

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. **7105 21**

PINE BLUFF INVESTMENTS, LLC
3831 MAJESTIC OAKS DRIVE
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 Pine Bluff Investments, LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated October 28, 2019, Respondent was contacted by Complainant and notified of the following violations of Large Construction Storm Water General Permit Coverage, MSR107474 at its Wellington Place development located on Anchorage Road, Oxford, Mississippi in Lafayette County:

- A. Violation of ACT3 Condition S-6 – Failure to submit Major Modification Form.
- B. Violation of ACT5 Condition T-4 (1) – Failure to implement soil stabilization.
- C. Violation of ACT6 Condition S-3 (11) – Failure to maintain storm water controls.
- D. Violation of ACT6 Condition S-5 – Failure to conduct weekly inspections.

By letter dated July 24, 2020, Respondent outlined corrective actions needed to bring the facility back in compliance with Large Construction Storm Water General Permit Coverage, MSR1074. By email correspondence dated, March 11, 2021, Respondent asserts the completion of the corrective actions and that the facility is back in compliance.

2.

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 \$22,250.00. 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 5th day of April, 2021.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY 
CHRIS WELLS
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

AGREED, this the 25th day of March, 2021.

PINE BLUFF INVESTMENTS, LLC

BY: [Signature]

TITLE: Managing Member

STATE OF Mississippi

COUNTY OF Lafayette

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

SWORN AND SUBSCRIBED BEFORE ME, this the 25th day of March, 2021.

[Signature]
NOTARY PUBLIC
PAMELA LYNN HENSLEY
Commission Expires
Nov. 17, 2022
LAFAYETTE COUNTY
STATE OF MISSISSIPPI
NO. 68059

My Commission expires: November 17, 2022