEQ's web site: http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section) YES NO

HAS A TMDL BEEN ESTABLISHED FOR THE RECEIVING STREAM SEGMENT? YES NO

FOR WHICH POLLUTANT:

ARE THERE RECREATIONAL STREAMS, PRIVATE/PUBLIC PONDS OR LAKES WITHIN 1/2 MILE DOWNSTREAM OF PROJECT BOUNDARY THAT MAY BE IMPACTED BY THE CONSTRUCTION ACTIVITY? YES NO

EXISTING DATA DESCRIBING THE SOIL (for linear projects please describe in SWPPP): _____

WILL FLOCCULANTS BE USED TO TREAT TURBIDITY IN STORM WATER? YES NO

IF YES, INDICATE THE TYPE OF FLOCCULANT. ANIONIC POLYACRYLIMIDE (PAM)
 OTHER _____

IF YES, DOES THE SWPPP DESCRIBE THE METHOD OF INTRODUCTION, THE LOCATION OF INTRODUCTION AND THE LOCATION OF WHERE FLOCCULATED MATERIAL WILL SETTLE?

IS A SDS SHEET INCLUDED FOR THE FLOCCULATE? YES NO

WILL THERE BE A 50 FT BUFFER BETWEEN THE PROJECT DISTURBANCE AND THE WATERS OF THE STATE? YES NO

IF NOT, PROVIDE EQUIVALENT CONTROL MEASURES IN THE SWPPP.

¹Acreage for subdivision development includes areas disturbed by construction of roads, utilities and drainage. Additionally, a housesite of at least 10,000 ft² per lot (entire lot, if smaller) shall be included in calculating acreage disturbed.

DOCUMENTATION OF COMPLIANCE WITH OTHER REGULATIONS/REQUIREMENTS
 COVERAGE UNDER THIS PERMIT WILL NOT BE GRANTED UNTIL ALL OTHER REQUIRED
 MDEQ PERMITS AND APPROVALS ARE SATISFACTORILY ADDRESSED

IS LCNOI FOR A FACILITY THAT WILL REQUIRE OTHER PERMITS? YES NO

IF YES, CHECK ALL THAT APPLY: AIR HAZARDOUS WASTE PRETREATMENT
 WATER STATE OPERATING INDIVIDUAL NPDES OTHER: _____

IS THE PROJECT REROUTING, FILLING OR CROSSING A WATER CONVEYANCE OF ANY KIND? (If yes, contact the U.S. Army Corps of Engineers' Regulatory Branch for permitting requirements.) YES NO

IF THE PROJECT REQUIRES A CORPS OF ENGINEER SECTION 404 PERMIT, PROVIDE APPROPRIATE DOCUMENTATION THAT:

- The project has been approved by individual permit, or
- The work will be covered by a nationwide permit and NO NOTIFICATION to the Corps is required, or
- The work will be covered by a nationwide or general permit and NOTIFICATION to the Corps is required

IS THE PROJECT REROUTING, FILLING OR CROSSING A STATE WATER CONVEYANCE OF ANY KIND? (If yes, please provide an antidegradation report.) YES NO

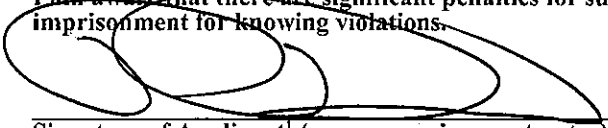
IS A LAKE REQUIRING THE CONSTRUCTION OF A DAM BEING PROPOSED? (If yes, provide appropriate approval documentation from MDEQ Office of Land and Water, Dam Safety.) YES NO

IF THE PROJECT IS A SUBDIVISION OR A COMMERCIAL DEVELOPMENT, HOW WILL SANITARY SEWAGE BE DISPOSED? Check one of the following and attach the pertinent documents.

- Existing Municipal or Commercial System. Please attach plans and specifications for the collection system and the associated "Information Regarding Proposed Wastewater Projects" form or approval from County Utility Authority in Hancock, Harrison, Jackson, Pearl River and Stone Counties. If the plans and specifications can not be provided at the time of LCNOI submittal, MDEQ will accept written acknowledgement from official(s) responsible for wastewater collection and treatment that the flows generated from the proposed project can and will be transported and treated properly. The letter must include the estimated flow.
- Collection and Treatment System will be Constructed. Please attach a copy of the cover of the NPDES discharge permit from MDEQ or indicate the date the application was submitted to MDEQ (Date: _____.)
- Individual Onsite Wastewater Disposal Systems for Subdivisions Less than 35 Lots. Please attach a copy of the Letter of General Acceptance from the Mississippi State Department of Health or certification from a registered professional engineer that the platted lots should support individual onsite wastewater disposal systems.
- Individual Onsite Wastewater Disposal Systems for Subdivisions Greater than 35 Lots. A determination of the feasibility of installing a central sewage collection and treatment system must be made by MDEQ. A copy of the response from MDEQ concerning the feasibility study must be attached. If a central collection and wastewater system is not feasible, then please attach a copy of the Letter of General Acceptance from the State Department of Health or certification from a registered professional engineer that the platted lots should support individual onsite wastewater disposal systems.

INDICATE ANY LOCAL STORM WATER ORDINANCE (I.E. MS4) WITH WHICH THE PROJECT MUST COMPLY:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



Signature of Applicant¹ (owner or prime contractor)

07/22/2024

Date Signed

david dreher

Printed Name¹

owner

Title

¹This application shall be signed as follows:

- For a corporation, by a responsible corporate officer.
- For a partnership, by a general partner.
- For a sole proprietorship, by the proprietor.

For a municipal, state or other public facility, by principal executive officer, mayor, or ranking elected official

Please submit the LCNOI form to:

Chief, Environmental Permits Division
MS Department of Environmental Quality, Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225

Electronically:

<https://www.mdeq.ms.gov/construction-stormwater/>

Revised 3/23/22

Individual On-site Wastewater Disposal System (IOWDS)

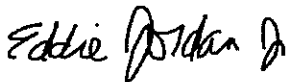
Applicant:	Property:	ID: 313422/254741
Steven Parker, PE for David Dreher	17071 kapalama rd (comm blc	Date: 5/17/2024
307 Pineridge Point	Pass Christian 39571	
Petal Ms 39465	Sec: Town: Range:	
	Lot:	
	Property Size: 1.00 Acres 0 Sq.Ft.	

Plot Plan (Plat):	System:
Type of Dwelling: Shopping Center/Strip Mall	Status: New Construction
# of Parking Spaces: # of Employees:	Treatment:
Estimated Usage: Gallons per Day	Disposal:
Water Supply: Onsite	

Description
<p>The IOWDS indicated has been review for compliance with 41-67-6.</p>

PE/CPE Design - Acceptance

Notes:	Author: EDDIE JORDAN
<p>Variance Authorization - Parker, 17071 Kapalama Rd, Pass Christian, MS - ATS with sand mound disposal</p> <p>The Mississippi State Department of Health, Division Of On-site Wastewater, has received a copy of your errors and omissions insurance. The Department authorizes the installation of a water service connection and for construction/installation to begin on the above individual on-site wastewater disposal system design, as required by Mississippi code of 1972, &#65533; 41-67-33 (2). Please note that the Department does not concur with this design as submitted. As such, the Department takes no responsibility for the design of the system. Please be aware that the Department reserves the right to inspect the system to ensure that it is installed as per the submitted design. The following will be required prior to issuance of approval for this site:</p> <p>Inspection of installation (with proper notice given to department personnel)</p> <p>Affidavit - installation</p> <p>Affidavit - maintenance</p> <p>Letter of completion and as-built drawing (if required)</p> <p>If you have any questions please contact the Division at 601-757-8461.</p>	

Environmental Signature:	Date:
	5/17/24

Individual On-site Wastewater Disposal System (IOWDS)

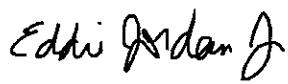
Applicant: David dreher 17000 kapalama rd Pass Christian MS 39571	Property: 17077 Kapalama rd Pass Christian 39571 Sec: Town: Range: Lot: Property Size: 6.00 Acres 0 Sq.Ft.	ID: 291209/244729 Date: 10/18/2023
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Plot Plan (Plat): Type of Dwelling: Other - Measured Rate # of Gallons Per Day: : Estimated Usage: Gallons per Day Water Supply: Onsite	System: Status: New Construction Treatment: Disposal:
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Description: The IOWDS indicated has been review for compliance with 41-67-6.
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PE/CPE Design - Acceptance

Notes: ATS with elevated sand mound disposal per engineer design.	Author: EDDIE JORDAN
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Environmentalist Signature: 	Date: 10/18/23
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State of Mississippi

TATE REEVES
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHRIS WELLS, EXECUTIVE DIRECTOR

July 17, 2024

FedEx: 8174 8762 3692

David Dreher
DCD Developments 17057 Kapalama Drive
17000 Kapalama Drive
Pass Christian, Mississippi 39571

Re: Notice of Violation
DCD Developments 17057 Kapalama Drive
Pass Christian, Mississippi
Harrison County

Dear Mr. Dreher:

Attached is our inspection report that was completed as a result of a Compliance Evaluation Inspection (CEI) at DCD Developments 17057 Kapalama Drive on April 23, 2024. This inspection revealed the following violations:

ACT 12 Condition T-18:

LARGE CONSTRUCTION ACTIVITY includes clearing, grading, grubbing, and excavating resulting in a land disturbance that will disturb equal to or greater than five (5) acres of land or will disturb less than five (5) acres of total land area but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than five (5) acres. [11 Miss. Admin. Code Pt. 6, R. 1]

ACT 12 Condition T-19:

LARGER COMMON PLAN OF DEVELOPMENT OR SALE means a contiguous area where multiple separate and distinct construction activities are occurring under one plan. The plan in a common plan of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.), indicating that construction activities may occur on a specific plot. [11 Miss. Admin. Code Pt. 6, R. 1]

OFFICE OF POLLUTION CONTROL
POST OFFICE BOX 2261 • JACKSON, MISSISSIPPI 39225-2261 • TEL: (601) 961-5171 • FAX: (601) 354-5674
www.mdeq.ms.gov

The operation of construction activities without permit coverage is in violation of Miss. Code Ann. § 49-17-29(2)(b):

“(b) 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, or unless that person is exempted from holding a permit by a regulation promulgated by the commission: (i) the construction, installation, modification or operation of any disposal system or part thereof or any extension or addition thereto, including, but not limited to, systems serving agricultural operations; (ii) the increase in volume or strength of any wastes in excess of the permissive discharges specified under any existing permit; (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 or would otherwise alter the physical, chemical or biological properties of any waters of the state in any manner not already lawfully authorized; (iv) the construction or use of any new outlet for the discharge of any wastes into the waters of the state. However, no new or existing applications relating to swine concentrated animal feeding operations within a county shall be exempted from regulations and ordinances which have been duly passed by the county's board of supervisors and which are in force on June 1, 1998.”

We request that you respond to these alleged violations within ten days following the receipt of this letter. This response should contain: (1) actions that have been taken to correct the violations, (2) a schedule for correcting the violations, or (3) reasons why you believe the alleged violations did not exist. We will review this information before determining if further action is warranted. Failure to submit this information may result in enforcement action.

If you have any questions concerning this matter, please contact me at 601-961-5035.

Sincerely,



Thomas Schaub
Stormwater – 401 Branch
Environmental Compliance and Enforcement Division



**Mississippi Department of Environmental Quality
Office of Pollution Control
Water Compliance Inspection Report**

Site Name: DCD Developments 17057 Kapalama Road
Stormwater – 401 Branch

Permit Number: Unpermitted

Physical Address

17057 Kapalama Drive
Pass Christian, MS 39571
Harrison County

Mailing Address

17000 Kapalama Drive
Pass Christian, Mississippi 39571

Evaluation Type: Compliance Evaluation Inspection - Stormwater

Date of Evaluation: 04/23/2024

Facility Type: Industrial

Inspection Participants: Thomas Schaub, MDEQ
David Dreher, Owner

Purpose of Inspection

This Compliance Evaluation Inspection (CEI) was conducted to determine the compliance status of DCD Developments 17057 Kapalama Drive with Miss. Code Ann. §49-17-29 (2)(b). This inspection is due to a complaint (58550 and 58845) filed on February 20, 2024 alleging the filling of wetlands and no erosion controls implemented on site.

Permit Status

This project does not have coverage under the Large Construction General Permit, and a Large Construction Notice of Intent (LCNOI) has not been submitted to MDEQ. In addition, a Small Construction Notice of Intent (SCNOI) and Storm Water Pollution Prevention Plan (SWPPP) were not submitted upon request.

Facility Description

This facility was originally 3.5 acres of disturbance, but an additional 2.5 acres has been added to the disturbance for a total of 6 acres (use of aerial calculation to determine the acreage). This project consists of commercial buildings. The nearest receiving stream for this project is Rotten Bayou, which is associated with TMDLs for organic enrichment/low dissolved oxygen, pathogens, total nitrogen, and total phosphorus. Rotten Bayou is not listed on the 2024 Mississippi 303(d) List of Impaired Water Bodies.

Inspection Summary

MDEQ staff conducted a CEI at DCD Developments 17057 Kapalama Drive on April 23, 2024. The weather conditions were sunny with no previous days of rain. Construction

activities were active at the time of inspection. There was one bulldozer operator and a series of dump trucks coming and going. The construction activities ongoing were the dumping of fill material and grading into a building pad.

A visual site inspection of the site was completed. The inspection included a perimeter walk of the site to calculate the acreage disturbed, this was found to be 2.5 acres (Figures 1 - 4). No sediment was found to be leaving the site, but the only Best Management Practice (BMP) found was hay wattles by the entrance to the completed facility (Figure 5). Inspectors noted that there was a portion of the site that was already stabilized, and construction was complete on it, this was found to be 3.5 acres (Figure 6). This concluded the site inspection.

Conclusions

The site visit revealed that land disturbing activities larger than 5 acres had taken place without coverage under the Large Construction General Permit. At the time of inspection 6 acres of disturbance total has occurred for this site (3.5 acres previously and the current 2.5 acres). Based on the following definitions, this project is a larger common plan of development or sale greater than 5 acres and requires coverage under the Large Construction General Permit.

ACT 12 Condition T-18:

LARGE CONSTRUCTION ACTIVITY includes clearing, grading, grubbing, and excavating resulting in a land disturbance that will disturb equal to or greater than five (5) acres of land or will disturb less than five (5) acres of total land area but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than five (5) acres. [11 Miss. Admin. Code Pt. 6, R. 1]

ACT 12 Condition T-19:

LARGER COMMON PLAN OF DEVELOPMENT OR SALE means a contiguous area where multiple separate and distinct construction activities are occurring under one plan. The plan in a common plan of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.), indicating that construction activities may occur on a specific plot. [11 Miss. Admin. Code Pt. 6, R. 1]

The operation of construction activities without permit coverage is in violation of Miss. Code Ann. § 49-17-29(2)(b).

“(b) 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, or unless that person is exempted from holding a permit by a regulation promulgated by the commission: (i) the construction, installation, modification or operation of any disposal system or part thereof or any extension or addition thereto, including, but not

limited to, systems serving agricultural operations; (ii) the increase in volume or strength of any wastes in excess of the permissive discharges specified under any existing permit; (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 or would otherwise alter the physical, chemical or biological properties of any waters of the state in any manner not already lawfully authorized; (iv) the construction or use of any new outlet for the discharge of any wastes into the waters of the state. However, no new or existing applications relating to swine concentrated animal feeding operations within a county shall be exempted from regulations and ordinances which have been duly passed by the county's board of supervisors and which are in force on June 1, 1998."

A link to the Large Construction Notice of Intent (LCNOI) and forms packages has been attached, this link is where the LCNOI and a Stormwater Pollution Prevention Plan (SWPPP) can be submitted for this project.

do

<https://www.mdeq.ms.gov/permits/environmental-permits-division/applications-forms/generalpermits/>

Signature: _____



Date: 07/17/2024

Photos / Other Attachments



Figure 1: Facing N



Figure 2: Facing NE



Figure 3: Facing E



Figure 4: Facing S



Figure 5: Hay wattle at entrance

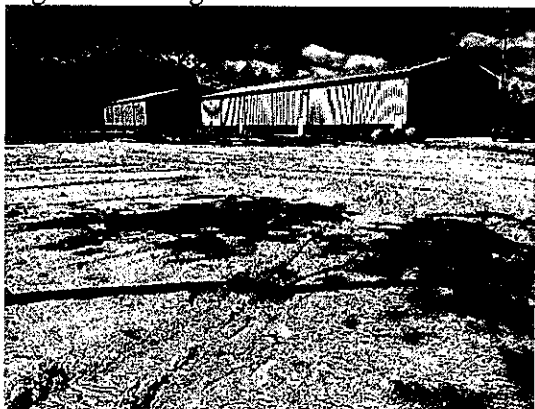


Figure 6: Constructed building by disturbance.

Submit only upon request from MDEQ



SMALL CONSTRUCTION NOTICE OF INTENT (SCNOI)

GENERAL NPDES PERMIT MSR15 _____ (Number to be assigned by MDEQ if submitted)

Prior to the commencement of small construction activity (see Small Construction General Permit ACT11, T-17), the owner or operator of a small construction project must complete this form and develop a Storm Water Pollution Prevention Plan (SWPPP) as required by ACT5 of Mississippi's Small Construction General Permit. **This SCNOI and SWPPP shall be submitted to the Mississippi Department of Environmental Quality (MDEQ) only upon request from MDEQ;** however, the SCNOI and SWPPP must be maintained at the permitted site or locally available in case inspector review is necessary. Attachments with this SCNOI must include: a USGS quad map or copy showing site location (only if required to be submitted to MDEQ) and a Storm Water Pollution Prevention Plan (SWPPP). All questions must be answered – answer "NA" if the question is not applicable.

PROJECT INFORMATION

OWNER CONTACT PERSON: David Stehr
OWNER COMPANY NAME: DCD Developments
OWNER STREET (P.O. BOX): 17005 Kopolana RD
OWNER CITY: Pasc Christian
STATE: MS ZIP: 39571
OWNER PHONE # (INCLUDE AREA CODE): _____

OPERATOR (if different from owner) CONTACT PERSON: _____
OPERATOR COMPANY: _____
OPERATOR STREET (P.O. BOX): _____
OPERATOR _____ CITY: _____
STATE: _____ ZIP: _____
OPERATORPHONE # (INCLUDE AREA CODE): _____

PROJECT NAME: Kopolana
DESCRIPTION OF CONSTRUCTION ACTIVITY: commercial building for lease
ACREAGE DISTURBED (to be covered by this permit, area must be less than five (5) acres): 2
PHYSICAL SITE ADDRESS (If not available, indicate the nearest named road. For linear projects, indicate the beginning of the project and identify all counties the project traverses.):
STREET: 17005 Kopolana RD
CITY: Pasc Christian COUNTY: Hancock ZIP: 39571
NEAREST NAMED RECEIVING STREAM: ND

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: [Signature] Date Signed: 7/26/2004
Printed Name: David Stehr Title: Owner

*This application shall be signed according to the Small Construction General Permit, ACT10, T-4.

If requested, please submit this form to: Chief, Environmental Permits Division
MDEQ, Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225

