

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 7059 20

DIXIE SPRINGS ENTERPRISES, LLC  
1119 DIXIE SPRINGS ROAD  
SUMMIT, MISSISSIPPI 39666

RESPONDENT

AGREED ORDER

COME NOW the Mississippi Commission on Environmental Quality (Commission), acting through the staff and Interim Executive Director of the Mississippi Department of Environmental Quality (MDEQ), Complainant, and Dixie Springs Enterprises, LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated November 12, 2019, Respondent was contacted by Complainant and notified of the following violation at its residential development, located on Dixie Springs Road, Summit, Mississippi in Pike County:

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 submitted a Large Construction Notice of Intent (LCNOI) to MDEQ on February 28, 2020. The LCNOI is under review by the 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 \$6,000.00. 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 24th day of July, 2020.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

BY:   
CHRIS WELLS  
INTERIM EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT  
OF ENVIRONMENTAL QUALITY

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AGREED, this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

DIXIE SPRINGS ENTERPRISES, LLC

BY: [Signature]

TITLE: Owner

STATE OF MS

COUNTY OF Pike

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Thomas Oliver who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Owner of Dixie Springs Enterprises, LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 20<sup>th</sup> day of July, 2020.

[Signature]  
NOTARY PUBLIC

My Commission expires: 8/4/20

