

Stormwater Enforcement: Mississippi Commission on Environmental Quality and Summit Residential Developer Enter into Agreed Order



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The Mississippi Commission on Environmental Quality (“MCEQ”) and Dixie Springs Enterprises, LLC (“Dixie”) entered into a July 24th Agreed Order (“AO”) addressing an alleged violation of certain provisions of the Mississippi Code related to stormwater permitting. See Order No. 7059 20.

The AO provides that Dixie is involved with a residential development in Summit, Mississippi.

Dixie is stated to have been contacted by MCEQ and notified of an alleged violation at the residential development. The violation is allegedly 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. . .

Dixie is alleged to have failed to obtain coverage under Mississippi’s Large Construction Storm Water General Permit before the commencement of construction activities.

Dixie is stated to have submitted a Large Construction Notice of Intent to the Mississippi Department of Environmental Quality on February 28th.

The AO assesses a civil penalty of \$6,000.

A copy of the AO can be downloaded [here](#).