

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

7202 22

VS.

ORDER NO. _____

DR HORTON, INC.
1641 POPPS FERRY ROAD, SUITE B
BILOXI, MS 39532

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 DR Horton, Inc., Respondent, in the above captioned cause and agree as follows:

1.

By letter dated August 19, 2021, Respondent was contacted by Complainant and notified of the following violations that were discovered during a Compliance Evaluation Inspection at its Meginley Subdivision construction site located on Lamey Bridge Road in D'Iberville, Mississippi in Harrison County:

- A. ACT6, Condition S-1 (1): Failure to implement the SWPPP.
- B. ACT6, Condition S-3 (11): Failure to maintain erosion controls.
- C. ACT7, Condition L-1 (2): Failure to meet non-numeric limitation requirements.

2.

By letter dated June 6, 2022, Respondent asserted the violations have been corrected.

3.

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 \$18,750.00. 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

4.

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.

5.


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.

6.

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 14th day of July, 2022.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

BY: 
CHRIS WELLS
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 11 day of July, 2022.

DR HORTON, INC.

BY: Comer L. Carter Jr

TITLE: NPDES Administrator

STATE OF Mississippi

COUNTY OF Harrison

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Comer L. Carter, Jr who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the NPDES Administrator of DR Horton, Inc. and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 11 day of July, 2022.


NOTARY PUBLIC

My Commission expires: 8/19/2025

