



STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHRIS WELLS, EXECUTIVE DIRECTOR

March 5, 2025

CERTIFIED MAIL # 7019 1120 0000 4785 6711

Mr. Jason Scruggs
JS, LLC
3575 Tom Watson Drive
Salttillo, Mississippi 38866

Re: Scruggs Commons Subdivision
Agreed Order No. 7459 25

Dear Mr. Scruggs:

Enclosed you will find a copy of Agreed Order No. 7459 25, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Chris Wells, on behalf of the Mississippi Commission on Environmental Quality.

The enclosed Order assesses a civil penalty. The penalty payment, when due, should be made by check payable to the Mississippi Department of Environmental Quality and returned in the enclosed, self-addressed envelope to the MDEQ Accounts Receivable at P.O. Box 2339, Jackson, MS 39225.

If you have any questions regarding your obligations under the enclosed order, please contact Geoffrey Martin at (601) 961-5024.

Sincerely,

A handwritten signature in blue ink that reads "Michelle Clark".

Michelle Clark, P.E., BCEE, Chief
Environmental Compliance and Enforcement Division

Enclosure
cc: Geoffrey Martin

Agency Interest No. 71547
ENF20250001

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 7459 25

JS, LLC
1135 WEST MAIN STREET
TUPELO, MISSISSIPPI 38801

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

1.

Respondent owns and operates a construction project, the Scruggs Commons, located at the intersection of Sawmill Drive and North Gloster Street, Tupelo, Mississippi in Lee County. On August 26, 2022, Respondent was issued Certificate of Permit Coverage No. MSR107612 for coverage under Mississippi's Large Construction Storm Water General NPDES Permit (the Permit) at the Scruggs Commons.

On September 18, 2024, Respondent submitted to MDEQ a Major Modification Form for Large Construction General Permit Coverage No. MSR107612. Respondent stated on the Major Modification Form its intent to disturb an additional 32.93 acres at the Scruggs Commons.

On October 31, 2024, MDEQ conducted a Compliance Evaluation Inspection (the Inspection) at the Scruggs Commons to determine compliance with the Permit. The Inspection

revealed that the Respondent had conducted land disturbing activities on approximately 10.44 acres of unpermitted land.

By letter dated December 20, 2024, Respondent was contacted by Complainant and notified of the following violations discovered at the Scruggs Commons during the Inspection on October 31, 2024:

- A. Respondent conducted land disturbing activities without coverage under Mississippi's Large Construction Storm Water General Permit for Land Disturbing Activities of Five (5) or More Acres in violation of Miss. Code Ann. § 49-17-29(2)(b) which states, "(b) 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, or unless that person is exempted from holding a permit by a regulation promulgated by the commission: [...] (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 or would otherwise alter the physical, chemical or biological properties of any waters of the state in any manner not already lawfully authorized[...]"
- B. Respondent failed to record and maintain staff training records in violation of Act 5 T-21 of the Permit which states, "Staff Training conducted to meet the requirements of this ACT shall be documented. Training records shall include employee's name, date of training, brief content/nature of training, and the employee's signature acknowledging training was received. Staff training associated with this permit may be documented on the Employee Training Log that is provided on the MDEQ website at www.mdeq.ms.gov/construction-stormwater. The permittee may use an alternative form to record this information, so long as it includes all of the information on the above referenced form. Employee training documentation shall be maintained on-site with the SWPPP and made available to MDEQ personnel for inspection upon request."

By letter dated December 30, 2024, Respondent submitted records of staff training.

On January 30, 2025, Respondent was issued modified coverage under the Permit for the acreage specified by Respondent in Major Modification Form submitted on September 18, 2024.

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 \$10,200.00. 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 March, 2025.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

CHRIS WELLS
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 28 day of Feb, 2025.

JS, LLC

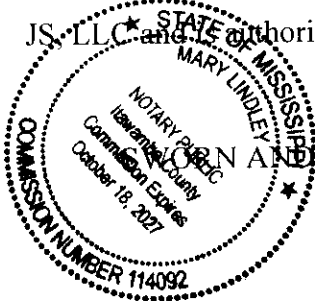
BY: 

TITLE: member manager

STATE OF MD

COUNTY OF Alta

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



AND SUBSCRIBED BEFORE ME, this the 28 day of Feb, 2025.


NOTARY PUBLIC

My Commission expires: Oct 18, 2027