Stormwater Enforcement: Mississippi Commission on Environmental Quality and Tupelo Construction Project Owner Enter into Agreed Order

Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

04/25/2025

The Mississippi Commission on Environmental Quality ("MCEQ") and JS, LLC ("JS") entered into a February 19th Agreed Order ("AO") addressing alleged violations of a Construction Stormwater General Permit. See Order No. 7459 25.

The AO provides that JS owns and operates a construction project in Tupelo, Mississippi.

The construction project is denominated "Scruggs Commons".

It is stated to have been issued a Certificate of Permit Coverage under Large Construction Storm Water General NPDES Permit ("Permit") at the Scruggs Commons.

JS is stated to have submitted on September 18, 2024, to the Mississippi Department of Environmental Quality ("MDEQ") a Major Modification Form for the Large Construction General Permit. JS stated on the form its intent to disturb an additional 32.93 acres at the Scruggs Commons.

MDEQ is stated to have conducted a Compliance Evaluation Inspection on October 31, 2024, at the Scruggs Commons to determine compliance with the Permit. The inspection is stated to have determined that JS conducted land disturbing activities on approximately 10.44 acres of unpermitted land.

The following violations were stated to have been identified during the inspection on October 31, 2024:

- Conducting land disturbing activities without coverage under Mississippi's Large Construction Storm Water General Permit for Land Disturbing Activities of Five (5) or More Acres.
- Failure to record and maintain staff training records in violation of Act 5 T-21 of the Permit.

JS submitted records of staff training on December 30, 2024. Further, JS was issued on January 30th modified coverage under the Permit for the acreage specified by Respondent in Major Modification Form submitted on September 18, 2024.

A civil penalty of $10,200.00 is assessed.

A copy of the AO can be downloaded here.