

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 7037 20

LITTLE BLUFF, LLC
PO BOX 1437
OCEAN SPRINGS, MISSISSIPPI 39566

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 Little Bluff, LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated March 13, 2020, Respondent was contacted by Complainant and notified of the following violation at its residential development located at Rod and Reel Street, Ocean Springs, Mississippi in Jackson County:

- A. Violation 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..." Respondent failed to obtain coverage under Mississippi's Large Construction

Storm Water General Permit before the commencement of construction activities.

Respondent has submitted a Large Construction Notice of Intent and Storm Water Pollution Prevention Plan to MDEQ's Environmental Permits Division.

2.

In lieu of a formal enforcement hearing concerning the violation 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 \$8,250.00. 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 13th day of May, 2020.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

CHRIS WELLS
INTERIM EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 4 day of May, 2020.

LITTLE BLUFF, LLC

BY: [Signature]

TITLE: Managing Member

STATE OF Mississippi

COUNTY OF Jackson

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

SWORN AND SUBSCRIBED BEFORE ME, this the 4 day of May, 2020.

Cathleen O. Thomas
NOTARY PUBLIC

My Commission expires: 7-03-21

