MDEQ Response to Comments

Facility: Magnolia Materials, LLC

Location: 87 County Road 166, Oxford, Lafayette County, Mississippi

Permit Actions: Hot Mix Asphalt General Permit Coverage
HMA Application No.: MSR700115

Large Construction Stormwater General Permit Coverage
Stormwater Application No: MSR109782

Agency Interest No.: 90112

On February 17, 2026, the Mississippi Department of Environmental Quality (MDEQ) received a Hot Mix Asphalt Notice of Intent Form and associated Stormwater Pollution Prevention Plan (SWPPP) as well as a Large Construction Notice of Intent and associated SWPPP from Magnolia Materials, LLC ("Magnolia Materials") requesting coverage under the respective Hot-Mix Asphalt General Permit ("Hot-Mix Asphalt GP") and Large Construction Stormwater General Permit ("Large Construction GP") for land disturbance, construction, and operation of a hot mix asphalt production plant to be located at 87 County Road 166, Oxford Lafayette County, Mississippi.

The proposed site for Magnolia Materials encompasses approximately 22.92 acres within the Berry Branch watershed, of which about 13.71 acres will be disturbed for construction of the asphalt plant. The planned construction activities include grading, installation of utilities, road construction, construction of the asphalt plant as well as a small office building, and the development of a stormwater management area at the major drainage basin outfall. The primary erosion and sediment control measures will include silt fencing along disturbed areas, inlet protection, rock filter dams and wattles in proposed drainage swales, a temporary sediment basin, and vegetative stabilization of disturbed areas.

In addition, Magnolia Materials proposes to construct a Greenfield stationary hot mix asphalt plant that will produce asphalt at a maximum potential rate of 300 tons per hour but not exceed 500,000 tons per year based on a rolling 12-month period. The proposed asphalt production involves the operation of a natural gas-fired drum dryer controlled by a baghouse, the on-site storage and conveyance of various solid materials [i.e., raw aggregates, reclaimed asphalt pavement, lime, and other additives], the storage and use of liquid asphalt cement, and the truck loadout and dispatch of finished asphalt mix. Specifically, lime material will be stored within a silo that will be controlled by a baghouse. The proposed facility will not conduct the following activities on-site: rock or recycled asphalt pavement crushing, the operation of stationary emergency engines; gasoline dispensing operations.

To ensure meaningful public involvement for local community members to express concern regarding the proposed permit actions, MDEQ published and electronically distributed a "Notice of Public Hearing" for the related permitting actions on May 8, 2026. On June 10, 2026, MDEQ held a public hearing at the Oxford Conference Center (located at 102 Ed Perry Boulevard; Oxford, MS) from 6:00 to 9:00 PM. Overall, MDEQ provided a 113-day public comment period for the proposed general permit coverages (i.e., February 17, 2026, through June 10, 2026).

During the overall public comment period (including the public hearing), approximately forty (40) individuals provided comments on the proposed permitting and expressed concerns on various issues.

This document contains a summary of the written comments received during the public comment period, oral comments conveyed during the public hearing, and MDEQ's corresponding responses. Comments received have been grouped under appropriate categories for the purpose of clarity and brevity.

Table of Contents:

1. Procedural Validity, Application Accuracy, and Public Notice Issues 3
2. Legal, Zoning, Lease Validity, and Property Boundary Issues 3
3. Air Quality, Emissions, Odor, and Public Health.....5
4. Site Suitability & Proximity to Sensitive Receptors 8
5. Aviation Safety (FAA).....10
6. Stormwater, Runoff, Flooding, and Groundwater Impacts 11
7. Wetlands, Streams, Ponds, and Waters of the U.S. 14
8. Wildlife, Livestock, and Ecological Impacts 15
9. Monitoring, Enforcement, and Compliance History.....16
10. Developer Conduct, Transparency, and Public Trust 18
11. Traffic, Road Safety, and Spill Risk 19
12. Ecomonic, Property Value, and Community Compatibility.....21
13. Requests to Deny, Delay, Relocate, or Require Additional Studies 21

APPENDIX A: Hot Mix Asphalt Notice of Intent and SWPPP

APPENDIX B: Large Construction Stormwater Notice of Intent and SWPPP

APPENDIX C: Comments Received

APPENDIX D: Certified Transcript of Public Hearing

APPENDIX E: Notice of Appeal

APPENDIX F: Lafayette County Board of Supervisors Lease Agreement

APPENDIX G: Acoustic Impact Exhbit

APPENDIX H: Determination of No Hazard to Air Navigation

1. Procedural Validity, Application Accuracy, & Public Notice Issues

(a) Permit Application Timing and Accuracy

Comment No. 1: A comment was received asserting that Magnolia Materials' submittal of applications to MDEQ on December 23, 2025, prior to receiving approval from the Lafayette Board of Supervisors on January 6, 2026, raises concerns about improper sequencing, potential inside information, and invalid filing.

MDEQ Response: While MDEQ does acknowledge that information pertaining to a request for coverage under the Large Construction GP was received on December 23, 2025 (i.e., a Notice of Intent (NOI) form and corresponding SWPPP), please know that MDEQ staff did not commence an evaluation of the request until the receipt of revised information on February 17, 2026, from Magnolia Materials (i.e., a revised NOI and an updated SWPPP). In tandem with the submittal of updated information for its request for coverage under the Large Construction GP, Magnolia Materials also submitted corresponding information pertaining to a request for coverage under the Hot-Mix Asphalt GP. Therefore, MDEQ's assessment of the facility's respective general permit coverage requests has been solely based on information received on and after February 17th.

Comment No. 2: Several comments were received alleging that information pertaining to the requests for general permit coverage contained false or misleading statements, including the omission of ponds, wells, wetlands, and underreporting the disturbed acreage (claimed 13.7 acres vs. ~33 acres).

MDEQ Response: MDEQ reviewed the comments alleging that the Hot-Mix Asphalt and Large Construction NOIs contained false or misleading information regarding ponds, wells, wetlands, and the extent of disturbed acreage. As part of its permitting review, MDEQ evaluated the submitted NOIs and SWPPP and conducted site inspections to verify that the proposed site conditions and planned controls were accurately represented. Based on this review, MDEQ determined that the submitted plans meet the requirements of the applicable stormwater general permits.

Any changes to site conditions or project scope, such as modifications to drainage features, disturbance limits, or other elements addressed in the SWPPP, must be reflected in updated documentation, and the operator will be required to obtain modifications to the coverages under the Hot-Mix Asphalt GP and Large Construction GP (as appropriate).

2. Legal, Zoning, Lease Validity & Property Boundary Issues

(a) Zoning and Transition Buffers

Comment No. 3: Several comments were received that Lafayette County officials (either the Lafayette County Board of Supervisors or Lafayette County Planning Department) failed to apply required transitional zoning between heavy industrial (or "I-2") and adjacent residential/agricultural lands in addition to violating other local zoning ordinances. Some of the comments are as follows:

- "*…the county's failure to place transitional zoning of light industrial or heavy commercial between areas of agricultural and residential as required by the local county ordinance.*"

- *The location was improperly zoned against the Lafayette County zoning ordinances and provides no buffer to the adjacent private properties.*

- "*The county director of development has stated in a meeting that the county can use our land as a buffer between I-2 Heavy Industrial and private uses instead of following their own county ordinance that requires transitional zoning between I-2 Heavy and private use land.*"

MDEQ Response: While MDEQ acknowledges the concerns pertaining to this matter, this agency does not have any regulatory authority over the zoning of land parcels for the explicit purpose of "residential", "commercial", or "industrial" ("light" or heavy") use. Such authority within the State of Mississippi resides solely with the local jurisdictional government (i.e., city or county).

(b) Lease Validity

Comment No. 4: Several comments were received expressing concern about the validity of the 35-year county lease that was approved by the Lafayette County Board of Supervisors. These comments included allegations that the referenced lease agreement violated transparency requirements and may be voidable under Mississippi law. Some of the comments are as follows:

- "*…the applicant here has a lease agreement with Lafayette County for the lease of this property and the term of the lease is substantial. However, there is a -- it is our position that…a Board of Supervisors cannot contractually bind a successor Board of Supervisors.*"

- *We feel we have strong arguments for the courts to invalidate the lease given the term exceeds that which is allowed by state law and continues on in perpetuity upon completion of the 35 years.*"

- "*The lease was approved in executive session on December 15th, fully executed on December 18th, and the site plan was not presented to the Planning Commission until December 22nd. There was no notice of a public hearing on either the lease or the site plan until December 22nd.*"

MDEQ Response: While MDEQ acknowledges the pending litigation between local Oxford residents and the Lafayette County Board of Supervisors (please see Appendix E) regarding the referenced lease agreement (please see Appendix F), MDEQ has no statutory grounds for refuting the validity of the lease. Accordingly, it is MDEQ's stance that the referenced lease – as currently actionable – complies with the regulations specified herein that govern the agency's acceptance of permit applications and/or request for general permit coverages:

- For the Large Construction GP: MDEQ's Wastewater Pollution Control Regulations, Title 11, Part 6, Chapter 1, Rule 1.1.1.C.1(f) states that, "*No permit application will be processed unless the applicant controls the real property upon which the facility is located. The applicant may demonstrate control through ownership, lease, eminent domain, easement, license, and/or contract.*"

- For the Hot-Mix Asphalt GP: MDEQ's Air Regulations, Title 11, Part 2, Chapter 2, Rule 2.1.D.(5) state that "*No permit application…will be processed unless the applicant controls the real property upon which the facility is located. The applicant may demonstrate control or the legal right to operate through ownership, lease, eminent domain, easement, license and/or contract.*"

(c) Property Boundary Conflict

Comment No. 5: A comment was received alleging there is a 1-acre overlap between the parcel leased to Magnolia Materials and property owned by the DuChaine family, which potentially affects the site plan application, setbacks, and other requirements.

MDEQ Response: While MDEQ acknowledges that the alleged 1-acre discrepancy – if determined to be factual – may impact certain requirements within the Hot-Mix Asphalt GP and Large Construction GP, MDEQ does not have any defensible reason to refute either the site maps as provided by Magnolia Materials or Lafayette County's ownership of the referenced 1-acre at this time.

3. Air Quality, Emissions, Odor, Noise, & Public Health

(a) Pollutant Emissions

Comment No. 6: Several comments were received expressing concern about air pollution and/or the resulting potential health impacts from asphalt production operations. Some of the comments are as follows:

- **"***…the fine particulate matter, volatile organic compounds, and toxic air pollutants will severely compromise the air quality in our neighborhood, aggravating respiratory and cardiovascular risks for elderly residents, those with respiratory illnesses, and young children alike.***"**

- "*I am very concerned about the numerous types of air and water contamination risks for my children and my family.*"

- *Many of these nearby neighborhoods are filled with children, which is critically concerning. High risk exposure to air contaminants for all nearby families would be inevitable. 'Studies have shown that this can significantly impact air quality and pose health risks to nearby communities.'"*

- "*Small PMs* [particulate matter] *are the most dangerous to breathe. Most of Lafayette County and a major portion of The City of Oxford and the Campus will have toxins floating in the air.*"

- "*I am very concerned about volatile organic compounds, fine particulate matter ($PM_{2.5}$ and PM_{10}), nitrogen oxides (NO_X) produced during combustion processes, emissions generated during the heating and mixing of bitumen, odor and quality of life impacts*".

MDEQ Response: The air emissions from every hot mix asphalt facility are regulated under the Hot-Mix Asphalt GP and applicable state air quality regulations with the specific intent of complying with the Federal Clean Air Act, which requires the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) established by the U.S. Environmental Protection Agency (EPA). The objective of the referenced standards is to protect both public health (i.e., sensitive populations) and public welfare (i.e., vegetation and wildlife).

In accordance with the Hot-Mix Asphalt GP, the proposed Magnolia Materials is required to employ air pollution control technology and adhere to certain operational restrictions to mitigate air pollutant emissions to the best practical extent. These requirements have been ultimately designed to ensure that emissions remain within the regulatory air thresholds that govern compliance with all NAAQS.

In all, MDEQ believes that by complying with all requirements promulgated within the Hot-Mix Asphalt GP, the proposed Magnolia Materials is not expected to cause or contribute to a significant deterioration of ambient air quality within the surrounding area.

(b) Cumulative Impact

Comment No. 7: Several comments were received expressed concerns about the cumulative impact of air pollution from both the proposed Magnolia Materials and other nearby existing industrial sources (particularly Lehman Roberts Company, Plant No. 11). Some of the comments are as follows:

- "*We already reside near Lehman-Roberts (Asphalt Plant 11) on North Lamar. Adding a second asphalt plant within a one-mile radius creates a cumulative health burden on residents that has not been assessed.*"

- "*I am concerned about…the cumulative impact of emission in an area already experiencing industrial activity.*"

- "*Once these toxic chemicals are released into the air, it's impossible to contain them, and the negative environmental impact is cumulative.*"

- "*Certain pollutants associated with asphalt production have been linked in long-term studies to increased cancer risk when exposure is cumulative.*"

MDEQ Response: There is no State of Mississippi law or Federal regulation that provides MDEQ the regulatory authority or framework to formally analyze the cumulative impact from multiple sources of air pollution. However, it must be emphasized that MDEQ evaluates the emission of air pollutants from all applicable sources and institutes appropriate environmental regulatory restrictions to ensure ambient air quality state-wide complies with all NAAQS.

Accordingly, the potential air emissions from nearby industrial sources (e.g., Lehman Roberts Company, Plant No. 11 and Olin Winchester, LLC) are regulated under applicable air permitting mechanisms to protection of public health and public welfare (for Lehman Roberts – Plant No. 11, Coverage No. MSR700006 under the Hot-Mix Asphalt GP; for Olin Winchester, Air Synthetic Minor Operating Permit No. 1420-00029).

(c) Odor and Noise

Comment No. 8: Several comments were received expressing concern about odor and the resulting potential impact. Some of the comments are as follows:

- "*The combined impact of odor, noise, and chemical emissions threatens the quality of life and health of the surrounding community*."

- "*I am concerned about…odor impacts and quality of life effects.*"

- "*Hot mix asphalt production involves substantial emissions of particulate matter, volatile organic compounds (VOCs), hazardous air pollutants, and strong odors that can travel long distances.*"

MDEQ Response: MDEQ must clarify that while "odorous matter" is regulated under the agency's general air nuisance regulations (i.e., 11 Miss. Admin. Code, Part 2, Chapter 1, Rule 1.3.C), the referenced regulation does not provide MDEQ the authority to institute regulatory thresholds for "odor intensity", "odor concentration", and or any other means of measurement.

Comment No. 9: Several comments were received expressing concern about the potential noise that will be generated from the overall proposed asphalt production process. Some of the comments are as follows:

- "*I am very concerned about air quality for the numerous surrounding residences along with noise, traffic, and quality of life for all of us.*"

- "*…night-time illumination and especially loud operational noise will have an impact on our farm animals and ourselves.*"

- "*My concern has increased as MDEQ responds to…noise and emission problems in the Southaven area.*"

- "*Nearby residents, including families and students, could face increased exposure to dust, noise, and emissions.*"

MDEQ Response: While "noise pollution" is typically considered an aspect of environmental matters, MDEQ has no authority in the regulation of decibel levels. Such authority within the State of Mississippi resides solely with the local jurisdictional government (i.e., city or county) through the issuance of ordinances and local requirements.

In consideration of such concerns conveyed during the public hearing, Magnolia Materials submitted an "Acoustic Impact Exhibit" on June 30, 2026 (please see Appendix G) to illustrate a "conservative estimation" of prospective decibel levels at expanding radii from the proposed location and configuration of the asphalt plant. However, despite its inclusion to this "Response to Comments" document, it must be stated that MDEQ has not reviewed the data for the purpose of verification.

(d) Stack Height

Comment No. 10: A comment was received expressing concern about the proposed stack height of certain emission sources: "*Magnolia Materials has also received a variance adding an additional 41 feet to the towers creating a height exceeding 70 feet, thereby creating even more of a detriment to aircraft using the Oxford University Airport, which is less than a half a mile from this location.*"

MDEQ Response: Based on a review of available information, MDEQ cannot find any record that indicates the proposed Magnolia Materials will operate an emission stack with a height exceeding seventy (70) feet. In the absence of such information, it is MDEQ's expectation that the proposed lime storage silo (which must be equipped with a baghouse filter system) will possess the greatest on-site stack elevation at a height of forty-six (46) feet [as stated in the "Facility-Wide Emission Profile" document submitted April 7, 2026]. As such, the referenced lime storage stack height appears to comply with MDEQ air regulations that directly pertain to "Stack Height Considerations" (i.e., 11 Miss. Admin. Code, Part 2, Chapter 1, Rule 1.9).

(e) General Duty Clause

Comment No. 11: Comments were received expressing concern about the proposed Magnolia Materials' applicability to the General Duty Clause as it relates to bitumen and diesel sludge. The primary concern conveyed is as follows: "*Has this applicant provided any training programs in place, any operational procedures in place, or any remediation equipment on site to prevent the discharge of hazardous toxic and combustible bitumen and diesel sludge into a public creek that satisfies the General Duty Clause?*"

MDEQ Response: Magnolia Materials provided specifics on training procedures in both the Large Construction SWPPP and the Hot-Mix Asphalt SWPPP. Section II.B of the Large Construction SWPPP details training requirements for personnel involved in stormwater management and erosion control during construction while Section 5.4 of the Hot-Mix Asphalt SWPPP details training requirements for all employees during operation of the facility. Training courses are to include, but not limited to, applicable permit conditions and limitations, operation and maintenance of air emission control equipment and stormwater treatment processes, housekeeping and pollution prevention, spill prevention and response, upset response procedures, erosion and sediment control, and installation and maintenance of stormwater best management practices.

These training courses are to be documented in accordance with the requirements of the general permits and are to be conducted at least annually for operation of the facility.

The EPA General Duty Clause under the Clean Air Act Section 112(r)(1) requires any stationary source producing, processing, handling, or storing extremely hazardous substances to identify hazards, prevent chemical releases, and minimize the consequences of accidental releases. Bitumen/asphalt is not considered an extremely hazardous substance. Any chemical in 40 CFR part 68 or other extremely hazardous substance stored onsite must be managed safely in accordance with the General Duty Clause. However, it is not anticipated that any extremely hazardous substances will be stored onsite. Magnolia Materials has indicated that there will be no substances in quantities onsite that would require the development of a risk management plan (RMP) in accordance with EPA regulations.

4. Site Suitability and Proximity to Sensitive Receptors

(a) Proximity to Homes and Neighborhoods

Comment No. 12: Sevaral comments were received expressing concerns about significant number of residents living (or that have the potential to live) "relatively close" to the proposed Magnolia Material site. Some of the comments are as follows:

- *So, for the 1,500 homes within quarter mile of the facility will lose value. This is Tara, Quail Creek, White Tail, Oxmoor, NorthPointe and OakMont and other independent homes not within a specified subdivision.*"
- "*An industrial facility of this scale does not belong near thousands of residential homes…*"
- "*The location they are now pursuing would affect more than 2,000 residents.*"
- "*I can only imagine that if you or your family owned a home in this area you would be as concerned as I am.*"

MDEQ Response: While MDEQ has evaluated the population density and the presence of existing and planned residential developments within a 1–2-mile radius of the proposed Magnolia Materials site, the determinations related to community compatibility, residential proximity, and future development patterns are matters of local zoning as well as land-use regulation and is not within MDEQ's regulatory purview.

In accordance with agency protocol, MDEQ has extensively reviewed all available information to ensure that the proposed Magnolia Materials site complies with the prerequisite buffer zone thresholds outlined by each general permit. Thereafter, MDEQ's review is limited to evaluating whether the respective NOIs and corresponding SWPPPs meet the requirements of each applicable stormwater general permit. When the SWPPP measures are properly implemented, maintained, and inspected, they are expected to be protective of state water-quality standards and ambient air quality standards. However, Magnolia Materials remains responsible for ongoing compliance, and any noncompliance will be subject to corrective action and enforcement in accordance with federal and state law.

(b) Lack of Adequate Buffers

Comment No. 13: Several comments were received expressing concern about the perceived inadequacy of the buffer distances required by MDEQ or local officials. Some of the comments are as follows:

- "*I have read several references / articles referring to a buffer zone between an asphalt plant and residences of 1,000 to 1,500 feet. I don't know why that does not apply to MS.*"

- *My property which…is less than 1,000 feet from the proposed site for the asphalt plant (per Magnolia Materials, LLC).*"

- "*The location was improperly zoned against the Lafayette County zoning ordinances and provides no buffer to the adjacent private properties.*"

MDEQ Response: As part of its standard protocol, MDEQ evaluated all relevant information submitted for general permit coverage requests (i.e., the respective NOIs and SWPPPs; addendum documents, etc.) and determined that the submitted plans comply with the buffer requirements established within each general permit, which are as follows:

- For the Hot-Mix Asphalt GP: all air emissions sources shall be at least 600 feet from the nearest residential area, recreational area, or light commercial area; and

- For the Large Construction GP: Provide and maintain a 50-foot undisturbed natural buffer around waters of the United States; or provide and maintain an undisturbed natural buffer that is less than 50 feet and is supplemented by additional erosion and sediment controls which in combination achieves the sediment load reduction equivalent to a 50-foot undisturbed natural buffer

Buffer distances beyond the regulatory requirements specified above are determined through local zoning and land-use processes and fall outside MDEQ's authority. However, Magnolia Materials remains responsible for complying with all conditions of the applicable permits, and any future noncompliance will be subject to corrective action and enforcement consistent with state law.

5. Aviation Safety (FAA)

(a) Airport Proximity

Comment No. 14: Several comments were received expressing concern about the proposed site's proximity to the University – Oxford regional airport and the potential impacts of air pollution on visibility. Some of the comments are as follows:

- "*I am also concerned about the facility's proximity to the University airport and request that any potential impacts related to visibility, air quality, or aviation operations be fully assessed.*"

- "*Additionally, I understand that the air emission towers from this proposed facility are in the flight path of our local airport and that the particulate matter released could cause problems for any aircraft flying in or out of this airport.*"

- "*The proximity of the proposed hot asphalt plant to the University Airport is another concern. Air traffic will continue to grow. The impact of the hot asphalt plant and increased air traffic has not been considered.*"

MDEQ Response: It must be initially stated that only the potential air emissions from a proposed project subject to the Federal Prevention of Significant Deterioration (PSD) permitting program must be evaluated for potential impact on visibility at local airports. Given that the proposed Magnolia Materials project is not subject to the referenced PSD permitting program, MDEQ is not required to assess the potential impact on visibility at the University-Oxford Airport. However, in consideration of such concerns conveyed during the public hearing, Magnolia Materials submitted a "Determination of No Hazard to Air Navigation" determination on June 30, 2026 (please see Appendix H).

In summary, this aeronautical study – completed June 15, 2026 by the Federal Aviation Association (FAA) – denotes that the proposed Magnolia Materials site (more specifically the "asphalt conveyor and silo") does not exceed obstruction standards and will not be a hazard to air navigation.

(b) FAA Notification

Comment No. 15: A comment was received expressing concern about MDEQ's failure to notify the FAA of the proposed asphalt production plant: "*There are two additional federal agencies that were not notified as required by law. One you are aware of, and that is the FAA due to the proximity of the airport and the impact on air quality and to atmospheric conditions impacting air traffic landing and takeoff patterns.*"

MDEQ Response: After a review of relevant Federal environmental laws [i.e., the National Environmental Policy Act (NEPA) and the Clean Air Act (CAA)], MDEQ refutes the commenter's claim that there exists a Federal law requiring the agency to notify FAA of proposed air permitting actions simply based on the proximity of the proposed project to a regional airport. As such, MDEQ has concluded that its evaluation of the requested coverage under the Hot-Mix Asphalt GP was conducted in accordance with applicable State and Federal law / regulations.

6. Stormwater, Runoff, Flooding and Groundwater Impacts

(a) Receiving Waters and Stormwater Runoff Flow Capacity

Comment No. 16: A comment was received expressing concern that Berry Branch is an unreliable, low-flow waterway that is insufficient to dilute industrial discharge: "*Illustrated maps regarding the creek are misleading as it is not, in fact, a creek with a consistently reliable water flow. Berry Branch will not have enough water to consistently dilute the wastewater from the plant...*"

MDEQ Response: MDEQ acknowledges the commenter's concerns regarding the flow characteristics of Berry Branch and the downstream connection to Toby Tubby Creek, Sardis Lake, the Tallahatchie River, and other waters of the State. As noted in the October 2020 Total Maximum Daily Load (TMDL) for the Yazoo River Basin – Hills Region, Berry Branch is identified as having a biological impairment due to sediment.

MDEQ acknowledges the comments regarding the intermittent nature of Berry Branch and its downstream connection to Toby Tubby Creek and Sardis Lake. The agency evaluated both the construction-phase stormwater controls and the operational industrial stormwater controls proposed for the facility.

During construction, the proposed project is required to comply with the Large Construction GP. The applicant's SWPPP includes specific BMPs to prevent sediment from reaching Berry Branch, including:

- A 50-foot natural buffer where practicable, supplemented by structural controls.
- Silt fencing, erosion control mats, and brush barriers installed along downgradient limits of disturbance.
- Diversion swales directing stormwater away from disturbed areas and toward sediment controls.

These construction BMPs were reviewed by MDEQ and determined to be adequate to maintain consistency with the Berry Branch Sediment TMDL, which requires preventing additional sediment loading to the impaired segment.

During operation, stormwater associated with industrial activity is regulated under the Hot-Mix Asphalt GP (MSR70). The proposed facility's Hot-Mix Asphalt SWPPP includes the following structural treatment controls:

- A nutrient-separating baffle box (NSBB) to provide pretreatment for runoff from the material handling area.
- A forebay pretreatment area for initial sediment capture.
- A retention pond designed to detain and release stormwater at or below pre-development flow rates before discharging to Berry Branch.
- Secondary containment for asphalt cement tanks and double-walled storage for diesel fuel.

The Hot-Mix Asphalt SWPPP also outlines BMPs required by ACT4 of the HMAGP, including good housekeeping, spill-response procedures, routine inspections, and corrective action requirements.

Based on these construction and operational controls, MDEQ does not expect discharges from the site, when in compliance with applicable permits, to adversely impact Berry Branch or downstream waters. If inspection findings indicate non-compliance or deficiencies in BMP performance, MDEQ will require corrective actions consistent with the permit.

(b) Detention Pond Design & Risks

Comment No. 17: Comments were received alleging that the proposed stormwater detention basin will be unlined and is inadequate to prevent infiltration of contaminated water into Wilcox Aquifer and private wells. The primary comment was as follows: "*The detention pond does not include lining to safeguard toxic materials from soaking into the ground water.*"

MDEQ Response: MDEQ reviewed the comment regarding potential infiltration from the proposed facility's stormwater detention/retention system into the Wilcox Aquifer and nearby private wells. During normal operation, stormwater may come into contact with limited materials such as diesel fuel residues from fueling activities and storage tanks, small quantities of hydraulic or motor oils from equipment, asphaltic fines from reclaimed asphalt pavement (RAP) stockpiles, sediment from aggregate piles and unpaved areas, and trace lime dust. These potential pollutants are identified in the Hot-Mix Asphalt SWPPP.

Stormwater from operational areas is managed through multiple structural best management practices, including a nutrient-separating baffle box (NSBB), a forebay pretreatment cell, and the site's stormwater inlet system (which remove sediment, floatables, asphaltic particulates, and petroleum-associated residues prior to discharge to the retention basin). The basin does not receive process wastewater, fuels, asphalt cement, or other industrial liquids prohibited under the Hot-Mix Asphalt GP.

The Wilcox Aquifer is a deep, confined aquifer overlain by substantial low-permeability geologic materials that restrict downward movement of shallow stormwater. Considering the limited types of pollutants that stormwater may contact, the treatment provided by the required BMPs before water reaches the basin, and the lack of any authorized industrial wastewater discharge, MDEQ does not expect stormwater from the facility to adversely affect groundwater quality or the Wilcox Aquifer. If inspections identify any deficiencies that could increase the potential for pollutant migration, MDEQ will require corrective action consistent with permit requirements.

Comment No. 18: A comment was received alleging that the design of the stormwater detention pond based on 10-year and 25-year storms is insufficient given recent 7 – 10" rainfall events and known culvert failures: "*Because of climate change, the frequency of heavy rainfall is higher, preparing for a 10-year flood event is significantly different than preparing for a 25-year storm. Neither are particularly high standards for engineering design safety.*"

MDEQ Response: MDEQ reviewed the comment regarding the design storm selection. The stormwater management system for this facility was designed in accordance with Lafayette County requirements and the applicable MDEQ general permits, which require stormwater controls to be sized based on established 2-, 10-, and 25-year, 24-hour design storms. The submitted design provides attenuation for the 2-, 10-, 25-, and 100-year, 24-hour storm events, ensuring that

post-development peak flows do not exceed pre-development conditions for the required regulatory storms.

Although isolated extreme rainfall events may exceed these standards, stormwater permits do not require facilities to be designed for atypical or catastrophic rainfall events. The pond has been designed in accordance with the requirements of the General Permit, and MDEQ does not have regulatory purview over design standards beyond those established in the permit.

(c) Soil Stability & Topography

Comment No. 19: A comment was received expressing concern about erosion, slope failure, and sediment transport since the site allegedly contains sandy loam soils, gullies, and steep slopes: "*The land is full of gullies and trenches and is comprised of sandy loam soil which is unstable and holds water, and as a direct result will hold heavy metal contaminated water which will seep into the groundwater.*"

MDEQ Response: MDEQ reviewed the comment regarding soil stability, steep slopes, and the potential for erosion and sediment transport. The proposed project is required to obtain and comply with both the Large Construction GP and the Hot-Mix Asphalt GP, each of which requires the implementation and maintenance of erosion and sediment controls throughout all phases of construction and operation. The Large Construction SWPP and Hot-Mix Asphalt SWPPP submitted for the proposed project were reviewed and found to be complete and adequate in addressing stormwater discharges from areas with cut and fill slopes, sandy loam and silt loam soils, and other site conditions.

Permit required controls (such as silt fence, diversion berms, brush barriers, inlet protection, and phased stabilization) must be installed, inspected, and maintained to prevent sediment loss from the site. These requirements remain in effect for the duration of construction, and MDEQ will require corrective actions if inspections identify any deficiencies in the erosion and sediment control measures.

(d) Spill & Fire Risk

Comment No. 20: A comment was received expressing concern about the creation of a fire risk from the potential accumulation of bitumen and diesel sludge in the sediment basin: "*With natural gas ignition sources utilized nearby in the hot mix process, would accumulation of bitumen and diesel sludge in a sediment basin create the risk of a fireball endangering employees?*"

MDEQ Response: Under the Hot-Mix Asphalt GP, industrial materials such as asphalt cement, diesel, and oils must be stored within secondary containment or double-walled tanks and are not permitted to enter the stormwater system or the retention basin. The Hot-Mix Asphalt SWPPP includes spill-prevention and response measures, and the operator will be required to develop and implement a Spill Prevention, Control, and Countermeasure (SPCC) Plan prior to commencing operation. Stormwater routed to the basin passes through structural BMPs that remove floatables, hydrocarbons, and other pollutants; therefore, the basin is not expected to accumulate flammable industrial materials.

7. Wetlands, Streams, Ponds, and Waters of the U.S.

(a) Wetlands Identification

Comment No. 21: Several comments were received asserting that wetlands were misrepresented or omitted from application materials, and the U.S. Army Corps of Engineers (USACE) should be involved due to jurisdictional waters. Some of the comments are as follows:

- "*The Corps of Engineers has not been engaged to address the wetlands area nearing Sardis Lake whereby the stormwater runoff and discharge from the stormwater detention pond area will flow.*"

- "*The application appears to misrepresent or 'skirt the truth' regarding the presence and proximity of these wetlands.*"

MDEQ Response: The applicant submitted a wetland delineation conducted in March 2026, which identified one intermittent stream segment associated with the headwaters of Berry Branch and one upland swale; no wetlands were documented on the project site. Any determination of federal jurisdiction under Section 404 lies with the USACE, and the delineation may be submitted to the Vicksburg District for confirmation.

The proposed project is required to comply with the Large Construction GP, which mandates installation and maintenance of erosion and sediment controls such as silt fence, diversion berms, and brush barriers to prevent sediment from reaching Berry Branch or other waters. Based on the delineation findings and implementation of permit-required BMPs, MDEQ does not expect the proposed facility to adversely affect Berry Branch or any other waterbody.

(b) Ponds and Wells

Comment No. 22: Comments were received alleging that the submitted NOIs contained false information regarding the proximity of ponds and drinking water wells to the proposed Magnolia Materials site. Some of the comments are as follows:

- "*The application presented without Board approval on 12/23/25 provides false and misleading information regarding 4 private working ponds and one primary underground water well located within feet of the facility; and 8 other ponds located in less than a quarter mile.*"

- "*We are opposing this facility for a variety of reasons, all of which have been identified in a number of comments provided to MDEQ by residents; however, this is the most egregious! These ponds serve to provide a water source for horses and wildlife, as well as providing a private water source for one home and for fishing and garden operations of the owners.*"

MDEQ Response: The Large Construction NOI asks whether there are recreational streams, private or public ponds, or lakes within one-half mile that may be impacted by the construction activity. Applicants typically respond "No" when they determine, based on their proposed erosion and sediment controls, that downstream waterbodies are not expected to be impacted by the construction.

MDEQ is aware that ponds and wells exist within the broader vicinity of the site; however, the purpose of the NOI question is to identify waterbodies with a reasonable potential for impact, not to map all features within a half-mile radius. Regardless of how this particular question is answered, the project must still comply with all requirements of the Large Construction GP, including

installation, inspection, and maintenance of sediment and erosion controls. If existing controls prove ineffective, the permit requires the operator to install additional or alternative BMPs to prevent sediment from leaving the site.

8. Wildlife, Livestock & Ecological Impacts

(a) Livestock and Drinking Water

Comment No. 23: Comments were received expressing concern about the potential contamination of livestock drinking water sources from air emissions and stormwater runoff. Some of the comments are as follows:

- "*Some of my neighbors have livestock ponds located 1,000 feet from the proposed site. Another lives 1,500 feet away and drinks water from a well.*"

- "*As a resident living approximately one mile away, I rely on well water for my family. The potential for runoff to contaminate the groundwater and my well water poses an unacceptable health risk to my children and my household.*"

- "*The potential to contaminate our multiple ponds is of utmost concern, as are the air emissions from the stacks of the plant creating pulmonary issues for us and our horses*."

MDEQ Response: The Hot-Mix Asphalt GP does not authorize the discharge of process wastewater, fuels, asphalt cement, or other industrial liquids to stormwater, and the Hot-Mix Asphalt SWPPP requires all such materials to be stored within secondary containment or doublewalled tanks to prevent contact with stormwater. Stormwater leaving operational areas are routed through required BMPs (including pretreatment structures that remove sediment, floatables, and particulate bound pollutants) before discharge.

When these controls are installed and maintained in accordance with the General Permit, MDEQ does not expect stormwater discharges from the facility to adversely affect downstream waterbodies, including ponds used for livestock watering. MDEQ conducts routine and complaint-based inspections to ensure compliance, and the permit requires the operator to implement additional or alternative BMPs if existing controls are found to be ineffective. Enforcement actions may be taken if deficiencies are not corrected.

(b) Habitat Impacts

Comment No. 24: Comments were received expressing concern about the potential degradation of native habitat due to the proposed construction and operation of the asphalt production plant. Some of the comments are as follows:

- "*We are very concerned about the survival of these trees as well as the native oaks, hickories, dogwoods, and others that are just as old or older all over our farm.*"

- "*And how will they keep the trees that are supposed to be left alone from dying due to the disturbance of the ground and root systems? How will they control runoff from erosion from the massive cut down area of the trees and dirt?*"

MDEQ Response: The Large Construction GP does not authorize any discharge or discharge-related activity that is likely to jeopardize federally listed threatened or endangered species or adversely modify designated critical habitat, and a signed LCNOI serves as the applicant's certification of eligibility under this requirement.

While habitat alteration itself is not regulated under this permit, the proposed project must implement and maintain all required erosion and sediment controls to prevent off-site impacts to adjacent waters and associated habitat. If inspections show that existing controls are not sufficient, the operator is required to install additional or alternative BMPs.

(c) Aquatic Ecology

Comment No. 25: Comments were received expressing concern about the potential bioaccumulation of heavy metals and contaminants that could affect aquatic food chains (insects, zooplankton, fish, and downstream ecosystems). Some of the comments are as follows:

- "*The site generates potential runoff containing sediments, oils, heavy metals, and other pollutants from asphalt production…Any failure in containment or treatment could harm aquatic ecosystems and downstream water supplies.*"

- "*During production and heavy rainfall events this -- the contaminants will settle into the ground water, leading to water pollution and harm to aquatic life eventually downstream.*"

- "*These heavy metals are absorbed by zooplankton in the water, which is then eaten by the invertebrates; marine life, insects, worms, crustaceans, et cetera; which are consumed by small fish, such as crappies; which are then brought to the family dinner table. The end results are diseases, cancer, respiratory illnesses, and much more.*"

MDEQ Response: The Hot-Mix Asphalt GP does not authorize the discharge of industrial liquids, fuels, or asphalt products to stormwater, and the Hot-Mix Asphalt SWPPP requires containment and BMPs designed to prevent these materials from entering the stormwater system. When the SWPPP is fully implemented, including required inspections, maintenance, and corrective actions, stormwater discharges from the facility are expected to meet applicable water quality criteria and are not anticipated to contribute to pollutant levels capable of causing bioaccumulation. If inspections identify deficiencies or conditions that could increase pollutant loading, the operator is required by the General Permit to implement additional or alternative BMPs.

9. Monitoring, Enforcement, and Compliance History

(a) Developer's Past Violations

Comment No. 26: Several comments were received expressing concerns about the history of non-compliance associated with Mr. J.W. McCurdy (the owner of Magnolia Materials) – cited past fines for stormwater permit violations: **$14,000** (JWM Development, 2022); **$6,275** (MFM Development, 2020). Some of the comments are as follows:

- "*I'm sure the MDEQ is aware that the developer of this project has continuously violated state environmental regulations, pays fines, and then moves on to the next violation.***"**

- "*McCurdy has a history of violating regulatory controls between this company and other LLC he has registered.*"

MDEQ Response: Compliance history is one factor that may be considered in evaluating an applicant's permitting responsibilities; however, each project is required to independently meet all conditions of the applicable stormwater general permits. The owner of Magnolia Materials, LLC, (Mr. J.W. McCurdy) has overseen numerous land development projects in Mississippi, and past inspections that identified deficiencies were addressed promptly with corrective actions implemented at the affected sites. MDEQ understands that multiple enforcement actions have occurred over the past nine years, and the applicant has taken steps, including replacing the contractor involved in the cited violations, to prevent recurrence.

For the proposed project, the operator remains fully responsible for complying with all requirements of the Large Construction GP and the Hot-Mix Asphalt GP, including implementation, inspection, and maintenance of erosion and sediment controls. Any future non-compliance at this site will be subject to corrective action and enforcement consistent with permit conditions and state law.

(b) Alleged Unauthorized Construction

Comment No. 27: Comments (as well as formal complaints) were received alleging land clearing, tree removal, and equipment mobilization by Magnolia Materials prior to obtaining required MDEQ permits: "*As of today, McCurdy is moving in equipment to begin work. This is an example of McCurdy NOT complying with state requirements and attempt to skirt around the regulatory controls and the County conspiring with McCurdy to avoid the basic regulatory controls.*"

MDEQ Response: Upon receiving these complaints, MDEQ inspectors were sent to the site to evaluate the reported activities. During these inspections, the owner was advised that the work being conducted met the definition of construction activity requiring permit coverage. Following that determination, the owner ceased the activities identified by inspectors.

MDEQ has maintained a heightened inspection presence at the site to ensure that no construction activities proceed without appropriate authorization. While initial work was halted once its regulatory status was clarified, the operator remains responsible for obtaining and complying with all applicable permit requirements. Any future non-compliance at this site will be subject to corrective action and enforcement consistent with state law.

(c) Oversight Concerns

Comment No. 28: Comments were received expressing doubt that MDEQ can adequately oversee the proposed project due to various issues.

- "*I question the ability of MDEQ to make regular on-site visits as your staff positions are no longer supported.*"

- "*In January 2026 when this subject came up, I sent MDEQ concerns about a Mississippi Today article that documented both significant budget cuts and reduction in force for the Mississippi DEQ that has occurred over the past 10 years. These reductions have accelerated in the last few years.*"

- "*Both the Environmental Protection Agency (EPA) and the Mississippi Department of Environmental Quality (DEQ) have had severe budget cuts. Guidelines for and monitoring of operations could be limited, eased, or absent.*"

MDEQ Response: While resource levels vary from year to year, MDEQ is required to ensure that all regulated activities comply with applicable environmental statutes and permit conditions. The agency's Compliance and Enforcement Division conducts inspections, reviews submitted monitoring documentation and responds to citizen complaints to verify compliance.

For this project, the operator must meet all inspection, monitoring, and reporting obligations established in the applicable general permits. MDEQ will continue to evaluate permit compliance through a combination of field inspections, review of required submittals, and follow-up on any complaints received. Any future non-compliance will be addressed through corrective action and enforcement as provided under state law.

10. Developer Conduct, Transparency, and Public Trust

(a) Misrepresentation Allegations

Comment No. 29: Comments were received alleging that that Magnolia Materials has provided misleading statements about ponds, wetlands, acreage, buffer zones, and project impacts. Some of the comments are as follows:

- "*The first map is a map of some questionable…information that was provided by Magnolia Materials. Magnolia Materials…provided false and misleading assertions on the application for these permits.*"

- "*I sent information over before the ice storm regarding the false and misleading information he provided on the permit application.*"

- "*The application presented without Board approval on 12/23/25 provides false and misleading information regarding 4 private working ponds and one primary underground water well located within feet of the facility; and, 8 other ponds located in less than a quarter mile.*"

MDEQ Response: As part of its permitting review, MDEQ evaluated the submitted SWPPP and conducted site inspections to confirm that the proposed measures and site conditions were accurately depicted. Based on this review, MDEQ determined that the plans satisfy the requirements of the applicable stormwater general permits.

Any revisions to site configuration, drainage features, or other elements addressed in the SWPPP will require updated documentation and, where applicable, a modification to the Large Construction and Hot Mix Asphalt Stormwater Coverages. The operator remains responsible for maintaining compliance with all permit conditions.

(b) Transparency Concerns

Comment No. 30: Comments were received expressing concerns about misleading or incomplete statements made in meetings, site plans, and application materials that reduced public trust in the process. Some of the comments are as follows:

- "*Public health, environmental protection, and community trust must come before speed or convenience.*"

- "*Please ensure that public transparency is maintained throughout the process.*"

MDEQ Response: MDEQ acknowledges these concerns and appreciates the participation of community members during the public comment period. In accordance with 11 Miss. Admin. Code, Part 6, Chapter 1, Rule 1.3.3, all comments and supporting materials are reviewed and incorporated into the administrative record without weighting or preference.

Comments regarding general opposition to the project, perceived inconsistencies in public communications, or broader community impacts were considered; however, these matters fall outside MDEQ's regulatory authority under Section 401 of the Clean Water Act. MDEQ's review is limited to determining whether the proposed discharge, with any necessary conditions, will comply with applicable state water quality standards as outlined in 11 Miss. Admin. Code, Part 6, Chapter 1, Rule 1.3.4.

11. Traffic, Road Safety & Spill Risk

(a) Truck Volume & Congestion

Comment No. 31: Several comments were received expressing concern about the potential increase in truck traffic as well as the resulting impact on congestion and safety near schools, parks, and neighborhoods. Some of the comments are as follows:

- "*Professionals cited numerous legitimate environmental hazards for thousands of nearby residents including…spill exposure and traffic risks form heavy asphalt and supply trucks.*"

- "*This plant is expected to generate 2,000 tons of hot ash per day transporting 85 – 130 trucks per day on the roads where there are 3 schools, massive traffic flow during shift change, a large city park with a record number of visitors weekly, restaurants and future hotels.*"

- "*Those dangers include substantial environmental impact as well has traffic hazards that given an accident with any entering or exiting truck will create a catastrophic environmental spill dumping multiple amounts of hazardous materials into ground, ground water and eventually into a large primary U.S. Corps of Engineers Lake.*"

MDEQ Response: MDEQ acknowledges these concerns and appreciates the input provided by community members. However, transportation impacts, traffic management, and roadway safety considerations are not within MDEQ's regulatory purview.

MDEQ's review is limited to evaluating compliance with applicable environmental permitting requirements. Issues related to traffic operations, roadway capacity, or transportation planning are under the jurisdiction of local governments and the Mississippi Department of Transportation.

(b) Spill Potential

Comment No. 32: Comments were received expressing concern on the potential environmental risks from the spillage / leakage of asphalt, bitumen, fuel, or additives on-site and off-site (along roads). Some of the comments are as follows:

- "*Those dangers include substantial environmental impact as well has traffic hazards that given an accident with any entering or exiting truck will create a catastrophic environmental spill dumping multiple amounts of hazardous materials into ground, ground water and eventually into a large primary U.S. Corps of Engineers Lake.*"

- "*Professionals cited numerous legitimate environmental hazards for thousands of nearby residents including…spill exposure and traffic risks form heavy asphalt and supply trucks.*"

- *"Will the spillage of diesel fuel not accumulate in this sediment basin that's been described…?"*

MDEQ Response: While MDEQ understands these concerns, it must be clarified that the regulation and enforcement of material spills during off-site transportation is not within MDEQ's regulatory purview. However, in the event of a "catastrophic spill" or release (either on-site or off-site), the Emergency Response Division within MDEQ responds – as needed – to such incidents to minimize the impacts to the environment and public health.

Spill prevention and response measures that are applicable to the proposed Magnolia Materials are detailed in Section 5.3 of the Hot Mix Asphalt SWPPP. Moreover, Magnolia Materials would be responsible for monitoring any spills or leaks in accordance with the denoted SWPPP as well as the applicable requirements within the Hot-Mix Asphalt GP.

Any spills or leaks occurring at the facility are required to be documented using the MDEQ-specific "Monthly Spill and Leak Log Sheet". Any significant spill or leak, as defined in ACT6 Condition T-28 of the HMAGP, must be reported to the appropriate authorities immediately upon knowledge of the release. The tanks to be utilized for storage of diesel and bitumen at the facility will be above ground and equipped with secondary containment to provide additional protection against spills and leaks in accordance with ACT5 Condition T-22 of the Hot-Mix Asphalt GP.

Additionally, a SPCC Plan must be prepared and implemented by to the commencement of operations in accordance with the EPA Title 40 Code of Federal Regulations, Part 112 which will further address oil storage procedures and spill prevention and control measures.

12. Economic, Property Value, and Community Compatibility

(a) Property Values

Comment No. 33: Several comments were received expressing concern about the potential depreciation of property values within the proximity of the proposed Magnolia Materials. Some of the comments are as follows:

- "*And then NIH did a study on the openings and closings of 1,600 industrial plants, and they found that toxic air emissions affects within one-mile of a plant. And that it affects housing values within .5 miles of the plant.*"

- "*As you are aware, the opposition of this proposed facility is far more than just the environmental impact on property values…*"

- "*Improving the environment after taking the risk of damaging it does not reflect wise economic growth. It actually creates economic imbalance as it depreciates local property values and shifts massive health care and environmental cleanup costs onto the community.*"

- "*...I am especially concerned with air quality and the effect this facility will have on house values.*"

MDEQ Response: While MDEQ understands the expressed concerns, it must be stated that property-value impacts and other such related economic considerations are not factors that can be evaluated within MDEQ's environmental regulatory purview.

(b) Community Compatibility

Comment No. 34: Several comments were received expressing concern that the proposed Magnolia Materials incompatible with community character and future growth. A primary concern conveyed is as follows: "*The continuous truck traffic, heavy loadouts, and unavoidable fugitive dust from raw aggregates, reclaimed asphalt pavement, and lime silo storage will disrupt the community and lower the quality of life for thousands of Lafayette County citizens.*"

MDEQ Response: MDEQ must emphasize that land-use determinations, zoning decisions, and assessments of community compatibility fall within the jurisdiction of local government and are outside MDEQ's regulatory authority.

13. Requests to Deny, Delay, Relocate, or Require Additional Studies

(a) Requests for Denial

Comment No. 35: Several comments were received that explicitly requested MDEQ to deny the requests for coverage under the Large Construction GP and Hot-Mix Asphalt GP. Some of the comments are as follows:

- "*I urge the MDEQ to deny the permitting of a proposed hot asphalt mix plant…*"

- "*I respectfully request that the MDEQ foresee the potential environmental damage by this applicant that cannot be undone and deny any Construction or General Hot-Mix Permit for the construction of the said greenfield hot asphalt plant.*"

- "*I urge the Mississippi Department of Environmental Quality to deny the permits for this Magnolia Materials facility to protect the health of our vulnerable citizens and preserve our environment.*"

MDEQ Response: Please know that final decisions regarding issuance, denial, or modification of these permit coverages are made by the Mississippi Environmental Quality Permit Board. The Permit Board, established under state law, is responsible for acting on environmental permits and coverages related to air and wastewater discharges within Mississippi and may impose conditions or limitations as it deems appropriate.

(b) Requests to Delay Review

Comment No. 36: Comments were received requesting that MDEQ postpone a final decision on the requested coverages until the conclusion of the pending Circuit Court appeal and/or further review. A primary conveyed concern is as follows: "*I urge the MDEQ to deny or, at minimum, hold this permit application for further independent review due to the following critical concerns regarding stormwater, wetlands, and procedural irregularities.*"

MDEQ Response: The timing of permit decisions is established under state law and the procedures of the Mississippi Environmental Quality Permit Board. Unless directed otherwise by a court order, the Permit Board will consider the applications in accordance with its statutory responsibilities and established permitting processes.

(c) Requests for Independent Studies

Comment No. 37: Comments were received expressing concern about the lack of independent environmental assessments on air quality, stormwater routing, Berry Branch, wetlands, and post-storm vegetation impacts. Some of the comments are as follows:

- "*There has been NO comprehensive study of this land area, no comprehensive drainage plan to support this facility and no comprehensive emergency management plan to support a release event of contaminants.*"

- "*Please ensure that…All emission estimates are independently verified.*"

MDEQ Response: While MDEQ understands these concerns, the agency's permitting process does not include commissioning independent environmental studies beyond those required under applicable regulations.

MDEQ's review is limited to evaluating whether the application materials, including the SWPPP and supporting documentation, demonstrate compliance with the requirements of the relevant general permits. Any additional environmental studies would fall within the discretion of the applicant or other agencies with broader environmental review authority.

(d) Requests for Relocation

Comment No. 38: Comments were received requesting that proposed Magnolia Materials be relocated toa less populated area of the county that is away from homes, schools, and recreational facilities. Some of the comments are as follows:

- "*It doesn't need to go there. It needs to be moved. It needs to be at a different location.*"

- "*So we need to move it. It needs to be denied. It needs to be moved somewhere else that's capable to hold this and allow for the residents in this area, just like we said, neighborhoods, to be comfortable where they're living and not have to worry about all the environmental issues and also the smell.*"

- "*It needs to move.*"

MDEQ Response: Decisions regarding land use, siting, and zoning fall under the jurisdiction of local government and are not within MDEQ's regulatory authority. MDEQ's role is limited to evaluating whether the proposed facility meets the requirements of the applicable environmental permits.

APPENDIX A

Hot Mix Asphalt Notice of Intent and SWPPP

MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

HOT MIX ASPHALT NOTICE OF INTENT FORM

COVERAGE NO.: MSR70 __ __ __ __

(Coverage number is located at the bottom left corner of your previous Certificate of Coverage. Leave blank if applying for new coverage.)

COVERAGE ACTION REQUESTED

☑ **New** ☐ **Recoverage** ☐ **Modification***

**If submitting a modification, include the Change Request Form available at www.mdeq.ms.gov/hmagp.*

FACILITY INFORMATION

Company Name: Magnolia Materials,LLC **Facility Name:** Magnolia Materials - Plant 1

Contact Name: JW McCurdy **Contact Title:** Owner

Contact Phone: (662) 816-2700 **Contact Email:** jw@mrconstructionoxford.com

Physical Site Address: **Street:** 87 CR 166

City: Oxford **State:** MS **Zip:** 38655

Mailing Address: **Street:** 31 Highway 328

City: Oxford **State:** MS **Zip:** 38655

GPS Coordinates at Plant Entrance
GPS Coordinates (Degrees/Minutes/Seconds): **Latitude:** 34/24/34 **Longitude:** -89/32/07

Collection Method (e.g., GPS, Google Earth, etc.): Map Interpolation

ASPHALT PLANT INFORMATION

Type of Asphalt Plant: ☐ Batch ☑ Drum **Maximum Asphalt Production Rate:** 300 tons/hr

(Maximum production rate should be based on the manufacturer's maximum rated plant capacity, on an hourly basis.)

Manufactured Date of Asphalt Plant: N/A **Date plant was last relocated:** N/A

(If a New Plant, enter "N/A" for manufactured date, date of last relocation, date of testing, etc.)

Date of Most Recent Particulate Matter (PM) Stack Test on Asphalt Plant: N/A

Is the Asphalt Plant currently at the site? ☐ YES ☑ NO **If No, what date was it removed?** _____ ☑ N/A

Asphalt Dryer Rated Capacity: 100 MMBtu/hr

Dryer Fuels Used: ☑ Natural Gas ☐ LPG ☐ Fuel Oil ☐ On-Spec Used Oil ☐ Bio-derived Liquid

(Mark all applicable fuels which may be burned.)

ROCK / RECYCLED ASPHALT PAVEMENT (RAP) CRUSHER INFORMATION

Do you own or operate a rock or RAP crusher at the site? ☐ YES ☑ NO

(If YES, complete the remainder of this section. If only a third party will own/operate a rock/RAP crusher at your site, mark NO. The third party is responsible for obtaining any necessary air permits to operate the rock crusher.)

Will crushed material be provided to a plant other than the co-located HMA plant? ☐ YES ☐ NO

Submit signed form online at www.mdeq.ms.gov/hmagp or a hard copy to Air II Branch Manager, EPD, MDEQ, PO Box 2261, Jackson, MS 39225

ROCK / RECYCLED ASPHALT PAVEMENT (RAP) CRUSHER INFORMATION (continued)

Crusher Type & Rated Cumulative Capacity: Fixed: _____ tons/hr Portable: _____ tons/hr

Date Rock/RAP Crusher Manufactured: _____

Date of modification/reconstruction of Rock/RAP Crusher: _____ ☐ N/A

Is Rock/RAP Crusher controlled by a baghouse or fabric filter? ☐ YES ☐ NO

Date of most recent Particulate Matter (PM) stack test on Rock/RAP Crusher: _____ or ☐ N/A

Date of most recent Opacity (Method 9) Evaluation on Crusher and Transfer Points: _____ or ☐ N/A

OTHER AIR EMISSION SOURCES

Will you operate stationary emergency engines or "nonroad engines" subject to ACT3 Condition L-7 or L-8 of the HMAGP? ☐ YES ☑ NO *(If YES, complete the section below for each engine)*

(Note that stationary non-emergency engines are not allowed under this General Permit.)

Number of emergency engines: _____ **Number of nonroad engines:** _____

Type: ☐ Stationary ☐ Nonroad **Fuel:** _____ _____ **hp** **Mfd. Date:** _____

Type: ☐ Stationary ☐ Nonroad **Fuel:** _____ _____ **hp** **Mfd. Date:** _____

Type: ☐ Stationary ☐ Nonroad **Fuel:** _____ _____ **hp** **Mfd. Date:** _____

Will you operate a "gasoline dispensing facility" (see ACT6 of HMAGP for definition)? ☐ YES ☐ NO

STORMWATER FROM INDUSTRIAL AND CONSTRUCTION ACTIVITIES

Nearest named waterbody which stormwater leaving the site will enter: Berry Branch

Is a copy of the SWPPP attached? ☑ YES ☐ NO **If no, last Revision Date:** _____

(A copy of the SWPPP must be attached for a New HMA plant.)

If the SWPPP is based on the Industry Generic SWPPP, is it the most recent copy? ☐ YES ☐ NO ☑ N/A

Does the SWPPP meet the requirements of ACT4 of the HMAGP? ☑ YES ☐ NO

(If NO, an amended SWPPP must be submitted before the NOI can be processed.)

Are construction activities (e.g., clearing, grading, etc.) required or ongoing at the site? ☑ YES ☐ NO

If YES, does the total acreage of the construction activities equal or exceed 5.0 acres? ☑ YES ☐ NO

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

I further certify that the project continues as described in the original notice of intent. Also, I certify that I understand when coverage is terminated I am no longer authorized to emit regulated air emissions and discharge wastewater or storm water associated with industrial activity under this general permit. I understand that discharging pollutants associated with industrial activity to waters of the state without NPDES coverage is in violation of state law.

Authorized Signature (shall be signed according to ACT5, T-5 of the GP) **Date Signed** 2/16/26

JW McCurdy **Printed Name** | Owner **Title** | (662) 816-2700 **Phone**

31 Hwy 328, Oxford, MS 38655 **Address** | Map Interpolation **Email**

Submit signed form online at www.mdeq.ms.gov/hmagp or a hard copy to Air II Branch Manager, EPD, MDEQ, PO Box 2261, Jackson, MS 39225

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

Magnolia Materials, LLC
Hot Mix Asphalt Plant

Oxford, Mississippi

Revised May 26, 2026

Prepared for:

Magnolia Materials, LLC
31 Highway 328
Oxford, Mississippi 38655

Prepared by:

FC&E Engineering, LLC
917 Marquette Road
Brandon, MS 39042
(601) 824-1860

FC&E Engineering, LLC
Water ▪ Soils ▪ Air ▪ Compliance

TABLE OF CONTENTS

ABOUT THIS PLAN ..... **iii**

CERTIFICATION ..... **iv**

POLLUTION PREVENTION TEAM ..... **v**

1.0 SITE DESCRIPTION/MAP **1**

1.1 FACILITY DRAINAGE 1
1.2 STORAGE CAPACITY 2
1.3 POTENTIAL RELEASES AND PREVENTION CONTROLS 2

2.0 INVENTORY OF EXPOSED MATERIALS **2**

3.0 SIGNIFICANT SPILLS AND LEAKS **4**

4.0 NON-STORM WATER DISCHARGES **4**

5.0 BEST MANAGEMENT PRACTICES **6**

5.1 GOOD HOUSEKEEPING MEASURES AND CONTROLS 6
5.2 PREVENTIVE MAINTENANCE AND INSPECTION 7
5.3 SPILL PREVENTION AND RESPONSE PROCEDURES 7
5.4 EMPLOYEE TRAINING 9
5.5 SEDIMENT AND EROSION CONTROL 10
5.6 MANAGEMENT OF STORM WATER RUNOFF 10
5.7 SITE SPECIFIC BEST MANAGEMENT PRACTICES 11

6.0 SITE INSPECTION AND SWPPP EVALUATION REQUIREMENTS **12**

6.1 MONTHLY SITE INSPECTIONS 12
6.2 ANNUAL COMPREHENSIVE SITE INSPECTION AND SWPPP EVALUATION 12

7.0 RECORDKEEPING AND REPORTING **13**

8.0 SPECIAL REQUIREMENTS **14**

8.1 SECTION 313 SPECIAL REQUIREMENTS 14
8.2 DISCHARGES TO LARGE OR MEDIUM SEPARATE STORM WATER SYSTEMS 14

9.0 MONITORING AND SAMPLING REQUIREMENTS **14**

10.0 SECURITY **15**

TABLE OF CONTENTS (CONTINUED)

LIST OF FIGURES

FIGURE 1: SITE LOCATION TOPOGRAPHIC MAP

FIGURE 2: SITE LAYOUT MAP

FIGURE 3: SITE LAYOUT INCLUDING NEARBY PROPERTIES

FIGURE 4: EQUIPMENT LAYOUT PLAN

FIGURE 5: GRADING AND DRAINAGE PLAN

FIGURE 6: GRADING AND DRAINAGE TABLES

FIGURE 7: RETENTION POND GRADING AND DETAILS

LIST OF WORKSHEETS

WORKSHEET 1: CHEMICAL STORAGE CONTAINERS AND REPORTABLE QUANTITIES (RQ)

WORKSHEET 2: SUMMARY OF MATERIALS EXPOSED TO STORM WATER

WORKSHEET 3: EXISTING AND PROPOSED BMPS

WORKSHEET 4: MONTHLY LIST OF SPILLS AND LEAKS

WORKSHEET 5: NON STORM WATER DISCHARGE ASSESSMENT AND CERTIFICATIONS

WORKSHEET 6: MONTHLY INSPECTION CHECKLIST

WORKSHEET 7: ANNUAL EVAL./CERTIF. FORM TO BE SUBMITTED TO THE MDEQ

WORKSHEET 8: MONTHLY AIR MONITORING FORM

WORKSHEET 9: ANNUAL AIR OPERATING FORM

WORKSHEET 10: EMPLOYEE TRAINING LOG

LIST OF APPENDICES

APPENDIX A: HOT MIX ASPHALT GENERAL PERMIT AND NOI

APPENDIX B: COMPLIANCE EVALUATION RECORDS

APPENDIX C: POLLUTION PREVENTION TEAM CONTACT INFORMATION

APPENDIX D: CONTIGUOUS LANDOWNER NOTIFICATION

APPENDIX E: MS SECRETARY OF STATE CERTIFICATE OF GOOD STANDING

ABOUT THIS PLAN

This Storm Water Pollution Prevention Plan (SWPPP) was prepared for use by Magnolia Materials, LLC – Hot Mix Asphalt Plant to comply with the Hot Mix Asphalt General Permit (MSR70) issued in 2022 and modified in 2023 by the Mississippi Department of Environmental Quality (MDEQ). The permit requires you to prepare a site wide comprehensive SWPPP for the subject facility. This Plan should be adequate for the facility and meet the SWPPP requirements of the State of Mississippi Hot Mix Asphalt General Permit.

The intent of the Plan is to minimize storm water pollution from your facility. The Plan specifies the procedures your staff will follow and the engineering controls your facility will implement to prevent or minimize storm water from coming in contact with potential pollutants, or to contain storm water that does come in contact with potential pollutants. Your permit requires that you implement and comply with this Plan. Items that need your immediate attention include:

1. A Responsible Official must sign Worksheet 5 (NON-STORM WATER DISCHARGE EVALUATION AND CERTIFICATION) after the form has been completed.

2. You will be covered under the State Hot Mix Asphalt General Permit to be issued by MDEQ. Upon issuance, you should include a copy of the permit in Appendix A. This SWPPP has been written in consideration of the requirements of the general permit.

3. Section 6.2 of this Plan describes the Comprehensive Site Compliance Evaluation that must be conducted yearly by the Facility Operator (or someone designated by the Facility Operator). This section also describes the brief report that must be prepared yearly.

4. As required by Condition T-4 (Item 3 on Page 28 of 49) of MSR70, if notified at any time by the MDEQ that the SWPPP does not meet the minimum requirements, amend the SWPPP and certify in writing that the requested changes have been made. Unless otherwise provided, the coverage recipient shall have 30 days to make the requested changes.

5. As required by Condition T-4 (Item 4 on Page 28 of 49) of MSR70, you must amend the SWPPP whenever there is a change in design, construction, operation, or maintenance, which may increase the discharge of pollutants to waters of the State or the SWPPP proves to be ineffective in controlling storm water pollutants. The coverage recipient shall submit it to the MDEQ within 30 days of amendment.

6. Each time the Plan is amended or updated, the date of the latest revision should be included on the cover page. Revisions to the SWPPP should be submitted in accordance with Paragraphs 4 and 5 to the MDEQ at the following address:

   Chief, Environmental Permits Division
   Mississippi Department of Environmental Quality
   Office of Pollution Control
   P.O. Box 2261
   Jackson, Mississippi 39225

7. The completed Hot Mix Asphalt Notice of Intent (NOI) and this SWPPP are to be kept on-site and utilized to ensure that stormwater leaving the site is uncontaminated. A copy of the Hot Mix Asphalt General Permit and the NOI are included in Appendix A.

8. As required by Condition S-1 of ACT5 of the permit, you are required to report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours to the MDEQ from the time you become aware of the circumstances. A written submission (submitted electronically) is also to be provided within 5 days of becoming aware of the circumstances. The written submission is to contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and/or prevent recurrence of the noncompliance.

POLLUTION PREVENTION TEAM

Name: *Facility Operator (See Appendix C for current name)*
Phone: *See Appendix C*
Responsibilities: *Facility Operator* is responsible for storm water pollution prevention activities at the facility. His role as leader of the Pollution Prevention Team includes the following responsibilities.

(a) Updating the SWPPP as required

(b) Performing monthly and annual inspections of the facility

(c) Ensuring that storm water pollution prevention is included in employee training classes

(d) Assisting / supervising spill and leak cleanup

(e) Supervising facility and procedural changes identified to minimize pollutant exposure to storm water

(f) Communicating with regulatory agencies as needed

Name: *Plant Manager (See Appendix C for current name)*
Phone: *See Appendix C*
Responsibilities: *Plant Manager* assists in implementing and updating the SWPPP. In the event that the *Facility Operator* is unavailable, he assumes the responsibilities as outlined above.

Name: *Facility Operator (See Appendix C for current name)*
Phone: *See Appendix C*
Responsibilities: *Facility Operator* is considered the Site Manager in the event that **Construction Activities** involving 1 or more acres is performed. See section 5.5.

Name: *Facility Operator (See Appendix C for current name)*
Phone: *See Appendix C*
Responsibilities: *Facility Operator* is considered the Spill Control Coordinator for **Spill Response, Notifications, and Training**. See section 5.3.

Name: *Owner (See Appendix C for current name)*
Phone: *See Appendix C*
Responsibilities: *Owner* is the responsible duly authorized representative for the facility. He is responsible for supporting the storm water management team by providing adequate resources to complete the activities and programs identified in the SWPPP. He or an officer of the company is required to sign all reports required by the MSR70 permit and other information requested by the permit board.

1.0 SITE DESCRIPTION/MAP

Magnolia Materials, LLC will operate a 300 tons per hour hot mix asphalt plant. The property for the proposed plant is located outside of the city limits of Oxford in Lafayette County. The property consists of approximately 22.92 acres located at latitude: 34° 24' 34" N longitude: 89° 32' 7" W. The facility includes storage and stockpiling of raw aggregates, reclaimed asphalt pavement (RAP), lime, and other additives. Operations involve the loading, unloading, and conveyance of raw materials to feed bins and conveyors, production of asphalt through a counterflow drum plant with baghouse dust collection, storage of liquid asphalt cement (AC) in aboveground tanks with secondary containment, and truck loadout and dispatch of finished asphalt mix. The site also includes areas for equipment fueling, operation, and maintenance. The facility will maintain a on-site sanitary wastewater treatment facility that has been approved by the Mississippi State Department of Health. Property surrounding east side of the site is bordered by an intermittent section of Berry Branch followed by undeveloped industrial property, north of the site is bordered by George G "Pat" Patterson Parkway, south of the site is an undeveloped industrial lot, and west of the site undeveloped rural land followed by subdivisions. The primary Standard Industrial Classification (SIC) Code is 2951. Maps showing the site location on a topographic map and a site layout drawing are included in **Figures 1 and 2.**

The physical address for the Plant is:

87 CR 166
Oxford, MS 38655

All correspondence concerning all facility operations should be sent to Magnolia Materials, LLC office at:

31 Highway 328
Oxford, MS 38655

1.1 Facility Drainage

The topography of the site dictates that the storm water flow pathway is from west to east and from south to north. All stormwater from the plant area of the site will be routed either to a forebay pretreatment area or a nutrient separating baffle box (NSBB) prior to entering a

stormwater retention pond where it will be stored and discharged at a rate that is at or below predevelopment runoff rates. Treated storm water from the retention pond will flow to Stormwater Outfall 001 which drains into Berry Branch that borders the east side of the property and flows to the north.

Drainage from the asphalt plant will be directed to the retention pond via a storm drainage inlet system and site grading. Storm water runoff from the south and east sections of the site outside of the plant area will flow towards Berry Branch via sheet flow. The northeast part of the site property outside of the plant area will flow north, northeast via sheet flow. **Figures 1 and 2** denote the onsite drainage patterns and the location of the outfalls.

1.2 Storage Capacity

Information on the quantity and type of material being released is crucial for quick and effective response action to be provided. Based on the current company plans for site use, this facility has several potential sources of storm water contamination that, if mismanaged, could cause storm water contamination. These items include; diesel fuel, equipment maintenance oils, reclaimed asphalt paving (RAP), asphalt cement (AC), lime, and sediment runoff from aggregate material. Thus, a description of the storage capacity of various potential onsite substances is provided in **Worksheet 1, "Chemical Storage Tanks and Reportable Quantity (RQ)".** The list may be used as a reference to determine reportable quantities in the event of a spill.

1.3 Potential Releases and Prevention Controls

1.3.1 Hazardous Substances

The HMA plant will use and store asphalt cement (AC) on-site. AC will be situated on a concrete pad surrounded by concrete containment walls. See **Worksheet 1** for a list of potential section 313 chemicals or other potentially harmful chemicals. Releases of these listed chemicals must be monitored to prevent migration into storm water and causing environmental damage. **Worksheet 2, "Materials Exposed to Storm Water"** provides a narrative description of materials exposed to storm water. The locations of these potential pollutant sources are shown on **Figure 2, "Site Layout**".

Potential for solid and hazardous waste generation onsite exists; however, with proper management of the facility, the potential is greatly minimized. A solid waste management company periodically removes dumpsters of trash.

If asphalt materials are released directly into the adjacent waterway, environmental damage and possibly a fish kill could result in the receiving stream. Therefore, it is very important that materials management practices are monitored each day.

1.3.2 Petroleum Products

Diesel fuel is to be stored onsite in a 5,000 gallon above ground storage tank for fueling onsite equipment. The 5,000 gallon diesel tank is to be located on a concrete pad with secondary containment (double-walled tank). Maintenance oils, such as hydraulic oil and motor oil, are stored inside of a maintenance shop/Conex storage container and are not to be exposed to storm water.

Extreme care must be taken if the transfer of fuel takes place. The equipment should be parked as close to the tank as possible when unloading fuel to minimize the length of hose exposed. Unloading should follow NFPA, API, or other standard procedures to minimize the possibility of fire or explosion. The removal of any spilled fuel from the site will be carried out under the supervision of the Spill Control Coordinator.

1.3.3 Transformer Oil

In the event of a transformer rupture the local power company will be notified and measures will be taken to prevent migration of any spilled transformer oil.

1.3.4 General Oil & Chemical Handling

Periodic inspections by facility personnel will help ensure that petroleum products are stored properly and that any leaks discovered are cleaned up promptly. Additional measures utilized by facility personnel are: (1) proper storage and disposal of oil or spill residue and (2) proper

labeling of drums containing used oil cleanup materials and ensuring that stored drums are covered or kept inside buildings.

2.0 INVENTORY OF EXPOSED MATERIALS

Worksheet 2 provides a narrative description of materials exposed to storm water directly related to the outfall identified on **Figures 1 and 2**. The locations of these potential pollutant sources, approximate drainage patterns, and the materials exposed to storm water have been identified on the site layout drawing, **Figure 2 "Site Layout".**

3.0 SIGNIFICANT SPILLS AND LEAKS

Spills and leaks in quantities of one gallon or greater of chemical or petroleum substances with reportable quantities that occur at the facility during a calendar month shall be documented monthly using **Worksheet 4** and handled in accordance with Section 5.3 of this plan. Additionally, if no significant spills or leaks have occurred during a calendar month, a monthly notation shall be made indicating that no significant spills or leaks have occurred in **Worksheet 4**.

4.0 NON-STORM WATER DISCHARGES

Provided they do not cause or contribute to a violation of water quality standards, the following are considered allowable non-storm water discharges:

- Discharges from actual fire-fighting activities;
- Fire hydrant flushings;
- Waters used to wash vehicles where detergents are not used (does not include mixer truck wash-off);
- Water used to control dust;
- Potable water sources including line flushings;
- Routine external building wash down that does not use detergents;
- Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used;
- Uncontaminated air conditioning or compressor condensate;
- Uncontaminated ground water or spring water; and

- Foundation or footing drains where flows are not contaminated with process materials such as solvents.

The above non-storm water discharges should be eliminated or reduced to the extent feasible and controlled with an appropriate BMP.

As part of the plan, certification must be included that all storm water outfalls have been tested or evaluated for the presence of non-allowable, non-storm water discharges. This must be evaluated and certified at least every five (5) years. The certification shall include:

- Dates;
- Observation points; and
- Results

To check for non-storm water discharges, one of several dry weather tests may be used, including:

1) Visual inspection
2) Plant schematic review
3) Dye testing

Visual inspections are to be made by facility personnel at three different times in dry weather. This includes walking around the property looking for flow that cannot be attributed to retained storm water, and tracing flow, if any, to its source. **Worksheet 5**, "Non-Storm Water Discharge Evaluation and Certification" is provided for facility personnel to effectively document inspection results.

A review of the plant schematic drawings or sewer map may reveal other sources of storm water pollution where, in the past, cross connections have been made between process or non-process wastewater and storm drains. If so, the cross connections must be disconnected or either an NPDES wastewater permit application must be prepared and submitted to the MDEQ for approval of the discharge.

Another form of testing is to inject dye into the process or sanitary wastewater system and then check the storm water discharge points for discoloration.

5.0 BEST MANAGEMENT PRACTICES

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

The following subsections describe BMPs that may be included in the facility's SWPPP. Site Specific BMPs are included in this section and in **Worksheet 3**.

5.1 Good Housekeeping Measures and Controls

Good housekeeping practices are designed to maintain a clean and orderly work environment. At this facility, the following types of good housekeeping measures are implemented in an effort to prevent pollutants from entering storm water discharges.

Operation and Maintenance

- Floors and ground surfaces are kept clean by using brooms, rakes, and shovels.
- Waste receptacles are provided at convenient locations. Garbage and waste materials are to be regularly picked up by Lafayette County Solid Waste twice a week and properly disposed of. Waste receptacles located outside must be covered.
- All spillage is promptly removed. Where it is impractical to constantly remove spillage, spillage is contained in the immediate area temporarily until further removal can take place.
- Equipment is routinely inspected to make sure it is in working order and no leaks are occurring.
- The importance of spill cleanup procedures is communicated to employees.

Material Storage Practices

- Adequate aisle space is provided to facilitate material transfer and easy access for inspections.
- The diesel tank and any other materials that may be brought onsite will be stored away from direct traffic routes to prevent accidental spills.
- As appropriate, containers are stored on pallets to prevent corrosion.

Material Inventory Procedures

- Records of products onsite are maintained at the onsite office. SDS are maintained onsite in the office.

Employee Participation

- Information on best management practices is discussed during employee training sessions.
- Good housekeeping measures are discussed at employee meetings.

5.2 Preventative Maintenance and Inspection

The facility's preventive maintenance and inspection program includes:

- Timely inspections and maintenance of storm water management devices.
- Proper maintenance of facility equipment and systems.

5.3 Spill Prevention and Response Procedures

A Spill Prevention Control and Countermeasures Plan (SPCC Plan) will be prepared and implemented in accordance with the Environmental Protection Agency (EPA) Code of Federal Regulations, 40 CFR Part 112 to address oil storage at the facility. While this SWPPP will address spill prevention and response issues, the facility-wide SPCC Plan will cover any response and preventive measures to address storage of oil products or spills thereof.

In the event of a spill of petroleum products or chemical substances, employees are instructed to make every effort to contain the release, notify the Facility Operator, and prevent any release from migrating and leaving the site. Spill Kits are to be stored in the Fuel and Maintenance Area, as labeled in **Figure 3**, and may be utilized in the event of a spill. It will be the Facility Operator's responsibility to determine if the spill needs to be reported to the regulatory authorities.

Additional preventative measures utilized by facility personnel are: 1) proper storage and disposal of used mobile equipment batteries; 2) proper labeling of drums containing used oil and ensuring that stored drums are kept inside buildings and away from potential accidental tippage situations; 3) maintaining accurate labels and inventory of chemical materials, solvents, paints,

lubricants etc.; 4) storage of solvents and flammable materials in a proper and safe manner; and 5) follow manufacturer's recommendations for proper use and disposal of spilled material or empty containers [CONSULT APPROPRIATE SDS SHEET FOR EACH PRODUCT].

Extreme care must be taken in the transfer of any chemical or petroleum substance to the tanks from a tank truck or other filling means. Warning signs that alert the drivers of delivery vehicles against premature departure should be in place or Facility personnel must be present during material transfer. The distributor's delivery vehicles include emergency shut-off valves. Unloading should follow NFPA, API, DOT or other industry standard procedures to minimize the possibility of fire or explosion. The removal of spilled substances will be carried out under the supervision of the Spill Control Coordinator, or his designee.

The location of spill kits should be discussed during periodic training sessions. As needs vary, additional equipment may be added as necessary if a spill does occur. The facility is to have in-house a number of items in strategic locations throughout the facility to combat leaks from non-containment areas. The following items are typically kept available:

- Front end loader, operator, and sand
- Oil Dry Granular Absorbents
- Oil Absorbent Pads and Booms for Isolating Spills

These materials could be used in the event of an emergency to form a containment area and ultimately used to stop a spill from becoming a release allowing for cleanup to begin. Drip pans should be used under all loading valves and any place where oil or hazardous materials are transferred.

EMERGENCY TELEPHONE NUMBERS AND ADDRESSES:

Call FIRST: MS Emergency Management Agency
#1 MEMA Drive
Pearl, Mississippi 39208
Telephone: 1-800-222-6362 (601-933-6362)

Then Call: National Response Center U.S. Coast Guard
400 Seventh Street S.W. Washington, D.C. 20590
Telephone: 1 (800) 424-8802

POTENTIAL CLEAN-UP CONTRACTOR:

Enhanced Environmental & Emergency Services, Inc.
(844) 333-0939

5.3.1 Likely Releases and In-place Preventative Controls

Spills and releases are most likely to result from potential equipment failure or operator error. This section summarizes potential causes of releases and associated in-place preventative controls.

1. Operator error during loading/unloading or refueling operations. Potential errors include overfilling, not disconnecting lines prior to vehicle departure, drain valves left open, or fill valves left open allowing precipitation to enter causing tank overflow. Specific procedures have been developed to minimize this potential including periodic inspections, locking valves when not in use, and on-the-job training in correct loading and unloading procedures.

2. Piping, pressure fittings, tank ruptures, or other forms of equipment failure. The rate and quantity of a release would depend on the location of the rupture. The release rate could be assumed to be the total volume of the tank associated with the piping or fittings being released in a 15-minute timeframe. The release to the environment would be at that release rate, but the quantity would be the total volume minus the secondary containment volume. To minimize the potential for a significant release, regular inspections and maintenance are performed with noted problems addressed in a timely manner by repair, replacement, or equipment taken out of service.

3. Puncture of tank or associated piping by heavy equipment. Operators of equipment and vehicles are well trained in operating large equipment on the facility. Rate and quantity to be released would be the same as that discussed in item 2. Additionally, tanks and piping

are highly visible by size, signage, flagging, or protective paint color. In the event of night traffic, sufficient lighting is provided to make tanks and piping visible.

4. Small drips, leaks and spills from lines or valves. To minimize release, equipment is inspected regularly, repaired in a timely manner when a problem is discovered, and corrective action implemented with released material promptly cleaned up. In general, this type of release presents a very low risk of potential impact if caught and repaired early.

5.4 Employee Training

New employees receive initial training in storm water pollution prevention before they begin their work assignments. Thereafter, training is provided and storm water pollution prevention discussed as needed at the periodic safety meetings that employees attend as part of their refresher training provided annually. The employee's name, date of training, contents of training, and the employee's signature acknowledging that training was received must be documented on **Worksheet 9** (or comparable form) of this plan and stored in an accessible location.

Topics discussed and names of attendees are stored with personnel files and onsite with the SWPPP documentation.

The training program shall at a minimum address, but not be limited to, the following elements:

- Permit conditions and limitations for each applicable activity (i.e., air emissions, industrial storm water, construction storm water)
- Operation, maintenance and inspection of air emission control equipment and storm water treatment processes
- Procedures for responding to upset conditions of air emission control equipment and storm water treatment processes
- SWPPP goals and plan components related to industrial storm water and/or construction storm water, including:
  - Housekeeping and pollution prevention requirements
  - Spill prevention and response procedures
  - Identification and elimination of non-allowable, non-storm water discharges

  - Installation, maintenance and inspection of erosion and sediment controls for construction activities
  - Installation, maintenance and inspection of Best Management Practices (BMPs) for industrial storm water and/or post-construction storm water;
- Procedures for monitoring compliance with non-numeric and numeric limitations prescribed in the permit;
- Recordkeeping, reporting and record retention requirements (includes understanding the records filing system and being able to produce the required permit documentation during an MDEQ on-site inspection);
- Release reporting and non-compliance notification requirements.

5.5 Sediment and Erosion Control (if construction activity will disturb one (1) or more acres, then see Section 5.5.1)

If ground areas less than one acre are disturbed the following procedures will be implemented:

- Vegetate or re-vegetate disturbed soil as soon as possible after disturbance with common vegetative covers such as grass, trees, shrubs, bark, mulch, or straw.

- Implement structural control practices along the site perimeter that eventually drain to the identified outfalls:

    ○ Filter (silt) fences
    ○ Straw bale barriers
    ○ Brush barriers
    ○ Sediment traps

5.5.1 Construction Activities requiring a BMP plan

If construction involving the disturbance of one (1) or more acres will occur, a Best Management Practices (BMP) Plan or a modified CSWPPP must be written in accordance with MDEQs Small Construction (1 to 5 acres) or Large Construction (>5 acres) Stormwater Permit. If 5 acres or more of ground disturbance is expected, the CSWPPP, site map, and forms developed, must be submitted to MDEQ for approval prior to beginning construction, and implemented during construction until the construction area has reached final stabilization.

5.6 Management of Storm Water Runoff

Storm water runoff at this facility is managed by several practices including:

Baseline BMPs

- Channels and ditches (installed to divert offsite storm water from entering site)
- Storm drainage system installed throughout the plant area to collect and direct flow to either a forebay or NSBB prior to reaching retention basin.
- Designated containment area for AC storage tanks, associated piping, and loading connections, including appropriately sized secondary containment for AC storage tanks.
- Routine inspection of all the facility, material storage areas, AC containment area, and maintenance and fueling areas.
- Inspection of runoff from the site.

Worksheet 3 provides a summary of existing and proposed BMPs as well as a schedule for improvements for the facility.

5.7 Site Specific BMPs

The following recommendations are offered for consideration for operational purposes at the Oxford HMA Plant:

1) Inspect runoff from the facility and add hay-wattles or silt fences as needed.
2) Minimize or berm the surface area of aggregate and RAP storage areas.
3) Provide secondary containment for AC as appropriate.
4) Never leave pump unattended when fueling.
5) Maintain spill control materials near storage tanks.
6) Watering of roads and raw material storage areas for dust suppression.
7) Sweeping of paved roads as needed.
8) Minimize engine idling time.
9) Practice good housekeeping and promptly remove waste material from site.
10) Design traffic flow around the plant and operations sitting relative to drainage patterns and wastewater collection locations.

Note: BMPs listed above should be included in **Worksheet 3** "Existing and Proposed BMPs" and updated as necessary to provide effective management of surface sediment from water discharges or air emissions from operations. If BMPs are not effective, additional BMPs should be evaluated, selected and implemented until such time that surface sediments are controlled.

6.0 COMPREHENSIVE SITE COMPLIANCE EVALUATION

See Sections 6.1 and 6.2 for a schedule of inspections and submittal requirements.

6.1 Monthly Site Inspections

The Facility Operator or his/her designee shall perform visual site inspections of all areas of the facility where industrial materials or activities are exposed to storm water on a monthly basis. If feasible, the inspections should be conducted during or after storm events. As part of the inspection, storm water discharging from each storm water outfall should be collected in a clean, clear jar and examined in a well-lit area. Should any of the objectionable characteristics such as color, lack of clarity, floating solids, settled solids, suspended solids, foam, odor and oil sheens be observed, coverage recipient shall investigate upstream from the sample location to identify the potential sources of pollution and implement corrective action. Any poorly functioning controls or BMPs, noncompliant discharges, or any other deficiencies observed during the inspections shall be corrected as soon as possible, but not to exceed 7 days of the inspection unless prevented by unsafe weather conditions. If the deficiency would result in environmental harm, the deficiencies shall be corrected immediately. **Worksheet 6** is provided to assist inspectors and should be completed during each monthly inspection and filed onsite for a minimum of three years. The results of all inspections and associated corrective actions must be documented on the Annual Comprehensive Site Inspection and SWPPP Evaluation Report Form as instructed in Section 6.2 below.

Monthly inspection of air sources shall be performed monthly during silo loading activities to check for visible emissions. **Worksheet 8** is provided to assist inspectors and should be completed monthly.

6.2 Annual Comprehensive Site Inspection and SWPPP Evaluation

Qualified personnel will conduct a comprehensive site inspection to:

1. Confirm the accuracy of the description of potential pollutant sources contained in the SWPPP.
2. Determine the effectiveness of the Plan.
3. Assess compliance with the terms and conditions of the storm water component of the multi-media general permit.

The comprehensive site compliance evaluation is conducted once a year by the Facility Operator or his/her designee. During the evaluation, material handling and storage areas and other potential sources of pollution will be visually inspected for evidence of actual or potential pollutant discharges to the drainage system. Erosion controls and structural storm water management devices also will be inspected to ensure that each is operating correctly. **Worksheet 7** is provided to assist in the annual inspection.

The results of each inspection will be documented in a report signed by a company officer or duly authorized representative. The report will describe:

- Scope of the inspection
- Personnel making the inspection
- Date(s) of the inspection
- Major observations relating to the implementation of the SWPPP

Based on the results of each inspection, the description of potential pollutant sources and measures and controls will be revised (if appropriate) within 30 days after the date of the inspection. Changes in the measures or controls will be implemented timely in accordance with Condition T-4, Items 3 and 4 on page 28 of 49 of the Hot Mix Asphalt General Permit MSR70 found in **Appendix A**. In addition, if the inspection report lists changes at the facility that have a significant effect on the potential for the discharge of pollutants to surface waters, the SWPPP will be amended.

7.0 RECORDKEEPING AND REPORTING

A recordkeeping system has been set up at the facility for documenting spills, leaks, and other discharges, including discharges of hazardous substances in reportable quantities. The records contain the following information:

- Date and time of the incident
- Duration of the spill/leak/discharge
- Cause of the spill/leak/discharge
- Response procedures implemented
- Persons notified
- Environmental problems associated with the spill/leak/discharge

A separate recordkeeping system has been established to document inspection and maintenance activities. Records of spills and leaks are recorded using **Worksheet 4** and stored in **Appendix B.** Records of other discharges exposed to storm water, inspections, and maintenance activities are retained in the SWPPP for at least 3 years from the date of the record and maintained on-site.

8.0 SPECIAL REQUIREMENTS

8.1 Section 313 Special Requirements

Please refer to **Worksheet 1** for a list of any Section 313 chemicals that are onsite. Any Section 313 chemicals onsite will be stored inside secondary containment structures and inspected as part of the monthly site inspections. Stored Section 313 chemicals will be stored to prevent offsite migration.

9.0 MONITORING AND SAMPLING REQUIREMENTS

No monitoring or sampling of storm water is required for this facility other than the visual jar test inspection referred to in Section 6.1. Monitoring requirements will be re-evaluated if a release of section 313 chemical occurs, or if the material storage locations or facility drainage patterns are substantially altered.

9.1 TMDLs

Stormwater from the facility discharges to a segment of Berry Branch located approximately one mile upstream of the section of Berry Branch for which a Sediment Total Maximum Daily Load (TMDL) has been completed.

The Best Management Practices (BMPs) for this site have been designed to:

- Control and minimize sediment runoff,
- Prevent the introduction of additional pollutants that could contribute to increased sediment loading, and
- Maintain consistency with the assumptions and requirements of the completed Sediment TMDL for Berry Branch.

The facility is not expected to increase pollutant loadings to any waterbody with an established TMDL.

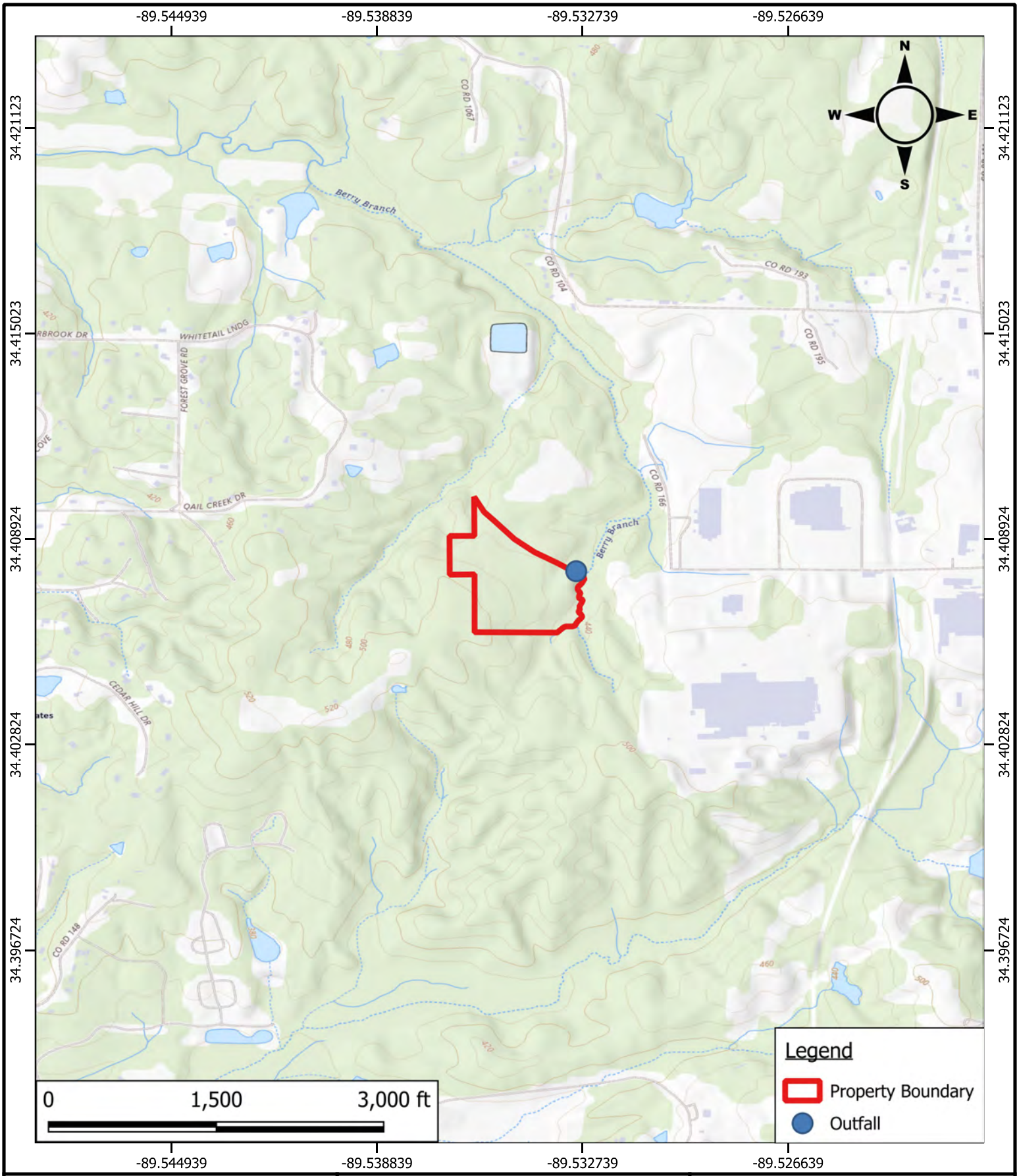
10.0 SECURITY

Security is an important consideration to prevent a spill or release from accidental or unknowing entry or from vandalism. Therefore, to protect the facility, several security measures have been taken. These measures include:

1) Access to the facility will be restricted by a gate. The gate is locked when the site is unattended preventing unauthorized vehicle entry.

2) Appropriate security lighting will be utilized at the site to deter trespassers.

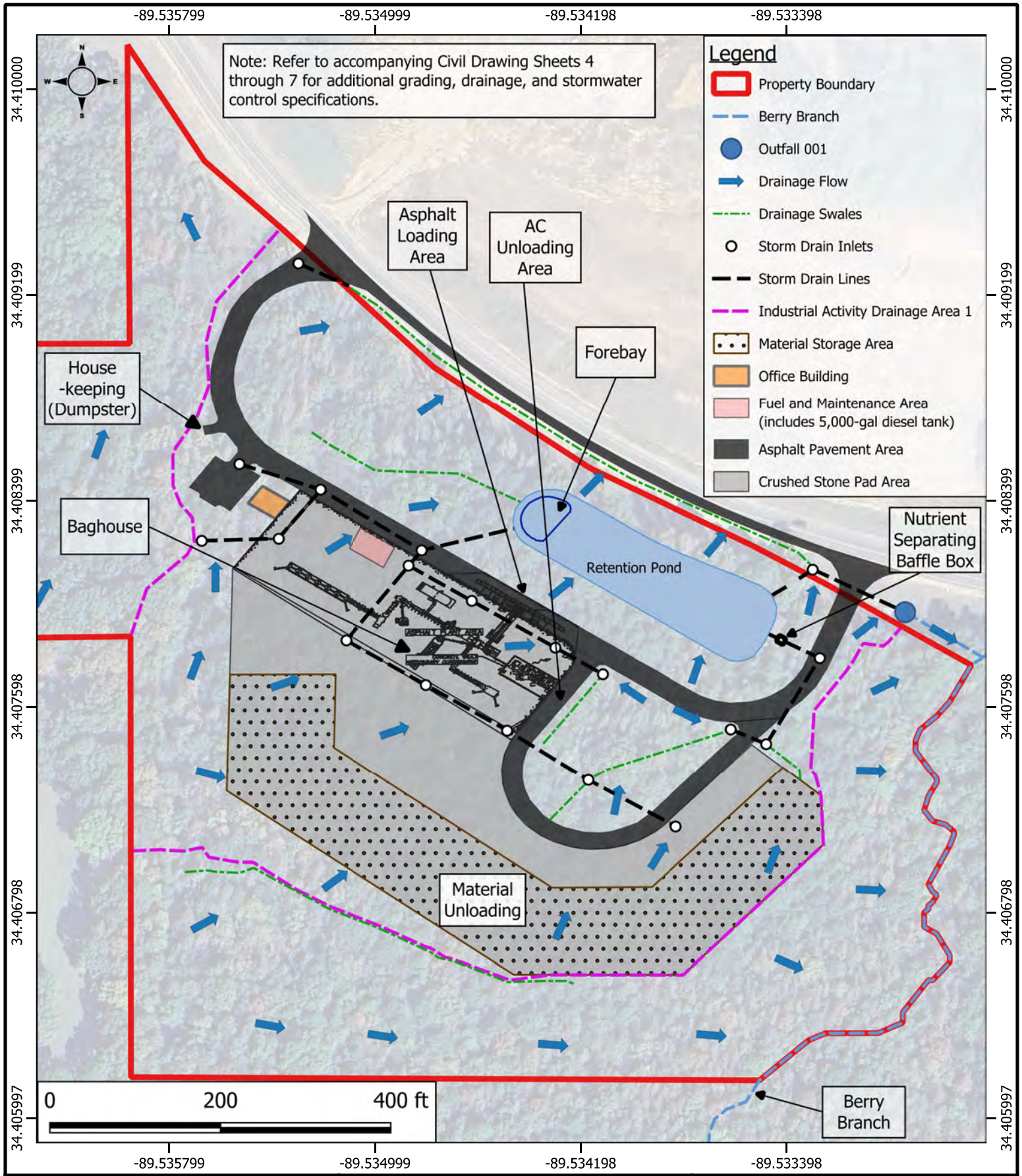
Figures 1-7



FC&E Engineering, LLC
917 Marquette Road
Brandon, Mississippi
www.fce-engineering.com

Magnolia Materials, LLC
Hot Mix Asphalt Plant
Oxford, Lafayette County, MS

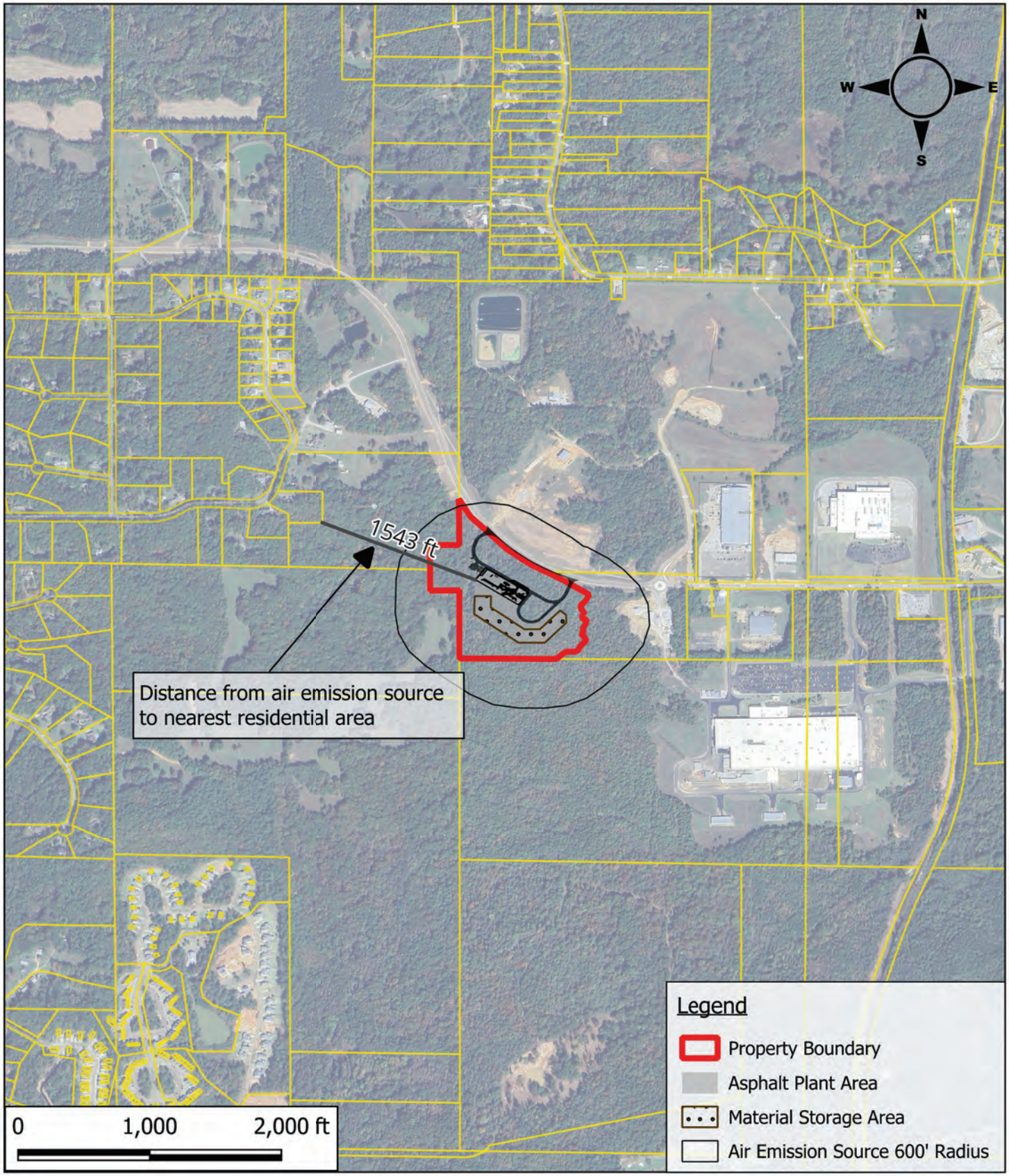
Project:	HMA GP SWPPP
Drawing:	Figure 1 - Site Location Topo Map
Date Drawn:	5/22/2026
Map Source:	USGS Topo 7.5-Minute
Drawn By:	MC



FC&E Engineering, LLC
917 Marquette Road
Brandon, Mississippi
www.fce-engineering.com

Magnolia Materials, LLC
Hot Mix Asphalt Plant
Oxford, Lafayette County, MS

Project:	HMA GP SWPPP
Drawing:	Figure 2 - Site Layout Map
Date Drawn:	5/26/2026
Map Source:	Google Earth
Drawn By:	MC

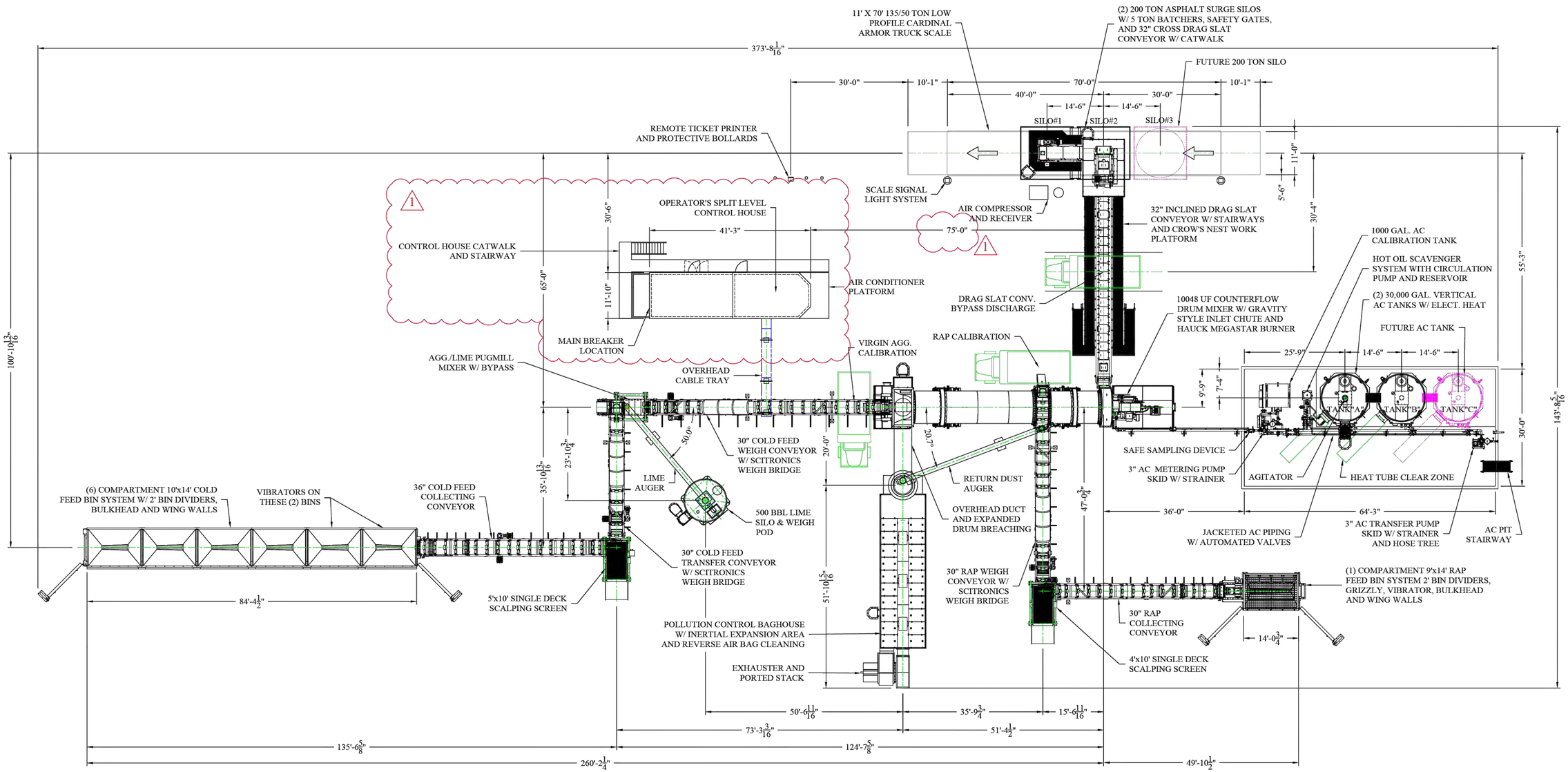


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FC&E Engineering, LLC
917 Marquette Road
Brandon, Mississippi
www.fce-engineering.com

Magnolia Materials, LLC
Hot Mix Asphalt Plant
Oxford, Lafayette County, MS

Project: HMA GP SWPPP
Drawing: Figure 3 - Layout & Nearby Properties
Date Drawn: 2/10/2026
Map Source: Google Earth
Drawn By: MC



EQUIPMENT LAYOUT PLAN
ALMIX 10048 UF PLANT

LAYOUT NOTES:

1. SEE ALMIX ASPHALT PLANT PLANS AND DETAILS FOR ASPHALT PLANT FOUNDATION AND STRUCTURE INFORMATION.

REVISION		
ITEM NO.	DESCRIPTION OF CHANGE	APPROVAL DATE

MAGNOLIA MATERIALS – HMA BATCH PLANT

OWNER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

DIVISION OF ENGINEERING

SITE PLAN – ASPHALT PLANT LAYOUT

LAFAYETTE COUNTY, MS

SURVEY: *WILLIAMS ENG.* DATE: *11/20/2025* PROJECT NO.: 1000-145
DESIGN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* SCALE: *N.T.S.*

© Granberry Engineering ■ #GEA#Magnolia Materials - Asphalt Plant\Industrial Plan Set\Sheet Set\4 SITE PLAN - ASPHALT PLANT LAYOUT.dwg

0 60' 120'
1" = 60'

TIE TO EX. GRAVEL SHOULDER

℄ PROPOSED ACCESS DRIVE
= STA. 332+85.50 WEST OXFORD LOOP EXTENDED

26 2'x2' GRATE INLET

25 18" FES

36 SF - 150# RIPRAP (1.5' THICK)
W/ GEOTEXTILE FABRIC

SAWCUT, TYP.
SEE NOTE 13

WASTEWATER TREATMENT AREA
SEE SHEET 13 FOR DETAILS

21 2'x2' GRATE INLET

DRAINAGE SWALE, REQ'D

ACCELERATION/DECELERATION LANE
SEE SHEET 6 FOR CROSS SECTION C-C

FULL WIDTH (12') ACCELERATION &
DECELERATION LANE BETWEEN DRIVES

CENTERLINE CR 166

10 24" FES

AREA RESERVED FOR STORMWATER RETENTION
SEE SHEET 7 FOR DETAILS

4 RET. POND OUTLET STRUCTURE

3 3'x3' PEDESTAL INLET

℄ PROPOSED ACCESS DRIVE
= STA. 340+73.52 WEST OXFORD LOOP EXTENDED

REMOVE AND REINSTALL EX. RIPRAP ON
DOWNSTREAM SLOPES FOR STABILIZATION

72" RCP
INV ELEV: 412.96'

2 2'x2' GRATE INLET

TIE TO EX. GRAVEL SHOULDER

1 30" RCP FES

180 SF - 300# RIPRAP (2.0' THICK)
W/ GEOTEXTILE FABRIC

72" RCP
INV ELEV: 414.24'

6 NSBB
SEE DETAIL ON SHEET 6

7 2'x2' GRATE INLET

8 3'x3' PEDESTAL INLET

5 18" FES

9 3'x3' PEDESTAL INLET

22 2'x2' GRATE INLET

MATERIALS TESTING LAB & OFFICE
FFE: 468.50'

GRADE AREA TO DRAIN TO INLET

24 3'x3' PEDESTAL INLET
23 2'x2' GRATE INLET

INVERSE CROWN DRIVE AISLE
SEE SHEET 6 FOR CROSS SECTION A-A

11 3'x3' GRATE INLET

12 2'x2' GRATE INLET

13 2'x2' GRATE INLET

CONSTANT CROSS-SLOPE DRIVE AISLE
SEE SHEET 6 FOR CROSS SECTION B-B

ASPHALT PLANT AREA
SEE SHEET 4 FOR DETAILS

16 3'x3' GRATE INLET

14 2'x2' GRATE INLET

17 3'x3' GRATE INLET

18 3'x3' GRATE INLET

15 3'x3' PEDESTAL INLET

19 3'x3' PEDESTAL INLET

20 3'x3' GRATE INLET

RETENTION POND
NORMAL POOL: 442.25

DRAINAGE DIVERSION SWALE, REQ'D
SEE DETAIL THIS SHEET

OLD ROAD BED

CHARLES COLLIER
PARCEL ID: 133-05-073.01
ZONING: A-1 (RURAL)

MEG FAULKNER DUCHAINE, ETAL
PARCEL ID: 133-08-004.00
ZONING: A-1 (RURAL)

LAFAYETTE COUNTY
(PART OF)
PARCEL ID: 133-08-001.02
ZONING: I-2 (HEAVY INDUSTRIAL)
AREA: 22.92 AC.

LAFAYETTE COUNTY
(PART OF)
PARCEL ID: 133-08-001.02
ZONING: I-2 (HEAVY INDUSTRIAL)

LAFAYETTE CO ECONOMIC DEV DISTRICT
PARCEL ID: 133-08-001.01
ZONING: I-2 (HEAVY INDUSTRIAL)

FEMA NOTE:
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM), THIS PROPERTY IS LOCATED IN ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, PER FIRM, MAP NO. 28071C 0145C, COMMUNITY PANEL NUMBER 280093 0252 C, EFFECTIVE DATE: NOVEMBER 26, 2010.

BENCHMARK (BM):
1" REBAR WITH "E&B 5004" CAP FOUND IN A A ROUND ABOUT WITH AN KNOWN ELEVATION OF 445.40, SAID REBAR LOCATED SOUTH 754.33 FEET AND EAST 1,562.32 FEET FROM THE POB.

LEGEND

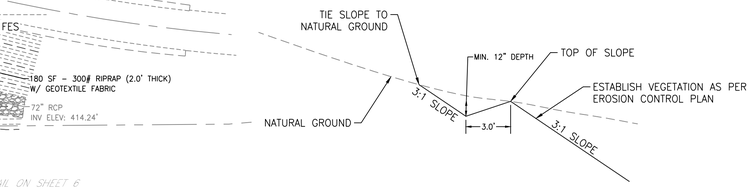
These standard symbols may be found in the drawing.

- PROPERTY LINES
- ADJOINING PROP. LINES
- SETBACK LINES
- BACK OF CURB
- FACE OF CURB
- SIDEWALK
- ROADWAY CENTERLINE
- EX. CURB/GUTTER/EOP
- EX. GRAVEL/STONE
- OE — EX. OH ELECTRIC LINES
- UE — EX. UG ELECTRIC LINES
- W — EX. WATER LINES
- SS — EX. SEWER LINES
- EX. STORM DRAIN
- GAS — EX. GAS LINE
- UGC — EX. UG CABLE
- FOC — EX. FIBER OPTIC
- X — EX. FENCE LINES
- EX. SIDEWALK
- EX. EASEMENT
- W — PR. WATER LINE
- SS — PR. SEWER LINE
- PR. STORM DRAIN
- DRAINAGE BASIN
- PR. POND
- PR. POND NORMAL POOL
- PR. DRAINAGE SWALE

EX	PR	
		UTILITY POLE
		FIRE HYDRANT
		LIGHT POLE
		TELEPHONE PEDESTAL
		WATER VALVE
		WATER METER
		SEWER MANHOLE
		DRAINAGE MANHOLE
		ELECTRICAL BOX

NOTE: ALL STRUCTURE AND PIPE TABLES FOR THIS SHEET ARE LOCATED ON SHEET 6 - GRADING & DRAINAGE TABLES

STRUCTURE LEGEND
(XX) DRAINAGE STRUCTURE
(XX) PR. SANITARY SEWER STRUCTURE



DRAINAGE DIVERSION SWALE
SCALE: N.T.S

GRADING & DRAINAGE NOTES:

1. ALL WORK AND MATERIALS SHALL CONFORM WITH ALL CITY OF OXFORD REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
2. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO DIGGING. EXISTING UTILITIES SHOWN ON PLAN ARE APPROXIMATE. ANY DAMAGE TO SUCH UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
3. SITE TOPOGRAPHY, UTILITY, AND AS-BUILT INFORMATION WAS ACQUIRED FROM SURVEY BY WILLIAMS ENGINEERING
4. ALL SIDEWALK DRIVE/STREET CROSSINGS SHALL MEET CURRENT ADA AND CITY REGULATIONS.
5. IF AT ANY TIME EROSION OR DAMAGE CAUSED BY THE DISCHARGE OF THE DETENTION POND OR FLOW LEAVING THE SITE AND BEING CONVEYED OFFSITE, NECESSARY MEASURES SHALL BE TAKEN TO REPAIR DAMAGED AREA AND PROVIDE NECESSARY ENERGY DISSIPATION SYSTEM(S) TO PREVENT FUTURE ISSUES.
6. ALL DOWNSPOUTS FROM ROOF LEADERS SHALL TIE TO PROPOSED STORMDRAIN SYSTEM. SEE FINAL ARCH. PLAN FOR ROOF LEADER LOCATIONS. CONNECTION SHALL BE MADE IN ACCORDANCE WITH HDPE PIPE MANUFACTURE STANDARDS & RECOMMENDATIONS.
7. DOWNSPOUTS FROM BUILDING SHALL BE COLLECTED IN UNDERGROUND PIPING. DOWNSPOUT COLLECTION PIPING SHALL BE 8" HDPE AT 1.00% (MIN) SLOPE WITH A MINIMUM COVER OF 18". REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATION OF DOWNSPOUTS.
8. CONTRACTOR SHALL PROVIDE AND INSTALL ALL FITTINGS, BENDS, TEES, ETC. REQUIRED FOR DOWNSPOUT COLLECTION SYSTEM.
9. DIMENSIONS ARE TO FACE OF CURB, UNLESS OTHERWISE NOTED.
10. STORM DRAINAGE STRUCTURES AND PIPES LOCATED HEREON ARE PRIVATELY OWNED, UNLESS OTHERWISE NOTED.
11. SANITARY SEWER FROM THIS DEVELOPMENT FLOWS TO THE CITY OF OXFORD WASTE WATER TREATMENT FACILITY.
12. DEVELOPER/CONTRACTOR IS RESPONSIBLE FOR MAKING SURE THAT ALL SIGHT TRIANGLES ARE CLEAR OF OBSTRUCTIONS.
13. SAWCUT EXISTING EDGE OF PAVEMENT, SIDEWALK, AND CURB & GUTTER. NEW PAVEMENT/CONCRETE ELEVATION SHALL MATCH EXISTING ALONG SAWCUT LINE.
14. ALL CONSTRUCTED SLOPES SHALL BE A MAXIMUM OF 3 HORIZONTAL TO 1 VERTICAL.

REVISION		
ITEM NO.	DESCRIPTION OF CHANGE	APPROVAL DATE
1	CHANGES PER STATE REGULATORY COMMENTS	2/15/2026

JOHN GRANBERRY 13994 REGISTERED PROFESSIONAL ENGINEER STATE OF MISSISSIPPI

MAGNOLIA MATERIALS - HMA BATCH PLANT

DEVELOPER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

DIVISION OF ENGINEERING

GRADING & DRAINAGE PLAN

LAFAYETTE COUNTY, MS

SURVEY: *WILLIAMS ENG.* DATE: *11/20/2025* PROJECT NO.: 1000-145
DESIGN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* SCALE: *1" = 60'*

C:\Granberry Engineering\M MAGNOLIA\Magnolia Batching - Asphalt Plant\Asphalt Plan SHEETS\SHEET 05 A1 GRADING & DRAINAGE PLAN.dwg

STRUCTURE TABLE				
STRUCTURE ID	STRUCTURE TYPE	RIM/GRATE/THROAT ELEVATION	PIPES IN	PIPES OUT
1 [1]	30" RCP FES	427.62'	30" – 424.75' (NW)	
2 [1]	2'x2' GRATE INLET	438.92'	30" – 428.74' (NW)	30" – 428.74' (SE)
3 [1]	3'x3' PEDESTAL INLET	435.00'	30" – 430.07' (SW)	30" – 430.07' (SE)
4	RET. POND OUTLET STRUCTURE	446.50'		30" – 436.25' (NE)
5	18" FES	444.04'	18" – 442.40' (SE)	
6	NSBB	448.22'	18" – 442.72' (SE)	18" – 442.62' (NW)
7	2'x2' GRATE INLET	446.16'	18" – 443.09' (SW)	18" – 443.09' (NW)
8	3'x3' PEDESTAL INLET	455.50'	18" – 451.82' (NW)	18" – 451.82' (NE)
9	3'x3' PEDESTAL INLET	457.25'		18" – 453.61' (SE)
10	24" FES	446.16'	24" – 444.00' (W)	
11	3'x3' GRATE INLET	464.97'	24" – 460.44' (NW) 24" – 455.02' (SW)	24" – 455.02' (E)
12	2'x2' GRATE INLET	465.48'	24" – 455.28' (SW) 18" – 455.78' (SE)	24" – 455.28' (NE)
13	2'x2' GRATE INLET	464.81'	18" – 457.28' (SE)	18" – 457.28' (NW)
14	2'x2' GRATE INLET	463.90'	18" – 458.19' (SE)	18" – 458.19' (NW)
15	3'x3' PEDESTAL INLET	462.25'		18" – 458.69' (NW)
16	3'x3' GRATE INLET	467.74'	24" – 456.25' (SE)	24" – 456.25' (NE)
17	3'x3' GRATE INLET	466.52'	18" – 457.62' (SE)	24" – 457.12' (NW)
18	3'x3' GRATE INLET	465.13'	18" – 458.78' (SE)	18" – 458.78' (NW)
19	3'x3' PEDESTAL INLET	462.82'	18" – 459.70' (SE)	18" – 459.70' (NW)
20	3'x3' GRATE INLET	464.63'		18" – 460.93' (NW)
21	2'x2' GRATE INLET	466.03'	18" – 462.45' (SW) 18" – 462.45' (W)	24" – 461.95' (SE)
22	2'x2' GRATE INLET	466.85'		18" – 463.29' (E)
23	2'x2' GRATE INLET	467.70'	18" – 463.94' (W)	18" – 463.94' (NE)
24	3'x3' PEDESTAL INLET	469.34'		18" – 466.15' (E)
25	18" FES	441.27'	18" – 441.62' (NW)	
26	2'x2' GRATE INLET	445.35'		18" – 442.02' (SE)

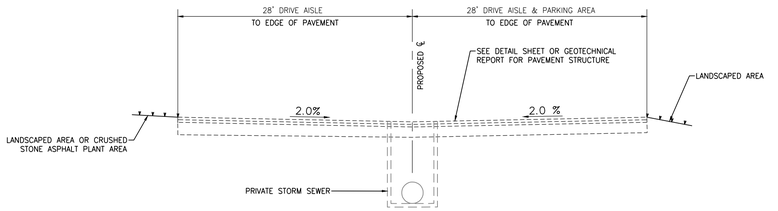
ALL STRUCTURES ARE PRIVATE, UNLESS OTHERWISE NOTED.
[1] STRUCTURE IS PUBLIC.

PIPE TABLE						
FROM	INV. ELEV.	TO	INV. ELEV.	PIPE DIA (IN)	LENGTH (FT)	SLOPE
2	428.74	1	424.75	30 [1][2]	59	6.79%
3	430.07	2	428.74	30 [1][2]	55	2.43%
4	436.25	3	430.07	30 [1][2]	77	8.00%
6	442.62	5	442.40	18 [3]	30	0.75%
7	443.09	6	442.72	18	49	0.75%
8	451.82	7	443.09	18	137	6.36%
9	453.61	8	451.82	18	48	3.77%
11	455.02	10	444.00	24	118	9.34%
12	455.28	11	455.02	24	26	1.00%
13	457.28	12	455.78	18	92	1.64%
14	458.19	13	457.28	18	121	0.75%
15	458.69	14	458.19	18	66	0.75%
16	456.25	12	455.28	24	129	0.75%
17	457.12	16	456.25	24	116	0.75%
18	458.78	17	457.62	18	116	1.00%
19	459.70	18	458.78	18	123	0.75%
20	460.93	19	459.70	18	123	1.00%
21	461.95	11	460.44	24	151	1.00%
22	463.29	21	462.45	18	103	0.81%
23	463.94	21	462.45	18	85	1.75%
24	466.15	23	463.94	18	91	2.44%
26	442.02	25	441.62	18	80	0.50%

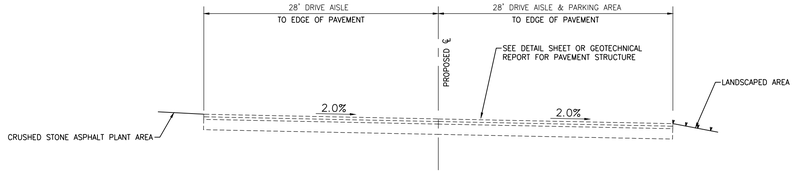
ALL PIPE SHALL BE PRIVATE, UNLESS OTHERWISE NOTED.
ALL PIPE SHALL BE HIGH PERFORMANCE PIPE (HP) UNLESS OTHERWISE NOTED.
[1] PIPE SHALL BE PUBLIC.
[2] PIPE SHALL BE REINFORCED CONCRETE PIPE, CLASS III (RCP).
[3] PIPE SHALL BE HIGH DENSITY POLYETHYLENE PIPE (HDPE).

FEMA NOTE:
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM), THIS PROPERTY IS LOCATED IN ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, PER FIRM, MAP NO. 28071C 0145C, COMMUNITY PANEL NUMBER 280093 0252 C, EFFECTIVE DATE: NOVEMBER 26, 2010.

BENCHMARK (BM):
½" REBAR FOUND IN ASPHALT HAVING A KNOWN ELEVATION OF 445.40. REBAR BEING LOCATED NORTH 43 FEET AND EAST 507 FEET FROM THE NORTHEAST CORNER OF THE PROPERTY.

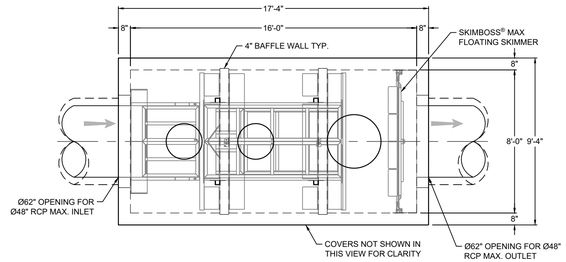


CROSS-SECTION A-A: INVERSE CROWN DRIVE AISLE
N.T.S.

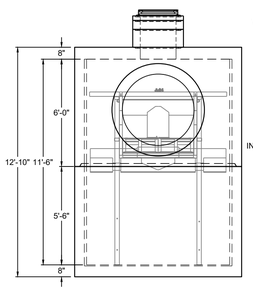


CROSS-SECTION B-B: CONSTANT CROSS-SLOPE DRIVE AISLE
N.T.S.

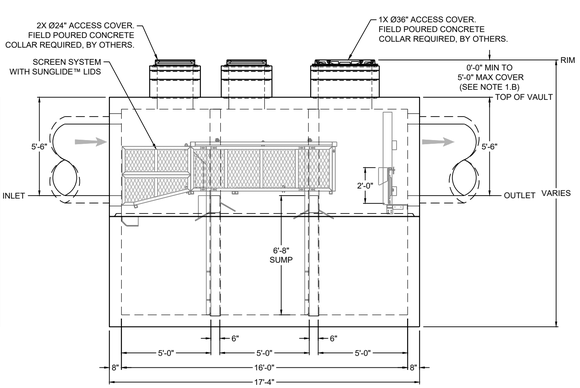
*NSBB SHALL MEET BE THE SPECIFICATIONS AND TREATMENT/NUTRIENT REMOVAL OF OLD CASTLE INFRASTRUCTURE STRUCTURE ID NSBB-4-8 OR APPROVED EQUAL.



PLAN VIEW

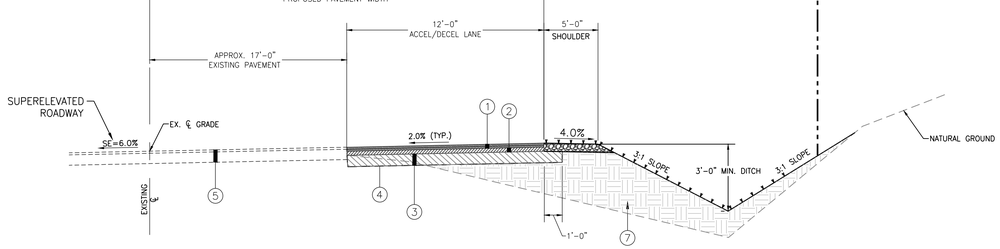


LEFT END VIEW



ELEVATION VIEW

NUTRIENT SEPARATING BAFFLE BOX (NSBB-4-8)
N.T.S.



CROSS-SECTION C-C: ACCELERATION/DECELERATION LANE
N.T.S.

1. 9.5-mm, MT, ASPHALT PAVEMENT (2 @ 1 ½")
2. 19.0-mm, MT, ASPHALT PAVEMENT (1 @ 3")
3. SIZE 610, CRUSHED STONE BASE (8")
4. GEOTEXTILE STABILIZATION FABRIC (TYPE 5) (NON-WOVEN)
5. EXISTING STRUCTURE (APPROX. 6" ASPHALT ON 8" BASE)
6. GRANULAR MATERIAL (CLASS 5, GROUP C) (±5")
7. UNCLASSIFIED EXCAVATION (CUT/FILL)

GRADING & DRAINAGE NOTES:

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3. SITE TOPOGRAPHY, UTILITY, AND AS-BUILT INFORMATION WAS ACQUIRED FROM SURVEY BY WILLIAMS ENGINEERING
4. ALL SIDEWALK DRIVE/STREET CROSSINGS SHALL MEET CURRENT ADA AND CITY REGULATIONS.
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7. DOWNSPOUTS FROM BUILDING SHALL BE COLLECTED IN UNDERGROUND PIPING. DOWNSPOUT COLLECTION PIPING SHALL BE 8" HDPE AT 1.00% (MIN) SLOPE WITH A MINIMUM COVER OF 18". REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATION OF DOWNSPOUTS.
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12. DEVELOPER/CONTRACTOR IS RESPONSIBLE FOR MAKING SURE THAT ALL SIGHT TRIANGLES ARE CLEAR OF OBSTRUCTIONS.
13. SAWCUT EXISTING EDGE OF PAVEMENT, SIDEWALK, AND CURB & GUTTER. NEW PAVEMENT/CONCRETE ELEVATION SHALL MATCH EXISTING ALONG SAWCUT LINE.
14. ALL CONSTRUCTED SLOPES SHALL BE A MAXIMUM OF 3 HORIZONTAL TO 1 VERTICAL.

REVISION		
ITEM NO.	DESCRIPTION OF CHANGE	APPROVAL DATE
1	CHANGES PER STATE REGULATORY COMMENTS	2/15/2026

JAY GRANBERRY — REGISTERED PROFESSIONAL — 19894 — ENGINEER — STATE OF MISSISSIPPI

MAGNOLIA MATERIALS – HMA BATCH PLANT

DEVELOPER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

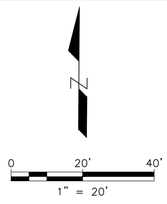
DIVISION OF ENGINEERING

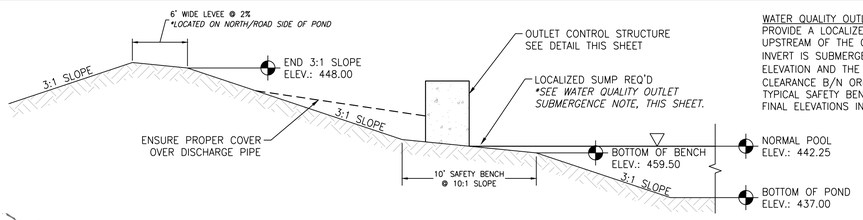
GRADING & DRAINAGE TABLES

LAFAYETTE COUNTY, MS

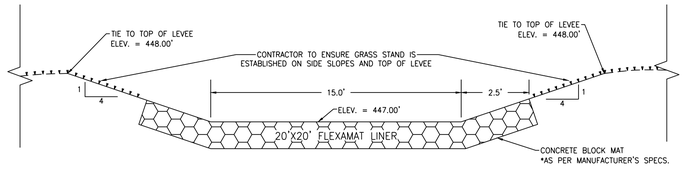
SURVEY: *WILLIAMS ENG.* DATE: *11/20/2025* PROJECT NO.: 1000-145
DESIGN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* SCALE: *N.T.S.*

C:\Granberry Engineering_M Batch\Magnolia Materials - Regular Plant\Sheets\Plan Sheets\Sheet Set\1 GRADING & DRAINAGE TABLES.dwg





WATER QUALITY OUTLET SUBMERGENCE NOTE:
PROVIDE A LOCALIZED SUMP OR DEPRESSION IN THE POND BOTTOM IMMEDIATELY UPSTREAM OF THE OUTLET STRUCTURE SUCH THAT THE WATER QUALITY OUTLET PIPE INVERT IS SUBMERGED A MINIMUM OF ONE (1.0) FOOT BELOW THE NORMAL POOL ELEVATION AND THE WATER QUALITY CONTROL ORIFICE HAS 6" MINIMUM OF CLEARANCE B/N ORIFICE AND POND BOTTOM. THIS REQUIREMENT GOVERNS OVER THE TYPICAL SAFETY BENCH GRADING SHOWN ELSEWHERE. CONTRACTOR SHALL VERIFY FINAL ELEVATIONS IN THE FIELD PRIOR TO INSTALLATION OF THE OUTLET STRUCTURE.



EMERGENCY SPILLWAY
N.T.S.

LEGEND

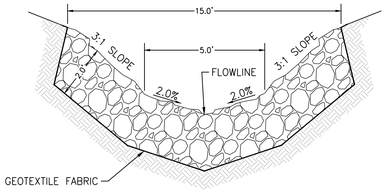
These standard symbols may be found in the drawing.

- PROPERTY LINES
- ADJOINING PROP. LINES
- SETBACK LINES
- BACK OF CURB
- FACE OF CURB
- SIDEWALK
- ROADWAY CENTERLINE
- EX. CURB/GUTTER/EOP
- EX. GRAVEL/STONE
- OE — EX. OH ELECTRIC LINES
- UE — EX. UG ELECTRIC LINES
- W — EX. WATER LINES
- SS — EX. SEWER LINES
- EX. STORM DRAIN
- GAS — EX. GAS LINE
- UGC — EX. UG CABLE
- FOC — EX. FIBER OPTIC
- X — EX. FENCE LINES
- EX. SIDEWALK
- EX. EASEMENT
- W — PR. WATER LINE
- SS — PR. SEWER LINE
- PR. STORM DRAIN
- DRAINAGE BASIN
- PR. POND
- PR. DRAINAGE SWALE
- EVERGREEN LANDSCAPE SCREEN

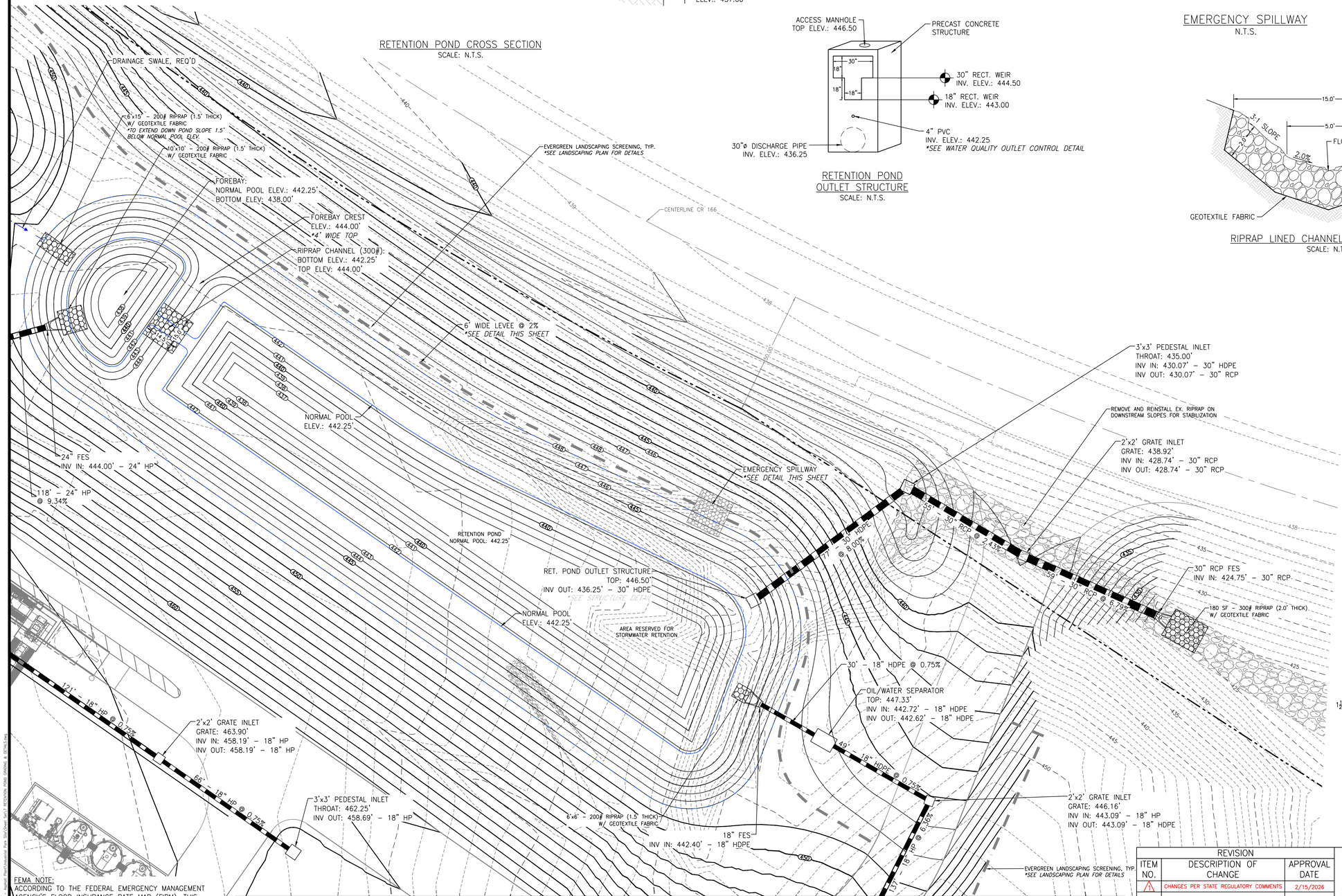
EX.	PR.	
		UTILITY POLE
		FIRE HYDRANT
		LIGHT POLE
		TELEPHONE PEDESTAL
		WATER VALVE
		WATER METER
		SEWER MANHOLE
		DRAINAGE MANHOLE
		ELECTRICAL BOX

RETENTION POND CROSS SECTION
SCALE: N.T.S.

RETENTION POND
OUTLET STRUCTURE
SCALE: N.T.S.

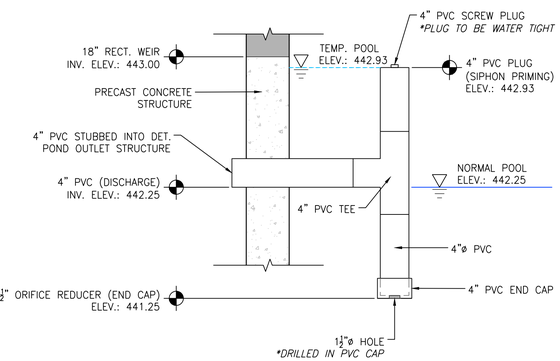


RIPRAP LINED CHANNEL CROSS-SECTION
SCALE: N.T.S



WATER QUALITY DEWATERING TIME

VOLUME OF WQ STORM (1.5"):	11,995 CF
WQ STORAGE VOLUME: (B/N NORMAL POOL & TEMP. POOL)	12,040 CF
ELEVATION OF TEMPORARY STORAGE: (WQ ELEVATION)	442.93 FT
SIPHON TUBE DIAMETER:	4.0 IN
ORIFICE PLATE/REDUCER SIZE:	1.5 IN
4" PVC DISCHARGE ELEVATION:	442.25 FT
SIPHON PRIMING/CREST ELEVATION:	442.93 FT
TOTAL DEWATERING TIME:	4.16 D



WATER QUALITY OUTLET CONTROL DETAIL
SCALE: N.T.S.

FEMA NOTE:
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM), THIS PROPERTY IS LOCATED IN ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, PER FIRM, MAP NO. 28071C 0145C, COMMUNITY PANEL NUMBER 280093 0252 C, EFFECTIVE DATE: NOVEMBER 26, 2010.

BENCHMARK (BM):
½" REBAR WITH "E&B 5004" CAP FOUND IN A A ROUND ABOUT WITH AN KNOWN ELEVATION OF 445.40, SAID REBAR LOCATED SOUTH 754.33 FEET AND EAST 1,562.32 FEET FROM THE POB.

DETENTION POND DATA

DESIGN STORM EVENT	1.5" DIAMETER ORIFICE (WATER QUALITY SIPHON) FLOW RATE, Q (CFS)	18" RECTANGULAR WEIR FLOW RATE, Q (CFS)	30" RECTANGULAR WEIR FLOW RATE, Q (CFS)	30" DIA. DISCHARGE PIPE FLOW RATE, Q (CFS)	EMERGENCY SPILLWAY FLOW RATE, Q (CFS)	TOTAL DISCHARGE, Q_T (CFS)	STORMWATER ELEVATION (FT)	STORED VOLUME (CF)
2-YR	0.09	8.45	0.00	8.55	0.00	8.55	444.46	43,617
10-YR	0.11	14.02	7.46	21.59	0.00	21.59	445.45	67,770
25-YR	0.12	16.21	14.88	31.21	0.00	31.21	446.01	82,504
100-YR	0.13	19.04	22.65	41.82	0.00	41.82	446.85	106,275

REVISION		
ITEM NO.	DESCRIPTION OF CHANGE	APPROVAL DATE
1	CHANGES PER STATE REGULATORY COMMENTS	2/15/2026

MAGNOLIA MATERIALS – HMA BATCH PLANT

DEVELOPER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

DIVISION OF ENGINEERING

RETENTION POND GRADING & DETAILS

LAFAYETTE COUNTY, MS

SURVEY: *WILLIAMS ENG.* DATE: *11/20/2025* PROJECT NO.: 1000-145
DESIGN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* SCALE: *1" = 20'*

Worksheet 1: Chemical Storage Containers and Reportable Quantity

WORKSHEET 1: CHEMICAL STORAGE CONTAINERS AND RQ								*1 of 1*
Tank ID	**Material/Purpose**	**Capacity of Container**	**Secondary Containment Provided?**	**Likelihood of contact with storm water? If yes, describe reason.**	**Past Significant Spill or Leaks?**		**RQ (lbs)**	**Section 313 Chemical**
					Yes	**No**		**Yes/No**
ABOVEGROUND STORAGE TANKS/SILO								**If yes, then identify chemical**
1	Liquid Asphalt (AC) - Heated Tanks/ Asphalt Production	(2) 30,000 gal tanks	Concrete Secondary Containment Structure	Container located outside, spilled/leaked material could possibly contact storm water		x	See Note 1	No
2	Liquid Asphalt (AC) - Calibration Tank/ Asphalt Production	1,000 gal tank	Concrete Secondary Containment Structure	Container located outside, spilled/leaked material could possibly contact storm water		x	See Note 1	No
3	Diesel Fuel / Equipment and Truck Fuel	5,000 gal tank	Double walled Tank	Container located outside, spilled/leaked material could possibly contact storm water		x	See Note 1	No
4	Maintenance Oils / Equipment Maintenance	Varies, ≤ 55 gal	Active secondary containment. Spills to be cleaned promptly with spill kits readily available.	Located inside Conex storage container. Not exposed to storm water		x	See Note 1	No
5	Lime / Asphalt Production	500 bbl storage silo	No local containment. Spills or dust accumulation to be cleaned promptly	Container located outside, spilled/leaked material could possibly contact storm water		x	N/A	No

Note 1: Per the SPCC regulations of 40 CFR 112, any amount of petroleum that causes a sheen or sludge on waters of the US, or on adjoining shorelines, etc. is a reportable quantity (RQ).

Worksheet 2: Summary of Materials Exposed to Storm Water

WORKSHEET 2: MATERIALS EXPOSED TO STORM WATER

Material: Diesel

Purpose: Equipment Fuel
Location: Onsite.
Quantity Produced: NA **Quantity Stored:** 5,000 gallon tank and typical small motive tanks (<55 gallons) or portable tanks
Quantity Exposed to Storm water in Past 3 Years: None
Past Significant Spill or Leak Exposed to Storm water in Past 3 Years? No
If "Yes", Describe:
Method of Storage: Above Ground Storage Tank (Metal)
Method of Disposal: If spilled, materials disposed according to Federal and State Regulations.
Description of Material Management Practice: Inventory is kept to a minimum to minimize storm water exposure. Valves and hoses inspected periodically. Any spills promptly cleaned up.

Material: Recycled Asphalt Pavement (RAP)

Purpose: Asphalt Production
Location: Onsite.
Quantity Produced: NA. **Quantity Stored:** Varies
Quantity Exposed to Storm water in Past 3 Years: None
Past Significant Spill or Leak Exposed to Storm water in Past 3 Years? No
If "Yes", Describe: N/A.
Method of Storage: Stock piles
Method of Disposal: Used in asphalt production.
Description of Material Management Practice: Piles are kept orderly and away from property lines.

Material: Aggregates

Purpose: Asphalt Production
Location: Onsite.
Quantity Produced: NA **Quantity Stored:** Varies
Quantity Exposed to Storm water in Past 3 Years: None
Past Significant Spill or Leak Exposed to Storm water in Past 3 Years? No
If "Yes", Describe:
Method of Storage: Stock piles
Method of Disposal: Used in asphalt production.
Description of Material Management Practice: Piles are kept orderly and away from property lines.

WORKSHEET 2 (cont.): MATERIALS EXPOSED TO STORM WATER

Material: Liquid asphalt (AC)

Purpose: Asphalt Production
Location: Onsite.
Quantity Produced: NA. **Quantity Stored:** (2) 30,000 Gallon Tanks
Quantity Exposed to Storm water in Past 3 Years: None
Past Significant Spill or Leak Exposed to Storm water in Past 3 Years? No
If "Yes", Describe: N/A.
Method of Storage: Above Ground Storage Tanks (Metal)
Method of Disposal: Used in asphalt production.

Description of Material Management Practice: Ensure tank contents do not enter storm water pathways. Valves and hoses inspected periodically. Any spills promptly cleaned up. Secondary Containment.

Material: Lime

Purpose: Asphalt Production
Location: Onsite.
Quantity Produced: NA. **Quantity Stored:** 500 BBL
Quantity Exposed to Storm water in Past 3 Years: None
Past Significant Spill or Leak Exposed to Storm water in Past 3 Years? No
If "Yes", Describe: N/A.
Method of Storage: Storage Silo
Method of Disposal: Used in asphalt production.
Description of Material Management Practice: Ensure silo contents do not enter storm water pathways. Routine inspections of baghouse operation. Any spills promptly cleaned up.

Worksheet 3: Existing and Proposed BMPs

WORKSHEET 3: EXISTING AND PROPOSED BMPs

Instructions: List all identified actual and potential petroleum/storm water pollution sources and describes existing management practices and proposed BMPs with implementation schedule.

Potential Pollution Sources	Existing BMPs	Proposed BMPs	Implementation Schedule
1) Diesel / Maintenance Oils	Not applicable	- Routine inspections and prompt cleanup of spills. - Train appropriate employees on proper loading and unloading procedures -Maintain spill control materials near storage tanks -Double-walled diesel tank. -Maintenance oils stored in covered area not exposed to storm water	Upon completion of construction
2) AC Tanks	Not applicable	- Routine inspections, prompt cleanup of spills. - Train appropriate employees on proper loading and unloading procedures. -Concrete Secondary Containment for AC storage area	Upon completion of construction
3) Aggregate/RAP Storage Piles	Not applicable	-Minimize surface area of aggregate piles -Maintain an adequate buffer from property lines to prevent offsite runoff	Upon completion of construction
4) Lime Silo	Not applicable	- Routine inspections, prompt cleanup of spills. - Baghouse dust control - Train appropriate employees on proper loading and unloading procedures.	Upon completion of construction
5) Site Yard	Not applicable	-Sprinkle roads for dust suppression -Grade yard appropriately -Practice good housekeeping -Design traffic flow around operations relative to drainage and water collection locations -NSBB -Retention Pond and Forebay	Upon completion of construction

Worksheet 4: List of Significant Spills and Leaks

MONTHLY SPILL & LEAK LOG

HOT MIX ASPHALT GENERAL PERMIT (HMAGP)

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

Facility Name: Magnolia Materials, LLC - HMA Plant **Month:** _____

Coverage Number: MSR70__ __ __ __ **Year:** _____

Instructions: A list of spills and leaks of toxic or hazardous pollutants that have occurred at the facility shall be documented on the Monthly Spill and Leak Log Sheet provided by MDEQ at www.mdeq.ms.gov/hmagp. A separate form shall be completed for each month that the facility is covered under this general permit. If no spills have occurred, the form shall be completed by checking the first box and signing at the bottom, as indicated. Coverage recipients may use an alternate form to record this information, as long as it includes all of the information in this form and is updated monthly. The completed monthly forms shall be filed on-site with the SWPPP and made available to MDEQ personnel for inspection upon request. [2022 HMAGP ACT4 T-2(4)]

☐ **No spills have occurred this month.**

Date of Spill	Material Spilled	Quantity Spilled (specify units)	Area of Spill	Did spill result in a discharge? (Yes/No)	Injury / Property Damage? (Yes/No)	Person(s) involved in cleanup	Date reported to MDEQ (if significant)
Corrective Actions(s) Taken:							
Date of Spill	Material Spilled	Quantity Spilled (specify units)	Area of Spill	Did spill result in a discharge? (Yes/No)	Injury / Property Damage? (Yes/No)	Person(s) involved in cleanup	Date reported to MDEQ (if significant)
Corrective Actions(s) Taken:							
Date of Spill	Material Spilled	Quantity Spilled (specify units)	Area of Spill	Did spill result in a discharge? (Yes/No)	Injury / Property Damage? (Yes/No)	Person(s) involved in cleanup	Date reported to MDEQ (if significant)
Corrective Actions(s) Taken:							

"I certify under penalty of law that this report is true, accurate, and complete, to the best of my knowledge and belief."

Inspector Name: _____ Inspector Signature: _____ Date: _____

If requested, submit signed form to 401/Storm Water Branch Manager, ECED, MDEQ, PO Box 2261, Jackson, MS 39225

Last Revised: 9/12/2022

Worksheet 5: Non Storm Water Discharge Assessment and Certifications

Worksheet 5: NON-STORM WATER DISCHARGE EVALUATION AND CERTIFICATION

Date of Test or Evaluation	Outfall No. Observed (as indicated on the site map)	Method Used to Test or Evaluate Discharge	Describe Results from Test for the Presence of Non-Storm water Discharge	Identify Potential Significant Sources	Name of Person Who Conducted the Test or Evaluation

Certification:

I, JW McCurdy, certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

A. Name & Official Title	B. Area Code and Telephone No.
JW McCurdy, Owner	(662) 816-2700
C. Signature	D. Date Signed

Worksheet 6: Monthly Inspection Checklist

MONTHLY STORM WATER INSPECTION FORM
HOT MIX ASPHALT GENERAL PERMIT (HMAGP)

Facility Name: Magnolia Materials, LLC - HMA Plant **Coverage Number: MSR70 __ __ __ __** **Date: _____**

Instructions: Conduct a monthly inspection of all industrial activities exposed to storm water and the storm water outfalls. Inspect each area/equipment noted below for indications of potential storm water contamination or failure of best management practices required by the SWPPP, recording any issues and corrective action taken. Such inspection should be conducted during or immediately following a rain event producing runoff, if possible. Also, for any monthly inspection performed during or after a rain event, collect storm water runoff from each outfall in a clean, clear jar and examine it in a well-lit area. Should any objectionable characteristics described below be observed, the coverage recipient shall investigate upstream from the sample location to identify the potential sources of pollution and implement corrective action(s). [2022 HMAGP ACT4, T-6]

Was the inspection conducted during or following a rain event resulting in runoff?	Yes	No	**If yes, were samples collected for visual examination?**	Yes	No	N/A

Areas/Equipment Inspected	**Issues Noted?**			**Describe any issues noted and corrective action taken.**
	Yes	**No**	**N/A**	
Equipment Fueling/Maintenance Areas				
Tanks, Silos, Hoppers and Dust Collection				
Truck Loading Area				
Outdoor Storage Piles				
Spill Kits Available and Stocked				
General Site-Wide Housekeeping				
Other:				

JAR TEST (continue on next page for more than one outfall)

Outfall Number / Location of Sample:	Outfall 001	**Time:**	

Parameter	**Parameter Description**	**Yes**	**No**	**If yes, provide a description and any corrective action taken.**
Color	Is the water sample colored?			
Clarity	Is the water sample NOT clear and transparent?			
Floating Solids	Are there solids floating at the top of the sample?			
Settled Solids	Are there solids settled out in the bottom of the sample?			
Suspended Solids	Are there solids suspended in the water column of the sample?			
Foam	Is there foam forming at the top of the sample?			
Odor	Does the sample have an odor?			
Oil Sheen	Does the sample have an oil sheen?			

"I certify under penalty of law that this report is true, accurate, and complete to the best of my knowledge and belief."

Inspector Name (printed)	**Inspector's Signature**	**Date**

If requested, submit form to 401/Storm Water Branch Manager, ECED, MDEQ, PO Box 2261, Jackson, MS 39225

Last Revised: 9/12/2022

Worksheet 7: Annual Evaluation/Certification Form

Annual SWPPP Evaluation Form for Calendar Year _____

HOT MIX ASPHALT GENERAL PERMIT (HMAGP)

COVERAGE NUMBER MSR70__ __ __ __

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

Instructions: The SWPPP must be evaluated annually, by December 31st, to ensure the effectiveness of the best management practices (BMPs) specified in the SWPPP. The annual evaluation shall be filed on-site with the SWPPP and made available to MDEQ personnel for inspection upon request. [2022 HMAGP ACT4, T-7]

Company/Facility Name: Magnolia Materials, LLC - HMA Plant Person evaluating SWPPP:

YES	NO	SWPPP Components and Description of Potential Pollutant Sources [ACT 4, Condition T-2]
		Identifies industrial activities exposed to storm water. [T-2(1)]
		Describes materials and pollutants associated with the activities above. [T-2(2) & (3)]
		Identifies spill and leaks of toxic or hazardous pollutants. [T-2(4)]
		Identifies pollutants of concern and summarizes storm water sampling data. [T-2(5)]
		Includes a detailed scaled site map and a topographical map. [T-2(6) & (7)]
		Identifies pollutants likely present and a reasonable potential for containment. [T-2(8)]
		SWPPP Components and Description of Storm Water Management Controls [ACT 4, Condition T-3]
		Identifies position(s) responsible for developing, implementing, maintain, and revising SWPPP. [T-3(1)]
		Lists materials handled, assesses and identifies risk of potential pollution, and specifies necessary controls. [T-3(2)]
		Identifies areas with a high potential for soil erosion and prevention measures. [T-3(3)]
		Identifies a preventive maintenance program. [T-3(4)]
		Identifies good housekeeping practices. [T-3(5)]
		Identifies potential spill areas, their drainage points, and procedures for cleaning spills. [T-3(6)]
		Identifies personnel training responsible for implementing and/or complying with the SWPPP. [T-3(7)]
		Certifies storm water testing every 5 years, when feasible, for non-allowed, non-storm water discharges. [T-3(8)]
		Identifies areas to be inspected monthly for objectionable characteristics. [T-3(9)]
		Identifies allowable non-storm water discharges and appropriate BMPs for the non-storm water. [T-3(10)]
		Provides management of storm water volume through its diversion, infiltration, storage, or re-use. [T-3(11)]
		SWPPP Certification and Signature
	☐	*The SWPPP is on-site, current, adequately addresses the sources of pollution at the facility, is fully compliant with the terms and conditions of the HMAGP and effectively controls storm water pollutants. If no, the SWPPP shall be amended and submitted to MDEQ within 30 days of amendment. [Condition T-4(4), ACT4]*

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Authorized Signature of Responsible Official* Date

Printed Name Title

** A responsible official must meet the requirements of 2022 HMAGP, ACT 5, Condition T-5*

If requested, submit form to: 401/Storm Water Branch Manager, ECED, MDEQ, PO Box 2261, Jackson, MS 39225

Last Revised: 9/12/2022

Worksheet 8: Monthly Air Monitoring Form

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY AIR MONITORING FORM
HOT MIX ASPHALT GENERAL PERMIT (HMAGP)

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

COVERAGE NUMBER:	MSR70__ __ __ __	CALENDAR YEAR:	

HOT MIX ASPHALT SILO FILTERS

his form, or equivalent, should be used to demonstrate compliance with ACT 3, Conditions L-5(5)(c) and S-1(6) and shall be submitted annually by January 31st.

Company Name: Magnolia Materials, LLC Facility Name: Magnolia Materials, LLC - HMA Plant

Facility Street Address: 87 CR 166 City: Oxford County: Lafayette

Contact Person: _____ Phone No.: _____ Email: _____

SILO ID (e.g., Lime Silo #1): Lime Silo

INSPECTOR (full name)	DATE (mm/dd/yy)	TIME (hh:mm AM/PM)	OBSERVATION DURING TRUCK UNLOADING?		VISIBLE EMISSIONS OBSERVED?		CORRECTIVE ACTION TAKEN?		Describe corrective action taken to restore to no visible emissions.
			YES	NO	YES	NO	YES	NO	
			☐	☐	☐	☐	☐	☐	
			☐	☐	☐	☐	☐	☐	
			☐	☐	☐	☐	☐	☐	
			☐	☐	☐	☐	☐	☐	
			☐	☐	☐	☐	☐	☐	
			☐	☐	☐	☐	☐	☐	
			☐	☐	☐	☐	☐	☐	
			☐	☐	☐	☐	☐	☐	
			☐	☐	☐	☐	☐	☐	
			☐	☐	☐	☐	☐	☐	
			☐	☐	☐	☐	☐	☐	
			☐	☐	☐	☐	☐	☐	

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY AIR MONITORING FORM
HOT MIX ASPHALT GENERAL PERMIT (HMAGP)

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

COVERAGE NUMBER:	MSR70__ __ __ __	CALENDAR YEAR:	

HOT MIX ASPHALT DRYER BAGHOUSE

This form, or equivalent, should be used to demonstrate compliance with ACT 3, Conditions L-5(5)(b) and (d) and S-1(6) and shall be submitted annually by January 31st.

Company Name: Magnolia Materials, LLC Facility Name: Magnolia Materials, LLC - HMA Plant

Facility Street Address: 87 CR 166 City: Oxford County: Lafayette

Contact Person: _____ Phone No.: _____ Email: _____

INSPECTOR (full name)	DATE (mm/dd/yy)	TIME (hh:mm AM/PM)	VISIBLE EMISSIONS OBSERVED?		METHOD 9 OPACITY CONDUCTED?		CORRECTIVE ACTION TAKEN?		Include results of Method 9 Opacity Test and attach to report or describe corrective action taken to restore to no visible emissions.	Pressure Drop across baghouse (include units of measurement)
			YES	NO	YES	NO	YES	NO		

Worksheet 9: Annual Air Operating Form

ANNUAL AIR OPERATING FORM
HOT MIX ASPHALT GENERAL PERMIT (HMAGP)

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

RECORDS FOR CALENDARY YEAR _____ **COVERAGE NUMBER MSR70__ __ __ __**

Instructions: This form, or equivalent, shall be used to demonstrate compliance with ACT 3, Conditions L-3. Asphalt production must be recorded on a monthly basis. If you operate a rock/RAP crusher on site that provides crushed material to an off-site plant, you must record the monthly amount of material crushed. Otherwise, mark "NO" and leave the columns blank. If you burn liquid fuel in any given month, check the appropriate month and include the total fuel burned for the month. To demonstrate compliance with the HMAGP, the monthly totals must be summed for each month (even if "0"). The 12-month total must be calculated using the current month and available data from the previous 11 months. For new sources, a 12-month total should be calculated 12 months after startup. This form shall be submitted with the annual report required in ACT 3, Condition S-1(6), and a copy shall be maintained at least five years after completion or for the duration of facility operations, whichever is shorter.

Company Name: 87 CR 166 Facility Name: Lafayette

Facility Street Address: _____ City: _____ County: Lafayette

Contact Person: _____ Phone No.: _____ Email: _____

	◯ Drum Mix ◯ Batch Mix		Does Rock Crusher Supply Off-Site Source(s)? ◯ YES ◯ NO		Check and complete if Liquid Fuels are burned in the dryer for any given month		
	Monthly Production (Tons)	12-Month Rolling Total (Tons/Year)	Monthly Production (Tons)	12-Month Rolling Total (Tons/Year)		Liquid fuel usage (Gallons)	12-Month Rolling Total (Gallons/Year)
January					☐		
February					☐		
March					☐		
April					☐		
May					☐		
June					☐		
July					☐		
August					☐		
September					☐		
October					☐		
November					☐		
December					☐		

Based on my inquiry of the person or persons responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete.

_____ _____

Authorized Signature of Responsible Official Date

_____ _____

Printed Name Title

**A responsible official must be a corporate officer or facility manager delegated authorization to sign documents.*

Worksheet 10: Employee Training Log

PERSONNEL TRAINING FORM
HOT MIX ASPHALT GENERAL PERMIT

Facility Name: Magnolia Materials, LLC - HMA Plant **Coverage Number: MSR70__ __ __ __**

Instructions: Personnel responsible for implementing and/or complying with the requirements of the HMAGP shall receive initial and periodic refresher training. Training shall be provided within twelve (12) months of issuance or reissuance of HMAGP coverage and prior to performing responsibilities under the coverage. Refresher training shall be provided annually. The trainee(s) and trainer shall sign and date this form. The completed form shall be filed on-site with the SWPPP and made available to MDEQ personnel for inspection upon request. [2022 HMAGP ACT5, T-15]

Describe the contents of the training or attach the training to this form and indicate "Attached."

Trainer Name (printed)	Trainer Signature	Date

Trainee Name (printed)	Trainee Signature	Date

If requested, submit form to 401/Stormwater Branch Manager, ECED, MDEQ, PO Box 2261, Jackson, MS 39225

APPENDIX B

Large Construction Stormwater Notice of Intent and SWPPP

AI: 90112
MSR109782

Rec'd via email: 02/17/2026

MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

LARGE CONSTRUCTION NOTICE OF INTENT (LCNOI) FOR COVERAGE UNDER THE LARGE CONSTRUCTION STORM WATER GENERAL NPDES PERMIT

INSTRUCTIONS

The Large Construction Notice of Intent (LCNOI) is for coverage under the Large Construction General Permit for land disturbing activities of five (5) acres or greater; or for land disturbing activities, which are part of a larger common plan of development or sale that are initially less than five (5) acres but will ultimately disturb five (5) or more acres. Applicant must be the owner or operator. For construction activities, the operator is typically the prime contractor. The owner(s) of the property and the prime contractor associated with regulated construction activity on the property have joint and severable responsibility for compliance with the Large Construction Storm Water General Permit MSR10.

If the company seeking coverage is a corporation, a limited liability company, a partnership, or a business trust, attach proof of its registration with the Mississippi Secretary of State and/or its Certificate of Good Standing. This registration or Certificate of Good Standing must be dated within twelve (12) months of the date of the submittal of this coverage form. Coverage will be issued in the company name as it is registered with the Mississippi Secretary of State.

Completed LCNOIs should be filed at least thirty (30) days prior to the commencement of construction. Discharge of storm water from large construction activities without written notification of coverage is a violation of state law.

Submittals with this LCNOI must include:
- **A site-specific Storm Water Pollution Prevention Plan (SWPPP) developed in accordance with ACT5 of the General Permit**
- **A detailed site-specific scaled drawing showing the property layout and the features outlined in ACT5 of the General Permit**
- **A United States Geological Survey (USGS) quadrangle map or photocopy, extending at least one-half mile beyond the facility property boundaries with the site location and outfalls outlined or highlighted. The name of the quadrangle map must be shown on all copies. Quadrangle maps can be obtained from the MDEQ, Office of Geology at 601-961-5523.**

Additional submittals may include the following, if applicable:
- **Appropriate Section 404 documentation from U.S. Army Corps of Engineers**
- **Appropriate documentation concerning future disposal of sanitary sewage and sewage collection system construction**
- **Appropriate documentation from the MDEQ Office of Land & Water concerning dam construction and low flow requirements**
- **Approval from County Utility Authority in Hancock, Harrison, Jackson, Pearl River and Stone Counties**
- **Antidegradation report for disturbance within Waters of the State**

ALL QUESTIONS MUST BE ANSWERED (Answer "NA" if the question is not applicable)

MSR10 9782

(NUMBER TO BE ASSIGNED BY STATE)

APPLICANT IS THE: ☑ OWNER ☐ PRIME CONTRACTOR

OWNER CONTACT INFORMATION

OWNER CONTACT PERSON: JW McCurdy

OWNER COMPANY LEGAL NAME: Magnolia Materials, LLC

OWNER STREET OR P.O. BOX: 31 Highway 328

OWNER CITY: Oxford STATE: MS ZIP: 38655

OWNER PHONE #: (662) 816-2700 OWNER EMAIL: jw@mrconstructionoxford.com

PREPARER CONTACT INFORMATION

IF NOI WAS PREPARED BY SOMEONE OTHER THAN THE APPLICANT

CONTACT PERSON: John Granberry

COMPANY LEGAL NAME: Granberry & Associates, LLC

STREET OR P.O. BOX: 1686 Padington Park Lane

CITY: Germantown STATE: TN ZIP: 38138

PHONE # ( ) (662) 312-9672 EMAIL: jgranberry@mccartygranberry.com

PRIME CONTRACTOR CONTACT INFORMATION

PRIME CONTRACTOR CONTACT PERSON: Jeffrey Gooch

PRIME CONTRACTOR COMPANY LEGAL NAME: Axis Sitework

PRIME CONTRACTOR STREET OR P.O. BOX: 31 Highway 328

PRIME CONTRACTOR CITY: Oxford STATE: MS ZIP: 38655

PRIME CONTRACTOR PHONE #: (662) 308-7307 PRIME CONTRACTOR EMAIL: grant@axissitework.com

FACILITY SITE INFORMATION

FACILITY SITE NAME: Magnolia Materials - Plant 1

FACILITY SITE ADDRESS (If the physical address is not available, please indicate the nearest named road. For linear projects indicate the beginning of the project and identify all counties the project traverses.)

STREET: 87 CR 166

CITY: Oxford STATE: MS COUNTY: Lafayette ZIP: 38655

FACILITY SITE TRIBAL LAND ID (N/A If not applicable): N/A

LATITUDE: 34 degrees 24 minutes 34 seconds LONGITUDE: 89 degrees 32 minutes 07 seconds

LAT & LONG DATA SOURCE (GPS *(Please GPS Project Entrance/Start Point)* or Map Interpolation): Map Interpolation

TOTAL ACREAGE THAT WILL BE DISTURBED ¹: 13.71 acres

IS THIS PART OF A LARGER COMMON PLAN OF DEVELOPMENT? YES ☐ NO ☑

IF YES, NAME OF LARGER COMMON PLAN OF DEVELOPMENT: _____
AND PERMIT COVERAGE NUMBER: MSR10____

ESTIMATED CONSTRUCTION PROJECT START DATE: 2026-08-01
YYYY-MM-DD

ESTIMATED CONSTRUCTION PROJECT END DATE: 2027-5-31
YYYY-MM-DD

DESCRIPTION OF CONSTRUCTION ACTIVITY: Earthwork, sitework, and infrastructure construction for a Hot Mix Asphalt batch plant

PROPOSED DESCRIPTION OF PROPERTY USE AFTER CONSTRUCTION HAS BEEN COMPLETED:
Hot Mix Asphalt Batch Plant

SIC Code: 2951 NAICS Code 324121

NEAREST NAMED RECEIVING STREAM: Berry Branch

IS RECEIVING STREAM ON MISSISSIPPI'S 303(d) LIST OF IMPAIRED WATER BODIES? (The 303(d) list of impaired waters and TMDL stream segments may be found on MDEQ's web site: http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section) YES ☐ NO ☑

HAS A TMDL BEEN ESTABLISHED FOR THE RECEIVING STREAM SEGMENT? YES ☑ NO ☐

FOR WHICH POLLUTANT:

ARE THERE RECREATIONAL STREAMS, PRIVATE/PUBLIC PONDS OR LAKES WITHIN ½ MILE DOWNSTREAM OF PROJECT BOUNDRY THAT MAY BE IMPACTED BY THE CONSTRUCTION ACTIVITY? YES ☐ NO ☑

EXISTING DATA DESCRIBING THE SOIL (for linear projects please describe in SWPPP):
Silt and Sandy Loam (Lexington Silt Loam & Smithdale Sandy Loam Associations) with Hydrologic Soil Group B with slopes from 5 to 35%

WILL FLOCCULANTS BE USED TO TREAT TURBIDITY IN STORM WATER? YES ☐ NO ☑

IF YES, INDICATE THE TYPE OF FLOCCULANT. ☐ ANIONIC POLYACRYLIMIDE (PAM)
☐ OTHER _____

IF YES, DOES THE SWPPP DESCRIBE THE METHOD OF INTRODUCTION, THE LOCATION OF INTRODUCTION AND THE LOCATION OF WHERE FLOCCULATED MATERIAL WILL SETTLE?

IS A SDS SHEET INCLUDED FOR THE FLOCCULATE? YES ☐ NO ☑

WILL THERE BE A 50 FT BUFFER BETWEEN THE PROJECT DISTURBANCE AND THE WATERS OF THE STATE? YES ☑ NO ☐

IF NOT, PROVIDE EQUIVALENT CONTROL MEASURES IN THE SWPPP.

[1]Acreage for subdivision development includes areas disturbed by construction of roads, utilities and drainage. Additionally, a housesite of at least 10,000 ft^2 per lot (entire lot, if smaller) shall be included in calculating acreage disturbed.

DOCUMENTATION OF COMPLIANCE WITH OTHER REGULATIONS/REQUIREMENTS

COVERAGE UNDER THIS PERMIT WILL NOT BE GRANTED UNTIL ALL OTHER REQUIRED MDEQ PERMITS AND APPROVALS ARE SATISFACTORILY ADDRESSED

IS LCNOI FOR A FACILITY THAT WILL REQUIRE OTHER PERMITS? YES ☑ NO ☐

IF YES, CHECK ALL THAT APPLY: ☐ AIR ☐ HAZARDOUS WASTE ☐ PRETREATMENT

☐ WATER STATE OPERATING ☐ INDIVIDUAL NPDES ☑ OTHER: HMA-GP

IS THE PROJECT REROUTING, FILLING OR CROSSING A WATER CONVEYANCE OF ANY KIND? (If yes, contact the U.S. Army Corps of Engineers' Regulatory Branch for permitting requirements.) YES ☐ NO ☑

IF THE PROJECT REQUIRES A CORPS OF ENGINEER SECTION 404 PERMIT, PROVIDE APPROPRIATE DOCUMENTATION THAT:

-The project has been approved by individual permit, or
-The work will be covered by a nationwide permit and NO NOTIFICATION to the Corps is required, or
-The work will be covered by a nationwide or general permit and NOTIFICATION to the Corps is required

IS THE PROJECT REROUTING, FILLING OR CROSSING A STATE WATER CONVEYANCE OF ANY KIND? (If yes, please provide an antidegradation report.) YES ☐ NO ☑

IS A LAKE REQUIRING THE CONSTRUCTION OF A DAM BEING PROPOSED? (If yes, provide appropriate approval documentation from MDEQ Office of Land and Water, Dam Safety.) YES ☐ NO ☑

IF THE PROJECT IS A SUBDIVISION OR A COMMERCIAL DEVELOPMENT, HOW WILL SANITARY SEWAGE BE DISPOSED? Check one of the following and attach the pertinent documents.

☐ **Existing Municipal or Commercial System. Please attach plans and specifications for the collection system and the associated "Information Regarding Proposed Wastewater Projects" form or approval from County Utility Authority in Hancock, Harrison, Jackson, Pearl River and Stone Counties. If the plans and specifications can not be provided at the time of LCNOI submittal, MDEQ will accept written acknowledgement from official(s) responsible for wastewater collection and treatment that the flows generated from the proposed project can and will be transported and treated properly. The letter must include the estimated flow.**

☐ **Collection and Treatment System will be Constructed. Please attach a copy of the cover of the NPDES discharge permit from MDEQ or indicate the date the application was submitted to MDEQ (Date: _____.)**

☑ **Individual Onsite Wastewater Disposal Systems for Subdivisions Less than 35 Lots. Please attach a copy of the Letter of General Acceptance from the Mississippi State Department of Health or certification from a registered professional engineer that the platted lots should support individual onsite wastewater disposal systems.**

☐ **Individual Onsite Wastewater Disposal Systems for Subdivisions Greater than 35 Lots. A determination of the feasibility of installing a central sewage collection and treatment system must be made by MDEQ. A copy of the response from MDEQ concerning the feasibility study must be attached. If a central collection and wastewater system is not feasible, then please attach a copy of the Letter of General Acceptance from the State Department of Health or certification from a registered professional engineer that the platted lots should support individual onsite wastewater disposal systems.**

INDICATE ANY LOCAL STORM WATER ORDINANCE (I.E. MS4)WITH WHICH THE PROJECT MUST COMPLY:

Lafayette County Stormwater Ordinance

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of Applicant[1] (owner or prime contractor)

2/10/2026
Date Signed

J.W. McCurdy
Printed Name[1]

Owner
Title

[1]This application shall be signed as follows:

- **For a corporation, by a responsible corporate officer.**
- **For a partnership, by a general partner.**
- **For a sole proprietorship, by the proprietor.**

For a municipal, state or other public facility, by principal executive officer, mayor, or ranking elected official

Please submit the LCNOI form to:

Chief, Environmental Permits Division
MS Department of Environmental Quality, Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225

Electronically: **https://www.mdeq.ms.gov/construction-stormwater/**

Revised 3/23/22

Stormwater Pollution Prevention Plan (SWPPP)

For Construction Activities At:

Magnolia Materials – Hot Mix Asphalt Plant
87 CR 166
Oxford, MS 38655
(662) 816-2700

SWPPP Prepared For:

Magnolia Materials, LLC
31 Hwy 328
Oxford, MS 38655
(662) 816-2700
jw@mrconstructionoxford.com

SWPPP Prepared By:

Granberry & Associates, LLC
John Granberry, P.E.
1686 Padington Park Lane
Germantown, TN 38138
662-312-9672
jgranberry@mccartygranberry.com

SWPPP Preparation Date:

12/23/2025
4/8/2026 (REVISION #3)

Estimated Project Dates:

Project Start Date: 08/01/2026

Project Completion Date: 05/31/2027

TABLE OF CONTENTS

Section		Page
I.	**INTRODUCTION**	1
II.	**CONTACT INFORMATION/RESPONSIBLE PARTIES**	1
	A. Operator(s) / Subcontractor(s)	1
	B. Stormwater Team	2
III.	**PURPOSE AND SCOPE**	4
IV.	**PROJECT / SITE INFORMATION**	4
	A. Project/Site Information	4
	B. Discharge Information	5
	C. Nature of the Construction Activities	6
	D. Description of the Project Site	6
	E. Construction Sequencing	7
V.	**STORM WATER CONTROL PLAN**	9
	A. Erosion and Sediment Controls	10
	B. Storm Water Management	13
	C. Other Items Needing Control	14
	D. Storm Water Discharges from Support Activities	15
	E. Spill Prevention	15
VI.	**INSPECTIONS AND MAINTENANCE**	17
	A. Inspection Procedures and Schedules	17
	B. Maintenance Procedures and Schedules	18
VII.	**TOTAL MAXIMUM DAILY LOADS**	18
VIII.	**NON-STORM WATER DISCHARGES**	19
IX.	**RECORDKEEPING**	19
X.	**AMENDMENT OF PLAN**	21
XI.	**TERMINATION OF COVERAGE**	21
XII.	**CERTIFICATION**	22

LIST OF APPENDICES

Appendix A	Vicinity Map
Appendix B	Site Plan
Appendix C	USGS Quad (Oxford North Quadrangle)
Appendix D	Project Erosion & Sediment Control Plan
Appendix E	Grading and Drainage Plan
Appendix F	USDA Soil Report
Appendix G	NPDES Construction General Permit (CGP)
Appendix H	Monthly Inspection Report& Certification
Appendix I	Stormwater Team Certification
Appendix J	TMDL Pollutants of Concern / BMP Cross-Reference Table
Appendix K	MSDH On-Site Wastewater Treatment Permit
Appendix L	Wetlands Evaluation
Appendix M	Post Development Drainage Calculations
Appendix N	Storm Water Training Logs

SECTION I. INTRODUCTION

This document is the Storm Water Pollution Prevention Plan (SWPPP) for the construction activities to construct Magnolia Materials – Hot Mix Asphalt Plant, hereinafter referred to as the Project. A Vicinity Map showing the limits of proposed construction is provided in Appendix A to this Plan.

This SWPPP has been prepared to meet the requirements of the State of Mississippi NPDES Permit No. MSR10 and in accordance with ACT5 of the General Permit, which regulates Storm Water Discharges from Construction Sites that disturb 5 acres or greater. The MSR10 authorizes the discharge of storm water from sites that are under construction provided that the permit provisions are adhered to and the State of Mississippi receives formal application from the parties responsible for the construction. Under this general permit both the owner/developer of the property and the contractors performing the construction activities are responsible for complying with the permit.

SECTION II. CONTACT INFORMATION/RESPONSIBLE PARTIES

A. Operator(s) / Contractor(s)

Operator(s):

Magnolia Materials, LLC
JW McCurdy
31 Hwy 328
Oxford, MS 38655
(662) 816-2700
jw@mrconstructionoxford.com
Owner; Operational control over construction plans and specifications

Contractor(s):

Axis Construction
Jeffrey Gooch
31 Hwy 328
Oxford, MS 38655
(662) 308-7307
grant@axissitework.com
Contractor; Operational control over construction activities

Emergency 24-Hour Contact:

Axis Construction
Jeffrey Gooch
(662) 308-7307

B. Stormwater Team

Stormwater Team

Name and/or Position, and Contact	Responsibilities	I Have Completed Training Required by CGP Part 6.2	I Have Read the CGP and Understand the Applicable Requirements
Branson Means Erosion Control Inspector 662-279-3165 cole@axissitework.com	- Conduct Site Inspections as required in ACT6, S-5 - Notify Erosion Control Managers of corrective actions needed and as required in ACT6, S-2	☒ Yes ☐ No	☒ Yes Date: 6/12/2024
Jeffrey Gooch Erosion Control Manager 662-308-7307 grant@axissitework.com	- Installation, maintenance, and/or repair of stormwater controls - Taking corrective actions as required in ACT6, S-2	☒ Yes ☐ No	☒ Yes Date: 6/12/2024

Stormwater Team Members Who Conduct Inspections Pursuant to CGP Part 4

Name and/or Position and Contact	Training(s) Received	Date Training(s) Completed	If Training is a Non-EPA Training, Confirm that it Satisfies the Minimum Elements of CGP Part 6.3.b
Branson Means Erosion Control Inspector 662-279-3165 cole@axissitework.com	Storm Water Pollution Prevention for Construction Personnel – Certification #: 24200	Date: 6/12/2024	☒ Principles and practices of erosion and sediment control and pollution prevention practices at construction sites ☒ Proper installation and maintenance of erosion and sediment controls and pollution prevention practices used at construction sites ☒ Performance of inspections, including the proper completion of required reports and documentation, consistent with the requirements of Part 4

Any additional personnel involved in stormwater management and erosion control should undergo an initial comprehensive training program that covers the essentials of erosion and sediment control, including the legal requirements of the Large Construction General Permit.

Staff storm water training will be conducted to meet the requirements of the LCGP and will be documented in accordance with ACT5, T-21. Staff training records will be recorded using the MDEQ provided LCGP Training Log included and stored as part of the SWPPP as Appendix N. Training documentation will be kept on site for a period of at least three years from the date of termination of the LCGP. Training documentation will be made available to MDEQ upon request.

Regular updates and continuing education sessions are crucial to stay informed about the latest best management practices (BMPs), regulatory changes, and technological advancements in erosion and sediment control, and no Stormwater Certification shall lapse.

The Contractor shall also hold bi-weekly, practical, on-site training sessions throughout the development of the site to provide hands-on experience with the implementation and maintenance of BMPs. This might include demonstrations of installation techniques, inspection procedures, and corrective actions for common issues.

SECTION III. PURPOSE AND SCOPE

The United States Environmental Protection Agency (EPA) and the Mississippi Department of Environmental Quality have developed programs to regulate the discharge of storm water runoff from certain types of construction activity. As a result, the construction activities at the Project require an NPDES General Permit for Storm Water Discharges from Construction Activity. One of the requirements of the General Permit is the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) designed to reduce the pollution of surface waters resulting from the construction activity.

The purpose of this SWPPP is to identify potential sources of pollution reasonably expected to affect the quality of storm water discharges from the construction site. This SWPPP also provides the control measures and describes the implementation practices, which will be used to reduce the pollutants in storm water discharges associated with this construction to enable compliance with the requirements of general permit.

This SWPPP has been prepared in accordance with the requirements of the General Permit and in accordance with good engineering practices to address only storm water discharges from the construction and support activities. There will be no discharge of storm water that are mixed with sources of non-storm water. There will be no storm water discharges associated with these construction activities that have been issued an individual permit. This Project will not generate process wastewater during construction or during operation of the completed facility.

Storm water discharges from construction activities for this Project should not cause violations of water quality standards or contribute to the impairment of Section 303(d)-Listed Water. Furthermore, it is believed that storm water discharges from construction of the Project will not impact legally protected listed or proposed threatened or endangered aquatic fauna in the receiving stream and will not negatively affect a property that is listed or is eligible for listing in the National Historic Register maintained by the Secretary of Interior.

This Project has been designed to comply with applicable local stormwater management requirements established by Lafayette County, MS. County regulations require that the post-development peak rate of stormwater runoff leaving a development site not exceed the pre-development peak runoff rate for the 25-year, 24-hour storm event. In addition, stormwater conveyance facilities must be designed to safely pass the 100-year, 24-hour storm event without causing adverse impacts to adjacent or downstream properties.

The stormwater management system for the project has been designed to meet these requirements. The proposed detention facility provides attenuation for the 2-year, 24-hour; 10-year, 24-hour; 25-year, 24-hour; and 100-year, 24-hour storm events. This design ensures that post-development runoff rates do not exceed pre-development conditions for the required design storm event and that larger storm events are safely conveyed through the stormwater management system. See Appendix M for post development drainage calculations.

Construction plans for the project have been reviewed and approved by Lafayette County, Mississippi staff and the County Engineer, confirming that the proposed stormwater management design complies with the County's Land Development Regulations.

This SWPPP does not address storm water discharges that originate from the construction site after construction activities have been completed, the site has undergone final stabilization, and a Notice of Termination has been received. Please see the Industrial SWPPP for post developed stormwater management.

SECTION IV. SITE EVALUATION, ASSESSMENT, AND PLANNING

A. Project/Site Information

Project Name and Address

Project/Site Name: Magnolia Materials – Hot Mix Asphalt Plant
Street/Location: 87 CR 166
City: Oxford
State: MS
ZIP Code: 38655
County or Similar Government Division: Lafayette County

Project Latitude/Longitude

Latitude: 34.4095° N (decimal degrees)

Longitude: - 89.5352 ° W (decimal degrees)

Latitude/longitude data source: ☒ Map ☐ GPS ☐ Other (please specify): _____

Horizontal Reference Datum: ☐ NAD 27 ☒ NAD 83 ☐ WGS 84

Additional Site Information

Is your site located on Indian country lands, or on a property of religious or cultural significance to an Indian Tribe? ☐ Yes ☒ No

If yes, provide the name of the Indian Tribe associated with the area of Indian country (including the name of Indian reservation if applicable), or if not in Indian country, provide the name of the Indian Tribe associated with the property: N/A

B. Discharge Information

Does your project/site discharge stormwater into a Municipal Separate Storm Sewer System (MS4)? ☐ Yes ☒ No

Are there any waters of the U.S. within 50 feet of your project's earth disturbances? ☐ Yes ☒ No

Receiving Waters of the State Table:

Name of receiving State water	Is the receiving water impaired (on the CWA 303(d) list)?	If yes, list the pollutants that are causing the impairment:	Has a TMDL been completed for this receiving waterbody?	If yes, list TMDL Name and ID:	Pollutant(s) for which there is a TMDL:	If TMDL has been completed, list the TMDL Limits. (Units of limits are specific to pollutant)	Is the receiving water located within the project limits?	Is the receiving water located within 1 flow mile downstream of the project limits?
Berry Branch	☐ Yes ☒ No	N/A	☒ Yes ☐ No	MS256B	Sediment	0.0004 to 0.0021 TN/AC/Day	☐ Yes ☒ No	☒ Yes ☐ No

Project Outfall Table:

Point of Discharge ID	Name of receiving water that receives stormwater discharge:	Drainage Area (Acres) Per Erosion Control Phase			What is the classification of water conveyance at the discharge point? (Ephemeral, Intermittent, or Perennial)	Are there any riparian or drainage channel buffers in drainage basins?	If yes, what is the buffer width? (Measured from top of bank)
		Phase 1	Phase 2	Phase 3			
OUT-001	Berry Branch	0.31	0.18	0.18	Ephemeral	☐ Yes ☒ No	N/A
OUT-002	Berry Branch	0.96	0.10	0.10	Ephemeral	☐ Yes ☒ No	N/A
OUT-003	Berry Branch	0.83	0.38	0.38	Ephemeral	☐ Yes ☒ No	N/A
OUT-004	Berry Branch	0.02	0.02	0.02	Ephemeral	☐ Yes ☒ No	N/A
OUT-005	Berry Branch	14.15	15.90	15.90	Ephemeral	☐ Yes ☒ No	N/A
OUT-006	Berry Branch	0.26	0.06	0.06	Ephemeral	☐ Yes ☒ No	N/A
OUT-007	Berry Branch	0.10			Ephemeral	☐ Yes ☒ No	N/A

C. Nature of the Construction Activities

General Project Description

The Project will consist of grading, utility installation, road construction, construction of an asphalt plant, construction of a small office building, and construction of a stormwater management area located at the major drainage basin outfall. This pond is a permanent pond and will be used for stormwater detention/attenuation for the proposed development. A layout of the overall site plan is provided in Appendix B.

Commencement of construction of the facility is anticipated to begin in 2026 and continue through the Spring of 2027 (including the building and plant construction).

Type of Construction Site *(check all that apply)*:

☐ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☒ Industrial

☐ Institutional ☐ Highway or Road ☐ Utility ☐ Other _____

Will you be discharging dewatering water from your site?	☒ Yes	☐ No
If yes, will you be discharging dewatering water from a current or former Federal or State remediation site?	☐ Yes	☒ No

D. Description of the Project Site

1. Size of Property – 22.92 acres

2. Disturbed Area – The total area of the construction site that is to be disturbed by clearing, grubbing, excavation, grading and other activities associated with this Project is approximately 13.71 acres.

3. Runoff Coefficient – The pre-construction curve number ('CN' value) for the basin was approximately determined to be 58. The new development consists of an asphalt plant/industrial site, buildings, roads, parking areas, a raw material storage area (crushed stone pad, and landscaped/undeveloped areas. The estimated post-construction weighted curve number for the development varies based on the drainage basin, but for the basin in which the majority of the development is located (Out-005) is 77.

4. Site Map – A USGS quad map indicating the location of the Project in relation to major roadways, drainage ways, surface waters, receiving stream, and other significant structures within the area is provided in Appendix C of this Plan. A USDA Soils Report is also provided in Appendix F of this Plan.

5. Erosion & Sediment Control Plan – The Erosion Control Plan for this Project which indicates the location of major structural and nonstructural erosion and sediment controls, the location of areas where stabilization will occur and locations where storm water is discharged to a surface water is also provided in Appendix D to this Plan.

6. Storm Water Outfalls – The outfall points for all storm water discharges exiting this construction site intended for coverage under the General Permit are indicated on the Erosion Control Plan, which is provided in Appendix D to this Plan.

7. Non-Storm Water Discharges – Potential sources of non-storm water discharge that may be combined with storm water discharges associated with this Project include the following table of discharges:

Authorized Non-Stormwater Discharge	**Will or May Occur at Your Site?**
Discharges from emergency fire-fighting activities	☒ Yes ☐ No
Fire hydrant flushings	☒ Yes ☐ No
Landscape irrigation	☒ Yes ☐ No
Water used to wash vehicles and equipment	☒ Yes ☐ No
Water used to control dust	☒ Yes ☐ No
Potable water including uncontaminated water line flushings	☒ Yes ☐ No
External building washdown (soaps/solvents are not used and external surfaces do not contain hazardous substances)	☒ Yes ☐ No
Pavement wash waters	☒ Yes ☐ No
Uncontaminated air conditioning or compressor condensate	☒ Yes ☐ No
Uncontaminated, non-turbid discharges of ground water or spring water	☒ Yes ☐ No
Foundation or footing drains	☒ Yes ☐ No
Uncontaminated construction dewatering water	☒ Yes ☐ No

8. Receiving Waters – Stormwater from all drainage basins discharge to Berry Branch Creek. According to Mississippi Department of Environmental Quality (MDEQ) Division of Water Resources, the water quality of this section of Berry Branch Creek is not currently listed as impaired; however, downstream of our location, Berry Branch Creek (MS 256B) is listed as a Category 4A stream and having biological impairment due to sediment. An assessment of the stream has been completed and a TMDL has been established. The TMDL limits are 0.0004 to 0.0021 TN/AC/day, measured at the effective discharge location(s). The BMPs for the Site were designed such that all stormwater located within the limits of disturbance shall have been routed through said BMPs in order to achieve adequate sediment load reduction.

9. Threatened or Endangered Aquatic Fauna – No legally protected state or federally listed threatened or endangered aquatic fauna and/or critical habitat has been identified at this construction site.

E. Construction Sequencing

The following construction sequence will be followed to reduce erosion and prevent sediment from leaving the construction site:

Phase 1

Installation of initial erosion control measures and sediment basin.	
1.1	Install construction entrance per detail. Construction entrance location may be modified according to ingress/egress of the contractor as approved by engineer.

1.2	Install rain gauge near construction entrance or location that is easily accessible by a vehicle.
1.3	Install silt fence, wattles, and inlet protection on existing inlets in all locations shown this sheet before construction begins per detail. Remove sediment from silt fence once sediment has reached 1/3 to 1/2 of the height of the silt fence and as needed to clear and grub the site.
1.4	Install temporary sediment basin as shown on the Erosion Control Plans and per details shown on Sheet 18 - Erosion Control Details - Sediment Basin. Stabilize slopes immediately upon completion.
1.5	Construct drainage diversion channel(s) as needed to direct conveyance of stormwater to sediment basin and/or to divert off-site stormwater around the construction area.
1.6	Clear and grub the site. Use vegetative materials to construct brush fabric barrier (BFB) as shown. Dispose of excess debris produced during the clearing and grubbing activity.
1.7	All disturbed areas shall be permanently stabilized with seeding/sod and sediment basin shall be properly maintained. Designed erosion control measures must remain intact and functioning until stabilization is complete.
1.8	Stormwater inspection and reporting will be required of all sediment and erosion control measures in accordance with MDEQ regulations.
1.9	Remove any temporary control measures not needed.
1.10	Dust shall be controlled during construction by adequate use of water.
1.11	Transition to Phase 2.

Phase 2

Earthwork, grading and drainage construction, installation of all utilities, construction of all buildings and structures, sidewalks, roads, parking areas, and support infrastructure.	
2.1	Maintain all erosion control measures as necessary.
2.2	Begin earthwork activities for proposed development as shown on these plans, and install all stormwater piping and structures. Installation of underground utilities and catch basins shall be protected from sediment in accordance with the "Inlet Protection Detail", the control shall remain until the site is sufficiently stabilized. Silt fence shall be installed where shown and appropriate areas shall be permanently stabilized. Silt fence backed wattles shall be installed in drainage conveyances as shown.
2.3	As soon as grading allows, install retention pond forebay (including riprap channels) and tie to sediment basin so that sediment basin now includes forebay. Reposition/reinstall coir wire baffles so volume of sediment basin is equally distributed into 4 equal volumes.
2.4	Install Nutrient Separating Baffle Box (NSBB) on the stormwater pipe discharging to the sediment basin. NSBB shall be fully installed and operational prior to allowing stormwater inflow to enter the sediment basin at this location.
2.5	Install all underground utilities. Install onsite sanitary sewer and connect to off-site water as per Utility Plan.
2.6	Begin grading of streets, access drives, asphalt plant pad areas and material layout area, open ditches, and building pads. Silt fence shall be installed adjacent to access drives where shown and appropriate.

2.7	Prepare concrete foundations/footings for asphalt plant equipment and pave streets/drives and monitor controls as necessary until the site is stabilized.
2.8	All disturbed areas shall be permanently stabilized with seeding/sod. All designed erosion control measures must remain intact and functioning until stabilization is mature.
2.9	The sediment basin shall be maintained until all of the site is stabilized. Work around area of development adjacent to sediment basin, so that sediment basin remains functioning as designed.
2.10	Stormwater inspection and reporting will be required of all sediment and erosion control measures in accordance with MDEQ regulations
2.11	Remove any temporary control measures not needed.
2.12	Dust shall be controlled during construction by adequate use of water.
2.13	Transition to Phase 3.

Phase 3

Final surfacing of all roads, completion of all building and asphalt plant construction, conversion of sediment basin to permanent retention pond, and final stabilization of site.	
3.1	Maintain all erosion control measures as necessary.
3.2	Install final surface course of asphalt/concrete for site improvements and monitor controls as necessary until the site is stabilized.
3.3	All disturbed areas shall be permanently stabilized with seeding/sod or vegetation as shown on the Landscape Plan. All designed erosion control measures must remain intact and functioning until stabilization is mature.
3.4	The sediment basin and outlet structure shall be converted to the permanent retention pond once site has been stabilized.
3.5	Stormwater inspection and reporting will be required of all sediment and erosion control measures in accordance with MDEQ regulations.
3.6	Remove any temporary control measures not needed.
3.7	Upon final stabilization of all disturbed areas, complete and submit the Request For Termination(RFT) of coverage to MDEQ.

A critical component of the successful control of erosion from a construction site is the sequencing of the construction activities. Therefore, the Contractor is instructed within this Plan to sequence the installation/construction of erosion and sediment controls, performance of land disturbance activities, stabilization of disturbed areas, and removal of temporary controls so as to minimize the exposure time of graded areas.

SECTION V. STORM WATER CONTROL PLAN

This section provides a site-specific plan to minimize the erosion of soil and the discharge of silt and other pollutants into waters of the State of Mississippi resulting from construction activities at the Project. This Plan was developed through a systematic process consisting of the following components:

- Control Selection and Plan Design – Based on the evaluation and assessment of site conditions for this Project, various types of erosion and sediment controls were evaluated and selected to minimize and control the pollution of storm water runoff from the construction site. The types of erosion and sediment controls considered for implementation during construction to minimize the loss of soil into receiving waters included stabilization (e.g., sodding of disturbed areas) and structural controls (e.g., silt fence, wattles, etc.). In addition to erosion and sediment controls, methods of controlling other sources of pollution resulting from construction were defined and evaluated. Other sources evaluated included construction debris, sanitary wastes, fuels and oils, offsite tracking of sediments, generation of dust, and contamination of non-storm water discharges. The location and type of erosion and sediment controls and storm water management control are indicated on the Erosion Control Plan provided in Appendix D to this Plan. An important element of the design of the Erosion Control Plan of this site is the separation of the drainage basins during construction. Careful attention must be paid to the sequence listed.

- Construction/Implementation – The Owner, contractors, and subcontractors (i.e., the Operators) performing the construction of the Project are responsible for implementation of this SWPPP. Implementation of this SWPPP includes certification of this Plan; filing of the required notices with appropriate regulatory agencies; construction/installation of erosion and sediment controls as specified in the Construction Documents and in this Plan; inspecting and maintaining the controls; keeping records of control inspections and maintenance; amending the Plan to keep it current; and making the Plan and records accessible as described in the General Permit.

- Final Stabilization and Termination – Upon completion of the construction of the Project including final stabilization of all disturbed areas in accordance with the Construction Documents, the Operator of the construction site can be relieved of the requirements of the General Permit for Storm Water Discharges from Construction Activities and this SWPPP by completing and submitting a Notice of Termination. Final stabilization will be achieved when all soil disturbing activities at the site have been completed and that a uniform perennial vegetative cover with a density of at least 70% for the area has been established or equivalent measures (e.g., concrete or asphalt paving, rip rap, etc.) have been employed, as defined in T-16 of ACT12 of the Large Construction General Permit.

The following subsections describe the storm water runoff controls that will be the Contractor's responsibility to implement during the construction of this Project. The technical basis for selection of the controls and practices used to minimize the pollution of storm water runoff from the Project include the Mississippi Handbook for Erosion Control, Sediment Control and Stormwater Management and good engineering practices proven in past experience to be effective when properly maintained.

A. Erosion and Sediment Controls

1. General Criteria and Requirements

The construction phase erosion and sediment controls for this Project have been designed to retain sediment on site. Erosion and sediment controls have been designed according to the size and slope of disturbed or drainage areas to detain runoff and trap sediment. The controls have been designed to handle a 2-year 24-hour rainfall event. All control measures have been properly selected and will be installed and maintained in accordance with the manufacturer's specifications and good engineering practices. If periodic inspections or other information indicates a control has been used inappropriately, or incorrectly, the control will be replaced or modified based on the site-specific conditions.

Pre-construction vegetative ground cover will not be destroyed, removed or disturbed more than 10 days prior to grading unless the area is seeded and/or mulched or other temporary cover is installed. Clearing and grubbing has been held to the minimum necessary for grading and equipment operation. There are no offsite material storage areas (also including overburden and stockpiles of dirt, etc.) used solely for this Project.

Erosion and sediment control measures will be in place and functional before clearing and grubbing operations begin and will be constructed and maintained throughout the construction period.

Litter, construction debris, and construction fuels, oils, and chemicals exposed to storm water will be relocated prior to anticipated storm events, or otherwise prevented from becoming a pollutant source for storm water discharges. After use, silt fences will be removed or otherwise prevented from becoming a pollutant source for storm water discharges.

2. Stabilization Practices

This subsection includes a description of the temporary and permanent stabilization practices for areas of land disturbance for this Project. Existing vegetation has been preserved to the extent possible and disturbed areas will be stabilized as soon as practicable after completion of the land disturbance activity in a given area.

The primary stabilization methods used for this Project include the following:

- Temporary seeding, mulching of any disturbed areas that will not be covered by buildings, roads, or aggregate surfaces, landscaping and sod stabilization in designated areas; and along certain ditches and at outfall locations, permanent turf reinforcement and rip rap will be installed.
- Erosion control matting, soil reinforcing mat, and/or rolled erosion control products.
- Protection and preservation of trees and mature vegetation to the extent practicable.
- Stabilization of lay down/storage area with slag/aggregate base.
- Permanent stabilization for all areas will be sod except for the landscaped areas. The landscape areas will include mulch and landscaping materials.
- Preserve native topsoil on the site as necessary. Topsoil should be stockpiled for future use in proposed vegetation areas. When final grade is reached, topsoil should be distributed to a minimum depth of 2 inches on 3:1 slopes and 4 inches on flatter slopes.

Soil stabilization-vegetative stabilization measures must be initiated whenever any clearing, grading, grubbing, excavating or other land disturbing activities have temporarily or permanently ceased on any portion of the site and will not resume for a period of fourteen (14) calendar days or more. (Steep slopes shall be temporarily stabilized no later than 7 calendar days after construction activity on the slope has temporarily or permanently ceased.) The appropriate temporary or permanent vegetative practices shall be initiated immediately. For the purposes of this permit, "immediately" is interpreted to mean no later than the next workday.

Permanent stabilization with perennial vegetation or other permanently stable, non-eroding surface will replace any temporary measures as soon as practicable. The vegetation schedule and plantings shall follow Landscaping Plans where applicable, or for any disturbed areas outside of what is shown on the Landscaping Plans, the Contractor

shall follow the applicable MDOT Vegetation Schedule. Vegetation schedule is included in Appendix D.

3. Structural Practices

This subsection includes a description of structural controls and practices used for the Project to divert flows from exposed soils, store flows, or otherwise limits runoff and the discharge of pollutants from exposed areas of the site to the degree attainable. The Erosion Control Plan provided in Appendix D addresses the initial encapsulation of the site and controls after final grades are established. Interim structural controls may be required to be installed by the Operator due to changing conditions during construction of the site work. The structural controls used for this Project may include one or more of the following as indicated on the Erosion Control Plan:

a. Silt fences (installed and maintained)
b. Construction Entrance/Exit
c. Tubes and Wattles
d. Inlet Protection
e. Outlet Protection
f. Rock Filter Dam/Check Dam
g. Brush Filter Barrier
h. Erosion Control Mat/Soil Reinforcing Mat

This subsection includes a description of structural controls and practices used for the Project to divert flows from exposed soils, store flows, or otherwise limits runoff and the discharge of pollutants from exposed areas of the site to the degree attainable. The Erosion Control Plan provided in Appendix D addresses the initial encapsulation of the site and controls after final grades are established. Interim structural controls may be required to be installed by the Operator due to changing conditions during construction of the site work. The structural controls used for this Project may include one or more of the following as indicated on the Erosion Control Plan:

a. Silt fences: A temporary sediment control measure, composed of woven geotextile fabric supported by steel posts and wire backing, used to intercept sediment transported from areas where runoff occurs as sheet flow. Its purpose is to prevent sediment carried by sheet flow from leaving the site and entering natural drainage ways or storm drainage systems by slowing storm water runoff, causing ponding and the deposition of sediment at the structure. Silt fence does not filter sediment.

b. Construction Entrance/Exit: A stone pad on geotextile fabric or a rumble strip located at any point where traffic will be moving from a construction site onto a public roadway or other paved area. Its purpose is to reduce or eliminate the transport of material from the construction area onto a public roadway by providing an area where mud and soil can be removed from the tires of construction vehicles.

c. Tubes and Wattles: A small temporary barrier, grade control structure or dam constructed across a swale, drainage ditch, or area of concentrated flow. Wattles are used to minimize the erosion rate by reducing the velocity of storm water in areas of concentrated flow, and to capture larger soil particles.

d. Inlet Protection: A temporary protective device formed around a storm drain drop inlet to trap sediment. Its purpose is to prevent sediment from entering the storm drainage system, prior to temporary or permanent stabilization of the disturbed area.

e. Outlet Protection: A structure designed to control erosion at the outlet of a channel or conduit. Its purpose is to prevent outlet scouring, reduce water velocity, and dissipate the energy from the flow leaving a pipe to prevent erosion in the downstream channel. Riprap lined aprons will be installed where shown on ECPs.

f. Rock Filter Dam/Check Dam: A small temporary barrier, grade control structure or dam constructed across a swale, drainage ditch, or area of concentrated flow. Its purpose is to minimize the erosion rate by reducing the velocity of stormwater in areas of concentrated flow and at storm drain and culvert inlets. Its purpose is to reduce flow velocities and prevent the failure of other sediment control devices. It also prevents sediment from entering, accumulating in, and being transferred by a culvert or storm drainage system prior to stabilization of the disturbed area. This practice allows early use of the storm drainage system. Several of the Fock Filter Dams have supplemental BMPs installed at the dams. At locations shown on the ECPs, and to aid in sediment removal, sediment control stone shall be installed on the upstream face of the larger, riprap and a sump area will be excavated upstream of the dam. These additional BMPs will help in providing preliminary sediment control by slowing velocities and ponding runoff.

g. Brush Filter Barrier: A brush filter barrier is a dam-like structure constructed from woody residue and faced with a geotextile fabric to provide a temporary sediment basin. This practice is applicable on sites with a small drainage area where brush and other woody debris are available from a clearing and grubbing operation.

h. Erosion Control Mat/Soil Reinforcing Mat: To aid in controlling erosion on critical areas by providing a protective cover made of straw, jute, wood or other plant fibers; plastic, nylon, paper or cotton. This practice is best utilized on slopes and channels where the erosion hazard is high, and plant growth is likely to be too slow to provide adequate protective cover.

Dewatering discharges will be routed through appropriate treatment controls prior to discharge to minimize turbidity and sediment transport. Acceptable treatment controls may include sediment socks, sediment basins, filtration systems, or other approved sediment removal systems. Additional downstream BMPs such as vegetated buffers, check dams, or riprap, may be utilized to minimize erosion and dissipate flow energy. To the extent feasible, dewatering water will be discharged to vegetated upland areas to promote infiltration and sediment removal prior to leaving the site. Dewatering will be actively managed so that no visible floating solids or foam are discharged. Dewatering controls will not be placed on steep slopes. An oil-water seperator will be used to remove oil or grease if dewatering water contains these materials.

B. Storm Water Management

This subsection describes the measures that will be installed during the construction process to control pollutants in storm water discharges that will occur after construction operations have been completed. This Plan does not address the ultimate operation and maintenance of the storm water management controls after the construction activities have been completed and the site has undergone final stabilization.

The primary storm water management controls for this Project are as follows:

- Installing silt fence along disturbed areas
- Inlet Protection
- Installing rock filter dams and wattles in proposed drainage swales
- Temporary sediment basin
- Stabilizing disturbed areas

Temporary Sediment Basin
Sediment basins discharge will be controlled by Faircloth skimmers and orifices. (See Erosion Control Plans) Temporary sediment basins are to be cleaned at elevation specified on plans. No flocculation is required. Temporary sediment basins have been designed such that runoff from 10-year storm will be stored and the discharge is less than the 10-year pre-development flow at the outfall. Sediment basins will be sized such that at least 135 cubic yards of volume / capacity per acre of drainage area received. (See Erosion Control Plans and Details for designed volumes) Temporary sediment basins are to be cleaned routinely or when approaching a 50% maximum decrease from the effective design capacity and restoring the basin to its original effective design capacity. If at any time during construction, if turbid water is observed being discharged from the sediment basin, the Contractor shall take immediate action to address the issue.

C. Other Items Needing Control

This subsection describes the management practices and controls utilized to minimize the exposure and reduce the risk of exposure of other materials to storm water runoff.

1. Off-site Vehicle and Dust Minimization – The off-site vehicle tracking of sediments and the generation of dust will be minimized due to access of pavement along projects. A construction entrance will be installed at any point where traffic will be moving from the construction site onto a public roadway or other paved area to reduce or eliminate the transport of material from the construction area onto a public roadway by providing an area where mud and soil can be removed from the tires of construction vehicles. Additional track-out controls will be installed as necessary to ensure that sediment removal occurs prior to vehicle exit. Sediment/debris track-out from the site onto streets or other paved areas surfaces will be removed by the end of the next workday. The paved streets adjacent to the site entrance will be swept or cleaned as necessary to remove any excess mud, dirt or rock tracked from the site. Dump tracks hauling material from the construction site will be covered with a tarpaulin.

2. Solid Wastes and Construction Debris – All waste materials will be accumulated in storage containers such as securely lidded metal dumpster or roll-off box rented from a licensed solid waste management company. All trash and construction debris from the site will be deposited in the containers. The containers will be emptied as often as necessary to prevent accidental spillage or release and exposure to storm water. No construction waste material will be buried onsite. All construction personnel will be instructed regarding the correct procedures for waste disposal. Notices stating these practices will be posted in the construction office trailer.

- Concrete Washout
  An area shall be designated for concrete washout. This area shall be an excavated pit or bermed with earthen mounds. Geotextile fabric shall be placed in the inside of the washout area. Silt fence shall be installed around the perimeter. The remaining solid waste (which is primarily settled out concrete particles) can be scooped out and recycled or disposed of properly. Hardened concrete can be crushed and reused as aggregate for new concrete or as fill material. Additional remaining concrete, not recycled, and once the construction ends, shall be completely removed, hauled off, and disposed of at an approved treatment facility.

3. Sanitary Wastes – Sanitary waste will be collected from the portable units a minimum of three times per week by a licensed sanitary waste management contractor, as required by local regulation.

4. Discharge to Surface Waters – No solid materials, including building materials, will be discharged to waters of the United States

D. Storm Water Discharges from Support Activities

This Plan recognizes that storm water discharges from construction support activities (e.g., equipment staging yards, material storage areas, excavated material disposal areas, borrow areas) may be necessary. To minimize the risk of the contamination or adverse impact on storm water discharges from this site, the support activity will meet the following requirements:

1. The support activity will be primarily related to this construction site that is covered under the General Permit and the owner/operator of this construction site will be the owner/operator of the support activity.

2. The support activity will not be a commercial operation serving multiple unrelated construction projects by different operators and will not operate beyond the completion of the construction activity at the last phase of construction it supports.

3. Appropriate erosion and sediment controls and measures are identified in this SWPPP and will be implemented, inspected, and maintained to cover discharges from the support activity areas.

4. Process wastewater discharges from these support activities will not be allowed. If process wastewater must be discharged from this construction site, an individual permit or an appropriate other general permit will be obtained.

E. Spill Prevention

This subsection describes the management practices and controls utilized to minimize the exposure and reduce the risk of spills or other accidental release of hazardous materials and wastes to storm water runoff.

1. Inventory of Hazardous Materials – The materials and substances listed below are expected to be present at the construction site:
   a. Petroleum Fuels and Oils
   b. Fertilizers

2. Good Housekeeping – The following good housekeeping practices will be followed onsite during construction of the Project:

   a. An effort will be made to store only enough product required to do the job.
   b. All materials stored onsite will be stored in a neat, orderly manner in their appropriate containers and enclosed and protected in a storage container or equivalent.
   c. Products will be kept in their original containers with the original manufacturer's label.
   d. Substances will not be mixed with one another unless recommended by the manufacturer.
   e. Whenever possible, all a product will be used up before disposing of the container.
   f. Manufacturer's recommendations for proper use and disposal will be followed.
   g. The site construction superintendent will inspect daily to ensure proper use and disposal of materials onsite.

3. Hazardous Products – The following practices will be used to reduce the risk of spills associated with hazardous materials:

   a. Products will be kept in original containers unless they are not resealable.
   b. Original labels and material safety data will be retained to allow access to important product information.
   c. If surplus product must be disposed of, manufacturer's or local and State recommended methods for proper disposal will be followed.

4. Product Specific Practices – The following product specific practices will be followed at the construction site:

   a. Petroleum Products – All onsite vehicles will be monitored for leaks and receive regular preventive maintenance to reduce the chance of leakage. Petroleum products will be stored in tightly sealed containers, which are clearly labeled. Any asphalt substances used onsite will be applied according to the manufacturer's recommendations.
   b. Fertilizers – Fertilizers used will be applied only in the minimum amounts recommended by the manufacturer. Once applied, fertilizer will be worked into the soil to limit exposure to storm water. Storage will be in a covered shed. The contents of any partially used bags of fertilizer will be transferred to a sealable plastic bin to avoid spills.

5. Spill Control Practices – In additional to the good housekeeping and material management practices described above, the following practices will be followed for spill prevention and cleanup:

   a. Manufacturer's recommended methods for spill cleanup will be clearly posted and site construction personnel will be made aware of the procedures and the location of the information and cleanup supplies.
   b. Materials and equipment necessary for spill cleanup will be clearly posted and site personnel will be made aware of the procedures and the location of the information and cleanup supplies.
   c. Materials and equipment necessary for spill cleanup will be kept in the material storage area onsite. Equipment and materials will include but not be limited to

brooms, dust pans, mops, rags, gloves, goggles, absorbent, sand and plastic and metal trash containers specifically for this purpose.

d. All spills will be cleaned up immediately after discovery.

e. The spill area will be kept well ventilated and personnel will wear appropriate protective clothing to prevent injury from contact with a hazardous substance.

These practices should be effective in reducing pollutants from these materials and minimizing exposure of the material to storm water. In addition, these practices should minimize the discharge of hazardous substances or oil in the storm water discharge(s) from this Project.

SECTION VI. INSPECTIONS AND MAINTENANCE

This subsection describes the procedures to ensure that vegetation, erosion and sediment control measures and other protective measures identified in this SWPPP are inspected and maintained in good and effective operating condition. All erosion and sediment controls, storm water management controls, and related appurtenances which are installed or used to achieve compliance with the conditions of the General Permit and with the requirements of this SWPPP will be properly operated and maintained until final stabilization of the construction site is achieved and the Request for Termination of Coverage has been accepted by MDEQ.

A. Inspection Procedures and Schedules

1. Inspection procedures for specific types of erosion and sediment controls and storm water management controls are as follows:

   a. Structural Controls:

   (1) Silt fence will be inspected for depth of sediment, tears, security of fabric attachment to the posts, security of fence posts in the ground, and to determine if the fabric is properly trenched into the soil.
   (2) Sediment controls will be inspected for depth of sediment and to determine effectiveness of downstream control.
   (3) Drainage swales will be inspected to ensure that they are not silted in and are properly diverting storm water runoff water excessive erosion occurring.
   (4) Earth dikes will be inspected to ensure that they are not silted in and are properly impounding storm water runoff.
   (5) Check dams and Stone Filter Rings will be inspected for depth of sediment.
   (6) Subsurface drains will be inspected to ensure that they are not obstructed and that storm water runoff is being properly intercepted by the system.
   (7) Diversion dikes will be inspected for any breaches.

   b. Stabilization Practices:

   (1) Sod will be inspected for healthy growth and areas of washout.
   (2) Protected and preserved trees and mature vegetation will be inspected to ensure that any protective barrier is in place and that the vegetation is not being encroached upon.
   (3) Seeding & mulched areas will be inspected to insure healthy growth and for areas of washout.
   (4) Erosion control matting shall be installed on disturbed areas requiring temporary or permanent stabilization, including slopes, swales, diversion channels, and areas

subject to concentrated flow, to reduce erosion and promote vegetation establishment.

2. The inspections described herein will be performed at least once weekly for a minimum of four inspections per month in accordance with ACT6, S-5 of the general permit. Inspections shall be performed on all controls and outfalls immediately following any rain event that produces a discharge.

3. Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. Erosion and sediment control measures will be observed to ensure that they are operating correctly.

4. Outfall points (where discharges from the site enter streams or wet weather conveyances) will be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations will be inspected if possible. Locations where vehicles enter or exit the site will be inspected for evidence of offsite sediment tracking.

5. If the results of an inspection reveal that the storm water pollution prevention measures provided in this Plan are deficient, the Plan shall be revised immediately, but in no case later than 24 hours following the inspection.

6. The inspections described in ACT6, S-5 must be documented on copies of the Monthly Inspection Report and Certification Form provided in Appendix H.

B. Maintenance Procedures and Schedules

1. Maintenance needs identified by inspections or other means will be accomplished before the next storm event if possible, but in no case more than 24 hours after the need is identified. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable.

2. If periodic inspections or other information indicates a control has been used inappropriately or incorrectly, the control will be replaced or modified based on the site-specific conditions.

3. If sediment escapes the construction sites, off-site accumulations of sediment that have not reached a stream will be removed at a frequency sufficient to minimize offsite impacts (e.g., fugitive sediment that has escaped the construction site and has collected in the street must removed so that it is not subsequently washed into storm sewers and streams by the next rain and/or so that it does not pose a safety hazard to users of public streets) Sediment or other debris track-out from the site onto streets or other paved areas surfaces will be inspected daily and removed by the end of the next workday.

4. Sediment will be removed from silt fences when silt has accumulated to a depth of 1/3 to 1/2 the height of the silt fence.

5. Sediment will be removed from rock silt screens, sediment basins and other sediment controls as necessary, but at least when the design capacity of the control has been reduced by 50%.

SECTION VII. TOTAL MAXIMUM DAILY LOADS (TMDL)

The construction area that is the subject of this application drains into Berry Branch Creek. According to Mississippi Department of Environmental Quality (MDEQ) Division of Water Resources, the water quality of Berry Branch Creek (MS 256B) is listed as having biological impairment due to sediment and an assessment of the stream has been completed and TMDLs have been established. The TMDL limits are 0.0004 to 0.0021 TN/AC/day, measured at the effective discharge locations. The BMPs for the Site were designed such that all stormwater located within the limits of disturbance shall have been routed through said BMPs to achieve adequate sediment load reduction and to prevent any additional pollutants that would cause additional sediment to be introduced into the impaired water bodies. Please see the Table found in Appendix J which ties each pollutant of concern to a set of BMPs and explained how those BMPs achieve consistency with the TMDL assumptions.

This SWPPP considers the applicable TMDLs and pollutant load contributions potentially affecting downstream segments. The Project has approximately 13.71 acres of disturbed area, and the stormwater discharge leaves our site at multiple locations. All of these discharge points are ephemeral drains, located over one mile (flow mile) to the impaired segments of Berry Branch Creek, and all are tributaries of the Berry Branch.

SECTION VIII. NON-STORM WATER DISCHARGES

Potential sources of non-storm water that may be combined with storm water discharges associated with construction activities for this Project include the following:

- Discharge of non-storm water from the dewatering of work areas of collected storm water and ground water;
- Waters used to wash vehicles of dust and soil (not process materials such as concrete) to minimize off-site vehicle tracking of sediments where detergents are not used and detention and/or filtering is provided before the water leaves site;
- Water used to control dust generated by vehicular traffic; potable water sources including waterline flushings;
- Routine external building washdown which does not use detergents; uncontaminated ground water or spring water; and
- Foundation or footing drains where flows are not contaminated with process materials such as solvents.

This SWPPP includes appropriate erosion/sediment control and pollution prevention measures for the non-storm water component(s) of the discharge from this Project. All non-storm water discharges will be made through stable discharge structures.

SECTION IX. RECORDKEEPING

This section provides a description of the records that will be produced and maintained with regards to complying with the requirements of this SWPPP and the General Permit.

- This Plan will be made available upon request to the MDEQ or to the local agency approving sediment and erosion plans, grading plans, or storm water management plans.

- A copy of this SWPPP (including a copy of the permit language) will be maintained at the construction site (or other local location accessible to the Director and the public) from the date construction commences to the date of final stabilization. A copy of this Plan will be available at a central location onsite for the use of all operators and those identified as having responsibilities under the plan whenever they are on the construction site.

- If the site is inactive or does not have an onsite location adequate to store this Plan, the location of the SWPPP, along with a contact number, will be posted onsite. If the Plan is located offsite, reasonable local access to the Plan, during normal working hours, will be provided.

- A notice will be posted near the main entrance of the construction site with the following information:

  1) A copy of the Notice of Coverage (NOC) with the NPDES permit tracking number for the construction project;

  2) Name, company name, E-mail address (if available), telephone number and address of the project site owner/operator or a local contact person;

  3) A brief description of the Project; and

  4) The location of the SWPPP if the site is inactive or does not have an onsite location to store the Plan.

  If posting this information near a main entrance is infeasible due to safety concerns, the notice will be posted in a local public building. If the construction project is a linear construction project (e.g., pipeline, highway, etc.), the notice must be placed in a publicly accessible location near where construction is actively underway and moved as necessary.

- The following records will be maintained on site:

  1) The dates when major grading activities occur;

  2) The dates when construction activities temporarily or permanently cease on a portion of the site; and

  3) The dates when stabilization measures initiated.

- A rain gauge is maintained at the site to measure and record rainfall moments.

- Any information, which is requested to determine compliance with the General Permit or other information, will be furnished to the Director or an authorized representative of the Director upon request.

- When an Operator on this Project becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report to the MDEQ, such facts or information will be promptly submitted to the MDEQ.

- Upon the presentation of credentials and other documents as may required by law, authorized representatives of the EPA or MDEQ will be allowed:

  1) To enter the construction site or location where records are maintained for this Project in accordance with the requirements of this SWPPP or the General Permit;

  2) To have access to and copy, at reasonable times, any records maintained for this Project in accordance with the requirements of this SWPPP or the General Permit; and

  3) To inspect any controls or equipment implemented and maintained for this Project in accordance with the requirements of this SWPPP or the General Permit.

- Records of inspections, maintenance, and repairs of erosion and sediment controls will be maintained on site or at a nearby office.

- Copies of this Storm Water Pollution Prevention Plan and all reports and records required by the SWPPP and the General Permit and records of all data used to complete the Notice of Intent to be covered by the General Permit, will be maintained for a period of at least three (3) years from the date the Notice of Termination is filed.

SECTION X. AMENDMENT OF PLAN

This section provides the conditions upon which this SWPPP shall be amended to keep it current and to reflect changes in site conditions or control practices.

- Change in Scope – Whenever there is a change in the scope of the Project, which is expected to have a significant effect on the discharge of pollutants to the waters of the State and which has not otherwise been addressed in this Plan.

- Deficiencies – Whenever inspections or investigations by site operators, local, State and Federal officials indicate this SWPPP is proving ineffective in eliminating, significantly minimizing, or is otherwise not achieving the general objectives of controlling pollutants in storm water discharge associated with the construction activity for this Project.

- New or Additional Operator – To identify any new construction and/or subcontractor that will implement a measure of the storm water pollution prevention plan.

- Aquatic Fauna – To include measures necessary to prevent a negative impact to legally protected state of federal listed or proposed threatened or endangered aquatic fauna. The State of Mississippi and EPA may review amendments to the plan.

- Request of MDEQ – If notified by the Director of the MDEQ or an authorized representative that this SWPPP does not meet one or more of the minimum requirements of the conditions of the General Permit, then within forty-eight (48) hours, unless additional time is provided by the Director, after such notifications sediment and erosion control will be modified to prevent the discharges of sediment from the site and this SWPPP will be amended to reflect these modifications within seven (7) days.

In addition, when one or more of the operators changes during the course of a construction project, new operators will submit a new NOI for their roles at the site.

SECTION XI. TERMINATION OF COVERAGE

A Request for Termination of Coverage (RFT) shall be submitted on the MDEQ's RFT form provided in Appendix G of this plan within thirty (30) days after one of the following events:

- Final stabilization has been achieved on all portions of the site for which the coverage recipient is responsible.

- Other owner(s) or operator(s) have assumed control (by completing an LCNOI or MDEQ Registration Form) over all areas of the site that have not been achieved.

If in the event the operator/owner changes during any part of construction, a Request for Transfer of Permit form shall be submitted to MDEQ when a transferal date is finalized but prior to the actual transfer.

Elimination of storm water discharges associated with construction activity means that all disturbed soils at the portion of the construction site where the operator had control have been finally stabilized and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time to insure final stabilization is maintained, or that all storm water discharges associated with construction activities from the identified site that are authorized by the General Permit have otherwise been eliminated from the portion of the construction site where the operator had control.

SECTION XII. CERTIFICATION

This section provides the certification(s) from all Operators for this Project site in accordance with the requirements of Part VII.G of the General Permit.

A. Certification of Parties with operational control cover construction plans and specifications.

In providing the following certification, the party with operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications (i.e., normally the Owner or Developer), is attesting that it is responsible for the following:

1. Ensuring the project specifications developed meet the minimum requirements of Part IV (Storm Water Pollution Prevention Plans (SWPPP)) and all other applicable conditions of the General Permit.

2. Ensuring that the SWPPP indicates the areas of the Project where they have operational control over project specifications (including the ability to make modifications in specifications) and ensuring all other parties implementing portions of the SWPPP impacted by any charges they make to the plan are notified of such modifications in a timely manner.

3. If parties with day-to-day operational control of the construction site (i.e., normally the General Contractor) is not identified below, the party with operational control over project specifications is the responsible party until such time as the authority is transferred to another party and this Plan updated.

B. Certification of Parties with Day-to-Day Operational Control.

In providing the following certification, the party or parties with day-to-day operational control of those activities at a project which are necessary to ensure compliance with a SWPPP for the site or other conditions of the General Permit (i.e., normally the General Contractor), is attesting that they are responsible for the following:

1. Ensuring that the SWPPP, for portions of the Project where they are Operators, meets the minimum requirements of Part IV (Storm Water Pollution Plan) of the General Permit and identifying the parties responsible for implementation of control measures identified in the Plan.

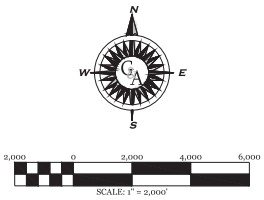
2. Ensuring that the SWPPP indicates the areas of the Project where they have operational control day-to-day activities.

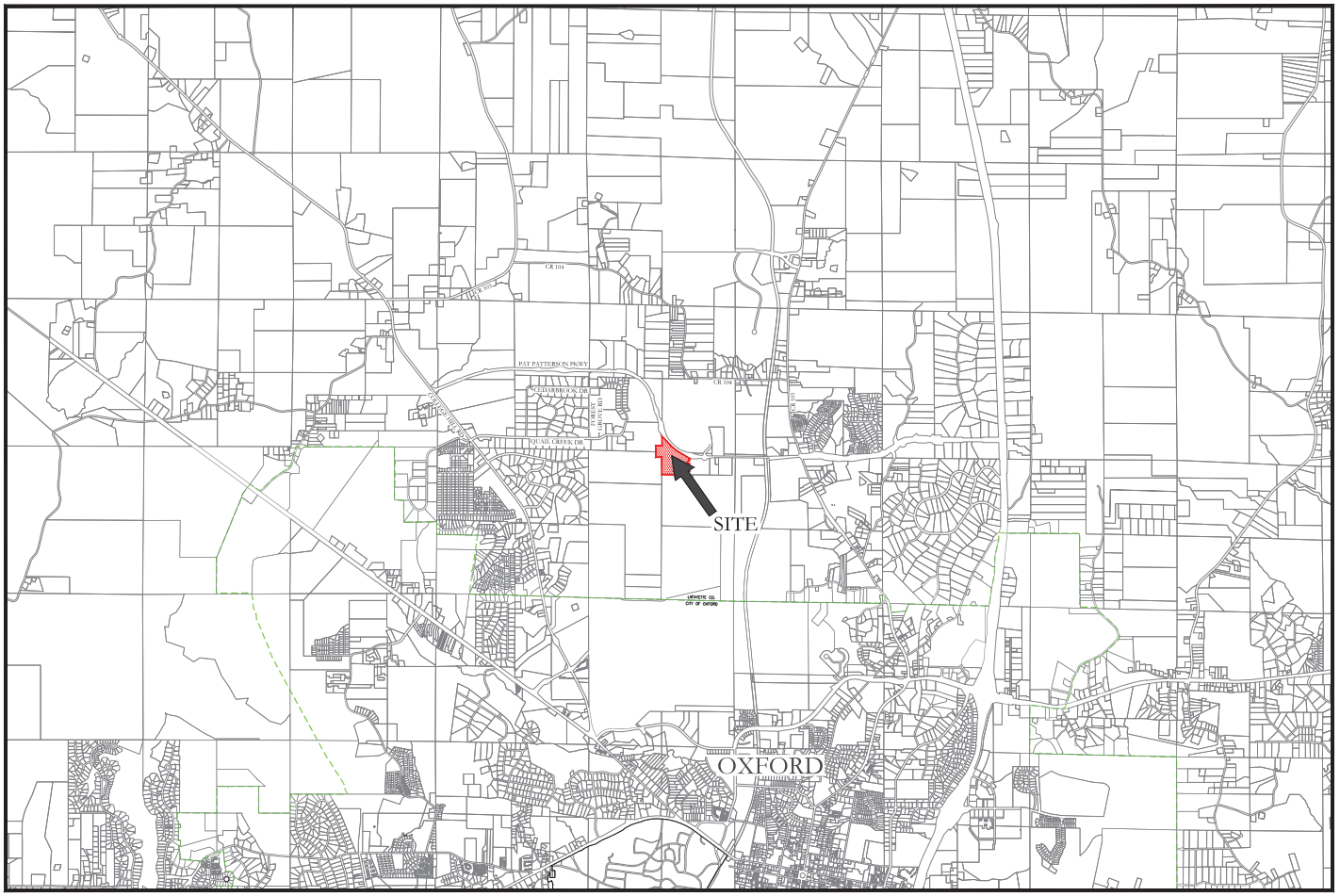
APPENDIX A

Vicinity Map

MAGNOLIA MATERIALS - HMA BATCH PLANT

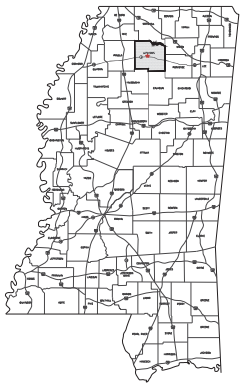
LAFAYETTE COUNTY, MISSISSIPPI





VICINITY MAP

SCALE: 1"=2,000'



LOCATION MAP

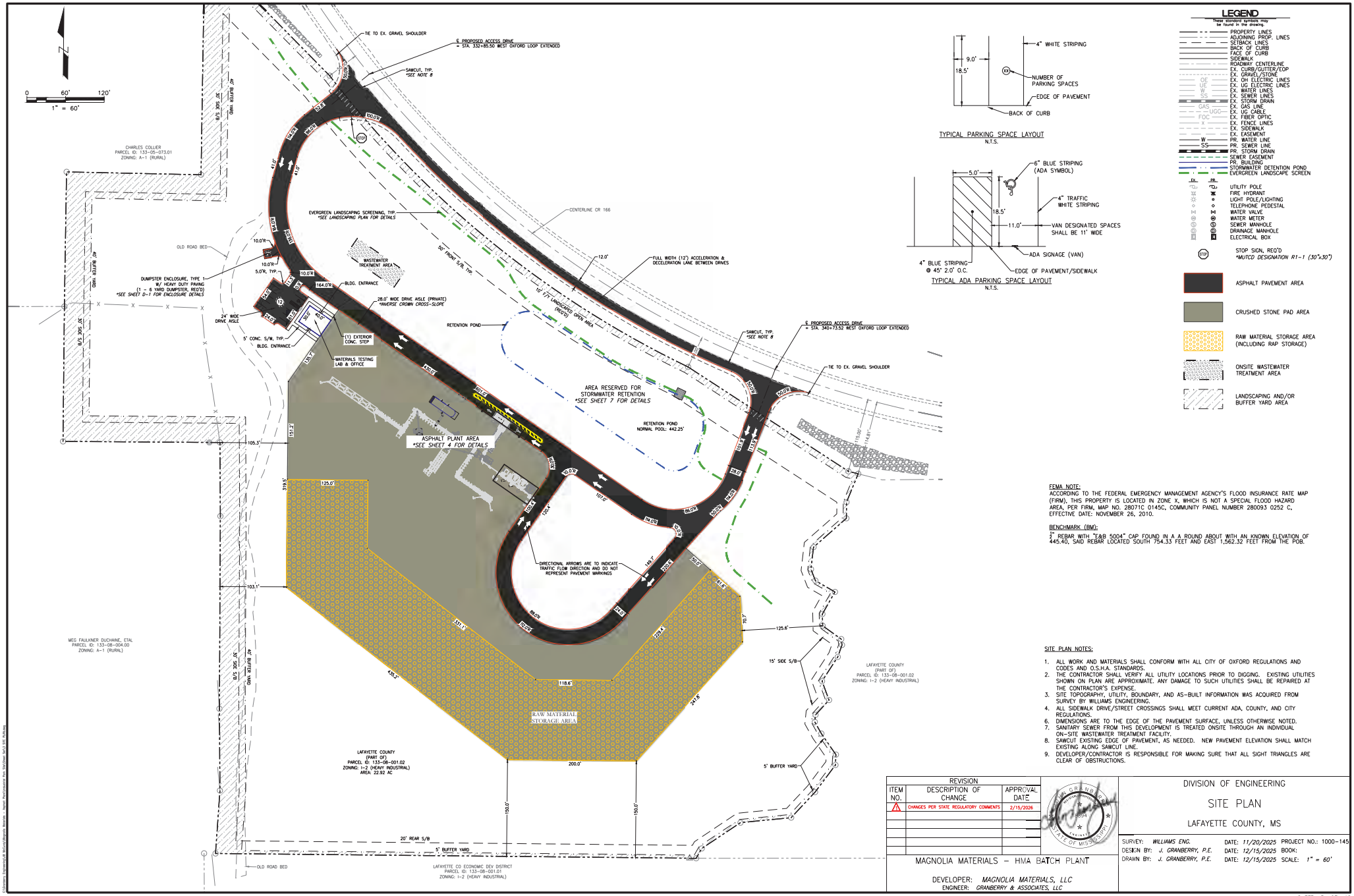
N.T.S

DEVELOPER:

Magnolia Materials, LLC
31 Hwy 328
Oxford, MS 38655

APPENDIX B

Site Plan



FEMA NOTE:
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM), THIS PROPERTY IS LOCATED IN ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, PER FIRM, MAP NO. 28071C 0145C, COMMUNITY PANEL NUMBER 280093 0252 C, EFFECTIVE DATE: NOVEMBER 26, 2010.

BENCHMARK (BM):
½" REBAR WITH "E&B 5004" CAP FOUND IN A A ROUND ABOUT WITH AN KNOWN ELEVATION OF 445.40, SAID REBAR LOCATED SOUTH 754.33 FEET AND EAST 1,562.32 FEET FROM THE POB.

SITE PLAN NOTES:

1. ALL WORK AND MATERIALS SHALL CONFORM WITH ALL CITY OF OXFORD REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
2. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO DIGGING. EXISTING UTILITIES SHOWN ON PLAN ARE APPROXIMATE. ANY DAMAGE TO SUCH UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
3. SITE TOPOGRAPHY, UTILITY, BOUNDARY, AND AS-BUILT INFORMATION WAS ACQUIRED FROM SURVEY BY WILLIAMS ENGINEERING.
4. ALL SIDEWALK DRIVE/STREET CROSSINGS SHALL MEET CURRENT ADA, COUNTY, AND CITY REGULATIONS.
6. DIMENSIONS ARE TO THE EDGE OF THE PAVEMENT SURFACE, UNLESS OTHERWISE NOTED.
7. SANITARY SEWER FROM THIS DEVELOPMENT IS TREATED ONSITE THROUGH AN INDIVIDUAL ON-SITE WASTEWATER TREATMENT FACILITY.
8. SAWCUT EXISTING EDGE OF PAVEMENT, AS NEEDED. NEW PAVEMENT ELEVATION SHALL MATCH EXISTING ALONG SAWCUT LINE.
9. DEVELOPER/CONTRACTOR IS RESPONSIBLE FOR MAKING SURE THAT ALL SIGHT TRIANGLES ARE CLEAR OF OBSTRUCTIONS.

REVISION		
ITEM NO.	DESCRIPTION OF CHANGE	APPROVAL DATE
1	CHANGES PER STATE REGULATORY COMMENTS	2/15/2026

MAGNOLIA MATERIALS – HMA BATCH PLANT

DEVELOPER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

DIVISION OF ENGINEERING

SITE PLAN

LAFAYETTE COUNTY, MS

SURVEY: *WILLIAMS ENG.* DATE: *11/20/2025* PROJECT NO.: 1000-145
DESIGN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* SCALE: *1" = 60'*

APPENDIX C

USGS Quad (Oxford North Quadrangle)

USGS science for a changing world

U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY

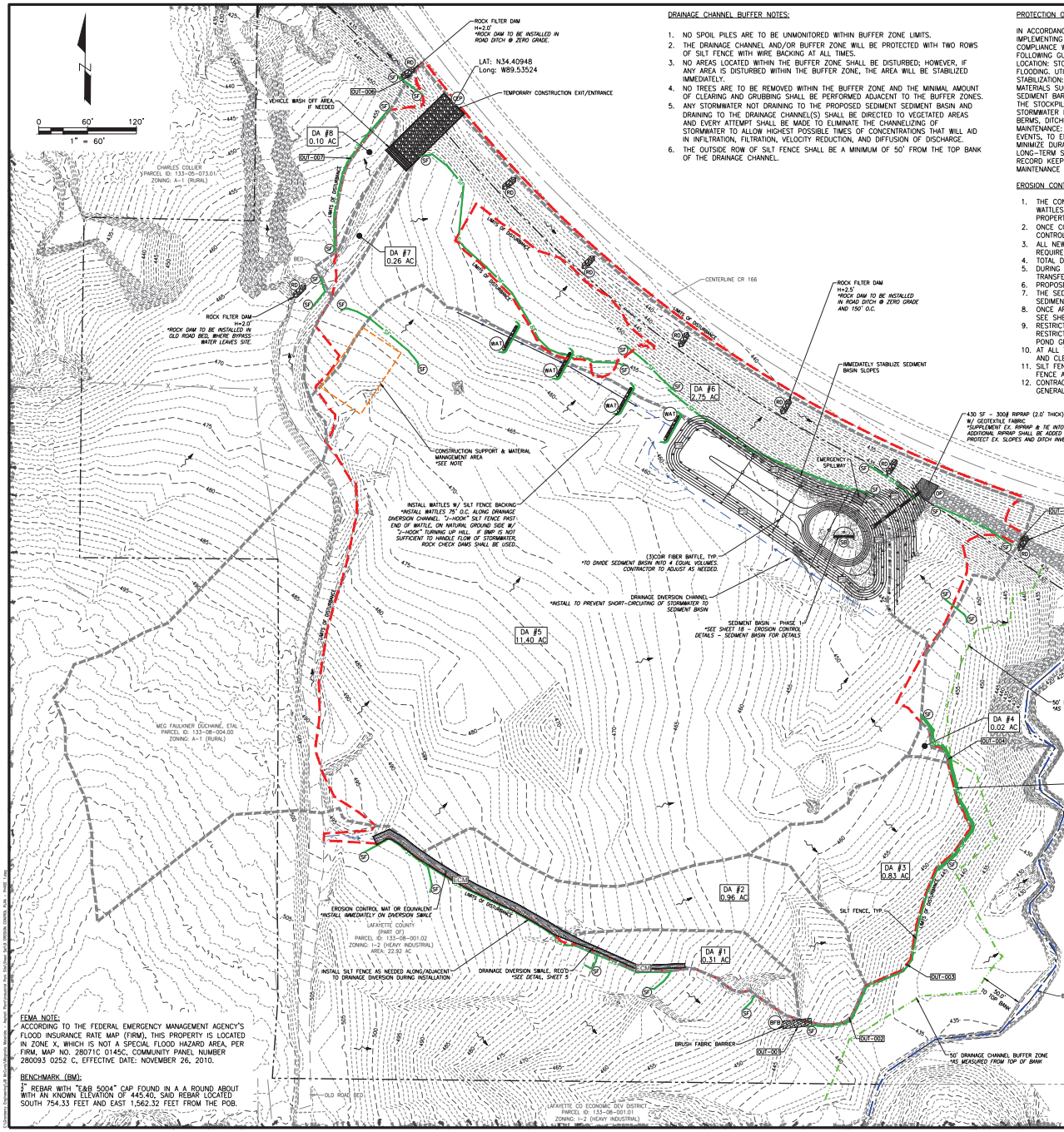
The National Map US Topo

OXFORD NORTH QUADRANGLE
MISSISSIPPI - LAFAYETTE COUNTY
7.5-MINUTE SERIES



APPENDIX D

Project Erosion & Sediment Control Plans and Details



DRAINAGE CHANNEL BUFFER NOTES:

1. NO SPOIL PILES ARE TO BE UNMONITORED WITHIN BUFFER ZONE LIMITS.
2. THE DRAINAGE CHANNEL AND/OR BUFFER ZONE WILL BE PROTECTED WITH TWO ROWS OF SILT FENCE WITH WIRE BACKING AT ALL TIMES.
3. NO AREAS LOCATED WITHIN THE BUFFER ZONE SHALL BE DISTURBED; HOWEVER, IF ANY AREA IS DISTURBED WITHIN THE BUFFER ZONE, THE AREA WILL BE STABILIZED IMMEDIATELY.
4. NO TREES ARE TO BE REMOVED WITHIN THE BUFFER ZONE AND THE MINIMAL AMOUNT OF CLEARING AND GRUBBING SHALL BE PERFORMED ADJACENT TO THE BUFFER ZONES.
5. ANY STORMWATER NOT DRAINING TO THE PROPOSED SEDIMENT SEDIMENT BASIN AND DRAINING TO THE DRAINAGE CHANNEL(S) SHALL BE DIRECTED TO VEGETATED AREAS AND EVERY ATTEMPT SHALL BE MADE TO ELIMINATE THE CHANNELIZING OF STORMWATER TO ALLOW HIGHEST POSSIBLE TIMES OF CONCENTRATIONS THAT WILL AID IN INFILTRATION, FILTRATION, VELOCITY REDUCTION, AND DIFFUSION OF DISCHARGE.
6. THE OUTSIDE ROW OF SILT FENCE SHALL BE A MINIMUM OF 50' FROM THE TOP BANK OF THE DRAINAGE CHANNEL.

PROTECTION OF TOPSOIL STOCKPILE AREAS

IN ACCORDANCE WITH THE LARGE CONSTRUCTION STORM WATER PERMIT REQUIREMENTS, THE CONTRACTOR IS RESPONSIBLE FOR IMPLEMENTING EFFECTIVE EROSION AND SEDIMENT CONTROL MEASURES TO PROTECT TOPSOIL STOCKPILE AREAS ON THE PROJECT SITE. COMPLIANCE WITH THESE MEASURES IS CRITICAL TO MINIMIZE ENVIRONMENTAL IMPACT AND ADHERE TO REGULATORY STANDARDS. THE FOLLOWING GUIDELINES MUST BE OBSERVED:
LOCATION: STOCKPILE AREAS SHOULD BE SITUATED AWAY FROM STORM DRAIN INLETS, WATERCOURSES, AND NOT IN AREAS PRONE TO FLOODING. UTILIZE NATURAL VEGETATIVE BUFFERS WHERE POSSIBLE.
STABILIZATION: ALL TOPSOIL STOCKPILES MUST BE STABILIZED OR COVERED AT THE END OF EACH WORKDAY. USE APPROPRIATE COVER MATERIALS SUCH AS TARPS, GEOTEXTILES, OR VEGETATIVE COVER TO PREVENT EROSION AND DUST.
SEDIMENT BARRIERS: INSTALL SEDIMENT BARRIERS SUCH AS SILT FENCES, FIBER ROLLS, OR SEDIMENT TRAPS AROUND THE PERIMETER OF THE STOCKPILE AREAS TO CAPTURE ANY DISPLACED SOIL.
STORMWATER DIVERSION: IMPLEMENT MEASURES TO DIVERT STORMWATER AWAY FROM THE STOCKPILE AREAS. THIS MAY INVOLVE THE USE OF BERMS, DITCHES, OR OTHER DIVERSION STRUCTURES.
MAINTENANCE: REGULARLY INSPECT AND MAINTAIN STABILIZATION AND SEDIMENT CONTROL MEASURES, PARTICULARLY BEFORE AND AFTER RAIN EVENTS, TO ENSURE THEY ARE FUNCTIONING PROPERLY. REPAIR OR REPLACE DAMAGED OR INEFFECTIVE CONTROL MEASURES PROMPTLY.
MINIMIZE DURATION: REDUCE THE DURATION THAT SOIL IS STOCKPILED BY PLANNING FOR PROMPT DISTRIBUTION TO FINAL LOCATIONS. IF LONG-TERM STORAGE IS NECESSARY, CONSIDER MORE PERMANENT STABILIZATION METHODS.
RECORD KEEPING: MAINTAIN RECORDS OF EROSION AND SEDIMENT CONTROL MEASURES IMPLEMENTED, INSPECTIONS CONDUCTED, AND ANY MAINTENANCE ACTIVITIES PERFORMED IN RELATION TO THE TOPSOIL STOCKPILE AREAS.

EROSION CONTROL NOTES:

1. THE CONTRACTOR SHALL PROVIDE AND MAINTAIN EROSION CONTROL DURING CONSTRUCTION BY THE PLACEMENT OF SILT FENCES OR WATTLES WHERE NECESSARY TO PREVENT DOWNSTREAM SILTATION OF ANY DITCHES, PIPES, DRAINAGE STRUCTURES, OR ADJACENT PROPERTIES. THE CONTRACTOR SHALL PROVIDE ANY ADDITIONAL EROSION CONTROL AS NEEDED OR AS DIRECTED BY THE ENGINEER.
2. ONCE CONSTRUCTION BEGINS, TWICE-WEEKLY INSPECTIONS (EVERY 72 HOURS) SHALL BE PERFORMED BY A CERTIFIED EROSION CONTROL INSPECTOR.
3. ALL NEW CUT OR FILL AREAS LACKING ADEQUATE VEGETATION SHALL BE FERTILIZED MULCHED, SEEDED, AND/OR SODDED AS REQUIRED TO EFFECTIVELY CONTROL SOIL EROSION.
4. TOTAL DISTURBED AREA IS APPROXIMATELY 13.71 ACRES.
5. DURING EXCAVATION PHASES OF STEEP SLOPES, WATTLES WITH SILT FENCE BACKING SHALL BE REQUIRED TO ELIMINATE SILTATION TRANSFER ONTO ADJACENT LANDOWNERS PROPERTY AND PUBLIC STREETS.
6. PROPOSED TEMPORARY SEDIMENT BASIN SHALL BE LOCATED IN THE LOCATION AS SHOWN ON PLANS.
7. THE SEDIMENT REMOVAL ELEVATION SHALL BE CLEARLY MARKED WITH HIGH VISIBILITY PAINT ON THE SILT GAUGE LOCATED IN THE SEDIMENT POND.
8. ONCE AREA IS STABILIZED, CONTRACTOR SHALL REGRADE AREA AND CONSTRUCT PERMANENT RETENTION POND OUTFALL STRUCTURE, SEE SHEET 7 – RETENTION POND GRADING & DETAILS.
9. RESTRICTION PLATE OR APPROVED BLOCKING METHOD SHALL BE USED. ONCE AREA IS STABILIZED, CONTRACTOR SHALL REMOVE RESTRICTION AND OUTFALL STRUCTURE SHALL CONFORM TO FINAL RETENTION POND OUTFALL STRUCTURE, SEE SHEET 7 – RETENTION POND GRADING & DETAILS.
10. AT ALL TIMES DURING CONSTRUCTION IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO KEEP THE PUBLIC ROADWAYS FREE AND CLEAR OF ALL MUD, ROCKS AND DEBRIS FROM THE SITE.
11. SILT FENCE AS SHOWN MAY NOT BE PARALLEL TO CONTOURS AND LOCATIONS SHALL BE FIELD MODIFIED TO PROPERLY INSTALL SILT FENCE AND ALL BMPs.
12. CONTRACTOR DESIGNATED MATERIAL STORAGE AREAS SHALL COMPLY WITH THE SWPPP AND THE LARGE CONSTRUCTION STORM WATER GENERAL PERMIT.

LEGEND
These standard symbols may be found in the drawing.

- PROPERTY LINES
- ADJOINING PROP. LINES
- DRAINAGE BASIN
- LIMITS OF DISTURBANCE
- EASEMENT
- SF SILT FENCE
- IP INLET PROTECTION
- CD CHECK DAM
- RD ROCK FILTER DAM
- BFB BRUSH FILTER BARRIER
- WAT WATTLES
- CW CONCRETE WASHOUT
- ST SEDIMENT TRAP
- SB SEDIMENT BASIN
- OP OUTLET PROTECTION
- CEP CONSTRUCTION EXIT
- PS PERMANENT SEEDING
- ECM EROSION CONTROL MAT

EX. PR.
- SEWER MANHOLE
- DRAINAGE MANHOLE
- HYDRAULIC FLOW ARROWS (DIRECTION OF WATER FLOW)
- 50' DRAINAGE CHANNEL BUFFER ZONE
- DRAINAGE CHANNEL (BERRY BRANCH)
- CONSTRUCTION SUPPORT & MATERIAL MANAGEMENT AREA
- XX DRAINAGE BASIN ID#
- X.XX AC CONTRIBUTING DRAINAGE AREA

RECEIVING WATER(S) NOTE:

1. STORMWATER FROM DRAINAGE BASINS DISCHARGE TO BERRY BRANCH. ACCORDING TO MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY (MDEQ) DIVISION OF WATER RESOURCES, THIS SEGMENT IS NOT CURRENTLY LISTED AS IMPAIRED; HOWEVER, DOWNSTREAM OF OUR OUR LOCATION, BERRY BRANCH IS LISTED AS A CATEGORY 4A STREAM AND AS HAVING AN IMPAIRMENT DUE TO SEDIMENT. THEREFORE, THIS SWPPP CONSIDERS THE APPLICABLE TMDLs AND POLLUTANT LOAD CONTRIBUTIONS POTENTIALLY AFFECTING DOWNSTREAM SEGMENTS.
2. DUE TO THE NATURE OF CONSTRUCTION, INSTALLATION AND MAINTENANCE OF NECESSARY BEST MANAGEMENT PRACTICES (BMPs), AND FINAL OPERATIONS OF THE DEVELOPMENT, ADDITIONAL BIOLOGICAL IMPAIRMENT IS NOT SPECIFICALLY APPLICABLE, BUT EVERY CARE SHALL BE TAKEN TO AVOID ANY FUTURE DISCHARGES RESULTING IN INCREASED BIOLOGICAL LOADING TO THE RECEIVING STREAM.

CONSTRUCTION SUPPORT & MATERIAL MANAGEMENT AREA:

AREA DESIGNATED FOR EQUIPMENT MAINTENANCE AND MINOR REPAIR, SANITARY FACILITIES, WASTE COLLECTION/ROLL-OFF, LAYDOWN/STAGING, AND MATERIAL/CHEMICAL STORAGE.

- ALL ACTIVITIES SHALL COMPLY WITH THE SWPPP AND GENERAL PERMIT REQUIREMENTS FOR POLLUTION PREVENTION.
- SECONDARY CONTAINMENT REQUIRED FOR FUELS AND LIQUID CHEMICALS.
- SANITARY FACILITIES AND WASTE CONTAINERS SHALL BE PROPERLY MAINTAINED AND SERVICED BY LICENSED CONTRACTORS.
- STORMWATER BMPs (SILT FENCE, WATTLES, SPILL PROTECTION, ETC.) SHALL BE INSTALLED TO PREVENT DISCHARGE OF POLLUTANTS FROM THIS AREA.

PHASE 1 CONSTRUCTION SEQUENCE:

1. INSTALL CONSTRUCTION EXIT PER DETAIL. CONSTRUCTION EXIT LOCATION MAY BE MODIFIED ACCORDING TO INGRESS/EGRESS OF THE CONTRACTOR AS APPROVED BY ENGINEER.
2. INSTALL RAIN GAUGE NEAR CONSTRUCTION ENTRANCE OR LOCATION THAT IS EASILY ACCESSIBLE BY A VEHICLE.
3. INSTALL SILT FENCE, WATTLES, AND INLET PROTECTION ON EXISTING INLETS IN ALL LOCATIONS SHOWN THIS SHEET BEFORE CONSTRUCTION BEGINS PER DETAIL. REMOVE SEDIMENT FROM SILT FENCE ONCE SEDIMENT HAS REACHED ⅓ TO ½ OF THE HEIGHT OF THE SILT FENCE AND AS NEEDED TO CLEAR AND GRUB THE SITE.
4. INSTALL TEMPORARY SEDIMENT BASIN AS SHOWN THIS SHEET AND PER DETAILS SHOWN ON SHEET 18. STABILIZE SLOPES IMMEDIATELY UPON COMPLETION.
5. CONSTRUCT DRAINAGE DIVERSION CHANNEL(S) AS NEEDED TO DIRECT CONVEYANCE OF STORMWATER TO SEDIMENT BASIN AND/OR TO DIVERT OFF-SITE STORMWATER AROUND THE CONSTRUCTION AREA.
6. CLEAR AND GRUB THE SITE. USE VEGETATIVE MATERIALS TO CONSTRUCT BRUSH FABRIC BARRIER (BFB) AS SHOWN. DISPOSE OF EXCESS DEBRIS PRODUCED DURING THE CLEARING AND GRUBBING ACTIVITY.
7. ALL DISTURBED AREAS SHALL BE PERMANENTLY STABILIZED WITH SEEDING/SOD AND SEDIMENT BASIN SHALL BE PROPERLY MAINTAINED. DESIGNED EROSION CONTROL MEASURES MUST REMAIN INTACT AND FUNCTIONING UNTIL STABILIZATION IS COMPLETE.
8. STORMWATER INSPECTION AND REPORTING WILL BE REQUIRED OF ALL SEDIMENT AND EROSION CONTROL MEASURES IN ACCORDANCE WITH MDEQ REGULATIONS.
9. REMOVE ANY TEMPORARY CONTROL MEASURES NOT NEEDED.
10. DUST SHALL BE CONTROLLED DURING CONSTRUCTION BY ADEQUATE USE OF WATER.
11. TRANSITION TO PHASE 2.

FEMA NOTE:
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM), THIS PROPERTY IS LOCATED IN ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, PER FIRM, MAP NO. 28071C 0145C, COMMUNITY PANEL NUMBER 280093 0252 C, EFFECTIVE DATE: NOVEMBER 26, 2010.

BENCHMARK (BM):
½" REBAR WITH "E&B 5004" CAP FOUND IN A A ROUND ABOUT WITH AN KNOWN ELEVATION OF 445.40, SAID REBAR LOCATED SOUTH 754.33 FEET AND EAST 1,562.32 FEET FROM THE POB.

REVISION		
ITEM NO.	DESCRIPTION OF CHANGE	APPROVAL DATE
1	CHANGES PER STATE REGULATORY COMMENTS	2/15/2026

MAGNOLIA MATERIALS – HMA BATCH PLANT

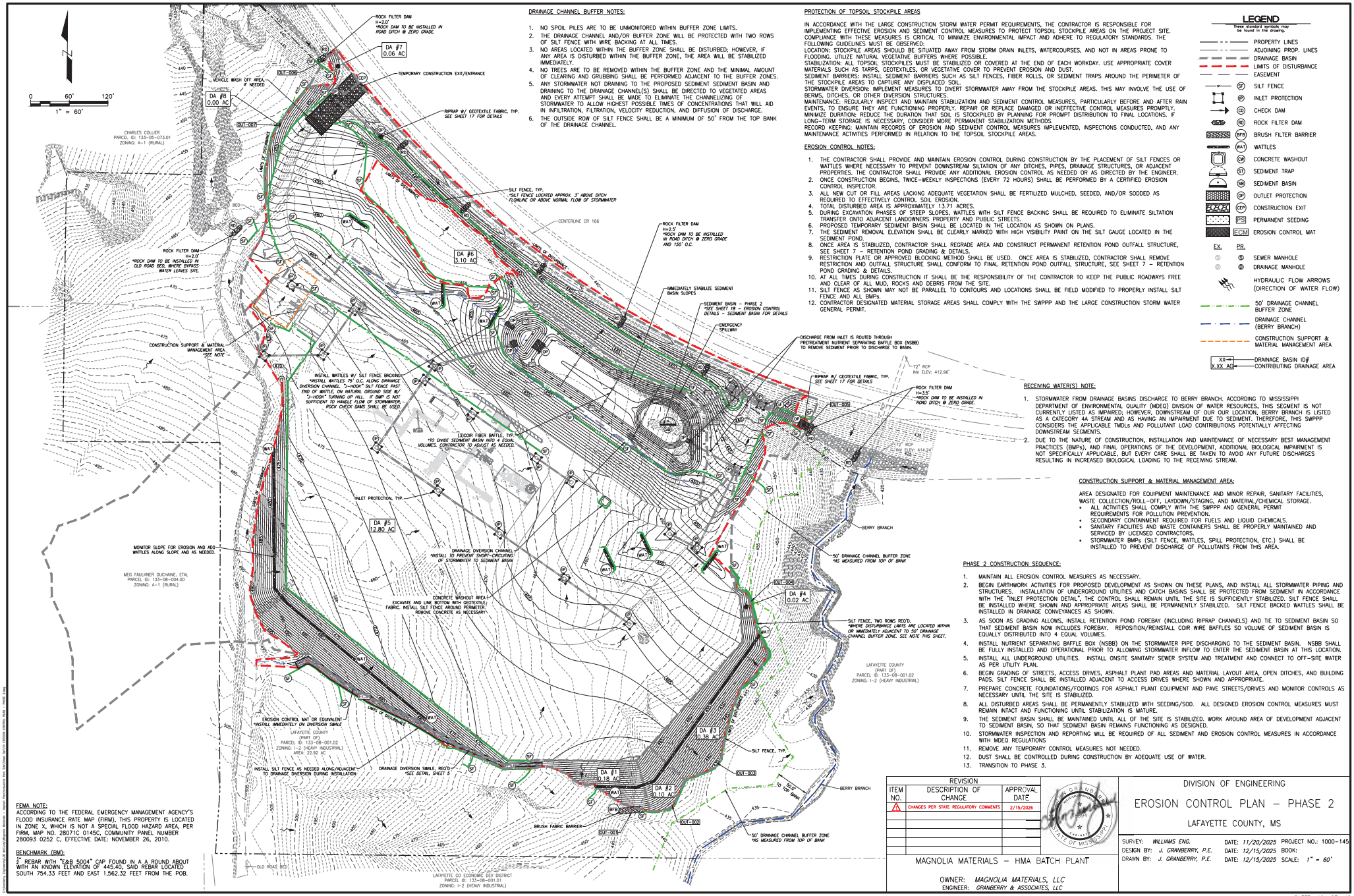
OWNER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

DIVISION OF ENGINEERING

EROSION CONTROL PLAN – PHASE 1

LAFAYETTE COUNTY, MS

SURVEY: *WILLIAMS ENG.* DATE: *11/20/2025* PROJECT NO.: 1000-145
DESIGN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* SCALE: *1" = 60'*



DRAINAGE CHANNEL BUFFER NOTES:

1. NO SPOIL PILES ARE TO BE UNMONITORED WITHIN BUFFER ZONE LIMITS.
2. THE DRAINAGE CHANNEL AND/OR BUFFER ZONE WILL BE PROTECTED WITH TWO ROWS OF SILT FENCE WITH WIRE BACKING AT ALL TIMES.
3. NO AREAS LOCATED WITHIN THE BUFFER ZONE SHALL BE DISTURBED; HOWEVER, IF ANY AREA IS DISTURBED WITHIN THE BUFFER ZONE, THE AREA WILL BE STABILIZED IMMEDIATELY.
4. NO TREES ARE TO BE REMOVED WITHIN THE BUFFER ZONE AND THE MINIMAL AMOUNT OF CLEARING AND GRUBBING SHALL BE PERFORMED ADJACENT TO THE BUFFER ZONES.
5. ANY STORMWATER NOT DRAINING TO THE PROPOSED SEDIMENT SEDIMENT BASIN AND DRAINING TO THE DRAINAGE CHANNEL(S) SHALL BE DIRECTED TO VEGETATED AREAS AND EVERY ATTEMPT SHALL BE MADE TO ELIMINATE THE CHANNELIZING OF STORMWATER TO ALLOW HIGHEST POSSIBLE TIMES OF CONCENTRATIONS THAT WILL AID IN INFILTRATION, FILTRATION, VELOCITY REDUCTION, AND DIFFUSION OF DISCHARGE.
6. THE OUTSIDE ROW OF SILT FENCE SHALL BE A MINIMUM OF 50' FROM THE TOP BANK OF THE DRAINAGE CHANNEL.

PROTECTION OF TOPSOIL STOCKPILE AREAS

IN ACCORDANCE WITH THE LARGE CONSTRUCTION STORM WATER PERMIT REQUIREMENTS, THE CONTRACTOR IS RESPONSIBLE FOR IMPLEMENTING EFFECTIVE EROSION AND SEDIMENT CONTROL MEASURES TO PROTECT TOPSOIL STOCKPILE AREAS ON THE PROJECT SITE. COMPLIANCE WITH THESE MEASURES IS CRITICAL TO MINIMIZE ENVIRONMENTAL IMPACT AND ADHERE TO REGULATORY STANDARDS. THE FOLLOWING GUIDELINES MUST BE OBSERVED:
LOCATION: STOCKPILE AREAS SHOULD BE SITUATED AWAY FROM STORM DRAIN INLETS, WATERCOURSES, AND NOT IN AREAS PRONE TO FLOODING. UTILIZE NATURAL VEGETATIVE BUFFERS WHERE POSSIBLE.
STABILIZATION: ALL TOPSOIL STOCKPILES MUST BE STABILIZED OR COVERED AT THE END OF EACH WORKDAY. USE APPROPRIATE COVER MATERIALS SUCH AS TARPS, GEOTEXTILES, OR VEGETATIVE COVER TO PREVENT EROSION AND DUST.
SEDIMENT BARRIERS: INSTALL SEDIMENT BARRIERS SUCH AS SILT FENCES, FIBER ROLLS, OR SEDIMENT TRAPS AROUND THE PERIMETER OF THE STOCKPILE AREAS TO CAPTURE ANY DISPLACED SOIL.
STORMWATER DIVERSION: IMPLEMENT MEASURES TO DIVERT STORMWATER AWAY FROM THE STOCKPILE AREAS. THIS MAY INVOLVE THE USE OF BERMS, DITCHES, OR OTHER DIVERSION STRUCTURES.
MAINTENANCE: REGULARLY INSPECT AND MAINTAIN STABILIZATION AND SEDIMENT CONTROL MEASURES, PARTICULARLY BEFORE AND AFTER RAIN EVENTS, TO ENSURE THEY ARE FUNCTIONING PROPERLY. REPAIR OR REPLACE DAMAGED OR INEFFECTIVE CONTROL MEASURES PROMPTLY.
MINIMIZE DURATION: REDUCE THE DURATION THAT SOIL IS STOCKPILED BY PLANNING FOR PROMPT DISTRIBUTION TO FINAL LOCATIONS. IF LONG-TERM STORAGE IS NECESSARY, CONSIDER MORE PERMANENT STABILIZATION METHODS.
RECORD KEEPING: MAINTAIN RECORDS OF EROSION AND SEDIMENT CONTROL MEASURES IMPLEMENTED, INSPECTIONS CONDUCTED, AND ANY MAINTENANCE ACTIVITIES PERFORMED IN RELATION TO THE TOPSOIL STOCKPILE AREAS.

EROSION CONTROL NOTES:

1. THE CONTRACTOR SHALL PROVIDE AND MAINTAIN EROSION CONTROL DURING CONSTRUCTION BY THE PLACEMENT OF SILT FENCES OR WATTLES WHERE NECESSARY TO PREVENT DOWNSTREAM SILTATION OF ANY DITCHES, PIPES, DRAINAGE STRUCTURES, OR ADJACENT PROPERTIES. THE CONTRACTOR SHALL PROVIDE ANY ADDITIONAL EROSION CONTROL AS NEEDED OR AS DIRECTED BY THE ENGINEER.
2. ONCE CONSTRUCTION BEGINS, TWICE-WEEKLY INSPECTIONS (EVERY 72 HOURS) SHALL BE PERFORMED BY A CERTIFIED EROSION CONTROL INSPECTOR.
3. ALL NEW CUT OR FILL AREAS LACKING ADEQUATE VEGETATION SHALL BE FERTILIZED MULCHED, SEEDED, AND/OR SODDED AS REQUIRED TO EFFECTIVELY CONTROL SOIL EROSION.
4. TOTAL DISTURBED AREA IS APPROXIMATELY 13.71 ACRES.
5. DURING EXCAVATION PHASES OF STEEP SLOPES, WATTLES WITH SILT FENCE BACKING SHALL BE REQUIRED TO ELIMINATE SILTATION TRANSFER ONTO ADJACENT LANDOWNERS PROPERTY AND PUBLIC STREETS.
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7. THE SEDIMENT REMOVAL ELEVATION SHALL BE CLEARLY MARKED WITH HIGH VISIBILITY PAINT ON THE SILT GAUGE LOCATED IN THE SEDIMENT POND.
8. ONCE AREA IS STABILIZED, CONTRACTOR SHALL REGRADE AREA AND CONSTRUCT PERMANENT RETENTION POND OUTFALL STRUCTURE, SEE SHEET 7 – RETENTION POND GRADING & DETAILS.
9. RESTRICTION PLATE OR APPROVED BLOCKING METHOD SHALL BE USED. ONCE AREA IS STABILIZED, CONTRACTOR SHALL REMOVE RESTRICTION AND OUTFALL STRUCTURE SHALL CONFORM TO FINAL RETENTION POND OUTFALL STRUCTURE, SEE SHEET 7 – RETENTION POND GRADING & DETAILS.
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11. SILT FENCE AS SHOWN MAY NOT BE PARALLEL TO CONTOURS AND LOCATIONS SHALL BE FIELD MODIFIED TO PROPERLY INSTALL SILT FENCE AND ALL BMPs.
12. CONTRACTOR DESIGNATED MATERIAL STORAGE AREAS SHALL COMPLY WITH THE SWPPP AND THE LARGE CONSTRUCTION STORM WATER GENERAL PERMIT.

LEGEND
These standard symbols may be found in the drawing.

- PROPERTY LINES
- ADJOINING PROP. LINES
- DRAINAGE BASIN
- LIMITS OF DISTURBANCE
- EASEMENT
- SF SILT FENCE
- IP INLET PROTECTION
- CD CHECK DAM
- RD ROCK FILTER DAM
- BFB BRUSH FILTER BARRIER
- WAT WATTLES
- CW CONCRETE WASHOUT
- ST SEDIMENT TRAP
- SB SEDIMENT BASIN
- OP OUTLET PROTECTION
- CEP CONSTRUCTION EXIT
- PS PERMANENT SEEDING
- ECM EROSION CONTROL MAT

EX. PR.
- SEWER MANHOLE
- DRAINAGE MANHOLE
- HYDRAULIC FLOW ARROWS (DIRECTION OF WATER FLOW)
- 50' DRAINAGE CHANNEL BUFFER ZONE
- DRAINAGE CHANNEL (BERRY BRANCH)
- CONSTRUCTION SUPPORT & MATERIAL MANAGEMENT AREA
- XX DRAINAGE BASIN ID#
- X.XX AC CONTRIBUTING DRAINAGE AREA

RECEIVING WATER(S) NOTE:

1. STORMWATER FROM DRAINAGE BASINS DISCHARGE TO BERRY BRANCH. ACCORDING TO MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY (MDEQ) DIVISION OF WATER RESOURCES, THIS SEGMENT IS NOT CURRENTLY LISTED AS IMPAIRED; HOWEVER, DOWNSTREAM OF OUR OUR LOCATION, BERRY BRANCH IS LISTED AS A CATEGORY 4A STREAM AND AS HAVING AN IMPAIRMENT DUE TO SEDIMENT. THEREFORE, THIS SWPPP CONSIDERS THE APPLICABLE TMDLs AND POLLUTANT LOAD CONTRIBUTIONS POTENTIALLY AFFECTING DOWNSTREAM SEGMENTS.
2. DUE TO THE NATURE OF CONSTRUCTION, INSTALLATION AND MAINTENANCE OF NECESSARY BEST MANAGEMENT PRACTICES (BMPs), AND FINAL OPERATIONS OF THE DEVELOPMENT, ADDITIONAL BIOLOGICAL IMPAIRMENT IS NOT SPECIFICALLY APPLICABLE, BUT EVERY CARE SHALL BE TAKEN TO AVOID ANY FUTURE DISCHARGES RESULTING IN INCREASED BIOLOGICAL LOADING TO THE RECEIVING STREAM.

CONSTRUCTION SUPPORT & MATERIAL MANAGEMENT AREA:

AREA DESIGNATED FOR EQUIPMENT MAINTENANCE AND MINOR REPAIR, SANITARY FACILITIES, WASTE COLLECTION/ROLL-OFF, LAYDOWN/STAGING, AND MATERIAL/CHEMICAL STORAGE.
- ALL ACTIVITIES SHALL COMPLY WITH THE SWPPP AND GENERAL PERMIT REQUIREMENTS FOR POLLUTION PREVENTION.
- SECONDARY CONTAINMENT REQUIRED FOR FUELS AND LIQUID CHEMICALS.
- SANITARY FACILITIES AND WASTE CONTAINERS SHALL BE PROPERLY MAINTAINED AND SERVICED BY LICENSED CONTRACTORS.
- STORMWATER BMPs (SILT FENCE, WATTLES, SPILL PROTECTION, ETC.) SHALL BE INSTALLED TO PREVENT DISCHARGE OF POLLUTANTS FROM THIS AREA.

PHASE 2 CONSTRUCTION SEQUENCE:

1. MAINTAIN ALL EROSION CONTROL MEASURES AS NECESSARY.
2. BEGIN EARTHWORK ACTIVITIES FOR PROPOSED DEVELOPMENT AS SHOWN ON THESE PLANS, AND INSTALL ALL STORMWATER PIPING AND STRUCTURES. INSTALLATION OF UNDERGROUND UTILITIES AND CATCH BASINS SHALL BE PROTECTED FROM SEDIMENT IN ACCORDANCE WITH THE "INLET PROTECTION DETAIL", THE CONTROL SHALL REMAIN UNTIL THE SITE IS SUFFICIENTLY STABILIZED. SILT FENCE SHALL BE INSTALLED WHERE SHOWN AND APPROPRIATE AREAS SHALL BE PERMANENTLY STABILIZED. SILT FENCE BACKED WATTLES SHALL BE INSTALLED IN DRAINAGE CONVEYANCES AS SHOWN.
3. AS SOON AS GRADING ALLOWS, INSTALL RETENTION POND FOREBAY (INCLUDING RIPRAP CHANNELS) AND TIE TO SEDIMENT BASIN SO THAT SEDIMENT BASIN NOW INCLUDES FOREBAY. REPOSITION/REINSTALL COIR WIRE BAFFLES SO VOLUME OF SEDIMENT BASIN IS EQUALLY DISTRIBUTED INTO 4 EQUAL VOLUMES.
4. INSTALL NUTRIENT SEPARATING BAFFLE BOX (NSBB) ON THE STORMWATER PIPE DISCHARGING TO THE SEDIMENT BASIN. NSBB SHALL BE FULLY INSTALLED AND OPERATIONAL PRIOR TO ALLOWING STORMWATER INFLOW TO ENTER THE SEDIMENT BASIN AT THIS LOCATION.
5. INSTALL ALL UNDERGROUND UTILITIES. INSTALL ONSITE SANITARY SEWER SYSTEM AND TREATMENT AND CONNECT TO OFF-SITE WATER AS PER UTILITY PLAN.
6. BEGIN GRADING OF STREETS, ACCESS DRIVES, ASPHALT PLANT PAD AREAS AND MATERIAL LAYOUT AREA, OPEN DITCHES, AND BUILDING PADS. SILT FENCE SHALL BE INSTALLED ADJACENT TO ACCESS DRIVES WHERE SHOWN AND APPROPRIATE.
7. PREPARE CONCRETE FOUNDATIONS/FOOTINGS FOR ASPHALT PLANT EQUIPMENT AND PAVE STREETS/DRIVES AND MONITOR CONTROLS AS NECESSARY UNTIL THE SITE IS STABILIZED.
8. ALL DISTURBED AREAS SHALL BE PERMANENTLY STABILIZED WITH SEEDING/SOD. ALL DESIGNED EROSION CONTROL MEASURES MUST REMAIN INTACT AND FUNCTIONING UNTIL STABILIZATION IS MATURE.
9. THE SEDIMENT BASIN SHALL BE MAINTAINED UNTIL ALL OF THE SITE IS STABILIZED. WORK AROUND AREA OF DEVELOPMENT ADJACENT TO SEDIMENT BASIN, SO THAT SEDIMENT BASIN REMAINS FUNCTIONING AS DESIGNED.
10. STORMWATER INSPECTION AND REPORTING WILL BE REQUIRED OF ALL SEDIMENT AND EROSION CONTROL MEASURES IN ACCORDANCE WITH MDEQ REGULATIONS
11. REMOVE ANY TEMPORARY CONTROL MEASURES NOT NEEDED.
12. DUST SHALL BE CONTROLLED DURING CONSTRUCTION BY ADEQUATE USE OF WATER.
13. TRANSITION TO PHASE 3.

FEMA NOTE:
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM), THIS PROPERTY IS LOCATED IN ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, PER FIRM, MAP NO. 28071C 0145C, COMMUNITY PANEL NUMBER 280093 0252 C, EFFECTIVE DATE: NOVEMBER 26, 2010.

BENCHMARK (BM):
½" REBAR WITH "E&B 5004" CAP FOUND IN A A ROUND ABOUT WITH AN KNOWN ELEVATION OF 445.40, SAID REBAR LOCATED SOUTH 754.33 FEET AND EAST 1,562.32 FEET FROM THE POB.

REVISION			
ITEM NO.	DESCRIPTION OF CHANGE	APPROVAL DATE	
1	CHANGES PER STATE REGULATORY COMMENTS	2/15/2026	

MAGNOLIA MATERIALS – HMA BATCH PLANT

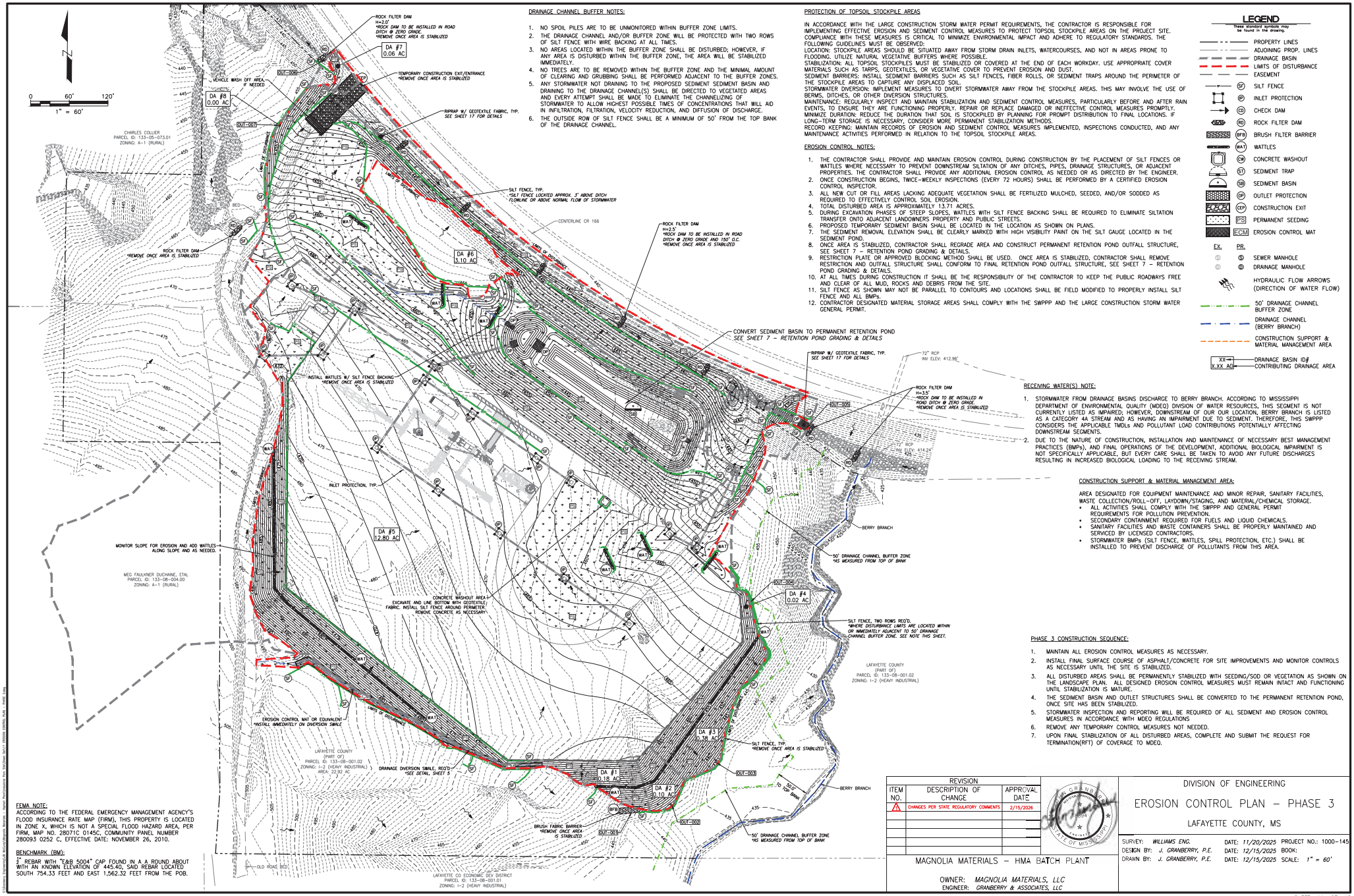
OWNER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

DIVISION OF ENGINEERING

EROSION CONTROL PLAN – PHASE 2

LAFAYETTE COUNTY, MS

SURVEY: *WILLIAMS ENG.* DATE: *11/20/2025* PROJECT NO.: 1000-145
DESIGN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* SCALE: *1" = 60'*



DRAINAGE CHANNEL BUFFER NOTES:

1. NO SPOIL PILES ARE TO BE UNMONITORED WITHIN BUFFER ZONE LIMITS.
2. THE DRAINAGE CHANNEL AND/OR BUFFER ZONE WILL BE PROTECTED WITH TWO ROWS OF SILT FENCE WITH WIRE BACKING AT ALL TIMES.
3. NO AREAS LOCATED WITHIN THE BUFFER ZONE SHALL BE DISTURBED; HOWEVER, IF ANY AREA IS DISTURBED WITHIN THE BUFFER ZONE, THE AREA WILL BE STABILIZED IMMEDIATELY.
4. NO TREES ARE TO BE REMOVED WITHIN THE BUFFER ZONE AND THE MINIMAL AMOUNT OF CLEARING AND GRUBBING SHALL BE PERFORMED ADJACENT TO THE BUFFER ZONES.
5. ANY STORMWATER NOT DRAINING TO THE PROPOSED SEDIMENT SEDIMENT BASIN AND DRAINING TO THE DRAINAGE CHANNEL(S) SHALL BE DIRECTED TO VEGETATED AREAS AND EVERY ATTEMPT SHALL BE MADE TO ELIMINATE THE CHANNELIZING OF STORMWATER TO ALLOW HIGHEST POSSIBLE TIMES OF CONCENTRATIONS THAT WILL AID IN INFILTRATION, FILTRATION, VELOCITY REDUCTION, AND DIFFUSION OF DISCHARGE.
6. THE OUTSIDE ROW OF SILT FENCE SHALL BE A MINIMUM OF 50' FROM THE TOP BANK OF THE DRAINAGE CHANNEL.

PROTECTION OF TOPSOIL STOCKPILE AREAS

IN ACCORDANCE WITH THE LARGE CONSTRUCTION STORM WATER PERMIT REQUIREMENTS, THE CONTRACTOR IS RESPONSIBLE FOR IMPLEMENTING EFFECTIVE EROSION AND SEDIMENT CONTROL MEASURES TO PROTECT TOPSOIL STOCKPILE AREAS ON THE PROJECT SITE. COMPLIANCE WITH THESE MEASURES IS CRITICAL TO MINIMIZE ENVIRONMENTAL IMPACT AND ADHERE TO REGULATORY STANDARDS. THE FOLLOWING GUIDELINES MUST BE OBSERVED:
LOCATION: STOCKPILE AREAS SHOULD BE SITUATED AWAY FROM STORM DRAIN INLETS, WATERCOURSES, AND NOT IN AREAS PRONE TO FLOODING. UTILIZE NATURAL VEGETATIVE BUFFERS WHERE POSSIBLE.
STABILIZATION: ALL TOPSOIL STOCKPILES MUST BE STABILIZED OR COVERED AT THE END OF EACH WORKDAY. USE APPROPRIATE COVER MATERIALS SUCH AS TARPS, GEOTEXTILES, OR VEGETATIVE COVER TO PREVENT EROSION AND DUST.
SEDIMENT BARRIERS: INSTALL SEDIMENT BARRIERS SUCH AS SILT FENCES, FIBER ROLLS, OR SEDIMENT TRAPS AROUND THE PERIMETER OF THE STOCKPILE AREAS TO CAPTURE ANY DISPLACED SOIL.
STORMWATER DIVERSION: IMPLEMENT MEASURES TO DIVERT STORMWATER AWAY FROM THE STOCKPILE AREAS. THIS MAY INVOLVE THE USE OF BERMS, DITCHES, OR OTHER DIVERSION STRUCTURES.
MAINTENANCE: REGULARLY INSPECT AND MAINTAIN STABILIZATION AND SEDIMENT CONTROL MEASURES, PARTICULARLY BEFORE AND AFTER RAIN EVENTS, TO ENSURE THEY ARE FUNCTIONING PROPERLY. REPAIR OR REPLACE DAMAGED OR INEFFECTIVE CONTROL MEASURES PROMPTLY.
MINIMIZE DURATION: REDUCE THE DURATION THAT SOIL IS STOCKPILED BY PLANNING FOR PROMPT DISTRIBUTION TO FINAL LOCATIONS. IF LONG-TERM STORAGE IS NECESSARY, CONSIDER MORE PERMANENT STABILIZATION METHODS.
RECORD KEEPING: MAINTAIN RECORDS OF EROSION AND SEDIMENT CONTROL MEASURES IMPLEMENTED, INSPECTIONS CONDUCTED, AND ANY MAINTENANCE ACTIVITIES PERFORMED IN RELATION TO THE TOPSOIL STOCKPILE AREAS.

EROSION CONTROL NOTES:

1. THE CONTRACTOR SHALL PROVIDE AND MAINTAIN EROSION CONTROL DURING CONSTRUCTION BY THE PLACEMENT OF SILT FENCES OR WATTLES WHERE NECESSARY TO PREVENT DOWNSTREAM SILTATION OF ANY DITCHES, PIPES, DRAINAGE STRUCTURES, OR ADJACENT PROPERTIES. THE CONTRACTOR SHALL PROVIDE ANY ADDITIONAL EROSION CONTROL AS NEEDED OR AS DIRECTED BY THE ENGINEER.
2. ONCE CONSTRUCTION BEGINS, TWICE-WEEKLY INSPECTIONS (EVERY 72 HOURS) SHALL BE PERFORMED BY A CERTIFIED EROSION CONTROL INSPECTOR.
3. ALL NEW CUT OR FILL AREAS LACKING ADEQUATE VEGETATION SHALL BE FERTILIZED MULCHED, SEEDED, AND/OR SODDED AS REQUIRED TO EFFECTIVELY CONTROL SOIL EROSION.
4. TOTAL DISTURBED AREA IS APPROXIMATELY 13.71 ACRES.
5. DURING EXCAVATION PHASES OF STEEP SLOPES, WATTLES WITH SILT FENCE BACKING SHALL BE REQUIRED TO ELIMINATE SILTATION TRANSFER ONTO ADJACENT LANDOWNERS PROPERTY AND PUBLIC STREETS.
6. PROPOSED TEMPORARY SEDIMENT BASIN SHALL BE LOCATED IN THE LOCATION AS SHOWN ON PLANS.
7. THE SEDIMENT REMOVAL ELEVATION SHALL BE CLEARLY MARKED WITH HIGH VISIBILITY PAINT ON THE SILT GAUGE LOCATED IN THE SEDIMENT POND.
8. ONCE AREA IS STABILIZED, CONTRACTOR SHALL REGRADE AREA AND CONSTRUCT PERMANENT RETENTION POND OUTFALL STRUCTURE, SEE SHEET 7 – RETENTION POND GRADING & DETAILS.
9. RESTRICTION PLATE OR APPROVED BLOCKING METHOD SHALL BE USED. ONCE AREA IS STABILIZED, CONTRACTOR SHALL REMOVE RESTRICTION AND OUTFALL STRUCTURE SHALL CONFORM TO FINAL RETENTION POND OUTFALL STRUCTURE, SEE SHEET 7 – RETENTION POND GRADING & DETAILS.
10. AT ALL TIMES DURING CONSTRUCTION IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO KEEP THE PUBLIC ROADWAYS FREE AND CLEAR OF ALL MUD, ROCKS AND DEBRIS FROM THE SITE.
11. SILT FENCE AS SHOWN MAY NOT BE PARALLEL TO CONTOURS AND LOCATIONS SHALL BE FIELD MODIFIED TO PROPERLY INSTALL SILT FENCE AND ALL BMPs.
12. CONTRACTOR DESIGNATED MATERIAL STORAGE AREAS SHALL COMPLY WITH THE SWPPP AND THE LARGE CONSTRUCTION STORM WATER GENERAL PERMIT.

LEGEND
These standard symbols may be found in the drawing.

- PROPERTY LINES
- ADJOINING PROP. LINES
- DRAINAGE BASIN
- LIMITS OF DISTURBANCE
- EASEMENT
- SF SILT FENCE
- IP INLET PROTECTION
- CD CHECK DAM
- RD ROCK FILTER DAM
- BFB BRUSH FILTER BARRIER
- WAT WATTLES
- CW CONCRETE WASHOUT
- ST SEDIMENT TRAP
- SB SEDIMENT BASIN
- OP OUTLET PROTECTION
- CEP CONSTRUCTION EXIT
- PS PERMANENT SEEDING
- ECM EROSION CONTROL MAT

EX. PR.
- SS SEWER MANHOLE
- DM DRAINAGE MANHOLE
- HYDRAULIC FLOW ARROWS (DIRECTION OF WATER FLOW)
- 50' DRAINAGE CHANNEL BUFFER ZONE
- DRAINAGE CHANNEL (BERRY BRANCH)
- CONSTRUCTION SUPPORT & MATERIAL MANAGEMENT AREA
- XX DRAINAGE BASIN ID#
- X.XX AC CONTRIBUTING DRAINAGE AREA

RECEIVING WATER(S) NOTE:

1. STORMWATER FROM DRAINAGE BASINS DISCHARGE TO BERRY BRANCH. ACCORDING TO MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY (MDEQ) DIVISION OF WATER RESOURCES, THIS SEGMENT IS NOT CURRENTLY LISTED AS IMPAIRED; HOWEVER, DOWNSTREAM OF OUR OUR LOCATION, BERRY BRANCH IS LISTED AS A CATEGORY 4A STREAM AND AS HAVING AN IMPAIRMENT DUE TO SEDIMENT. THEREFORE, THIS SWPPP CONSIDERS THE APPLICABLE TMDLs AND POLLUTANT LOAD CONTRIBUTIONS POTENTIALLY AFFECTING DOWNSTREAM SEGMENTS.
2. DUE TO THE NATURE OF CONSTRUCTION, INSTALLATION AND MAINTENANCE OF NECESSARY BEST MANAGEMENT PRACTICES (BMPs), AND FINAL OPERATIONS OF THE DEVELOPMENT, ADDITIONAL BIOLOGICAL IMPAIRMENT IS NOT SPECIFICALLY APPLICABLE, BUT EVERY CARE SHALL BE TAKEN TO AVOID ANY FUTURE DISCHARGES RESULTING IN INCREASED BIOLOGICAL LOADING TO THE RECEIVING STREAM.

CONSTRUCTION SUPPORT & MATERIAL MANAGEMENT AREA:

AREA DESIGNATED FOR EQUIPMENT MAINTENANCE AND MINOR REPAIR, SANITARY FACILITIES, WASTE COLLECTION/ROLL-OFF, LAYDOWN/STAGING, AND MATERIAL/CHEMICAL STORAGE.
- ALL ACTIVITIES SHALL COMPLY WITH THE SWPPP AND GENERAL PERMIT REQUIREMENTS FOR POLLUTION PREVENTION.
- SECONDARY CONTAINMENT REQUIRED FOR FUELS AND LIQUID CHEMICALS.
- SANITARY FACILITIES AND WASTE CONTAINERS SHALL BE PROPERLY MAINTAINED AND SERVICED BY LICENSED CONTRACTORS.
- STORMWATER BMPs (SILT FENCE, WATTLES, SPILL PROTECTION, ETC.) SHALL BE INSTALLED TO PREVENT DISCHARGE OF POLLUTANTS FROM THIS AREA.

PHASE 3 CONSTRUCTION SEQUENCE:

1. MAINTAIN ALL EROSION CONTROL MEASURES AS NECESSARY.
2. INSTALL FINAL SURFACE COURSE OF ASPHALT/CONCRETE FOR SITE IMPROVEMENTS AND MONITOR CONTROLS AS NECESSARY UNTIL THE SITE IS STABILIZED.
3. ALL DISTURBED AREAS SHALL BE PERMANENTLY STABILIZED WITH SEEDING/SOD OR VEGETATION AS SHOWN ON THE LANDSCAPE PLAN. ALL DESIGNED EROSION CONTROL MEASURES MUST REMAIN INTACT AND FUNCTIONING UNTIL STABILIZATION IS MATURE.
4. THE SEDIMENT BASIN AND OUTLET STRUCTURES SHALL BE CONVERTED TO THE PERMANENT RETENTION POND, ONCE SITE HAS BEEN STABILIZED.
5. STORMWATER INSPECTION AND REPORTING WILL BE REQUIRED OF ALL SEDIMENT AND EROSION CONTROL MEASURES IN ACCORDANCE WITH MDEQ REGULATIONS
6. REMOVE ANY TEMPORARY CONTROL MEASURES NOT NEEDED.
7. UPON FINAL STABILIZATION OF ALL DISTURBED AREAS, COMPLETE AND SUBMIT THE REQUEST FOR TERMINATION(RFT) OF COVERAGE TO MDEQ.

FEMA NOTE:
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM), THIS PROPERTY IS LOCATED IN ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, PER FIRM, MAP NO. 28071C 0145C, COMMUNITY PANEL NUMBER 280093 0252 C, EFFECTIVE DATE: NOVEMBER 26, 2010.

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MAGNOLIA MATERIALS – HMA BATCH PLANT

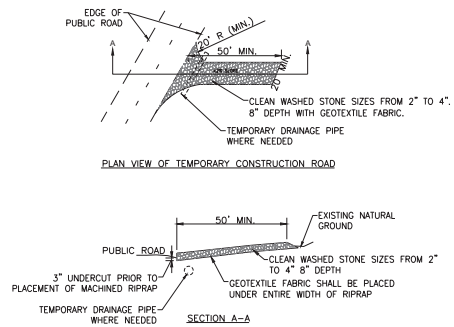
OWNER: *MAGNOLIA MATERIALS, LLC*
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DIVISION OF ENGINEERING

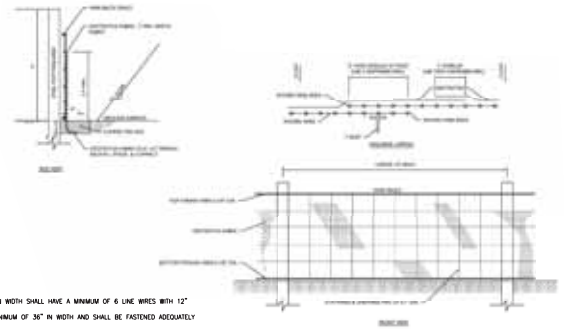
EROSION CONTROL PLAN – PHASE 3

LAFAYETTE COUNTY, MS

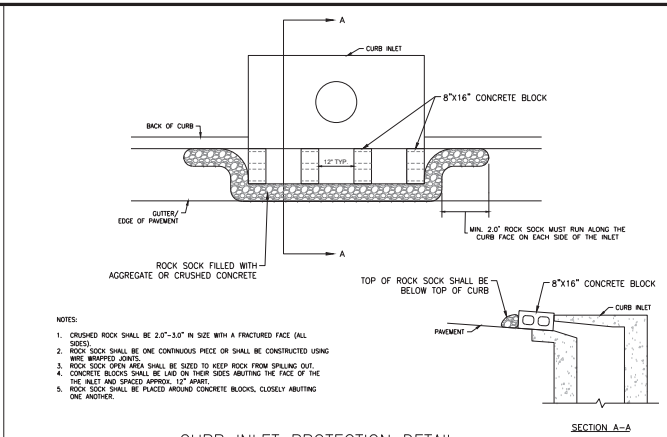
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DESIGN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* SCALE: *1" = 60'*



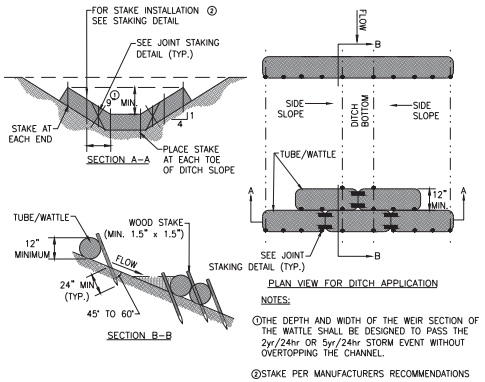
1 CONSTRUCTION ENTRANCE DETAIL
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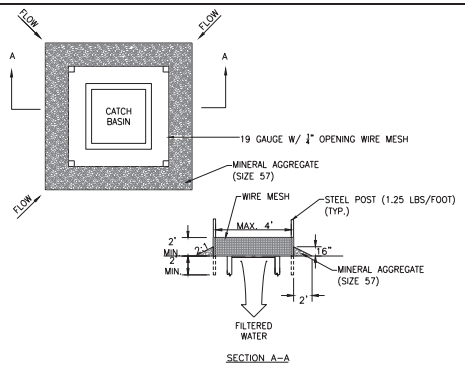
2 SILT FENCE DETAIL
N.T.S



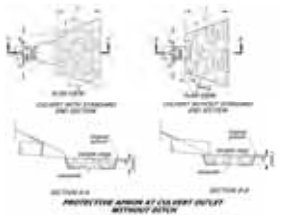
6 CURB INLET PROTECTION DETAIL
N.T.S



3 ORGANIC FILTER TUBE DETAIL
N.T.S

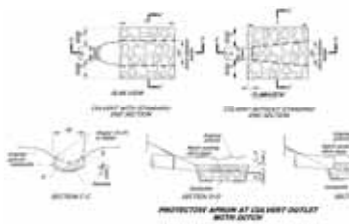


4 INLET PROTECTION DETAIL
N.T.S

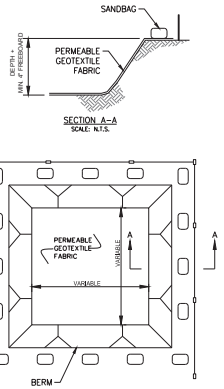


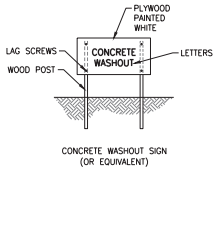


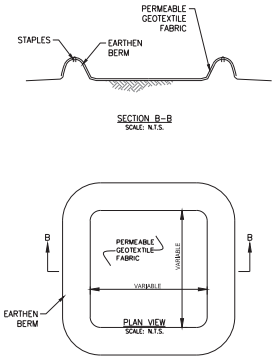




7 OUTLET PROTECTION DETAIL
N.T.S







NOTES:
1. ACTUAL LAYOUT DETERMINED IN THE FIELD.
2. SIGNAGE IDENTIFYING THE CONCRETE WASHOUT AREA SHALL BE INSTALLED WITHIN 5' OF THE WASHOUT FACILITY.

6 CONCRETE WASHOUT DETAIL
N.T.S

REVISION		
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A	CHANGES PER STATE REGULATORY COMMENTS	2/15/2026

MAGNOLIA MATERIALS – HMA BATCH PLANT

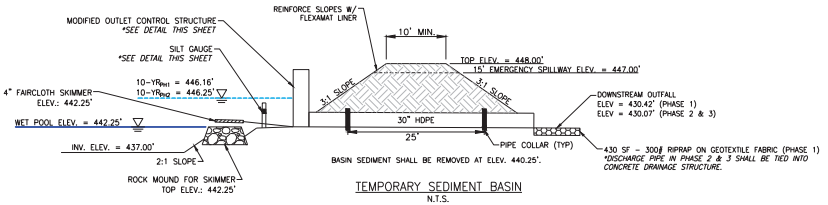
OWNER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

DIVISION OF ENGINEERING

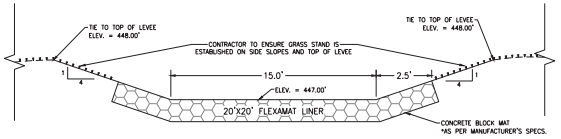
EROSION CONTROL DETAILS

LAFAYETTE COUNTY, MS

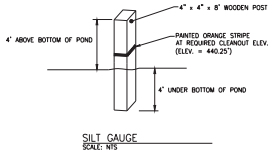
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DRAWN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* SCALE: *N.T.S.*



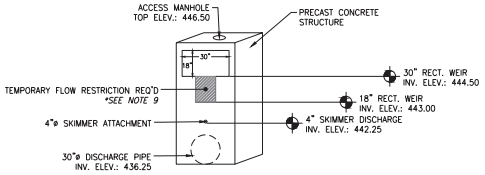
TEMPORARY SEDIMENT BASIN
N.T.S.



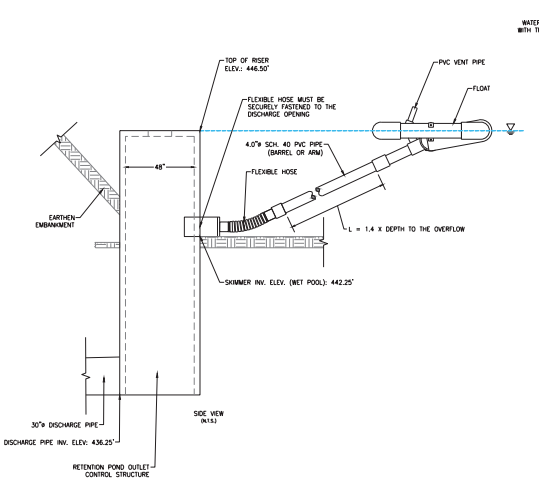
EMERGENCY SPILLWAY
N.T.S.



SILT GAUGE
SCALE: NTS



SEDIMENT BASIN
OUTLET STRUCTURE
SCALE: N.T.S.



FAIRCLOTH SKIMMER DETAIL - SEDIMENT BASIN
SCALE: N.T.S.

SEDIMENT BASIN - PHASE 1

EROSION CONTROL PHASE 1: SEDIMENT BASIN - DESIGN DATA	
TOTAL OFFSITE & ONSITE DRAINAGE AREA (ACRES):	11.40 AC
DISTURBED AREA COLLECTED BY SEDIMENT BASIN:	8.91 AC
TOTAL REQUIRED SEDIMENT BASIN VOLUME:	41,040 CF
TOTAL SEDIMENT BASIN DRY STORAGE VOLUME AT RISER CREST:	37,209 CF
TOTAL SEDIMENT BASIN DRY STORAGE VOLUME AT TOP OF BASIN:	115,978 CF
TOTAL SEDIMENT BASIN WET STORAGE VOLUME:	73,926 CF
TOTAL SEDIMENT STORAGE (DRY + WET) VOLUME:	61,135 CF
DESIGN STORM EVENT DEPTH (INCHES):	5.92 IN
COMPOSITE SCS CURVE NUMBER (CN):	82
TIME OF CONCENTRATION (T_c):	16.1 MIN
PEAK FLOW FOR THE DESIGN STORM EVENT (10-YR):	55.10 CFS
PEAK DISCHARGE OF BASIN FOR THE 10-YR STORM EVENT:	19.20 CFS
10-YEAR, 24-HOUR STORM ELEVATION:	446.16 FT
WET POOL ELEVATION:	442.25 FT
BOTTOM OF BASIN ELEVATION:	437.00 FT
EMERGENCY SPILLWAY ELEVATION:	447.00 FT
POND SURFACE AREA AT EMERGENCY SPILLWAY ELEVATION:	24,110 SF
OUTFALL PIPE DISCHARGE ELEVATION:	436.25 FT
ELEVATION OF THE RECEIVING MEDIUM DOWNSTREAM OF THE OUTFALL:	430.42 FT
DESIGN STORM ABOVE WHICH THE BASIN WILL DISCHARGE VIA THE EMERGENCY SPILLWAY:	>100-YR
EMERGENCY SPILLWAY SIDESLOPE:	4:1
EMERGENCY SPILLWAY WIDTH:	15 FT
TOP OF EMBANKMENT ELEVATION:	448.00 FT
SHORTEST DISTANCE (FLOW PATH) FROM ALL INLET(S) TO THE DEWATERING DEVICE (FT):	258 FT
FLOW PATH L/W RATIO:	3.65

FAIRCLOTH SKIMMER DEWATERING TIME - SEDIMENT BASIN - PHASE 1	
SEDIMENT BASIN VOLUME AT TOP OF RISER:	37,209 CF
FAIRCLOTH SKIMMER DIAMETER:	4.0 IN
FAIRCLOTH SKIMMER ORIFICE SIZE:	NO RESTRICTION
FAIRCLOTH SKIMMER FLOW RATE:	16,863 CF/D
TOTAL DEWATERING TIME:	2.21 D

SEDIMENT BASIN - PHASE 2 & 3

EROSION CONTROL PHASE 2 & 3: SEDIMENT BASIN - DESIGN DATA	
TOTAL OFFSITE & ONSITE DRAINAGE AREA (ACRES):	12.80 AC
DISTURBED AREA COLLECTED BY SEDIMENT BASIN:	10.23 AC
TOTAL REQUIRED SEDIMENT BASIN VOLUME:	46,080 CF
TOTAL SEDIMENT BASIN DRY STORAGE VOLUME AT RISER CREST:	41,756 CF
TOTAL SEDIMENT BASIN DRY STORAGE VOLUME AT TOP OF BASIN:	133,931 CF
TOTAL SEDIMENT BASIN WET STORAGE VOLUME:	77,520 CF
TOTAL SEDIMENT STORAGE (DRY + WET) VOLUME:	69,276 CF
DESIGN STORM EVENT DEPTH (INCHES):	5.92 IN
COMPOSITE SCS CURVE NUMBER (CN):	83
TIME OF CONCENTRATION (T_c):	16.1 MIN
PEAK FLOW FOR THE DESIGN STORM EVENT (10-YR):	63.31 CFS
PEAK DISCHARGE OF BASIN FOR THE 10-YR STORM EVENT:	22.00 CFS
10-YEAR, 24-HOUR STORM ELEVATION:	446.25 FT
WET POOL ELEVATION:	442.25 FT
BOTTOM OF BASIN ELEVATION:	437.00 FT
EMERGENCY SPILLWAY ELEVATION:	447.00 FT
POND SURFACE AREA AT EMERGENCY SPILLWAY ELEVATION:	30,812 SF
OUTFALL PIPE DISCHARGE ELEVATION:	436.25 FT
ELEVATION OF THE RECEIVING MEDIUM DOWNSTREAM OF THE OUTFALL:	430.07 FT
DESIGN STORM ABOVE WHICH THE BASIN WILL DISCHARGE VIA THE EMERGENCY SPILLWAY:	>100-YR
EMERGENCY SPILLWAY SIDESLOPE:	4:1
EMERGENCY SPILLWAY WIDTH:	15 FT
TOP OF EMBANKMENT ELEVATION:	448.00 FT
SHORTEST DISTANCE (FLOW PATH) FROM ALL INLET(S) TO THE DEWATERING DEVICE (FT):	316 FT
FLOW PATH L/W RATIO:	4.47

FAIRCLOTH SKIMMER DEWATERING TIME - SEDIMENT BASIN - PHASE 2 & 3	
SEDIMENT BASIN VOLUME AT TOP OF RISER:	41,756 CF
FAIRCLOTH SKIMMER DIAMETER:	4.0 IN
FAIRCLOTH SKIMMER ORIFICE SIZE:	NO RESTRICTION
FAIRCLOTH SKIMMER FLOW RATE:	16,863 CF/D
TOTAL DEWATERING TIME:	2.48 D

EROSION CONTROL NOTES:

1. THE CONTRACTOR SHALL PROVIDE AND MAINTAIN EROSION CONTROL DURING CONSTRUCTION BY THE PLACEMENT OF SILT FENCES OR WATTLES WHERE NECESSARY TO PREVENT DOWNSTREAM SILTATION OF ANY DITCHES, PIPES, DRAINAGE STRUCTURES, OR ADJACENT PROPERTIES. THE CONTRACTOR SHALL PROVIDE ANY ADDITIONAL EROSION CONTROL AS NEEDED OR AS DIRECTED BY THE ENGINEER.
2. ONCE CONSTRUCTION BEGINS, TWICE-WEEKLY INSPECTIONS (EVERY 72 HOURS) SHALL BE PERFORMED BY A CERTIFIED EROSION CONTROL INSPECTOR.
3. ALL NEW CUT OR FILL AREAS LACKING ADEQUATE VEGETATION SHALL BE FERTILIZED MULCHED, SEEDED, AND/OR SODDED AS REQUIRED TO EFFECTIVELY CONTROL SOIL EROSION.
4. TOTAL DISTURBED AREA IS APPROXIMATELY 13.71 ACRES.
5. DURING EXCAVATION PHASES OF STEEP SLOPES, WATTLES WITH SILT FENCE BACKING SHALL BE REQUIRED TO ELIMINATE SILTATION TRANSFER ONTO ADJACENT LANDOWNERS PROPERTY AND PUBLIC STREETS.
6. PROPOSED TEMPORARY SEDIMENT BASIN SHALL BE LOCATED IN THE LOCATION AS SHOWN ON PLANS.
7. THE SEDIMENT REMOVAL ELEVATION SHALL BE CLEARLY MARKED WITH HIGH VISIBILITY PAINT ON THE SILT GAUGE LOCATED IN THE SEDIMENT POND.
8. ONCE AREA IS STABILIZED, CONTRACTOR SHALL REGRADE AREA AND CONSTRUCT PERMANENT RETENTION POND OUTFALL STRUCTURE, SEE SHEET 7 - RETENTION POND GRADING & DETAILS.
9. RESTRICTION PLATE OR APPROVED BLOCKING METHOD SHALL BE USED. ONCE AREA IS STABILIZED, CONTRACTOR SHALL REMOVE RESTRICTION AND OUTFALL STRUCTURE SHALL CONFORM TO FINAL RETENTION POND OUTFALL STRUCTURE, SEE SHEET 7 - RETENTION POND GRADING & DETAILS.
10. AT ALL TIMES DURING CONSTRUCTION IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO KEEP THE PUBLIC ROADWAYS FREE AND CLEAR OF ALL MUD, ROCKS AND DEBRIS FROM THE SITE.
11. SILT FENCE AS SHOWN MAY NOT BE PARALLEL TO CONTOURS AND LOCATIONS SHALL BE FIELD MODIFIED TO PROPERLY INSTALL SILT FENCE AND ALL BMPs.
12. CONTRACTOR DESIGNATED MATERIAL STORAGE AREAS SHALL COMPLY WITH THE SWPPP AND THE LARGE CONSTRUCTION STORM WATER GENERAL PERMIT.

REVISION		
ITEM NO.	DESCRIPTION OF CHANGE	APPROVAL DATE
A	CHANGES PER STATE REGULATORY COMMENTS	2/15/2026

MAGNOLIA MATERIALS - HMA BATCH PLANT

OWNER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

DIVISION OF ENGINEERING

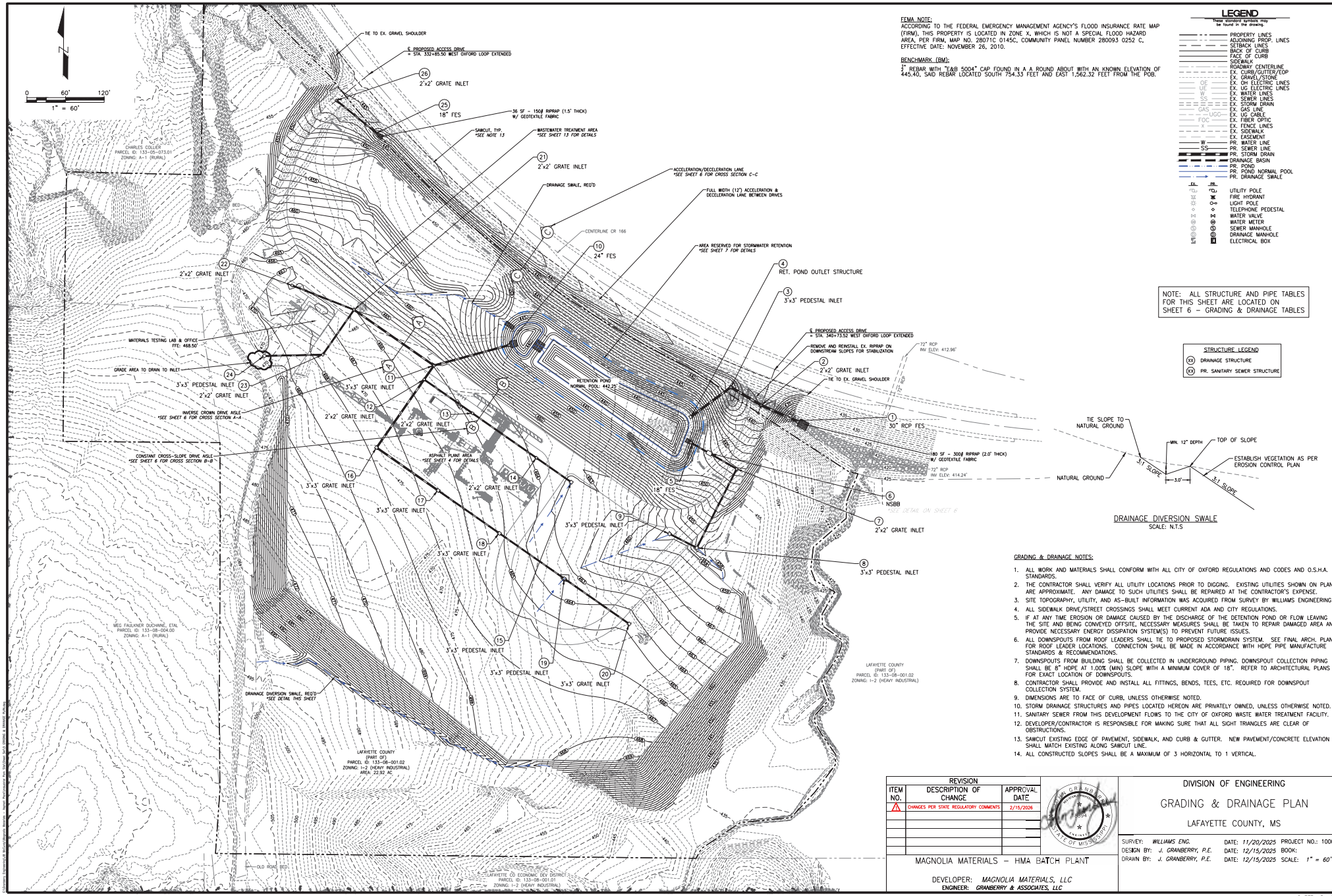
EROSION CONTROL DETAILS - SEDIMENT BASIN

LAFAYETTE COUNTY, MS

SURVEY: *WILLIAMS ENG.* DATE: *11/20/2025* PROJECT NO.: 1000-145
DESIGN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* SCALE: *N.T.S.*

APPENDIX E

Grading and Drainage Plan



FEMA NOTE:
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM), THIS PROPERTY IS LOCATED IN ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, PER FIRM, MAP NO. 28071C 0145C, COMMUNITY PANEL NUMBER 280093 0252 C, EFFECTIVE DATE: NOVEMBER 26, 2010.

BENCHMARK (BM):
1" REBAR WITH "E&B 5004" CAP FOUND IN A A ROUND ABOUT WITH AN KNOWN ELEVATION OF 445.40, SAID REBAR LOCATED SOUTH 754.33 FEET AND EAST 1,562.32 FEET FROM THE POB.

LEGEND
These standard symbols may be found in the drawing.

- PROPERTY LINES
- ADJOINING PROP. LINES
- SETBACK LINES
- BACK OF CURB
- FACE OF CURB
- SIDEWALK
- ROADWAY CENTERLINE
- EX. CURB/GUTTER/EOP
- EX. GRAVEL/STONE
- OE — EX. OH ELECTRIC LINES
- UE — EX. UG ELECTRIC LINES
- W — EX. WATER LINES
- SS — EX. SEWER LINES
- EX. STORM DRAIN
- GAS — EX. GAS LINE
- UGC — EX. UG CABLE
- FOC — EX. FIBER OPTIC
- X — EX. FENCE LINES
- EX. SIDEWALK
- EX. EASEMENT
- W — PR. WATER LINE
- SS — PR. SEWER LINE
- PR. STORM DRAIN
- DRAINAGE BASIN
- PR. POND
- PR. POND NORMAL POOL
- PR. DRAINAGE SWALE

EX.	PR.	
		UTILITY POLE
		FIRE HYDRANT
		LIGHT POLE
		TELEPHONE PEDESTAL
		WATER VALVE
		WATER METER
		SEWER MANHOLE
		DRAINAGE MANHOLE
		ELECTRICAL BOX

NOTE: ALL STRUCTURE AND PIPE TABLES FOR THIS SHEET ARE LOCATED ON SHEET 6 – GRADING & DRAINAGE TABLES

STRUCTURE LEGEND
(XX) DRAINAGE STRUCTURE
(XX) PR. SANITARY SEWER STRUCTURE

DRAINAGE DIVERSION SWALE
SCALE: N.T.S

GRADING & DRAINAGE NOTES:

1. ALL WORK AND MATERIALS SHALL CONFORM WITH ALL CITY OF OXFORD REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
2. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO DIGGING. EXISTING UTILITIES SHOWN ON PLAN ARE APPROXIMATE. ANY DAMAGE TO SUCH UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
3. SITE TOPOGRAPHY, UTILITY, AND AS-BUILT INFORMATION WAS ACQUIRED FROM SURVEY BY WILLIAMS ENGINEERING
4. ALL SIDEWALK DRIVE/STREET CROSSINGS SHALL MEET CURRENT ADA AND CITY REGULATIONS.
5. IF AT ANY TIME EROSION OR DAMAGE CAUSED BY THE DISCHARGE OF THE DETENTION POND OR FLOW LEAVING THE SITE AND BEING CONVEYED OFFSITE, NECESSARY MEASURES SHALL BE TAKEN TO REPAIR DAMAGED AREA AND PROVIDE NECESSARY ENERGY DISSIPATION SYSTEM(S) TO PREVENT FUTURE ISSUES.
6. ALL DOWNSPOUTS FROM ROOF LEADERS SHALL TIE TO PROPOSED STORMDRAIN SYSTEM. SEE FINAL ARCH. PLAN FOR ROOF LEADER LOCATIONS. CONNECTION SHALL BE MADE IN ACCORDANCE WITH HDPE PIPE MANUFACTURE STANDARDS & RECOMMENDATIONS.
7. DOWNSPOUTS FROM BUILDING SHALL BE COLLECTED IN UNDERGROUND PIPING. DOWNSPOUT COLLECTION PIPING SHALL BE 8" HDPE AT 1.00% (MIN) SLOPE WITH A MINIMUM COVER OF 18". REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATION OF DOWNSPOUTS.
8. CONTRACTOR SHALL PROVIDE AND INSTALL ALL FITTINGS, BENDS, TEES, ETC. REQUIRED FOR DOWNSPOUT COLLECTION SYSTEM.
9. DIMENSIONS ARE TO FACE OF CURB, UNLESS OTHERWISE NOTED.
10. STORM DRAINAGE STRUCTURES AND PIPES LOCATED HEREON ARE PRIVATELY OWNED, UNLESS OTHERWISE NOTED.
11. SANITARY SEWER FROM THIS DEVELOPMENT FLOWS TO THE CITY OF OXFORD WASTE WATER TREATMENT FACILITY.
12. DEVELOPER/CONTRACTOR IS RESPONSIBLE FOR MAKING SURE THAT ALL SIGHT TRIANGLES ARE CLEAR OF OBSTRUCTIONS.
13. SAWCUT EXISTING EDGE OF PAVEMENT, SIDEWALK, AND CURB & GUTTER. NEW PAVEMENT/CONCRETE ELEVATION SHALL MATCH EXISTING ALONG SAWCUT LINE.
14. ALL CONSTRUCTED SLOPES SHALL BE A MAXIMUM OF 3 HORIZONTAL TO 1 VERTICAL.

REVISION		
ITEM NO.	DESCRIPTION OF CHANGE	APPROVAL DATE
1	CHANGES PER STATE REGULATORY COMMENTS	2/15/2026

MAGNOLIA MATERIALS – HMA BATCH PLANT

DEVELOPER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

DIVISION OF ENGINEERING

GRADING & DRAINAGE PLAN

LAFAYETTE COUNTY, MS

SURVEY: *WILLIAMS ENG.* DATE: *11/20/2025* PROJECT NO.: 1000-145
DESIGN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* SCALE: *1" = 60'*

STRUCTURE TABLE				
STRUCTURE ID	STRUCTURE TYPE	RIM/GRATE/THROAT ELEVATION	PIPES IN	PIPES OUT
1[1]	30" RCP FES	427.62'	30" – 424.75' (NW)	
2[1]	2'x2' GRATE INLET	438.92'	30" – 428.74' (NW)	30" – 428.74' (SE)
3[1]	3'x3' PEDESTAL INLET	435.00'	30" – 430.07' (SW)	30" – 430.07' (SE)
4	RET. POND OUTLET STRUCTURE	446.50'		30" – 436.25' (NE)
5	18" FES	444.04'	18" – 442.40' (SE)	
6	NSBB	448.22'	18" – 442.72' (SE)	18" – 442.62' (NW)
7	2'x2' GRATE INLET	446.16'	18" – 443.09' (SW)	18" – 443.09' (NW)
8	3'x3' PEDESTAL INLET	455.50'	18" – 451.82' (NW)	18" – 451.82' (NE)
9	3'x3' PEDESTAL INLET	457.25'		18" – 453.61' (SE)
10	24" FES	446.16'	24" – 444.00' (W)	
11	3'x3' GRATE INLET	464.97'	24" – 460.44' (NW) 24" – 455.02' (SW)	24" – 455.02' (E)
12	2'x2' GRATE INLET	465.48'	24" – 455.28' (SW) 18" – 455.78' (SE)	24" – 455.28' (NE)
13	2'x2' GRATE INLET	464.81'	18" – 457.28' (SE)	18" – 457.28' (NW)
14	2'x2' GRATE INLET	463.90'	18" – 458.19' (SE)	18" – 458.19' (NW)
15	3'x3' PEDESTAL INLET	462.25'		18" – 458.69' (NW)
16	3'x3' GRATE INLET	467.74'	24" – 456.25' (SE)	24" – 456.25' (NE)
17	3'x3' GRATE INLET	466.52'	18" – 457.62' (SE)	24" – 457.12' (NW)
18	3'x3' GRATE INLET	465.13'	18" – 458.78' (SE)	18" – 458.78' (NW)
19	3'x3' PEDESTAL INLET	462.82'	18" – 459.70' (SE)	18" – 459.70' (NW)
20	3'x3' GRATE INLET	464.63'		18" – 460.93' (NW)
21	2'x2' GRATE INLET	466.03'	18" – 462.45' (SW) 18" – 462.45' (W)	24" – 461.95' (SE)
22	2'x2' GRATE INLET	466.85'		18" – 463.29' (E)
23	2'x2' GRATE INLET	467.70'	18" – 463.94' (W)	18" – 463.94' (NE)
24	3'x3' PEDESTAL INLET	469.34'		18" – 466.15' (E)
25	18" FES	441.27'	18" – 441.62' (NW)	
26	2'x2' GRATE INLET	445.35'		18" – 442.02' (SE)

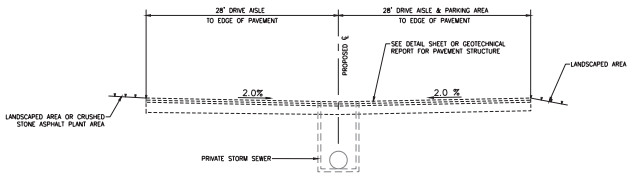
ALL STRUCTURES ARE PRIVATE, UNLESS OTHERWISE NOTED.
[1] STRUCTURE IS PUBLIC.

PIPE TABLE						
FROM	INV. ELEV.	TO	INV. ELEV.	PIPE DIA (IN)	LENGTH (FT)	SLOPE
2	428.74	1	424.75	30"[1][2]	59	6.79%
3	430.07	2	428.74	30"[1][2]	55	2.43%
4	436.25	3	430.07	30"[3]	77	8.00%
6	442.62	5	442.40	18"[3]	30	0.75%
7	443.09	6	442.72	18	49	0.75%
8	451.82	7	443.09	18	137	6.36%
9	453.61	8	451.82	18	48	3.77%
11	455.02	10	444.00	24	118	9.34%
12	455.28	11	455.02	24	26	1.00%
13	457.28	12	455.78	18	92	1.64%
14	458.19	13	457.28	18	121	0.75%
15	458.69	14	458.19	18	66	0.75%
16	456.25	12	455.28	24	129	0.75%
17	457.12	16	456.25	24	116	0.75%
18	458.78	17	457.62	18	116	1.00%
19	459.70	18	458.78	18	123	0.75%
20	460.93	19	459.70	18	123	1.00%
21	461.95	11	460.44	24	151	1.00%
22	463.29	21	462.45	18	103	0.81%
23	463.94	21	462.45	18	85	1.75%
24	466.15	23	463.94	18	91	2.44%
26	442.02	25	441.62	18	80	0.50%

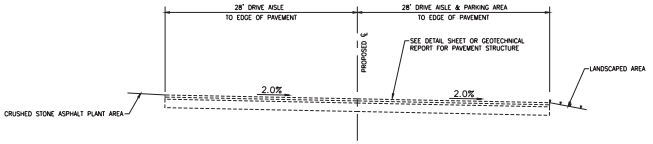
ALL PIPE SHALL BE PRIVATE, UNLESS OTHERWISE NOTED.
ALL PIPE SHALL BE HIGH PERFORMANCE PIPE (HP) UNLESS OTHERWISE NOTED.
[1] PIPE SHALL BE PUBLIC.
[2] PIPE SHALL BE REINFORCED CONCRETE PIPE, CLASS III (RCP).
[3] PIPE SHALL BE HIGH DENSITY POLYETHYLENE PIPE (HDPE).

FEMA NOTE:
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM), THIS PROPERTY IS LOCATED IN ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, PER FIRM, MAP NO. 28071C 0145C, COMMUNITY PANEL NUMBER 280093 0252 C, EFFECTIVE DATE: NOVEMBER 26, 2010.

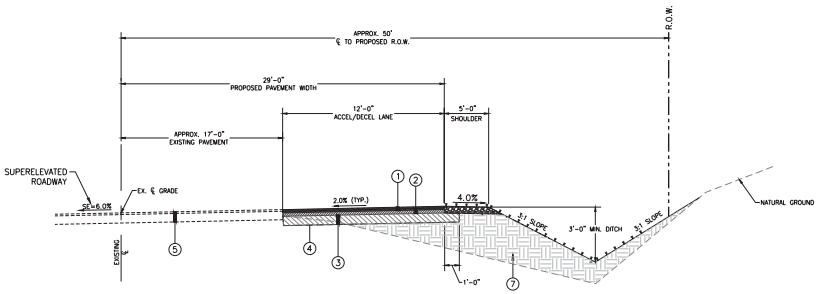
BENCHMARK (BM):
½" REBAR FOUND IN ASPHALT HAVING A KNOWN ELEVATION OF 445.40. REBAR BEING LOCATED NORTH 43 FEET AND EAST 507 FEET FROM THE NORTHEAST CORNER OF THE PROPERTY.



CROSS-SECTION A-A: INVERSE CROWN DRIVE AISLE
N.T.S.

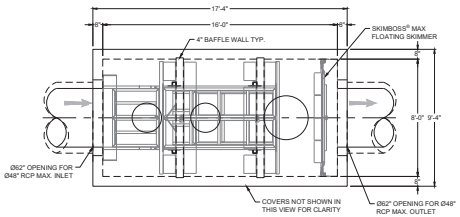


CROSS-SECTION B-B: CONSTANT CROSS-SLOPE DRIVE AISLE
N.T.S.

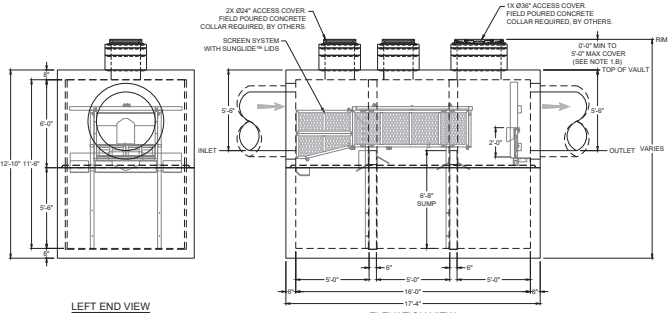


CROSS-SECTION C-C: ACCELERATION/DECELERATION LANE
N.T.S.

*NSBB SHALL MEET BE THE SPECIFICATIONS AND TREATMENT/NUTRIENT REMOVAL OF OLD CASTLE INFRASTRUCTURE STRUCTURE ID NSBB-4-8 OR APPROVED EQUAL.



PLAN VIEW



NUTRIENT SEPARATING BAFFLE BOX (NSBB-4-8)
N.T.S.

① 9.5-mm, MT, ASPHALT PAVEMENT (2 @ 1 ½")

② 19.0-mm, MT, ASPHALT PAVEMENT (1 @ 3")

③ SIZE 610, CRUSHED STONE BASE (8")

④ GEOTEXTILE STABILIZATION FABRIC (TYPE 5) (NON-WOVEN)

⑤ EXISTING STRUCTURE (APPROX. 6" ASPHALT ON 8" BASE)

⑥ GRANULAR MATERIAL (CLASS 5, GROUP C) (±5")

⑦ UNCLASSIFIED EXCAVATION (CUT/FILL)

GRADING & DRAINAGE NOTES:

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REVISION		
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MAGNOLIA MATERIALS – HMA BATCH PLANT

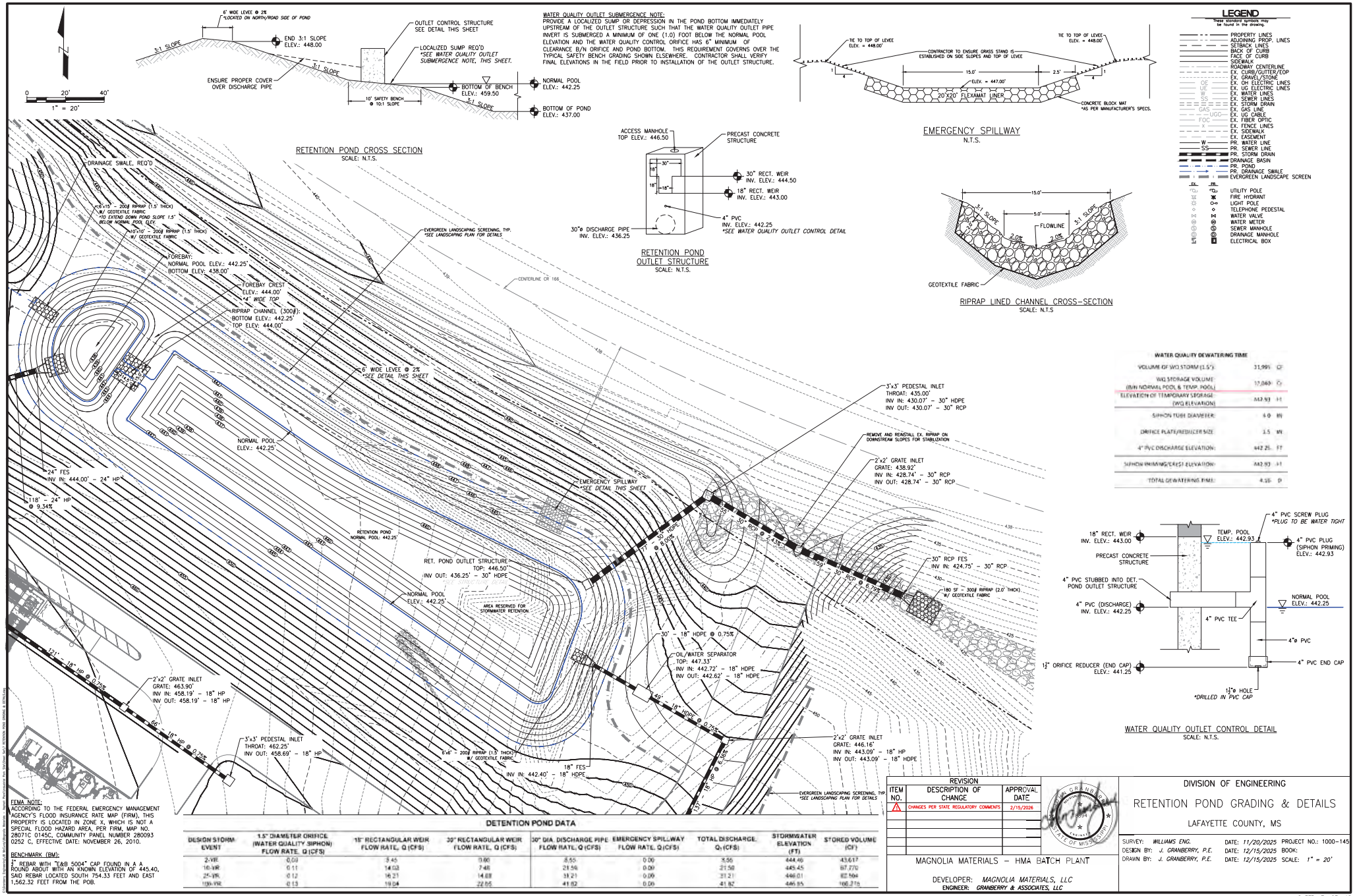
DEVELOPER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

DIVISION OF ENGINEERING

GRADING & DRAINAGE TABLES

LAFAYETTE COUNTY, MS

SURVEY: *WILLIAMS ENG.* DATE: *11/20/2025* PROJECT NO.: 1000-145
DESIGN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* SCALE: *N.T.S.*



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½" REBAR WITH "E&B 5004" CAP FOUND IN A A ROUND ABOUT WITH AN KNOWN ELEVATION OF 445.40, SAID REBAR LOCATED SOUTH 754.33 FEET AND EAST 1,562.32 FEET FROM THE POB.

DETENTION POND DATA

DESIGN STORM EVENT	1.5" DIAMETER ORIFICE (WATER QUALITY SIPHON) FLOW RATE, Q (CFS)	18" RECTANGULAR WEIR FLOW RATE, Q (CFS)	30" RECTANGULAR WEIR FLOW RATE, Q (CFS)	30" DIA. DISCHARGE PIPE FLOW RATE, Q (CFS)	EMERGENCY SPILLWAY FLOW RATE, Q (CFS)	TOTAL DISCHARGE, Q_T (CFS)	STORMWATER ELEVATION (FT)	STORED VOLUME (CF)
2-YR	0.09	3.45	0.00	8.55	0.00	8.55	444.46	43,617
10-YR	0.11	14.03	7.48	21.59	0.00	21.59	445.45	67,770
25-YR	0.12	16.21	14.88	31.21	0.00	31.21	446.01	82,504
100-YR	0.13	19.04	22.65	41.82	0.00	41.82	446.55	100,275

REVISION			
ITEM NO.	DESCRIPTION OF CHANGE	APPROVAL DATE	
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MAGNOLIA MATERIALS – HMA BATCH PLANT

DEVELOPER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

DIVISION OF ENGINEERING

RETENTION POND GRADING & DETAILS

LAFAYETTE COUNTY, MS

SURVEY: *WILLIAMS ENG.* DATE: *11/20/2025* PROJECT NO.: 1000-145
DESIGN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* SCALE: *1" = 20'*

APPENDIX F

USDA Soil Report

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Lafayette County, Mississippi

Magnolia Materials - Asphalt Site Plan



November 18, 2025

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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Contents

Preface.....2
How Soil Surveys Are Made.....5
Soil Map.....8
Soil Map.....9
Legend.....10
Map Unit Legend.....11
Map Unit Descriptions.....11
Lafayette County, Mississippi.....13
3C—Lexington silt loam, 5 to 8 percent slopes, moderately eroded.....13
3D3—Lexington silt loam, 8 to 15 percent slopes, severely eroded.....14
7F—Smithdale sandy loam, 15 to 35 percent slopes, eroded.....15
References.....17

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



Map Scale: 1:2,910 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 40 80 160 240

Feet: 0 100 200 400 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Lafayette County, Mississippi
Survey Area Data: Version 21, Sep 5, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 3, 2020—Nov 12, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
3C	Lexington silt loam, 5 to 8 percent slopes, moderately eroded	11.2	49.1%
3D3	Lexington silt loam, 8 to 15 percent slopes, severely eroded	3.0	13.0%
7F	Smithdale sandy loam, 15 to 35 percent slopes, eroded	8.7	37.9%
Totals for Area of Interest		**22.9**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate

pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Lafayette County, Mississippi

3C—Lexington silt loam, 5 to 8 percent slopes, moderately eroded

Map Unit Setting

National map unit symbol: 2vxxg
Elevation: 350 to 650 feet
Mean annual precipitation: 51 to 58 inches
Mean annual air temperature: 47 to 72 degrees F
Frost-free period: 196 to 250 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Lexington and similar soils: 95 percent
Minor components: 5 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Lexington

Setting

Landform: Hills
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Loess over marine deposits

Typical profile

Ap - 0 to 6 inches: silt loam
Bt - 6 to 29 inches: silty clay loam
2Bt - 29 to 79 inches: loam

Properties and qualities

Slope: 5 to 8 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: High (about 10.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: B
Ecological site: F134XY003AL - Northern Loess Interfluve
Hydric soil rating: No

Minor Components

Providence

Percent of map unit: 5 percent

Landform: Terraces, divides
Landform position (two-dimensional): Footslope, summit
Landform position (three-dimensional): Interfluve, tread
Down-slope shape: Concave, linear
Across-slope shape: Linear
Ecological site: F134XY012AL - Northern Loess Fragipan Upland - PROVISIONAL
Hydric soil rating: No

3D3—Lexington silt loam, 8 to 15 percent slopes, severely eroded

Map Unit Setting

National map unit symbol: c5b9
Elevation: 300 to 650 feet
Mean annual precipitation: 45 to 55 inches
Mean annual air temperature: 57 to 63 degrees F
Frost-free period: 230 to 290 days
Farmland classification: Not prime farmland

Map Unit Composition

Lexington and similar soils: 95 percent
Minor components: 5 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Lexington

Setting

Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Loess

Typical profile

H1 - 0 to 4 inches: silt loam
H2 - 4 to 32 inches: silt loam
H3 - 32 to 54 inches: sandy loam
H4 - 54 to 72 inches: sandy loam

Properties and qualities

Slope: 12 to 15 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Medium
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Moderate (about 8.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: B
Hydric soil rating: No

Minor Components

Rosebloom

Percent of map unit: 5 percent
Landform: Flood plains
Landform position (three-dimensional): Tread, dip
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

7F—Smithdale sandy loam, 15 to 35 percent slopes, eroded

Map Unit Setting

National map unit symbol: c5bt
Elevation: 250 to 610 feet
Mean annual precipitation: 45 to 55 inches
Mean annual air temperature: 57 to 63 degrees F
Frost-free period: 230 to 290 days
Farmland classification: Not prime farmland

Map Unit Composition

Smithdale and similar soils: 95 percent
Minor components: 5 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Smithdale

Setting

Landform: Hillslopes
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Loamy fluviomarine deposits

Typical profile

H1 - 0 to 5 inches: sandy loam
H2 - 5 to 22 inches: loam
H3 - 22 to 80 inches: loam

Properties and qualities

Slope: 17 to 35 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained

Runoff class: High
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: High (about 9.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7e
Hydrologic Soil Group: B
Hydric soil rating: No

Minor Components

Rosebloom

Percent of map unit: 5 percent
Landform: Flood plains
Landform position (three-dimensional): Tread, dip
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

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APPENDIX I

Stormwater Team Certification

Storm Water Management Training

Certificate of Completion

is hereby granted to:

Jeffrey Gooch

for satisfactory completion of eight instructional hours (8 PDH)

MDOT
MISSISSIPPI DEPARTMENT OF TRANSPORTATION

thompson
ENGINEERING

Storm Water Pollution Prevention for Construction Personnel

Certification Number : 24201

Expiration Date : 6/12/2029

Joe Stroud & Anthony Robinson

Instructors

Storm Water Management Training

Certificate of Completion

is hereby granted to:

Branson Means

for satisfactory completion of eight instructional hours (8 PDH)

MDOT
MISSISSIPPI DEPARTMENT OF TRANSPORTATION

thompson
ENGINEERING

Storm Water Pollution Prevention for Construction Personnel

Certification Number : 24200

Expiration Date : 6/12/2029

Joe Stroud & Anthony Robinson

Instructors

APPENDIX J

TMDL Pollutants of Concern / BMP Cross-Reference Table

In accordance with ACT 2, Condition T-3(4) and ACT 5, Condition T-9(3) of the Large Construction General Permit, this Project has evaluated pollutants of concern for discharges to Berry Branch Creek, which is located within the Yazoo River Basin Hills Region TMDL for sediment. Although no TMDL is established for the immediate/discharge section of Berry Branch Creek, downstream segments of Berry Banch are impaired for sediment.

The following table identifies the pollutants of concern relevant to this Project and describes how the proposed erosion, sediment, and stormwater controls will ensure that discharges will not cause or contribute to exceedances of water quality standards. The selected BMPs are consistent with the assumptions and requirements of the watershed-based TMDL and are designed in accordance with the Mississippi Handbook for Erosion Control, Sediment Control and Stormwater Management and MDEQ design standards.

TMDL Pollutants of Concern / BMP Cross-Reference Table

Pollutant of Concern	Potential Source from Project	BMPs Implemented	How BMPs Address Pollutant
Sediment	Soil disturbance from clearing, grading, excavation, trenching, exposed slopes, unstabilized areas	• Temporary & permanent seeding, mulching, sod stabilization • Erosion control mats and rolled products • Silt fence, wattles, check dams, inlet protection • Temporary sediment basin (135 CY/acre minimum storage capacity) • Rock outlet protection, stabilized construction entrance, dust control	• Reduces soil erosion and traps sediment onsite before discharge • Maintains discharge turbidity within acceptable range • Basin storage ensures compliance with TMDL sediment loading assumptions • Outlet protection dissipates energy to prevent channel erosion

APPENDIX K

MS State Department of Health On-Site Wastewater Treatment Permit

Permit/Recommendation

This document is proof that a Notice of Intent has been filed as per
Section 41-67-5, Mississippi Code of 1972, Annotated

The Mississippi State Department of Health has examined the soil and terrain of the property indicated below. The following recommendations are made using soil and site analysis principles and our best efforts. The Mississippi State Department of Health makes no warranty or representation as to any wastewater system installed. **Recommendations may be voided if grading or fill changes the soil characteristics or if plat (dwelling or private water well) is changed and/or relocated.**
If you have any questions about your Permit/Recommendation, please contact the environmentalist of record. Current Certified Installers can be verified from www.healthyms.com/wastewater or verified by environmentalists.

Applicant:	Property:	Soil and Site Evaluation:
Laura Jones	87 CR 166	Slope: 3 % Soil Textures:
31 Hwy 328	Oxford 38655	Top Soil: Sandy Clay Loam
Oxford MS 38655	Section: Township: Range:	Sub Soil: Sandy Clay Loam
	Subdivision Name	Seasonal High Water 30 Inches
	Lot Number:	Restriction 25 Inches
	Lot Size: 22.92 Acres 0 sq. ft.	Sensitive Water No

Application:	Water Supplier:	Soil and Site Evaluation:
Type of Office	Drinking Public	ID: 336972/256949
Estimated Usage: 100 GPD		Date Issued: 12/9/2025
Application Type:		Expiration Date: 12/9/2027
Notice Of Intent (Residential)		Non-transferrable, valid for one (1) year from date issued.
Commercial Establishment + Final Approval ($412.50)		Notice of Intent filed: 12/03/2025

GPD = Gallons Per Day N/A = Not Available H = Horizontal T = Triangular

Treatment:

Septic Tank (with baffles):	Septic Tank (without baffles):	Advanced Treatment System (ATS):
N/A	N/A	400 GPD

Disposal:

Maximum Depth	Backfill Required :	
13 inches		12 inches minimum above the top of aggregate or prod

Aggregate (Gravel/Tire Chips) Options

Trench (2 ft wide)	Trench (3 ft wide)	Absorption Bed
N/A	N/A	N/A

Aggregate Replacement Options

Large Diameter Pipe

Double 6 inch	N/A
8 inch	N/A
10 inch	N/A

Chambers

Total Coverage Area Required N/A

Linear Footage Required for Selected Chamber Widths

16": N/A 22": N/A 34": N/A

Expanded Polystyrene System (EPS)

3-10H:	N/A	1-12H:	N/A
3-10T:	N/A	2-12H:	N/A
		3-12H:	N/A

Multi-Pipe System (MPS)

MPS - 9	N/A	MPS 3609	N/A
MPS - 11	N/A	MPS 3611	N/A
MPS - 13	N/A	MPS 3613	N/A
MPS - 14	N/A		

ATS Specific Disposal Options

Drip Irrigation	16.6923 Feet	Backfill Require	0	Inches
Spray Irrigation	106.692 Square Feet	Backfill Require	0	Inches

Overland Discharge

1 Point	76 feet
2 Point	38 feet
4 Point	19 feet

Additional Disposal Options

Elevated Sand Mound

Basal	N/A
Absorption	N/A

General Placement/Location of Soil Boring(s):

Notes:

Author: BRENT JOHNS

If any dozerwork takes place , please call and let me re-evaluate.

Next Steps:

Please make several copies of this document (Permit/Recommendation), and supply to the following if applicable:

* Public utility supplying water, to receive a water meter
* Certified well driller, if water source is from a private well
* County Code Office (Planning Department), placement/building permit
* Certified Installer, for installation

REMINDER: Approval of the design, construction or installation of an Individual On-site Wastewater Disposal System by the Department is required. The Certified Installer is responsible for notifying the Department 24-hours before beginning installation of your Individual On-site Wastewater Disposal System and, at that time, to schedule a time for inspection of the system with the Department.

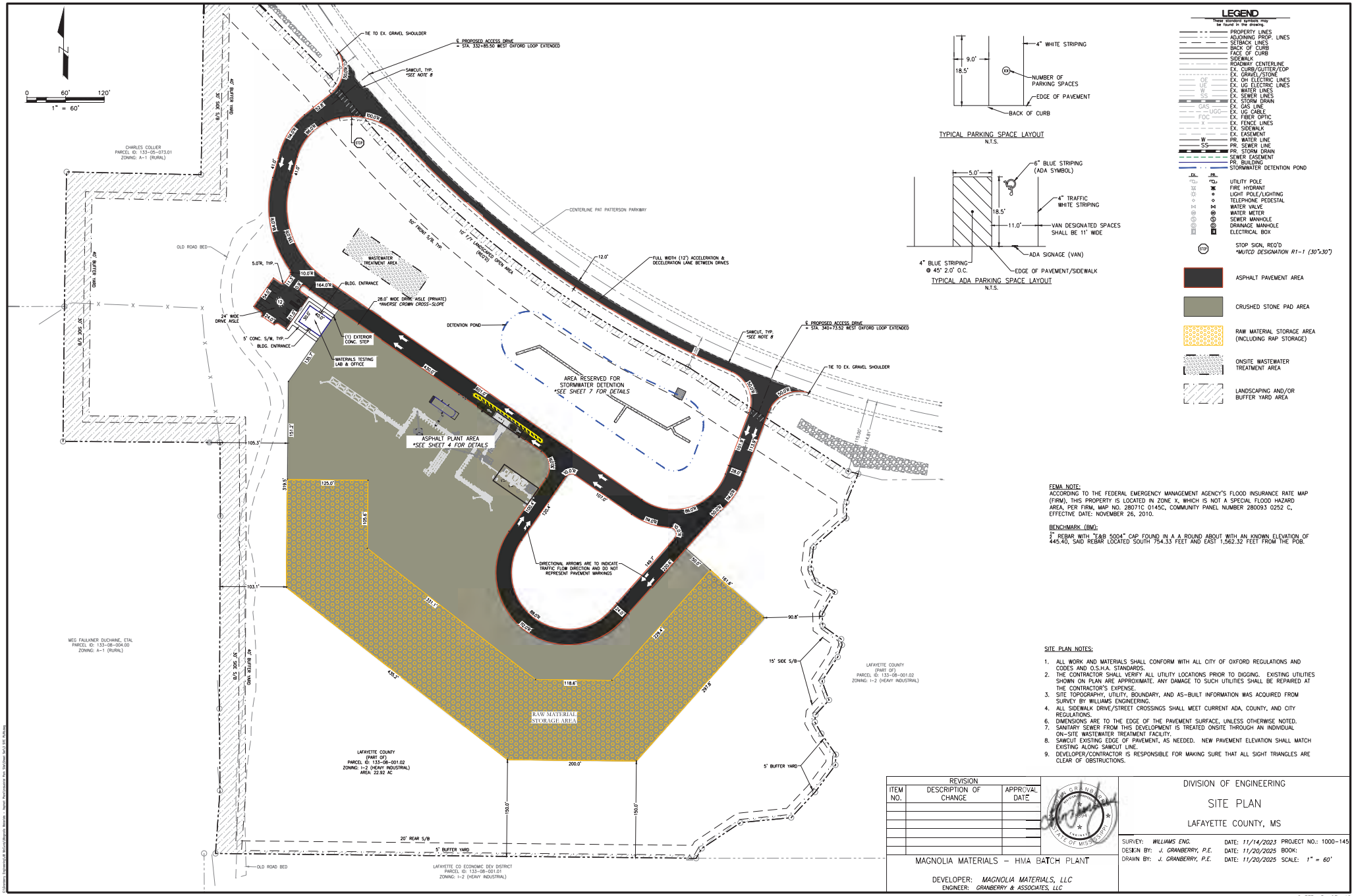
After the inspection, you must provide the Department with the following to obtain Final Approval:

* **Affidavit - Installation (From the Certified Installer)**
* **Affidavit - Maintenance (From you, if an Advanced Treatment System was installed)**
* **An additional fee of $97.50 may be required for Final Approval, if not paid with initial application (Please see "Application" box on this form).**

PLEASE BE AWARE, the Department cannot give Final Approval to any installation that occurs without inspection by the Department at the time of installation.

REMINDER: If any person or Certified Installer fails to obtain Final Approval or submit an Affidavit of proper installation to the Department in the installation of the system, the Department, after due notice and hearing, may levy an administrative fine not to exceed $10,000.00. Also, if any person is operating in the state as an installer without certification by the Department, the Department, after due notice and opportunity for an administrative hearing, may impose a monetary penalty not to exceed $10,000.00 for each violation as per Section 41-67-7(4) and 41-67-25(6) of the Mississippi Individual On-site Wastewater Disposal System Law.

Environmentalist Signature: **Date:** 12/9/25



TYPICAL PARKING SPACE LAYOUT
N.T.S.

TYPICAL ADA PARKING SPACE LAYOUT
N.T.S.

LEGEND

These standard symbols may be found in the drawing.

- PROPERTY LINES
- ADJOINING PROP. LINES
- SETBACK LINES
- BACK OF CURB
- FACE OF CURB
- SIDEWALK
- ROADWAY CENTERLINE
- EX. CURB/GUTTER/EOP
- EX. GRAVEL/STONE
- OE — EX. OH ELECTRIC LINES
- UE — EX. UG ELECTRIC LINES
- W — EX. WATER LINES
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- FOC — EX. FIBER OPTIC
- X — EX. FENCE LINES
- EX. SIDEWALK
- EX. EASEMENT
- W — PR. WATER LINE
- SS — PR. SEWER LINE
- PR. STORM DRAIN
- SEWER EASEMENT
- PR. BUILDING
- STORMWATER DETENTION POND

EX.	PR.	
		UTILITY POLE
		FIRE HYDRANT
		LIGHT POLE/LIGHTING
		TELEPHONE PEDESTAL
		WATER VALVE
		WATER METER
		SEWER MANHOLE
		DRAINAGE MANHOLE
		ELECTRICAL BOX

STOP SIGN, REQ'D
*MUTCD DESIGNATION R1-1 (30"x30")

- ASPHALT PAVEMENT AREA
- CRUSHED STONE PAD AREA
- RAW MATERIAL STORAGE AREA (INCLUDING RAP STORAGE)
- ONSITE WASTEWATER TREATMENT AREA
- LANDSCAPING AND/OR BUFFER YARD AREA

FEMA NOTE:
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM), THIS PROPERTY IS LOCATED IN ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, PER FIRM, MAP NO. 28071C 0145C, COMMUNITY PANEL NUMBER 280093 0252 C, EFFECTIVE DATE: NOVEMBER 26, 2010.

BENCHMARK (BM):
½" REBAR WITH "E&B 5004" CAP FOUND IN A A ROUND ABOUT WITH AN KNOWN ELEVATION OF 445.40, SAID REBAR LOCATED SOUTH 754.33 FEET AND EAST 1,562.32 FEET FROM THE POB.

SITE PLAN NOTES:

1. ALL WORK AND MATERIALS SHALL CONFORM WITH ALL CITY OF OXFORD REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
2. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO DIGGING. EXISTING UTILITIES SHOWN ON PLAN ARE APPROXIMATE. ANY DAMAGE TO SUCH UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
3. SITE TOPOGRAPHY, UTILITY, BOUNDARY, AND AS-BUILT INFORMATION WAS ACQUIRED FROM SURVEY BY WILLIAMS ENGINEERING.
4. ALL SIDEWALK DRIVE/STREET CROSSINGS SHALL MEET CURRENT ADA, COUNTY, AND CITY REGULATIONS.
6. DIMENSIONS ARE TO THE EDGE OF THE PAVEMENT SURFACE, UNLESS OTHERWISE NOTED.
7. SANITARY SEWER FROM THIS DEVELOPMENT IS TREATED ONSITE THROUGH AN INDIVIDUAL ON-SITE WASTEWATER TREATMENT FACILITY.
8. SAWCUT EXISTING EDGE OF PAVEMENT, AS NEEDED. NEW PAVEMENT ELEVATION SHALL MATCH EXISTING ALONG SAWCUT LINE.
9. DEVELOPER/CONTRACTOR IS RESPONSIBLE FOR MAKING SURE THAT ALL SIGHT TRIANGLES ARE CLEAR OF OBSTRUCTIONS.

REVISION		
ITEM NO.	DESCRIPTION OF CHANGE	APPROVAL DATE

MAGNOLIA MATERIALS – HMA BATCH PLANT

DEVELOPER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

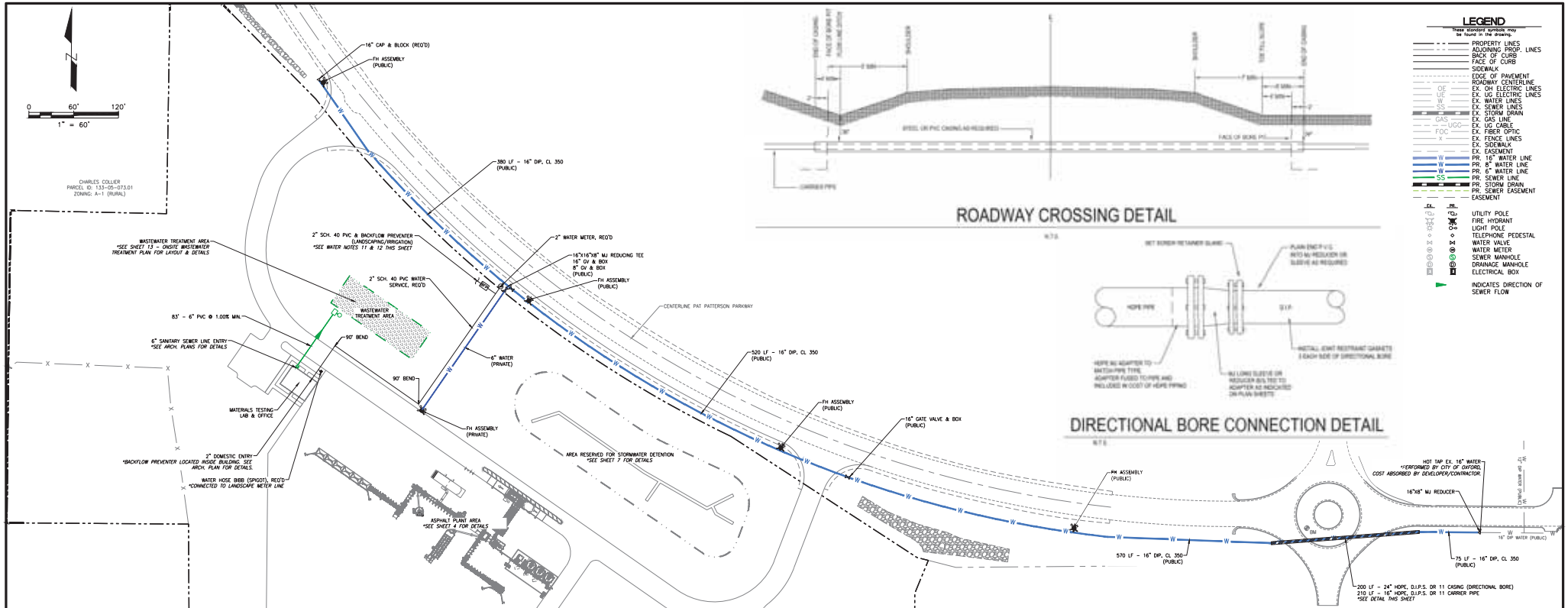
DIVISION OF ENGINEERING

SITE PLAN

LAFAYETTE COUNTY, MS

SURVEY: *WILLIAMS ENG.* DATE: *11/14/2023* PROJECT NO.: 1000-145
DESIGN BY: *J. GRANBERRY, P.E.* DATE: *11/20/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *11/20/2025* SCALE: *1" = 60'*

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SEWER NOTES

1. SANITARY SEWER SHOULD BE LAID AT LEAST 10 FEET HORIZONTALLY AND 18" VERTICALLY FROM ANY EXISTING OR PROPOSED WATER MAIN, WITH THE WATER MAIN LOCATED ABOVE THE SEWER PIPE. SEWERS CROSSING WATER MAINS SHALL BE ARRANGED SO THAT THE SEWER JOINTS WILL BE EQUIDISTANT AND AS FAR AS POSSIBLE FROM THE WATER MAIN OR THE SEWER SHOULD BE DUCTILE IRON OR SHALL BE ENCASED IN DUCTILE IRON OR CONCRETE FOR A MINIMUM OF ONE FULL JOINT LENGTH ON EACH SIDE OF THE CROSSING.
2. ALL SANITARY SEWER MAINS AND SERVICES SHALL BE PVC SDR-26. SEWER SERVICES SHALL BE A MINIMUM OF 6" IN DIAMETER, AND SHALL BE INSTALLED ON A MINIMUM 1% SLOPE.
3. CONSTRUCTION AND MATERIALS FOR THE SANITARY SEWER SYSTEM SHALL CONFORM TO THE SPECIFICATIONS OF THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY, THE MISSISSIPPI DEPARTMENT OF HEALTH, AND LAFAYETTE COUNTY.
4. BEDDING MATERIAL SHALL BE REQUIRED BENEATH ALL SANITARY SEWER MAINS, UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
5. SEWER SERVICE ENTRY SHOWN FOR APPROXIMATE LOCATION. EXACT LOCATION SHALL BE COORDINATED WITH THE BUILDING ARCHITECT AND SHALL BE SPACED 10' FROM WATER SERVICES, WHERE PRACTICAL.
6. ALL STORM DRAIN AND SEWER SHALL BE INSPECTED BY CAMERA AND IN THE PRESENCE OF A COUNTY REPRESENTATIVE. ANY DAMAGE OR DEFICIENCIES SHALL BE REMOVED AND REPLACED AND OR REPAIRED IN ACCORDANCE TO MANUFACTURERS AT THE DISCRETION OF THE COUNTY. ALL REPAIRS SHALL BE MADE PRIOR TO CITY ACCEPTANCE.
7. DEFLECTION TESTS SHALL BE PERFORMED ON ALL FLEXIBLE PIPE. THE TEST SHALL BE CONDUCTED AFTER THE FINAL BACKFILL HAS BEEN IN PLACE AT LEAST 30 DAYS. NO PIPE SHALL EXCEED A DEFLECTION OF 5%. IF THE DEFLECTION TEST IS TO BE RUN USING A RIGID BALL OR MANDREL, IT SHALL HAVE A DIAMETER EQUAL TO 95% OF THE INSIDE DIAMETER OF THE PIPE. THE TEST SHALL BE PERFORMED WITHOUT MECHANICAL PULLING DEVICES.
8. ALL SANITARY SEWER CLEANOUTS LOCATED IN IMPERVIOUS AREA SHALL BE TRAFFIC RATED.
9. ALL RAINWATER SHALL BE DIVERTED AWAY FROM SPRAY FIELD AREAS.
10. TOPSOIL SHALL BE REMOVED (OR SUFFICIENTLY DISKED) WITHIN THE FOOTPRINT OF THE SPRAY FIELD AREA TO ENSURE THE EXISTING VEGETATIVE LAYER SHALL NOT PREVENT OR RESTRICTION THE PERCOLATION OF TREATED SEWER.
11. A MINIMUM OF 6" SANDY LOAM FILL MATERIAL SHALL COVER THE SPRAY DISPOSAL AREA.

WATER NOTES

1. ALL WATER MAIN LINES SHALL BE 8" DIAMETER (MIN.) DUCTILE IRON PIPE, CLASS 350.
2. ALL WATER SERVICE LINES SHALL BE 1" MINIMUM DIAMETER AND SHALL MEET THE CITY OF OXFORD SPECIFICATIONS .
3. CONSTRUCTION AND MATERIALS FOR THE WATER DISTRIBUTION SYSTEM SHALL CONFORM TO THE SPECIFICATIONS OF THE MISSISSIPPI DEPARTMENT OF HEALTH AND THE CITY OF OXFORD.
4. WATER MAINS SHALL BE INSTALLED AT LEAST 10 FEET HORIZONTALLY AND 18 INCHES VERTICALLY FROM ANY SEWER MAIN OR MANHOLE (WATER OVER SEWER). WHERE WATER MAINS CROSS OVER SEWER MAINS, THE ABOVE REQUIREMENTS MAY BE WAIVED IF PIPE SEGMENTS ARE CENTERED TO PROVIDE MAXIMUM SPACING OF THE JOINTS OF BOTH WATER AND SEWER MAINS AND A VERTICAL SEPARATION OF AT LEAST 18 INCHES (WATER OVER SEWER) IS MAINTAINED. THE DISTANCES AND SPACING MENTIONED ABOVE ARE CLEAR DISTANCES, AND WHENEVER THE DISTANCE CAN NOT BE MET, THE MAIN MUST BE PLACED IN CASING.
5. THE CONTRACTOR SHALL VERIFY LOCATION AND SIZE OF EXISTING WATER MAINS PRIOR TO COMMENCING BORING OR CONNECTION OPERATIONS. THE CONTRACTOR SHALL PROVIDE NECESSARY ADJUSTMENTS TO BOTH NEW AND EXISTING WATER LINES TO ALLOW CONNECTION AND INSTALLATION.
6. WATER MAINS AND SERVICES MUST HAVE A MINIMUM OF 36" CLEARANCE.
7. SPACING OF FIRE HYDRANTS MY VARY, BUT SHALL IN NO CASE BE SPACED FARTHER THAN 500' APART. SPACING SHALL BE MEASURED LINEARLY ALONG STREET FRONTAGE.
8. CONTRACTOR SHALL MARK WATER CROSSINGS OF COMMON OPEN SPACE AREAS WITH CHISELED "W" ON CURB OR SIDEWALK AT CROSSING LOCATIONS.
9. METER BOXES MEETING THE CITY OF OXFORD'S REQUIREMENTS SHALL BE PROVIDED FOR EACH LOT BY THE DEVELOPER AND INSTALLED TO GRADE.
10. ALL TAPS MADE BY CITY OF OXFORD ARE TO BE PAID FOR BY CONTRACTOR/DEVELOPER.
11. EXACT LOCATION OF IRRIGATION LINE WITH BACKFLOW PREVENTER SHALL BE DETERMINED BY LANDSCAPE ARCHITECT. SEE LANDSCAPE PLAN FOR ADDITIONAL INFORMATION.
12. SUPPLEMENTAL WATER NEEDED FOR TRUCK/VEHICLE MAINTENANCE SHALL BE PROVIDED AND ROUTED THROUGH THE METER. EXACT LOCATION OF THE WATER SUPPLY LINES SHALL BE COORDINATED WITH THE LANDSCAPING AND IRRIGATION PLANS.
13. ALL CORPORATION STOPS SHALL BE FORD 3/4" FB 1000-3G ALL GRIP COMPRESSION OR FORD 1" FB 1000 4G ALL GRIP COMPRESSION.
14. ALL CURB STOPS SHALL BE FORD IP X IP 3/4" BALL VALVE B11-333W OR FORD IP X IP 1" BALL VALVE B11-444W

FEMA NOTE:
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM), THIS PROPERTY IS LOCATED IN ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, PER FIRM, MAP NO. 28071C 0145C, COMMUNITY PANEL NUMBER 280093 0252 C, EFFECTIVE DATE: NOVEMBER 26, 2010.

BENCHMARK (BM):
3" REBAR WITH "E&B 5004" CAP FOUND IN A A ROUND ABOUT WITH AN KNOWN ELEVATION OF 445.40, SAID REBAR LOCATED SOUTH 754.33 FEET AND EAST 1,562.32 FEET FROM THE POB.

REVISION		
ITEM NO.	DESCRIPTION OF CHANGE	APPROVAL DATE

MAGNOLIA MATERIALS - HMA BATCH PLANT

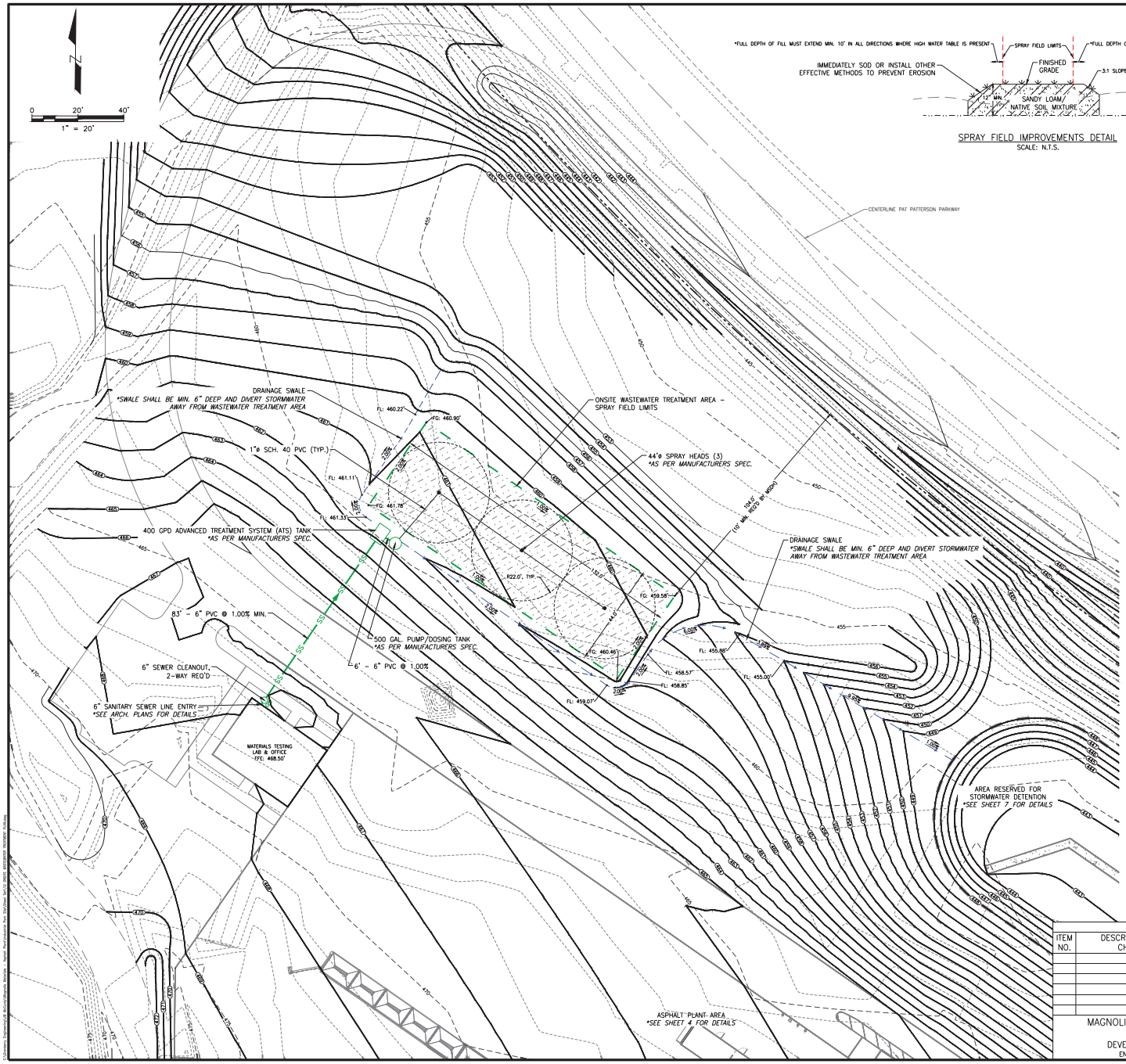
OWNER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

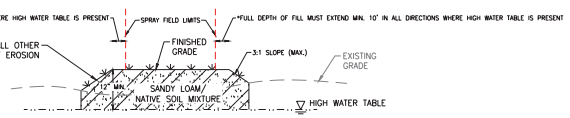
DIVISION OF ENGINEERING

UTILITY PLAN

LAFAYETTE COUNTY, MS

SURVEY: *WILLIAMS ENG.* DATE: *11/14/2023* PROJECT NO.: 1000-145
DESIGN BY: *J. GRANBERRY, P.E.* DATE: *11/20/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *11/20/2025* SCALE: *1" = 60'*





SPRAY FIELD IMPROVEMENTS DETAIL
SCALE: N.T.S.

DESIGN FLOW CALCULATIONS:
OFFICE/PLANT AREA = 20 GPD/PERSON
6 EMPLOYEES X 20 GPD/PERSON = 120 GPD

TOTAL GPD: 120 GPD

LEGEND

These standard symbols may be found in the drawing.

- PROPERTY LINES
- ADJOINING PROP. LINES
- SETBACK LINES
- BACK OF CURB
- FACE OF CURB
- SIDEWALK
- ROADWAY CENTERLINE
- EX. CURB/GUTTER/EOP
- EX. GRAVEL/STONE
- OE — EX. OH ELECTRIC LINES
- UE — EX. UG ELECTRIC LINES
- W — EX. WATER LINES
- SS — EX. SEWER LINES
- EX. STORM DRAIN
- GAS — EX. GAS LINE
- UGC — EX. UG CABLE
- FOC — EX. FIBER OPTIC
- X — EX. FENCE LINES
- EX. SIDEWALK
- EX. EASEMENT
- W — PR. 16" WATER LINE
- W — PR. 10" WATER LINE
- W — PR. 8" WATER LINE
- SS — PR. SEWER LINE
- PR. STORM DRAIN
- SEWER EASEMENT
- PR. BUILDING
- STORMWATER DETENTION POND

EX.	PR.	
		UTILITY POLE
		FIRE HYDRANT
		LIGHT POLE/LIGHTING
		TELEPHONE PEDESTAL
		WATER VALVE
		WATER METER
		SEWER MANHOLE
		DRAINAGE MANHOLE
		ELECTRICAL BOX

- SANITARY SEWER CLEANOUT
- WASTEWATER TREATMENT AREA
- INDICATES DIRECTION OF SEWER FLOW

FEMA NOTE:
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM), THIS PROPERTY IS LOCATED IN ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, PER FIRM, MAP NO. 28071C 0145C, COMMUNITY PANEL NUMBER 280093 0252 C, EFFECTIVE DATE: NOVEMBER 26, 2010.

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½" REBAR WITH "C&B 5004" CAP FOUND IN A A ROUND ABOUT WITH AN KNOWN ELEVATION OF 445.40, SAID REBAR LOCATED SOUTH 754.33 FEET AND EAST 1,562.32 FEET FROM THE POB.

GENERAL NOTES:

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2. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO DIGGING. EXISTING UTILITIES SHOWN ON PLAN ARE APPROXIMATE. ANY DAMAGE TO SUCH UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
3. DRAINAGE AND ASSOCIATED EASEMENTS LOCATED HEREON ARE OWNED BY THE PUBLIC UNLESS OTHERWISE NOTED.
4. DEVELOPER/CONTRACTOR IS RESPONSIBLE FOR MAKING SURE THAT ALL SIGHT TRIANGLES ARE CLEAR OF OBSTRUCTIONS.

SEWER NOTES

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2. ALL SANITARY SEWER MAINS AND SERVICES SHALL BE PVC SDR-26. SEWER SERVICES SHALL BE A MINIMUM OF 6" IN DIAMETER, AND SHALL BE INSTALLED ON A MINIMUM 1% SLOPE.
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REVISION		
ITEM NO.	DESCRIPTION OF CHANGE	APPROVAL DATE

MAGNOLIA MATERIALS - HMA BATCH PLANT

DEVELOPER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

DIVISION OF ENGINEERING

ONSITE WASTEWATER TREATMENT PLAN

LAFAYETTE COUNTY, MS

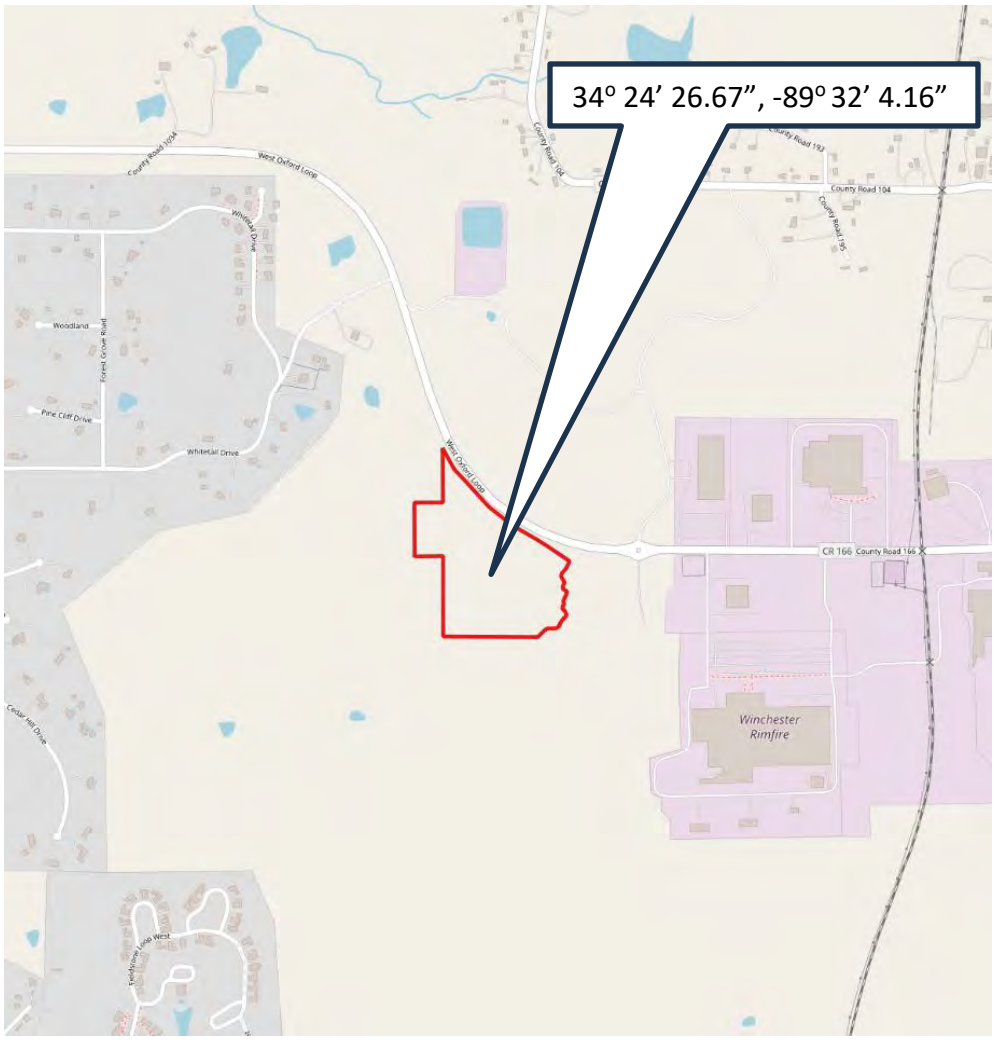
SURVEY: *WILLIAMS ENG.* DATE: *11/14/2023* PROJECT NO.: 1000-145
DESIGN BY: *J. GRANBERRY, P.E.* DATE: *11/20/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *11/20/2025* SCALE: *1" = 20'*

APPENDIX L

Wetlands Evaluation

Wetland Delineation March 2026

Magnolia Materials
Hot Mix Asphalt Plant
Section 5, Township 8 South, Range 3 West
Oxford, Lafayette County, Mississippi



Prepared by
FC&E Engineering, LLC
917 Marquette Road
Brandon, MS 39042

Contents

1.0 OVERVIEW 1
1.1 Introduction 1
1.2 Location 1
1.3 Site and Vicinity Characteristics 1
1.4 Current Use of Property 1
1.5 Description of Site Structures, Roads, and Other Improvements 1
1.6 Surface and Subsurface Characteristics 1
2.0 WETLAND DELINEATION METHODOLOGY 2
2.1 Hydrology 2
2.2 Soils 3
2.3 Vegetation 5
2.4 Findings 6
3.0 REFERENCES 8
APPENDIX A: FIGURES 9
APPENDIX B: TABLES 10
APPENDIX C: WETLAND DETERMINATION DATA FORMS 12
APPENDIX D: SITE PHOTOS 13
APPENDIX E: SOIL REPORT 14

1.0 Overview

1.1 Introduction

FC&E was retained by Magnolia Materials, LLC to perform a wetland delineation at the subject parcel for use as a Hot Mix Asphalt Plant. The parcel is located south of West Oxford Loop Road Section 5, Township 8 South, Range 3 West in Lafayette County Mississippi. This document details the methodology and findings of the wetland delineation performed on March 17, 2026. It is FC&E's opinion that there are potentially jurisdictional waters present at the Site. Figures of the Site depicting the location, boundary, and delineated features have been included within Figure 1 within Appendix A. Tables detailing features delineated at the Site have been included within Appendix B. Wetland Determination Data Forms collected at the Site have been included within Appendix C. Additional photos of the site have been included within Appendix D.

1.2 Location

The subject property is south of and accessed from West Oxford Loop Road. The site is in an industrial area and is bound to the north and east by industrial activities. Areas west and south are forested. The site is approximately 22.9 acres in size. A site location map is included as Figure 2. Coordinates for the center of the subject property are approximately 34° 24' 24.67"N (latitude) and -89° 32' 4.16"W (longitude). A legal description of the subject property was not provided.

1.3 Site and Vicinity Characteristics

The subject property is currently mixed forest of pine and various hard woods. An aerial site location map is included as Figure 1, and site photographs are included in Appendix D.

1.4 Current Use of Property

The site is inactive and undeveloped.

1.5 Description of Site Structures, Roads, and Other Improvements

The subject property is currently inactive and undeveloped with no improved roads within the perimeter.

1.6 Surface and Subsurface Characteristics

Topography: The site surface topography is mild to steep with discontinuous swales and erosional features. The generally grades to the north and west with elevations running from 480' to 509' North to South National Geodetic Vertical Datum (NGVD) and 477' to 509' East to West.

Surface Water: Uncollected storm water from flat surfaces appears to sheet flow and conveys toward the eastern side of the property. This flow transitions to concentrated flow as it moves

north along the eastern property border where it forms the headwaters of Berry Branch. Berry Branch then flows through a box culvert under West Oxford Loop Road. Berry Branch is heavily incised. No evidence of an active floodplain was observed.

2.0 Wetland Delineation Methodology

The primary objective of this investigation was to determine the presence of wetlands and other waters within the Site. A narrow, low-gradient surface contiguous with Berry Branch was identified, occupying a geomorphic position consistent with an active floodplain subject to periodic inundation. This was the only area observed to potentially have wetland hydrology, therefore only one data point was deemed necessary and was considered representative of the area. The data point documented hydrology, soil characteristics, and vegetation, and the corresponding field observations are provided in the attached *Wetland Determination Data Forms – Atlantic and Gulf Coastal Plain Region*. All observations were conducted in accordance with the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Version 2.0)*. In addition, a GNSS GPS unit was used to collect spatial data, including the location of the data point, the centerlines of other waters, and the delineated boundaries of wetlands.

A sharp-shooter shovel was used to observe the soil profile to a depth of about 20 inches. The soil sample was compared to a Munsell Soil-Color Chart to determine the soil color and hydrology characteristics. In addition, standard wetland hydrology indicators were recorded as either primary or secondary. If at least one primary or two secondary indicators were present, then wetland hydrology was deemed present. Finally, the vegetation was recorded for each plant stratum with a respective percent of cover. The wetland indicator status for vegetation was recorded using the National Wetland Plant List. Hydric vegetation was recorded as present or not present by using the Dominance Test and Prevalence Index. The Data Sheets recorded have been enclosed within Appendix C. The location of observed data point is also depicted in the detailed map (Figure 1) within Appendix A.

2.1 Hydrology

The Site was located in HUC 080030201 Little Tallahatchie River. Surface water contacting the site generally flows east and north in sheet flow. Storm water then flowed via swale to Berry Branch then through a box culvert under West Oxford Loop Road.

2.2 Soils

The detailed list below describes the soil series encountered on the Site using excerpts from the USDA Soil Survey for Lafayette County, Mississippi and the NRCS National Hydric Soils List 2018. The Soil Map (Figure 2) within Appendix A details the published soil boundaries and the location of observed data points. Two (2) soil series were mapped for the Site, none with typically hydric components. A brief description and typical profile of each can be found below.

The Lexington Series consists of very deep, well drained soils on level to moderately steep uplands. The soil formed in a mantle of loess about 2 to 3 feet thick and in the underlying loamy and sandy marine sediments. Slopes range from 0 to 30 percent.

TAXONOMIC CLASS: Fine-silty, mixed, active, thermic Ultic Hapludalfs

TYPICAL PEDON: Lexington silt loam, in a gently sloping cultivated field. (Colors are for moist soil unless otherwise stated.)

Ap--0 to 7 inches; brown (10YR 4/3) silt loam; weak fine granular structure; very friable; many fine roots; many fine and medium pores; strongly acid; abrupt smooth boundary. (5 to 8 inches thick)

Bt1--7 to 20 inches; reddish brown (5YR 4/4) silty clay loam; strong medium subangular blocky structure; friable; common fine roots; common fine and medium pores; few faint reddish brown (5YR 4/3) clay films on vertical and horizontal faces of peds; strongly acid; clear smooth boundary.

Bt2--20 to 35 inches; yellowish red (5YR 4/6) silt loam, moderate medium subangular blocky structure; friable; few fine roots; common fine pores; few faint reddish brown (5YR 4/4) clay films on faces of peds; strongly acid; clear smooth boundary. (Combined thickness of the Bt horizons ranges from 20 to 40 inches.)

2Bt3--35 to 48 inches; dark brown (7.5YR 4/4) sandy loam; few small brown (10YR 5/3) pockets of loamy sand; weak medium subangular blocky structure; very friable; few fine roots; many fine and medium pores; few faint dark brown (7.5YR 3/4) clay films on faces of peds; strongly acid; clear smooth boundary.

2Bt4--48 to 55 inches; dark reddish brown (5YR 3/4) sandy loam; many brownish yellow (10YR

6/6) pockets of loamy sand; weak medium subangular blocky structure; very friable; many fine and medium pores; few faint dark reddish brown (5YR 3/3) clay films on ped faces and bridging sand grains; strongly acid; clear smooth boundary. (Combined thickness of the 2Bt horizons ranges from 0 to 60 inches).

2E and Bt--55 to 72 inches; stratified brownish yellow (10YR 6/6) loamy sand (E) and brown (7.5YR 4/4) sandy loam lamella (Bt); E part is 1 to 3 inches thick; single grain; loose; many white (10YR 8/2) uncoated sand grains; Bt part is lamella, 1/4 inch to 1 inch thick; weak fine subangular blocky structure; very friable; many fine and medium pores; small pockets of yellow (10YR 7/6) sand or loamy sand make up about 10 percent of the strata; strongly acid.

The Smithdale Series consists of very deep, well drained, moderately permeable soils on ridge tops and hill slopes in dissected uplands of the Southern Coastal Plain (MLRA 133A) and in the Western Coastal Plain (133B). They formed in thick beds of loamy marine sediments. Near the type location the average annual temperature is 63 degrees F., and the average annual precipitation is about 57 inches. Slopes range from 1 to 60 percent.

TAXONOMIC CLASS: Fine-loamy, siliceous, subactive, thermic Typic Hapludults

TYPICAL PEDON: Smithdale fine sandy loam, in a forested area on a steep slope (Colors are for moist soil unless otherwise stated).

A--0 to 2 inches; dark grayish brown (10YR 4/2) fine sandy loam; weak fine granular structure; friable; many very fine and fine roots, common medium to very coarse roots; strongly acid; clear smooth boundary. (2 to 8 inches thick)

E--2 to 11 inches; brown (10YR 5/3) fine sandy loam; weak fine granular structure; friable; many very fine roots, common medium to coarse roots; strongly acid; clear smooth boundary. (0 to 12 inches thick)

Bt1--11 to 39 inches; yellowish red (5YR 5/8) sandy clay loam; moderate fine and medium subangular blocky structure; friable; few very fine to coarse roots, common fine roots; many faint clay films on vertical faces of peds; about 2 percent, by volume reddish brown (2.5YR 4/4) ironstone nodules; strongly acid; gradual wavy boundary.

Bt2--39 to 50 inches; yellowish red (5YR 4/6) sandy clay loam; weak medium subangular blocky structure; friable; few very fine, medium and coarse roots; many faint clay films on vertical

faces of peds; common distinct yellowish brown (10YR 5/8) irregular pockets of sand grains; about 2 percent, by volume reddish brown (2.5YR 4/4) ironstone nodules; few fine quartz pebbles; few distinct platy weakly cemented mica flakes; very strongly acid; gradual wavy boundary. (Combined thickness of the Bt horizon ranges from 48 to 55 inches)

BC1--50 to 63 inches; red (2.5YR 4/8) sandy loam; weak medium subangular blocky structure; very friable; few very fine roots; common faint clay films on vertical faces of peds; common fine distinct pockets of yellowish brown (10YR 5/4) irregular pockets of sand grains; common fine distinct platy weakly cemented mica flakes; very strongly acid; gradual wavy boundary.

BC2--63 to 83 inches; red (2.5YR 4/8) sandy loam; weak medium subangular blocky structure; very friable; sand grains bridged and coated with clay and oxides; few medium distinct pockets of yellowish brown (10YR 5/4) irregular pockets of sand grains; common fine distinct platy weakly cemented mica flakes; very strongly acid.

2.3 Vegetation

The site is characterized by a fully forested plant community typical of upland and transitional forests in north-central Mississippi. The overstory is composed of a mixed assemblage of hardwood species with occasional pine components, forming a relatively continuous canopy across the site. Common species are expected to include oaks (*Quercus* spp.), sweetgum (*Liquidambar styraciflua*), and hickory (*Carya* spp.), with scattered loblolly pine (*Pinus taeda*) and Eastern Cedar (*Juniperus virginiana*) present in some areas.

The midstory is moderately developed and consists of saplings and shade-tolerant woody species, contributing to a layered forest structure. The understory is variable but generally includes woody shrubs, vine species, and a patchy herbaceous layer adapted to shaded conditions. Ground cover is composed of leaf litter, woody debris, and seasonal herbaceous vegetation, with limited exposed soil except in localized areas of disturbance.

Species diversity is moderate and reflects a relatively stable forested system, although some areas may show signs of past disturbance or selective clearing. Regeneration is present in the form of saplings and seedlings, indicating ongoing successional processes. The overall vegetative community is dominated by upland and facultative species, and hydrophytic vegetation is not prevalent.

No clear indicators of wetland vegetation—such as dominance by obligate or facultative wetland species—are observed, supporting the interpretation that the site does not maintain conditions necessary for sustained wetland hydrology.

2.4 **Findings**

Topographically, the site exhibits mild to steep slopes that generally promote sheet flow with some concentration into shallow swales and erosional features. These features are often discontinuous and lack well-defined bed and bank morphology, suggesting they function primarily as upland drainage pathways rather than jurisdictional streams. Evidence of active erosion, including rilling and minor gullying, is present in areas of concentrated flow, particularly where vegetation is sparse.

Subsurface conditions are consistent with regional soils derived from loess and alluvial deposits. Near-surface soils are typically silt loams to silty clay loams, with moderate to poor drainage characteristics depending on landscape position. In upland areas, soils tend to exhibit moderate permeability with a relatively firm, compacted structure. In lower-lying areas and swales, finer-textured soils with higher clay content may be present, resulting in slower infiltration rates and periodic saturation following precipitation events.

No consistent indicators of hydric soils—such as prolonged saturation, redoximorphic features, or organic accumulation—are readily apparent across the majority of the site, although isolated areas of temporary saturation may occur following rainfall. The absence of persistent hydrology and hydrophytic vegetation supports the interpretation that most drainage features on the property are ephemeral and erosional in nature.

The investigation identified two (2) potentially jurisdictional waters within the property boundary. The intermittent stream, which is the headwaters of Berry Branch, within the northeast corner of the property exhibits hydrologic and geomorphic indicators of sustained seasonal flow including a well-defined bed/bank, continuous thalweg, and geomorphic sorting of bed sediments. This intermittent stream totals approximately 606 feet. The 197 foot long ephemeral drainage feature lacks continuous bed and bank development, does not exhibit a persistent thalweg or sorted alluvium indicative of sustained fluvial processes. These conditions indicate the feature functions as an upland swale or erosional drainage rather than an intermittent stream channel. Tables detailing these features and their jurisdictional status have also been enclosed within Appendix B. Wetland Determination Data Forms are included in Appendix C and photos within Appendix D.

ID	Type	Linear (Ft)/Acres
Swale	Upland Swale	197.4 ft.
Berry Branch	Intermittent Stream	606.4 ft.

Table 1. Delineation Findings

It is FC&E's opinion that upland swale is not subject to Section 404 jurisdiction of the US Army Corps of Engineers under the August 2023 Waters of the US Rule. It is also FC&E's opinion that the intermittent stream is a Relatively Permanent water and potentially a jurisdictional Waters of the US subject to jurisdiction of the Corps of Engineers. Ultimately, the final determination of Section 404 jurisdiction lies with the US Army Corps of Engineers. This document may be submitted to the Vicksburg District of the Army Corps of Engineers as a request for a Jurisdictional Determination to confirm these findings.

3.0 References

U.S. Army Corps of Engineers. **National Wetland Plant List – Atlantic and Gulf Coastal Plain, Western Gulf Coastal Plain Subregion**.
Accessed at https://wetland-plants.sec.usace.army.mil/

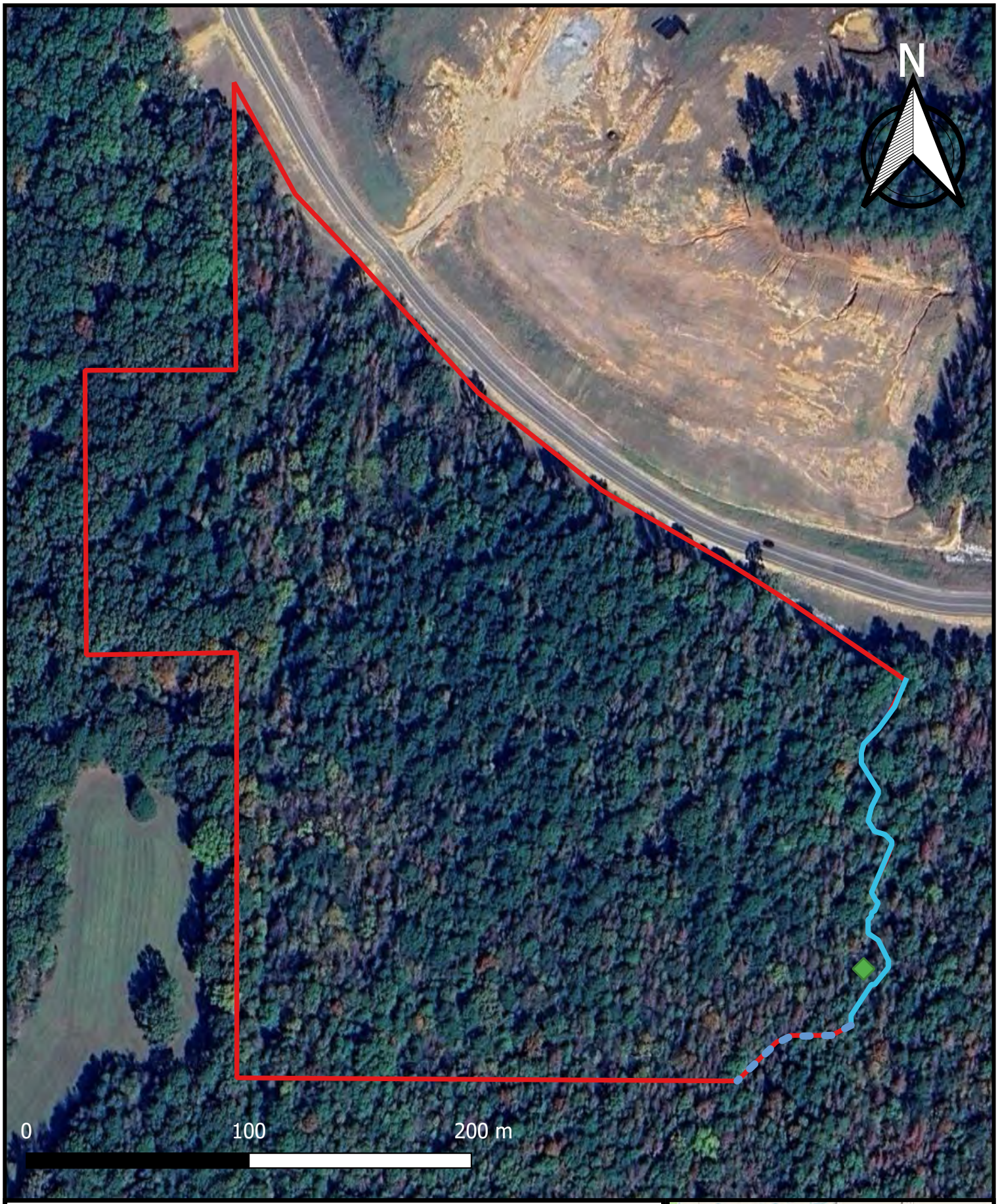
U.S. Army Corps of Engineers – Engineer Research and Development Center. **Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Version 2.0)**. November 2010.

U.S. Department of Agriculture – Natural Resources Conservation Service. **Field Indicators of Hydric Soils in the United States: A Guide for Identifying and Delineating Hydric Soils, Version 9.3.** 2026.

U.S. Department of Agriculture – Natural Resources Conservation Service. **National Hydric Soils List**. December 2015. Accessed at http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/use/hydric.

U.S. Department of Agriculture – Soil Conservation Service and Forest Service. **Soil Survey of Lafayette County, Mississippi**. 1981.

Appendix A: Figures



Property Boundary

Linear Features

Intermittent

Ephemeral

Wetland Data Point

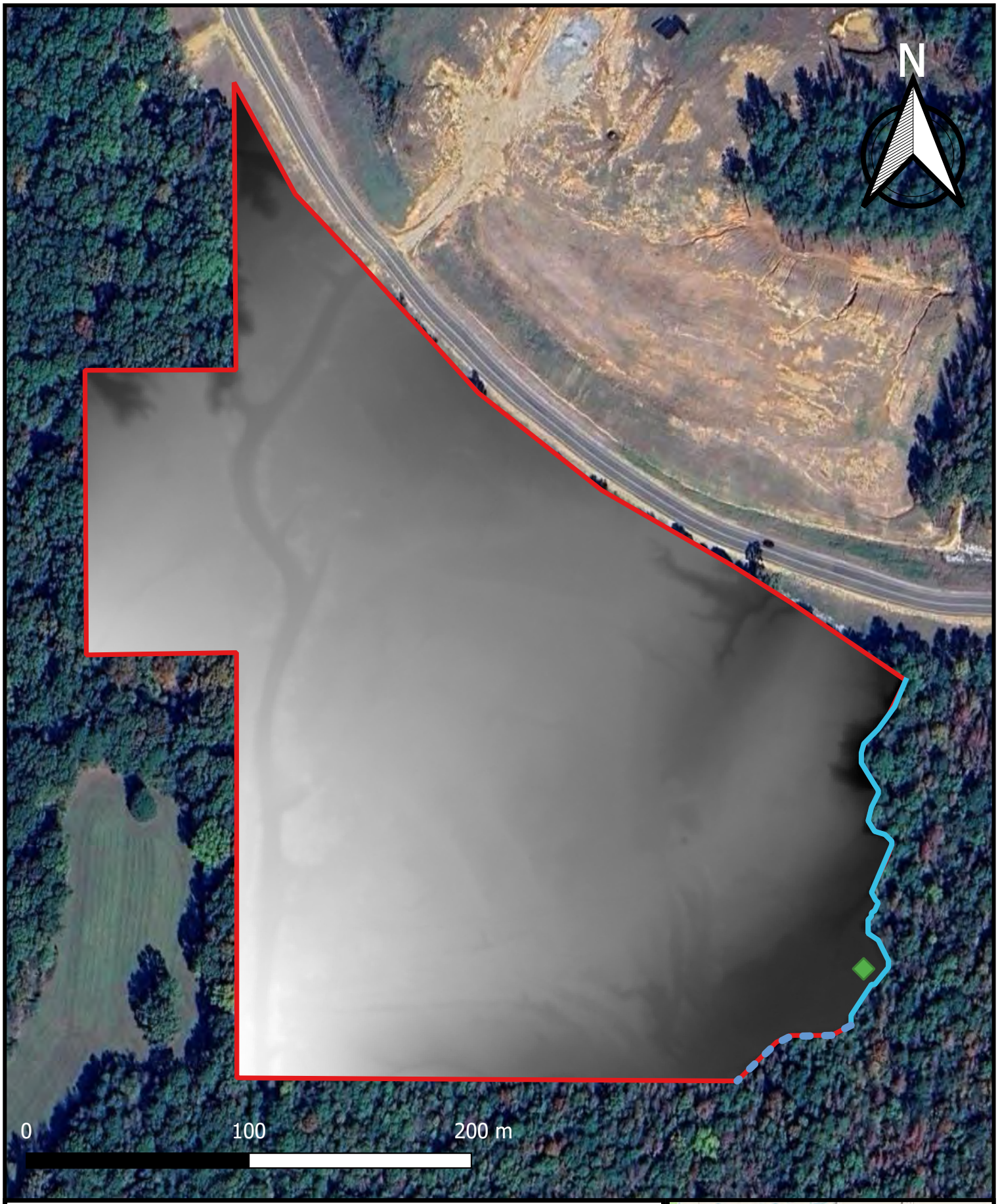


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Magnolia Materials, LLC
Section 5, Township 8S, Range 3 West
Lafayette County, Mississippi
Wetland Delineation Map

Project: Wetland Delineation
Date Drawn: 3/19/2026
Drawn By: S Clark
Checked By: M Carpenter

Figure 1



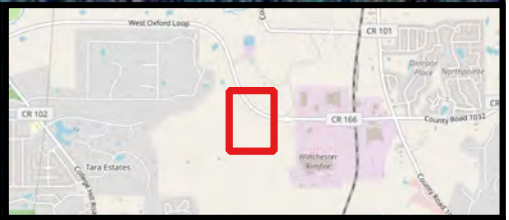
Property Boundary

Linear Features

Intermittent

Ephemeral

Wetland Data Point

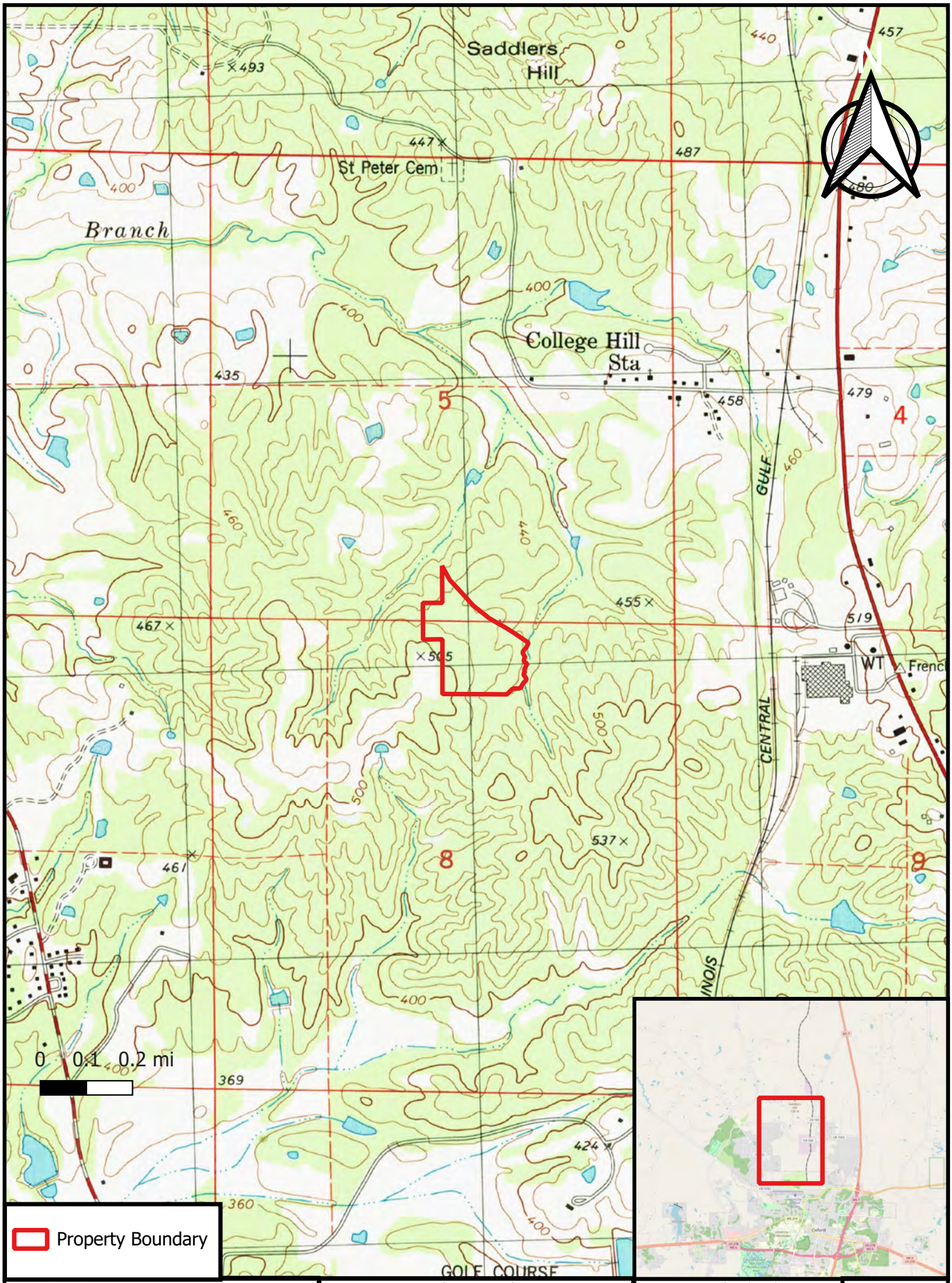


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Wetland Delineation Map - LiDAR

Project: Wetland Delineation
Date Drawn: 3/19/2026
Drawn By: S Clark
Checked By: M Carpenter

Figure 1a

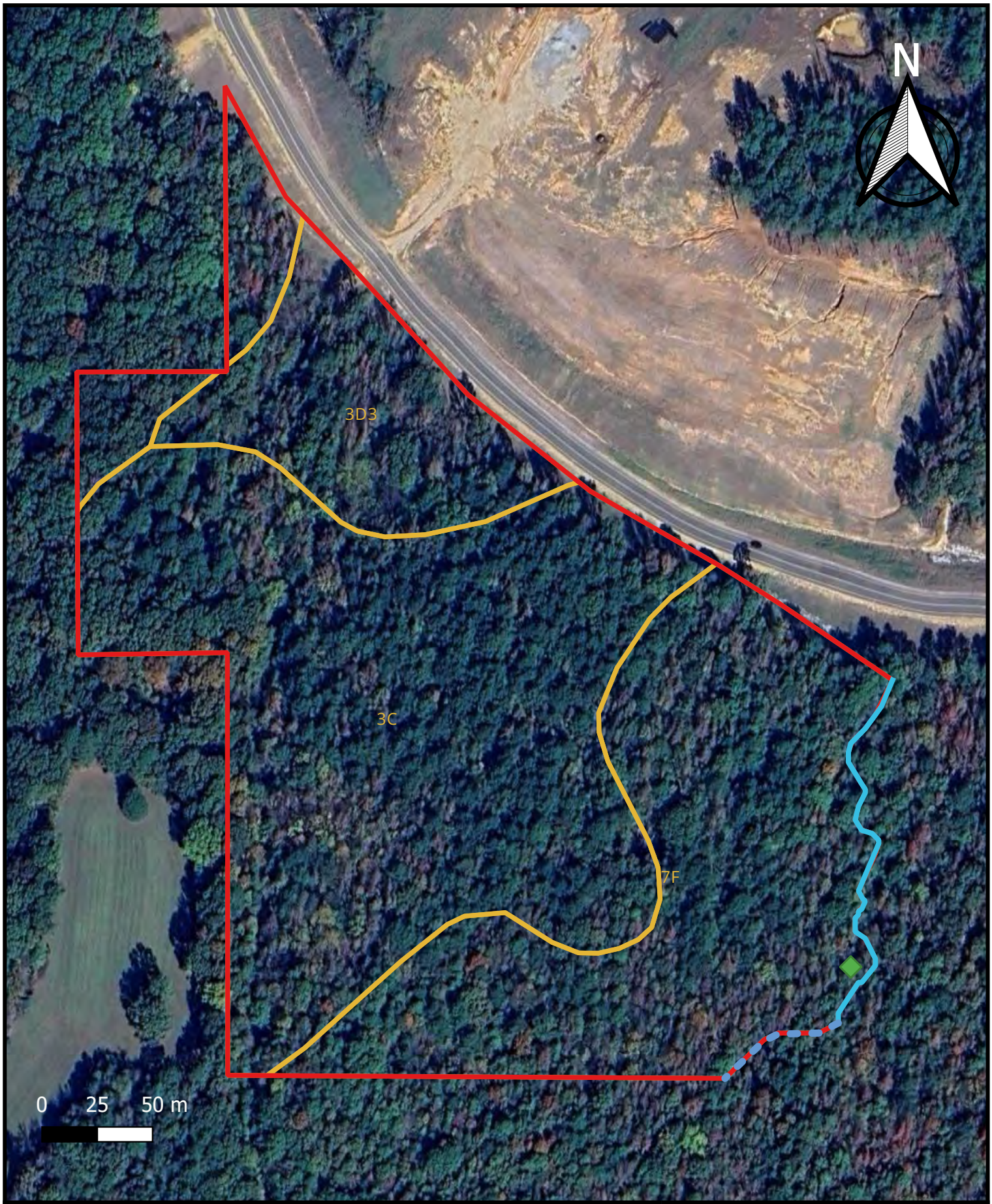


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Figure 2



Property Boundary

Linear Features
Intermittent
Ephemeral

Wetland Data Point



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Soils Map

Project: Wetland Delineation
Date Drawn: 3/19/2026
Drawn By: S Clark
Checked By: M Carpenter

Figure 3

Appendix B: Tables

ID	Water type	Length (ft)	Pre-2015 Regulatory Regime*
Berry Branch	Intermittent	606	(a)(3) Relatively Permanent
Swale	Upland Swale	197	(b)(8) Swales and erosional Features

Table 1. Jurisdiction Determination

*As a result of ongoing litigation on the January 2023 Rule, the agencies are implementing the January 2023 Rule, as amended by the conforming rule, in 23 states, the District of Columbia, and the U.S. Territories. In the other 27 states and for certain parties, the agencies are interpreting "waters of the United States" consistent with the pre-2015 regulatory regime and the Supreme Court's decision in Sackett until further notice.

Appendix C: Wetland Determination Data Forms

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Atlantic and Gulf Coastal Plain Region
See ERDC/EL TR-10-20; the proponent agency is CECW-COR

OMB Control #: 0710-0024, Exp: 09/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Magnolia Materials City/County: Lafayette County Sampling Date: 2026-03-17
Applicant/Owner: State: Mississippi Sampling Point: DP1
Investigator(s): Shawn Clark, Matt Carpenter Section, Township, Range: S08 T8S R3W
Landform (hillside, terrace, etc.): Alluvial Flat Local relief (concave, convex, none): Undulating Slope (%): 0-1
Subregion (LRR or MLRA): P 133C Lat: 34.40659755 Long: -89.53288436 Datum: WGS 84
Soil Map Unit Name: 7F - Smithdale sandy loam, 15 to 35 percent slopes, eroded NWI classification:
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✔ No ___ (If no, explain in Remarks.)
Are Vegetation ___, Soil ___, or Hydrology ___ significantly disturbed? Are "Normal Circumstances" present? Yes ✔ No ___
Are Vegetation ___, Soil ___, or Hydrology ___ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ___	No ✔	**Is the Sampled Area within a Wetland?** Yes ___ No ✔
Hydric Soil Present?	Yes ___	No ✔	
Wetland Hydrology Present?	Yes ___	No ✔	

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum Moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes ___	No ✔	Depth (inches): ___
Water Table Present?	Yes ___	No ✔	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes ___	No ✔	Depth (inches): ___

Wetland Hydrology Present? Yes ___ No ✔

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No primary or secondary hydrology indicators observed

VEGETATION (Four Strata) – Use scientific names of plants. Sampling Point: DP1

Tree Stratum (Plot size: 30 ft r)	Absolute % Cover	Dominant Species?	Indicator Status
1. Prunus serotina	10	✔	FACU
2. Liquidambar styraciflua	5	✔	FAC
3.			
4.			
5.			
6.			
7.			
8.			
	15	=Total Cover	
50% of total cover: 7.50		20% of total cover:	3.00

Sapling/Shrub Stratum (Plot size: 30 ft r)			
1. Ostrya virginiana	5	✔	FACU
2. Liquidambar styraciflua	2	✔	FAC
3.			
4.			
5.			
6.			
7.			
8.			
	7	=Total Cover	
50% of total cover: 3.50		20% of total cover:	1.40

Herb Stratum (Plot size: 30 ft r)			
1. Carex pendula	2		FACW
2. Polystichum acrostichoides	2		FACU
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	4	=Total Cover	
50% of total cover: 2.00		20% of total cover:	0.80

Woody Vine Stratum (Plot size: 30 ft r)			
1. Vitis rotundifolia	1		FAC
2.			
3.			
4.			
5.			
	1	=Total Cover 20%	
50% of total cover: 0.50		of total cover:	0.20

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 50.00 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	2	x 2 =	4
FAC species	8	x 3 =	24
FACU species	17	x 4 =	68
UPL species	0	x 5 =	0
Column Totals:	27 (A)		96 (B)

Prevalence Index = B/A = 3.55

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody Vine – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes ___ No ✔

Remarks: (If observed, list morphological adaptations below.)

VEGETATION Continued (Four Strata) – Use scientific names of plants. Sampling Point: DP1

Tree Stratum	Absolute % Cover	Dominant Species?	Indicator Status
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
	15	=Total Cover	
50% of total cover: 7.50		20% of total cover: 3.00	

Sapling/Shrub Stratum			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
	7	=Total Cover	
50% of total cover: 3.50		20% of total cover: 1.40	

Herb Stratum			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			
21.			
22.			
23.			
24.			
	4	=Total Cover	
50% of total cover: 2.00		20% of total cover: 0.80	

Woody Vine Stratum			
6.			
7.			
8.			
9.			
10.			
	1	=Total Cover	
50% of total cover: 0.50		20% of total cover: 0.20	

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody Vine – All woody vines greater than 3.28 ft in height.

Remarks: (If observed, list morphological adaptations below.)

SOIL

Sampling Point: DP1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0 - 2	7.5YR 2.5/2	100					Silt Loam	
2 - 16	7.5YR 4/6	100					Sandy Clay	
-								
-								
-								
-								
-								

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) (**MLRA 150A)**
- ___ Iron Monosulfide (A18)
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Barrier Islands 1 cm Muck (S12) **(MLRA 153B, 153D)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 149A, 153C, 153D)**
- ___ Very Shallow Dark Surface (F22) **(MLRA 138, 152A in FL, 154)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR O)**
- ___ 2 cm Muck (A10) **(LRR S)**
- ___ Coast Prairie Redox (A16) **(outside MLRA 150A)**
- ___ Reduced Vertic (F18) **(outside MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(LRR P, T)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 153B)**
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22) **(outside MLRA 138, 152A in FL, 154)**
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

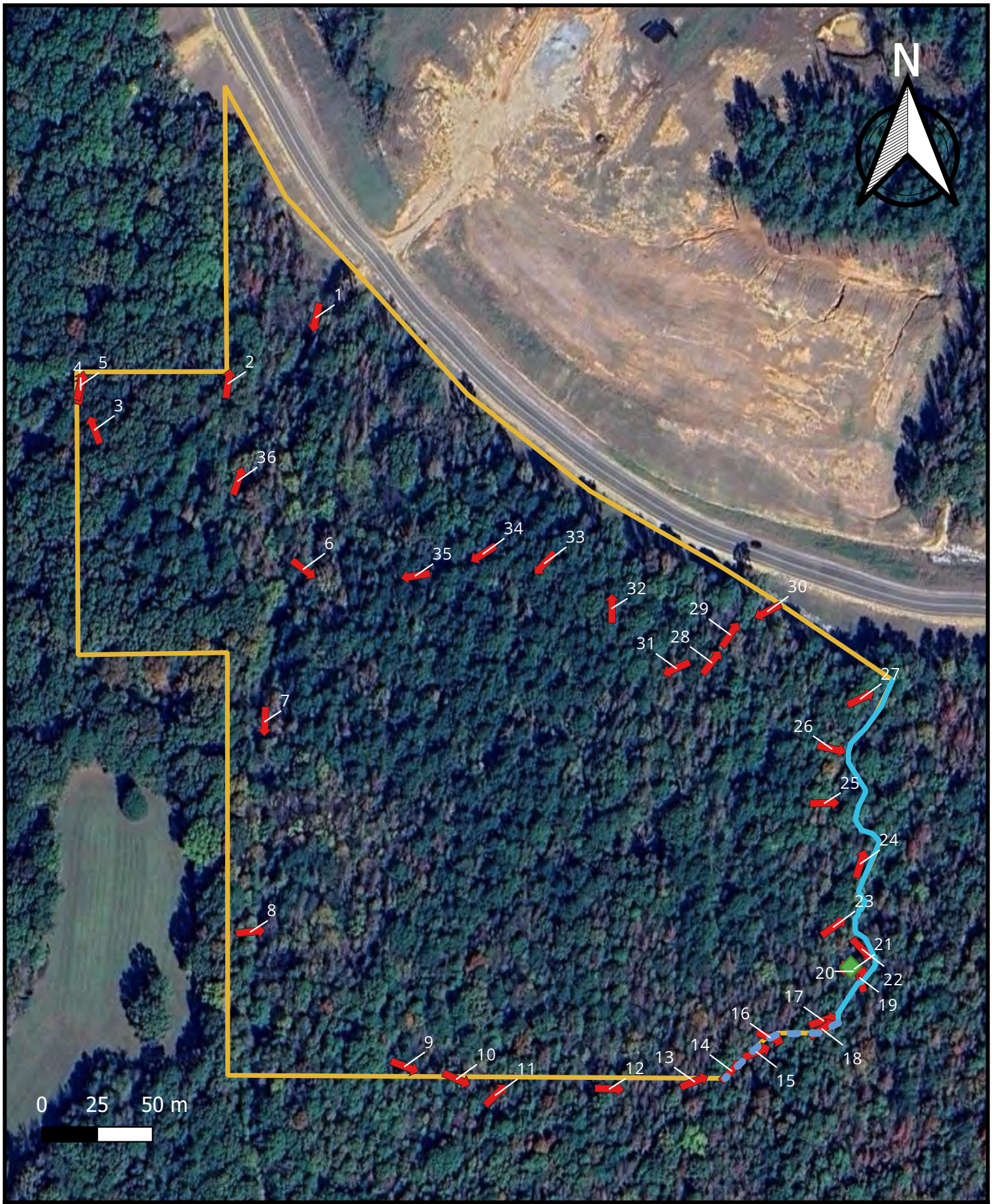
Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** ✔

Remarks:

Appendix D: Site Photos



Property Boundary

Linear Features

Intermittent

Ephemeral

Wetland Data Point



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Lafayette County, Mississippi
Photo Index Map

Project: Wetland Delineation
Date Drawn: 3/19/2026
Drawn By: S Clark
Checked By: M Carpenter

Figure 4

Magnolia Materials

Atlantic and Gulf Coastal Plain (4) - 2024



1

Direction	19° NNE
Location	34.408568, -89.535898
Elevation	472 feet
Photo Date	Tue, Mar 17 2026 12:08 PM



2

Direction	261° W
Location	34.408184, -89.535025
Elevation	495 feet
Photo Date	Tue, Mar 17 2026 12:06 PM



3

Direction	238° WSW
Location	34.408273, -89.534691
Elevation	482 feet
Photo Date	Tue, Mar 17 2026 12:05 PM



4

Direction	222° SW
Location	34.408234, -89.534390
Elevation	472 feet
Photo Date	Tue, Mar 17 2026 12:04 PM



5

Direction	360° NNE
Location	34.408052, -89.534058
Elevation	463 feet
Photo Date	Tue, Mar 17 2026 12:03 PM



6

Direction	245° WSW
Location	34.407808, -89.533742
Elevation	456 feet
Photo Date	Tue, Mar 17 2026 12:03 PM



7
Swale

Direction	243° WSW
Location	34.408040, -89.533292
Elevation	427 feet
Photo Date	Tue, Mar 17 2026 12:01 PM



8
Swale

Direction	34° NE
Location	34.407945, -89.533477
Elevation	453 feet
Photo Date	Tue, Mar 17 2026 11:59 AM



9
Start of swale

Direction	38° NE
Location	34.407832, -89.533568
Elevation	453 feet
Photo Date	Tue, Mar 17 2026 11:58 AM



10

Direction	64° ENE
Location	34.407685, -89.532835
Elevation	440 feet
Photo Date	Tue, Mar 17 2026 11:56 AM



11

Direction	103° ESE
Location	34.407482, -89.532978
Elevation	469 feet
Photo Date	Tue, Mar 17 2026 11:53 AM



12

Direction	88° E
Location	34.407262, -89.533012
Elevation	469 feet
Photo Date	Tue, Mar 17 2026 11:52 AM



13

Direction	18° NNE
Location	34.407016, -89.532836
Elevation	482 feet
Photo Date	Tue, Mar 17 2026 11:50 AM



14

Direction	54° ENE
Location	34.406759, -89.532968
Elevation	440 feet
Photo Date	Tue, Mar 17 2026 11:50 AM



15

Direction	135° SSE
Location	34.406668, -89.532827
Elevation	440 feet
Photo Date	Tue, Mar 17 2026 11:49 AM



16
DP1

Point Associated	DP1
Direction	112° ESE
Location	34.406589, -89.532865
Elevation	433 feet
Photo Date	Tue, Mar 17 2026 11:46 AM



17
DP1

Point Associated	DP1
Direction	282° WNW
Location	34.406579, -89.532873
Elevation	433 feet
Photo Date	Tue, Mar 17 2026 11:46 AM



18
Soil at DP1

Point Associated	DP1
Direction	345° N
Location	34.406552, -89.532839
Elevation	443 feet
Photo Date	Tue, Mar 17 2026 11:35 AM



19
Start RPW

Direction	58° ENE
Location	34.406345, -89.533025
Elevation	436 feet
Photo Date	Tue, Mar 17 2026 11:18 AM



20
RPW

Direction	71° E
Location	34.406380, -89.533019
Elevation	427 feet
Photo Date	Tue, Mar 17 2026 11:17 AM



21
Start of intermittent (sediment sorting, high water mark)

Direction	111° ESE
Location	34.406311, -89.533280
Elevation	459 feet
Photo Date	Tue, Mar 17 2026 11:13 AM



22
Intermittent (non RPW)

Direction	68° E
Location	34.406251, -89.533347
Elevation	456 feet
Photo Date	Tue, Mar 17 2026 11:10 AM



23
Swale (no sediment sorting)

Direction	44° NE
Location	34.406176, -89.533471
Elevation	456 feet
Photo Date	Tue, Mar 17 2026 11:08 AM



24

Direction	68° E
Location	34.406132, -89.533653
Elevation	459 feet
Photo Date	Tue, Mar 17 2026 11:07 AM



25
Swale (no defined bed/bank)

Direction	92° ESE
Location	34.406103, -89.534070
Elevation	459 feet
Photo Date	Tue, Mar 17 2026 11:06 AM



26
Start of swale/erosional feature

Direction	46° ENE
Location	34.406078, -89.534631
Elevation	482 feet
Photo Date	Tue, Mar 17 2026 11:03 AM



27
Swale

Direction	114° SE
Location	34.406142, -89.534822
Elevation	489 feet
Photo Date	Tue, Mar 17 2026 11:02 AM



28

Direction	111° ESE
Location	34.406194, -89.535077
Elevation	489 feet
Photo Date	Tue, Mar 17 2026 11:01 AM



29

Direction	84° E
Location	34.406740, -89.535836
Elevation	505 feet
Photo Date	Tue, Mar 17 2026 10:59 AM



30

Direction	183° SSW
Location	34.407592, -89.535766
Elevation	486 feet
Photo Date	Tue, Mar 17 2026 10:56 AM



31

Direction	127° SE
Location	34.408211, -89.535575
Elevation	476 feet
Photo Date	Tue, Mar 17 2026 10:52 AM



32

Direction	14° NNE
Location	34.408955, -89.536674
Elevation	466 feet
Photo Date	Tue, Mar 17 2026 10:48 AM



33

Direction	9° NNE
Location	34.408938, -89.536672
Elevation	482 feet
Photo Date	Tue, Mar 17 2026 10:48 AM



34

Direction	339° N
Location	34.408776, -89.536603
Elevation	502 feet
Photo Date	Tue, Mar 17 2026 10:47 AM

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Atlantic and Gulf Coastal Plain (4) - 2024



35

Direction	9° NNE
Location	34.408963, -89.535947
Elevation	466 feet
Photo Date	Tue, Mar 17 2026 10:44 AM



36

Direction	193° SSW
Location	34.409231, -89.535514
Elevation	453 feet
Photo Date	Tue, Mar 17 2026 10:42 AM

Appendix E: Soil Report

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Lafayette County, Mississippi

Magnolia Materials, LLC



February 8, 2026

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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Contents

Preface..... 2
Soil Map..... 5
Soil Map.....6
Legend.....7
Map Unit Legend..... 8
Map Unit Descriptions..... 8
Lafayette County, Mississippi.....10
3C—Lexington silt loam, 5 to 8 percent slopes, moderately eroded..... 10
3D3—Lexington silt loam, 8 to 15 percent slopes, severely eroded.....11
7F—Smithdale sandy loam, 15 to 35 percent slopes, eroded.....12
References.....14

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



Map Scale: 1:2,850 if printed on A portrait (8.5" x 11") sheet.

N

Meters
0 40 80 160 240

Feet
0 100 200 400 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Lafayette County, Mississippi
Survey Area Data: Version 21, Sep 5, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 3, 2020—Nov 12, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
3C	Lexington silt loam, 5 to 8 percent slopes, moderately eroded	11.3	49.9%
3D3	Lexington silt loam, 8 to 15 percent slopes, severely eroded	3.0	13.1%
7F	Smithdale sandy loam, 15 to 35 percent slopes, eroded	8.4	37.0%
Totals for Area of Interest		**22.6**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate

pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Lafayette County, Mississippi

3C—Lexington silt loam, 5 to 8 percent slopes, moderately eroded

Map Unit Setting

National map unit symbol: 2vxxg
Landscape: Coastal plains
Elevation: 350 to 650 feet
Mean annual precipitation: 51 to 58 inches
Mean annual air temperature: 47 to 72 degrees F
Frost-free period: 196 to 250 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Lexington and similar soils: 95 percent
Minor components: 5 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Lexington

Setting

Landscape: Coastal plains
Landform: Hills
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Loess over marine deposits

Typical profile

Ap - 0 to 6 inches: silt loam
Bt - 6 to 29 inches: silty clay loam
2Bt - 29 to 79 inches: loam

Properties and qualities

Slope: 5 to 8 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: High (about 10.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: B
Ecological site: F134XY003AL - Northern Loess Interfluve
Hydric soil rating: No

Minor Components

Providence

Percent of map unit: 5 percent
Landscape: Coastal plains
Landform: Terraces, Divides
Landform position (two-dimensional): Footslope, summit
Landform position (three-dimensional): Interfluve, tread
Down-slope shape: Concave, linear
Across-slope shape: Linear
Ecological site: F134XY012AL - Northern Loess Fragipan Upland - PROVISIONAL
Hydric soil rating: No

3D3—Lexington silt loam, 8 to 15 percent slopes, severely eroded

Map Unit Setting

National map unit symbol: c5b9
Landscape: Uplands
Elevation: 300 to 650 feet
Mean annual precipitation: 45 to 55 inches
Mean annual air temperature: 57 to 63 degrees F
Frost-free period: 230 to 290 days
Farmland classification: Not prime farmland

Map Unit Composition

Lexington and similar soils: 95 percent
Minor components: 5 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Lexington

Setting

Landscape: Uplands
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Loess

Typical profile

H1 - 0 to 4 inches: silt loam
H2 - 4 to 32 inches: silt loam
H3 - 32 to 54 inches: sandy loam
H4 - 54 to 72 inches: sandy loam

Properties and qualities

Slope: 12 to 15 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained

Runoff class: Medium
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Moderate (about 8.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: B
Hydric soil rating: No

Minor Components

Rosebloom

Percent of map unit: 5 percent
Landform: Flood plains
Landform position (three-dimensional): Tread, dip
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

7F—Smithdale sandy loam, 15 to 35 percent slopes, eroded

Map Unit Setting

National map unit symbol: c5bt
Elevation: 250 to 610 feet
Mean annual precipitation: 45 to 55 inches
Mean annual air temperature: 57 to 63 degrees F
Frost-free period: 230 to 290 days
Farmland classification: Not prime farmland

Map Unit Composition

Smithdale and similar soils: 95 percent
Minor components: 5 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Smithdale

Setting

Landform: Hillslopes
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Loamy fluviomarine deposits

Typical profile

H1 - 0 to 5 inches: sandy loam

H2 - 5 to 22 inches: loam
H3 - 22 to 80 inches: loam

Properties and qualities

Slope: 17 to 35 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: High
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: High (about 9.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7e
Hydrologic Soil Group: B
Hydric soil rating: No

Minor Components

Rosebloom

Percent of map unit: 5 percent
Landform: Flood plains
Landform position (three-dimensional): Tread, dip
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

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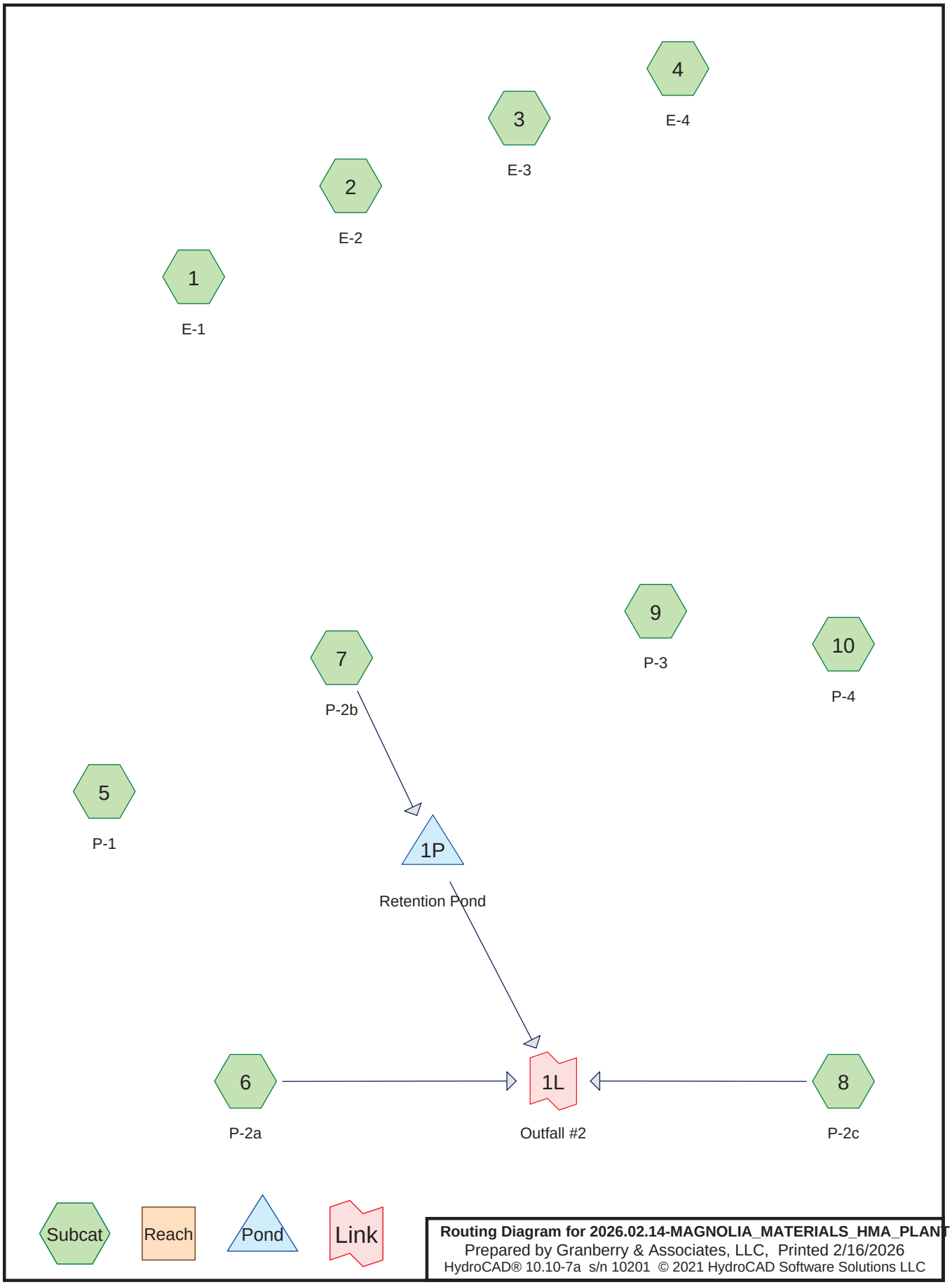
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APPENDIX M

Post Development Drainage Calculations



Routing Diagram for 2026.02.14-MAGNOLIA_MATERIALS_HMA_PLANT
Prepared by Granberry & Associates, LLC, Printed 2/16/2026
HydroCAD® 10.10-7a s/n 10201 © 2021 HydroCAD Software Solutions LLC

Rainfall Events Listing

Event#	Event Name	Storm Type	Curve	Mode	Duration (hours)	B/B	Depth (inches)	AMC
1	2-yr	Type II 24-hr		Default	24.00	1	4.25	2
2	10-yr	Type II 24-hr		Default	24.00	1	5.92	2
3	25-yr	Type II 24-hr		Default	24.00	1	7.01	2
4	100-yr	Type II 24-hr		Default	24.00	1	8.75	2
5	1.5"	Type II 24-hr		Default	24.00	1	1.50	2

Area Listing (all nodes)

Area (sq-ft)	CN	Description (subcatchment-numbers)
286,581	61	>75% Grass cover, Good, HSG B (6, 7, 8)
298,299	98	Paved parking, Buildings, sidewalk, Asphalt Plant area, & Paved roads (7, 8)
1,705,940	58	Woods/grass comb., Good, HSG B (1, 2, 3, 4, 5, 6, 7, 8, 9, 10)
2,290,820	**64**	**TOTAL AREA**

Soil Listing (all nodes)

Area (sq-ft)	Soil Group	Subcatchment Numbers
0	HSG A	
1,992,522	HSG B	1, 2, 3, 4, 5, 6, 7, 8, 9, 10
0	HSG C	
0	HSG D	
298,299	Other	7, 8
2,290,820		**TOTAL AREA**

Ground Covers (all nodes)

HSG-A (sq-ft)	HSG-B (sq-ft)	HSG-C (sq-ft)	HSG-D (sq-ft)	Other (sq-ft)	Total (sq-ft)	Ground Cover
0	286,581	0	0	0	286,581	>75% Grass cover, Good
0	0	0	0	298,299	298,299	Paved parking, Buildings, sidewalk, Asphalt Plant area, & Paved roads
0	1,705,940	0	0	0	1,705,940	Woods/grass comb., Good
0	**1,992,522**	**0**	**0**	**298,299**	**2,290,820**	**TOTAL AREA**

Pipe Listing (all nodes)

Line#	Node Number	In-Invert (feet)	Out-Invert (feet)	Length (feet)	Slope (ft/ft)	n	Width (inches)	Diam/Height (inches)	Inside-Fill (inches)
1	7	0.00	0.00	91.0	0.0244	0.012	0.0	18.0	0.0
2	7	0.00	0.00	85.0	0.0175	0.012	0.0	18.0	0.0
3	7	0.00	0.00	190.0	0.0070	0.012	0.0	24.0	0.0
4	7	0.00	0.00	98.0	0.1268	0.012	0.0	24.0	0.0
5	8	0.00	0.00	88.0	0.0050	0.012	0.0	18.0	0.0
6	8	0.00	0.00	55.0	0.0150	0.012	0.0	30.0	0.0
7	8	0.00	0.00	59.0	0.0679	0.012	0.0	30.0	0.0
8	1P	436.25	435.50	49.7	0.0151	0.012	0.0	30.0	0.0

Time span=0.00-120.00 hrs, dt=0.03 hrs, 4001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1: E-1 Runoff Area=0.020 ac 0.00% Impervious Runoff Depth=0.78"
Tc=5.0 min CN=58 Runoff=0.03 cfs 57 cf

Subcatchment 2: E-2 Runoff Area=21.990 ac 0.00% Impervious Runoff Depth=0.78"
Flow Length=1,846' Tc=18.5 min CN=58 Runoff=15.74 cfs 62,390 cf

Subcatchment 3: E-3 Runoff Area=2.760 ac 0.00% Impervious Runoff Depth=0.78"
Flow Length=1,220' Tc=17.0 min CN=58 Runoff=2.09 cfs 7,831 cf

Subcatchment 4: E-4 Runoff Area=1.530 ac 0.00% Impervious Runoff Depth=0.78"
Flow Length=374' Tc=10.0 min CN=58 Runoff=1.56 cfs 4,341 cf

Subcatchment 5: P-1 Runoff Area=0.020 ac 0.00% Impervious Runoff Depth=0.78"
Tc=5.0 min CN=58 Runoff=0.03 cfs 57 cf

Subcatchment 6: P-2a Runoff Area=7.010 ac 0.00% Impervious Runoff Depth=0.78"
Flow Length=1,893' Tc=16.2 min CN=58 Runoff=5.47 cfs 19,889 cf

Subcatchment 7: P-2b Runoff Area=12.780 ac 51.33% Impervious Runoff Depth=2.17"
Flow Length=1,176' Tc=15.1 min CN=79 Runoff=35.72 cfs 100,589 cf

Subcatchment 8: P-2c Runoff Area=2.460 ac 11.71% Impervious Runoff Depth=1.18"
Flow Length=1,368' Tc=11.1 min CN=65 Runoff=4.05 cfs 10,506 cf

Subcatchment 9: P-3 Runoff Area=2.490 ac 0.00% Impervious Runoff Depth=0.78"
Flow Length=1,220' Tc=17.0 min CN=58 Runoff=1.88 cfs 7,065 cf

Subcatchment 10: P-4 Runoff Area=1.530 ac 0.00% Impervious Runoff Depth=0.78"
Flow Length=374' Tc=10.0 min CN=58 Runoff=1.56 cfs 4,341 cf

Pond 1P: Retention Pond Peak Elev=444.46' Storage=43,617 cf Inflow=35.72 cfs 100,589 cf
Outflow=8.55 cfs 100,590 cf

Link 1L: Outfall #2 Inflow=13.17 cfs 130,985 cf
Primary=13.17 cfs 130,985 cf

Total Runoff Area = 2,290,820 sf Runoff Volume = 217,065 cf Average Runoff Depth = 1.14"
86.98% Pervious = 1,992,522 sf 13.02% Impervious = 298,299 sf

Time span=0.00-120.00 hrs, dt=0.03 hrs, 4001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1: E-1 Runoff Area=0.020 ac 0.00% Impervious Runoff Depth=1.71"
Tc=5.0 min CN=58 Runoff=0.06 cfs 124 cf

Subcatchment 2: E-2 Runoff Area=21.990 ac 0.00% Impervious Runoff Depth=1.71"
Flow Length=1,846' Tc=18.5 min CN=58 Runoff=40.43 cfs 136,273 cf

Subcatchment 3: E-3 Runoff Area=2.760 ac 0.00% Impervious Runoff Depth=1.71"
Flow Length=1,220' Tc=17.0 min CN=58 Runoff=5.33 cfs 17,104 cf

Subcatchment 4: E-4 Runoff Area=1.530 ac 0.00% Impervious Runoff Depth=1.71"
Flow Length=374' Tc=10.0 min CN=58 Runoff=3.86 cfs 9,481 cf

Subcatchment 5: P-1 Runoff Area=0.020 ac 0.00% Impervious Runoff Depth=1.71"
Tc=5.0 min CN=58 Runoff=0.06 cfs 124 cf

Subcatchment 6: P-2a Runoff Area=7.010 ac 0.00% Impervious Runoff Depth=1.71"
Flow Length=1,893' Tc=16.2 min CN=58 Runoff=13.94 cfs 43,441 cf

Subcatchment 7: P-2b Runoff Area=12.780 ac 51.33% Impervious Runoff Depth=3.61"
Flow Length=1,176' Tc=15.1 min CN=79 Runoff=59.18 cfs 167,393 cf

Subcatchment 8: P-2c Runoff Area=2.460 ac 11.71% Impervious Runoff Depth=2.29"
Flow Length=1,368' Tc=11.1 min CN=65 Runoff=8.26 cfs 20,479 cf

Subcatchment 9: P-3 Runoff Area=2.490 ac 0.00% Impervious Runoff Depth=1.71"
Flow Length=1,220' Tc=17.0 min CN=58 Runoff=4.81 cfs 15,431 cf

Subcatchment 10: P-4 Runoff Area=1.530 ac 0.00% Impervious Runoff Depth=1.71"
Flow Length=374' Tc=10.0 min CN=58 Runoff=3.86 cfs 9,481 cf

Pond 1P: Retention Pond Peak Elev=445.45' Storage=67,770 cf Inflow=59.18 cfs 167,393 cf
Outflow=21.62 cfs 167,395 cf

Link 1L: Outfall #2 Inflow=35.20 cfs 231,315 cf
Primary=35.20 cfs 231,315 cf

Total Runoff Area = 2,290,820 sf Runoff Volume = 419,332 cf Average Runoff Depth = 2.20"
86.98% Pervious = 1,992,522 sf 13.02% Impervious = 298,299 sf

Time span=0.00-120.00 hrs, dt=0.03 hrs, 4001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1: E-1 Runoff Area=0.020 ac 0.00% Impervious Runoff Depth=2.42"
Tc=5.0 min CN=58 Runoff=0.09 cfs 175 cf

Subcatchment 2: E-2 Runoff Area=21.990 ac 0.00% Impervious Runoff Depth=2.42"
Flow Length=1,846' Tc=18.5 min CN=58 Runoff=59.29 cfs 192,857 cf

Subcatchment 3: E-3 Runoff Area=2.760 ac 0.00% Impervious Runoff Depth=2.42"
Flow Length=1,220' Tc=17.0 min CN=58 Runoff=7.81 cfs 24,206 cf

Subcatchment 4: E-4 Runoff Area=1.530 ac 0.00% Impervious Runoff Depth=2.42"
Flow Length=374' Tc=10.0 min CN=58 Runoff=5.59 cfs 13,418 cf

Subcatchment 5: P-1 Runoff Area=0.020 ac 0.00% Impervious Runoff Depth=2.42"
Tc=5.0 min CN=58 Runoff=0.09 cfs 175 cf

Subcatchment 6: P-2a Runoff Area=7.010 ac 0.00% Impervious Runoff Depth=2.42"
Flow Length=1,893' Tc=16.2 min CN=58 Runoff=20.39 cfs 61,479 cf

Subcatchment 7: P-2b Runoff Area=12.780 ac 51.33% Impervious Runoff Depth=4.59"
Flow Length=1,176' Tc=15.1 min CN=79 Runoff=74.87 cfs 213,100 cf

Subcatchment 8: P-2c Runoff Area=2.460 ac 11.71% Impervious Runoff Depth=3.11"
Flow Length=1,368' Tc=11.1 min CN=65 Runoff=11.28 cfs 27,774 cf

Subcatchment 9: P-3 Runoff Area=2.490 ac 0.00% Impervious Runoff Depth=2.42"
Flow Length=1,220' Tc=17.0 min CN=58 Runoff=7.05 cfs 21,838 cf

Subcatchment 10: P-4 Runoff Area=1.530 ac 0.00% Impervious Runoff Depth=2.42"
Flow Length=374' Tc=10.0 min CN=58 Runoff=5.59 cfs 13,418 cf

Pond 1P: Retention Pond Peak Elev=446.01' Storage=82,504 cf Inflow=74.87 cfs 213,100 cf
Outflow=31.23 cfs 213,101 cf

Link 1L: Outfall #2 Inflow=52.27 cfs 302,355 cf
Primary=52.27 cfs 302,355 cf

Total Runoff Area = 2,290,820 sf Runoff Volume = 568,442 cf Average Runoff Depth = 2.98"
86.98% Pervious = 1,992,522 sf 13.02% Impervious = 298,299 sf

Time span=0.00-120.00 hrs, dt=0.03 hrs, 4001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1: E-1 Runoff Area=0.020 ac 0.00% Impervious Runoff Depth=3.67"
Tc=5.0 min CN=58 Runoff=0.14 cfs 266 cf

Subcatchment 2: E-2 Runoff Area=21.990 ac 0.00% Impervious Runoff Depth=3.67"
Flow Length=1,846' Tc=18.5 min CN=58 Runoff=92.26 cfs 292,635 cf

Subcatchment 3: E-3 Runoff Area=2.760 ac 0.00% Impervious Runoff Depth=3.67"
Flow Length=1,220' Tc=17.0 min CN=58 Runoff=12.14 cfs 36,729 cf

Subcatchment 4: E-4 Runoff Area=1.530 ac 0.00% Impervious Runoff Depth=3.67"
Flow Length=374' Tc=10.0 min CN=58 Runoff=8.59 cfs 20,361 cf

Subcatchment 5: P-1 Runoff Area=0.020 ac 0.00% Impervious Runoff Depth=3.67"
Tc=5.0 min CN=58 Runoff=0.14 cfs 266 cf

Subcatchment 6: P-2a Runoff Area=7.010 ac 0.00% Impervious Runoff Depth=3.67"
Flow Length=1,893' Tc=16.2 min CN=58 Runoff=31.66 cfs 93,286 cf

Subcatchment 7: P-2b Runoff Area=12.780 ac 51.33% Impervious Runoff Depth=6.21"
Flow Length=1,176' Tc=15.1 min CN=79 Runoff=100.10 cfs 288,081 cf

Subcatchment 8: P-2c Runoff Area=2.460 ac 11.71% Impervious Runoff Depth=4.51"
Flow Length=1,368' Tc=11.1 min CN=65 Runoff=16.38 cfs 40,264 cf

Subcatchment 9: P-3 Runoff Area=2.490 ac 0.00% Impervious Runoff Depth=3.67"
Flow Length=1,220' Tc=17.0 min CN=58 Runoff=10.95 cfs 33,136 cf

Subcatchment 10: P-4 Runoff Area=1.530 ac 0.00% Impervious Runoff Depth=3.67"
Flow Length=374' Tc=10.0 min CN=58 Runoff=8.59 cfs 20,361 cf

Pond 1P: Retention Pond Peak Elev=446.86' Storage=106,275 cf Inflow=100.10 cfs 288,081 cf
Outflow=41.84 cfs 288,081 cf

Link 1L: Outfall #2 Inflow=79.48 cfs 421,631 cf
Primary=79.48 cfs 421,631 cf

Total Runoff Area = 2,290,820 sf Runoff Volume = 825,384 cf Average Runoff Depth = 4.32"
86.98% Pervious = 1,992,522 sf 13.02% Impervious = 298,299 sf

Time span=0.00-120.00 hrs, dt=0.03 hrs, 4001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1: E-1 Runoff Area=0.020 ac 0.00% Impervious Runoff Depth=0.00"
Tc=5.0 min CN=58 Runoff=0.00 cfs 0 cf

Subcatchment 2: E-2 Runoff Area=21.990 ac 0.00% Impervious Runoff Depth=0.00"
Flow Length=1,846' Tc=18.5 min CN=58 Runoff=0.00 cfs 29 cf

Subcatchment 3: E-3 Runoff Area=2.760 ac 0.00% Impervious Runoff Depth=0.00"
Flow Length=1,220' Tc=17.0 min CN=58 Runoff=0.00 cfs 4 cf

Subcatchment 4: E-4 Runoff Area=1.530 ac 0.00% Impervious Runoff Depth=0.00"
Flow Length=374' Tc=10.0 min CN=58 Runoff=0.00 cfs 2 cf

Subcatchment 5: P-1 Runoff Area=0.020 ac 0.00% Impervious Runoff Depth=0.00"
Tc=5.0 min CN=58 Runoff=0.00 cfs 0 cf

Subcatchment 6: P-2a Runoff Area=7.010 ac 0.00% Impervious Runoff Depth=0.00"
Flow Length=1,893' Tc=16.2 min CN=58 Runoff=0.00 cfs 9 cf

Subcatchment 7: P-2b Runoff Area=12.780 ac 51.33% Impervious Runoff Depth=0.26"
Flow Length=1,176' Tc=15.1 min CN=79 Runoff=3.34 cfs 11,995 cf

Subcatchment 8: P-2c Runoff Area=2.460 ac 11.71% Impervious Runoff Depth=0.03"
Flow Length=1,368' Tc=11.1 min CN=65 Runoff=0.01 cfs 275 cf

Subcatchment 9: P-3 Runoff Area=2.490 ac 0.00% Impervious Runoff Depth=0.00"
Flow Length=1,220' Tc=17.0 min CN=58 Runoff=0.00 cfs 3 cf

Subcatchment 10: P-4 Runoff Area=1.530 ac 0.00% Impervious Runoff Depth=0.00"
Flow Length=374' Tc=10.0 min CN=58 Runoff=0.00 cfs 2 cf

Pond 1P: Retention Pond Peak Elev=442.93' Storage=11,995 cf Inflow=3.34 cfs 11,995 cf
Outflow=0.00 cfs 0 cf

Link 1L: Outfall #2 Inflow=0.01 cfs 285 cf
Primary=0.01 cfs 285 cf

Total Runoff Area = 2,290,820 sf Runoff Volume = 12,320 cf Average Runoff Depth = 0.06"
86.98% Pervious = 1,992,522 sf 13.02% Impervious = 298,299 sf

APPENDIX C

Comments Received

Outlook

Public comment - Air emissions notice Lafayette County

From Fair Berg [redacted]
Date Tue 3/3/2026 2:03 PM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>

This Message Is From an External Sender
This message came from outside your organization.

Dear Mr. Whitlock,

I am writing regarding the February 25, 2026 public notice for the proposed Hot Mix Asphalt facility in Lafayette County.

I live a relatively short distance from the proposed site. Because of how close we are, any long-term change in air quality will directly affect my household on a daily basis.

I am the parent of a young child who spends a great deal of time playing outdoors in our yard. Like many families in this area, we value being able to be outside safely. The potential increase in fine particulate matter (PM2.5 and PM10), nitrogen oxides (NOx), volatile organic compounds (VOCs), and emissions associated with heating and mixing bitumen raises real concerns. Our neighborhood specifically would be downwind from this facility.

Medical research has consistently shown that repeated exposure to these pollutants can contribute to respiratory problems, particularly in children whose lungs are still developing.

In addition, I have a family member with a serious preexisting lung disease who also lives in proximity. For this person, sustained exposure to new emissions is not simply a matter of discomfort, it could have devastating health consequences. Even moderate but persistent increases in particulate matter or combustion-related pollutants can significantly affect individuals with underlying pulmonary conditions.

It is also worth noting that even the National Asphalt Pavement Association, through its "Road Forward" initiative targeting net-zero carbon emissions by 2050, acknowledges that asphalt production has meaningful environmental and emissions impacts that the industry itself is working to reduce over time. **NAPA's long-term roadmap reflects recognition within the industry that emissions from asphalt facilities and asphalt products are not insignificant and warrant ongoing mitigation efforts.** Given that context, it is reasonable for nearby residents to expect a careful, health-centered review of any new or expanded source of pollution.

For these reasons, I believe it is essential that the 35-year contingency tied to the facility's lease be fully considered in the permitting evaluation. **Air emissions that may appear manageable in short-term modeling can have very different implications when assessed over multiple decades**. Certain pollutants associated with asphalt production have been linked in long-term studies to ***increased cancer risk* when exposure is cumulative**.

A multi-decade operational plan warrants careful, forward-looking analysis.

I respectfully request that MDEQ carefully evaluate cumulative air quality impacts in the surrounding area over the projected amount of 35 years, not just emissions from this facility in isolation.

To note - a 35-year, multi-decade cumulative exposure impacts children the most, provided they will grow up here (and many will).



I appreciate the work that goes into reviewing these permits and respectfully ask that community health considerations (especially for children and individuals with existing respiratory disease) remain central in your evaluation.

Thank you for your time and consideration.

Fair Berg, EdD

Outlook

Public Comment - Hot Asphalt Facility Air Emissions Review

From Kayla Reid [redacted]
Date Tue 3/3/2026 3:28 PM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>

Dear Mr. Whitlock,
I am submitting this comment in response to the February 25, 2026 public notice regarding air emissions associated with the proposed Hot Mix Asphalt facility in Lafayette County.
My name is Kayla Reid, and I live & own property in the vicinity of the proposed site. My house is approximately 1 mile from the proposed site.
I respectfully request that MDEQ conduct a thorough and careful review of all projected air emissions associated with this facility before granting permit coverage.
I am concerned about long-term property value, impacts associated with industrial air emissions near residential areas. I and members of my household have respiratory sensitivity, and additional air pollutants are a serious concern.

In particular, I am concerned about:
Emissions generated during the heating and mixing of bitumen.
Nitrogen oxides produced during combustion processes.
Volatile organic compounds (VOC's).
Fine particulate matter (PM2.5 and PM10).
Odor impacts and quality of life effects.

The cumulative impact of emissions in an area already experiencing industrial activity.
Given the proximity of residential neighborhoods, children, seniors, and potentially sensitive populations, I ask that cumulative air quality impacts be carefully evaluated - not just emissions from this facility in isolation.
I am also concerned about the facility's proximity to the University airport and request that any potential impacts related to visibility, air quality, or aviation operations be fully assessed.

Please ensure that:
All emissions estimates are independently verified.
Best available control technologies are required.
Continuous monitoring and reporting requirements are enforced.
Public transparency is maintained throughout the process.

This decision will have long term implications for surrounding residents and the broader community.

Thank you for your time and careful consideration of these concerns.
Respectfully,
Kayla Reid
[redacted]Oxford, MS 38655

Outlook

Asphalt Plant

From brett stewart [redacted]
Date Wed 3/4/2026 12:07 AM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>

1 attachment (158 KB)
3.pdf;

This Message Is From an External Sender
This message came from outside your organization.

Please take this into consideration. The same reasons the plant was not wanted in Taylor is the same reason not to put this so close to residential areas. Please advise

PUBLIC COMMENT TEMPLATE

⚠️ Important Guidance:

• Do NOT copy and paste without modifying.

• Add your personal connection.

• Be factual.

• Avoid exaggeration.

• Avoid attacking individuals.

• Submit before March 25.

MDEQ – Air Emissions Public Notice (Hot Mix Asphalt Facility)

Deadline: March 25, 2026

To: Mr. Jaricus Whitlock

Air 2 Branch, Environmental Permits Division

Mississippi Department of Environmental Quality

P.O. Box 2261

Jackson, MS 39201

Email: jwhitlock@mdeq.ms.gov

_____

Subject: Public Comment – Hot Mix Asphalt Facility Air Emissions Review

Dear Mr. Whitlock,

I am submitting this comment in response to the February 25, 2026 public notice regarding air emissions associated with the proposed Hot Mix Asphalt facility in Lafayette County.

My name is _____, and I (live/work/own property) in the vicinity of _____. My home/business is approximately _____ miles from the proposed site.

I respectfully request that MDEQ conduct a thorough and careful review of all projected air emissions associated with this facility before granting permit coverage.

In particular, I am concerned about:

• Emissions generated during the heating and mixing of bitumen (an oil byproduct)

• Nitrogen oxides (NOx) produced during combustion processes

• Volatile organic compounds (VOCs)

• Fine particulate matter (PM2.5 and PM10)

• Odor impacts and quality of life effects

• The cumulative impact of emissions in an area already experiencing industrial activity

Given the proximity of residential neighborhoods, children, seniors, and potentially sensitive populations, I ask that cumulative air quality impacts be carefully evaluated — not just emissions from this facility in isolation.

I am also concerned about the facility's proximity to the University airport and request that any potential impacts related to visibility, air quality, or aviation operations be fully assessed.

Please ensure that:

• All emission estimates are independently verified

• Best available control technologies are required

• Continuous monitoring and reporting requirements are enforced

• Public transparency is maintained throughout the process

This decision will have long-term implications for surrounding residents and the broader community.

Thank you for your time and careful consideration of these concerns.

Respectfully,

Name: _____

Address: [redacted]_____

Email/Phone (optional): _____

_____

🔎 Optional Add-On Paragraphs (People Can Insert If Applicable)

If they have children:

“As a parent of young children, I am particularly concerned about exposure to fine particulate matter and combustion-related emissions.”

If they have respiratory issues:

“I or a member of my household has respiratory sensitivity, and additional air pollutants are a serious concern.”

If they are a pilot or aviation-connected:

“As someone familiar with aviation operations in the area, I request careful review of any potential impacts to air quality and visibility near flight paths.”

If they are a property owner:

“I am concerned about long-term property value impacts associated with industrial air emissions near residential areas.”

Outlook

Public Comment – Hot Mix Asphalt Facility Air Emissions Review

From david johnston [redacted]
Date Wed 3/4/2026 3:19 PM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>

This Message Is From an External Sender
This message came from outside your organization.

Dear Mr. Whitlock,

I am submitting this comment in response to the February 25, 2026 public notice regarding air emissions associated with the proposed Hot Mix Asphalt facility in Lafayette County.
My name is David B. Johnston, and I live in the vicinity of Quail Creek Subdivision near College Hill community. My home is approximately 0.75 miles from the proposed site.
I respectfully request that MDEQ conduct a thorough and careful review of all projected air emissions associated with this facility before granting permit coverage. I, my family and the community at large have serious concerns for the effect on our health should this process, well known for its toxic discharges, be allowed to be constructed and operated within such close proximity to homes, schools, parks and commercial businesses.

Thank you for your consideration in this matter.

Sincerely,
David B. Johnston
[redacted]
Oxford, Ms 38655

Outlook

Hot asphalt facility air emissions review-Oxford MS

From elizabeth johnston [redacted]
Date Thu 3/5/2026 2:35 PM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>

1 attachment (46 KB)
LCprevailingwinds12026rev6 copy 3.pdf;

Dear Mr. Whitlock,

My name is Elizabeth Johnston and I live within 1 mile of the proposed site of the asphalt plant. I am 74 years old. I am very concerned that this site is grossly inappropriate for placing a plant emitting harmful particulate matter both at ground level and through 2 stacks. There has been absolutely no discussion with the public about the hours, days and months of operation placing residents at additional exposure at all times to harmful air emissions in our neighborhoods. We were told by the Lafayette County Planning Commission that the company will make all operating decisions and monitor all emissions. I had sent you earlier correspondence (January) that documented how close at least 9 residential areas are to the proposed plant. (See attached) We have also looked at the prevailing MPH winds around Oxford at various times of the year. The entire city of Oxford would be affected by placing the plant encircled by residential, schools, parks, commercial and light industrial companies that employ hundreds of people in that industrial park. One of those plants is Olin-Winchester, an ammunition plant and would be within 1/2 mile of those stacks.

It is interesting to note that city officials admit that this is a 'first' for them to allow a hot asphalt plant. I believe city officials and novice investors are simply not experienced enough nor cognizant of the implications of how to operate a plant or monitor emissions. I would assume MDEQ will require at least the minimum quality baghouse filters and stack scrubbers for awhile those filters may indeed work. However, given federal and state reduction of funding and staffing for EPA and DEQ concerns, the proposed site in our Oxford community could end up a future bad decision. I question the ability of MDEQ to make regular on-site visits as your staff positions are no longer supported.

I request that you and your department look further than just checking boxes about whether Magnolia Asphalt has met minimum requirements. Please look at the broad picture of how this will affect many, many, many people. Granting a permit for a company emitting known particulate matter is NOT in is the best interest of the health of our community.

I appreciate your attention to my concerns.

Elizabeth Johnston
[redacted]ail.com

The Proposed Asphalt Plant…….Does it Affect YOU?

YES !

Fact: A hot asphalt plant emits toxic particulate matter (PM) even when filters are utilized. Asphalt plants emit dust, odors and noise. Diesel trucks emit toxins, dust and noise. (Asphalt Plants FactPack P131))

Fact: Both the Environmental Protection Agency (EPA) and the Mississippi Department of Environmental Quality (DEQ) have had severe budget cuts. Guidelines for and monitoring of operations could be limited, eased or absent. (EPA and MS DEQ data)

Fact: Lafayette County does not have a noise ordinance to apply to the Industrial Park (reported at Lafayette County Planning Commission Meeting 1-2026)

Fact: The MS DEQ application and Lafayette County do not have an odor ordinance that would apply to heavy industry odor emissions. (MS DEQ application)

Fact: Prevailing winds carry particulate matter. (PM) Prevailing winds blow PM in various directions given where the wind is coming from. Prevailing wind speeds in the Oxford area averages approximately 6.0 mph with Fall/Winter/Spring winds up to 10-15 mph.

Fact: The lighter the particulate matter, the longer it can stay floating and be inhaled. You cannot see the smallest particulates. Small PMs are the most dangerous to *breathe*. **Most of Lafayette County and a major portion of The City of Oxford and the Campus will have toxins floating in the air.** The current air quality in Oxford is good. Poor air quality is predicted for our community if Lafayette County does not address industry placement, increased development and traffic emissions.

Oxford winds blow primarily from the South in the Summer and from the North in the Fall/Winter/Spring. However, winds from all directions occur in the Oxford area throughout ALL the seasons. (Oxford Airport Data)

NOW

Keep reading: Dave and I used a Lafayette County map. We pushed a pin in the spot where the proposed plant is to be built. We tied a string to the pin and measured the string to a 6 mile radius using the scale of the map. Try it

TAKE A LOOK-DOES IT AFFECT YOU??

NOTE: This is NOT a complete neighborhood area list *italic=within 1 mile

Winds from the SOUTH affect:

**CR 104 College Hill Switch*
**All new developments north of CR 166*

Winds from the SOUTHEAST affect:

**Quail Creek*
**Whitetail*
Regents Upper and Lower Schools

Winds from the SOUTHWEST affect:

**Briarwood*
**Oxmoor*
Northpoint
Audubon Park
Long Meadow

Winds from the EAST affect:

**Tara*
**Twelve Oaks*
**Magnolia Montessori Schoo*l
Fox Trail Estates
**Gumtree*
**Whitetail*
**Quail Creek*
Regents Upper School Campus
Mtrade Park

PROPOSED HOT ASPHALT PLANT

Winds from the WEST affect:

Woodland Hills
**Oxmoor*
Northpoint
Audubon Park
CR 181 Neighborhood
**Briarwood*
Long Meadow
Woodson Ridge Farm

Winds from the NORTHEAST affect:

**Fieldstone FarmsDevelopment*
**Ole Miss Golf Course*
Ole Miss Airport
Lakeway
College Hill Heights
Lamar Park
**Tara*
**Twelve Oaks*
Old Country Club Neighborhood
Woodlawn
Mtrade Park

Winds from the NORTHWEST affect:

Molly Barr-Hwy 30 Corridor
Avent Park
Oxford Commons
Oxford High School
Della Davidson Elementary
Oxford Early Childhood Ctr
**N Lamar Condo Developmnt*
Oxford School Board Office
Hwy 30 Surgery Centers
Grand Oaks
Baptist NW MS Hospital

Winds from the NORTH affect:

**The Ole Miss Golf Course*
Ole Miss Airport
**Fieldstone Farms Development*
The Lamar Development
Chickasaw Neighborhood
City of Oxford city limits

Outlook

Public Comment – Hot Mix Asphalt Facility Air Emissions Review

From Brenda Wimberly [redacted]
Date Fri 3/6/2026 8:04 PM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>

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This message came from outside your organization.

Dear Mr. Whitlock,
This email is being submitted in response to the February 25, 2026 public notice regarding air emissions associated with the proposed Hot Mix Asphalt facility in Lafayette County. My name is Brenda Wimberly and I own property and live in the vicinity of Quail Creek Subdivision. My home is a few miles from the proposed site. I am a widow and I am especially concerned with air quality and the effect this facility will have on house values. I respectfully request that MDEQ conduct a thorough and careful review of all projected air emissions associated with this facility before granting permit coverage. In particular, I am concerned about: • Emissions generated during the heating and mixing of bitumen (an oil byproduct) • Nitrogen oxides (NOx) produced during combustion processes • Volatile organic compounds (VOCs) • Fine particulate matter (PM2.5 and PM10) • Odor impacts and quality of life effects • The cumulative impact of emissions in an area already experiencing industrial activity Given the proximity of residential neighborhoods, children, seniors, and potentially sensitive populations, I ask that cumulative air quality impacts be carefully evaluated — not just emissions from this facility in isolation. I am also concerned about the facility's proximity to the University airport and request that any potential impacts related to visibility, air quality, or aviation operations be fully assessed. Please ensure that: • All emission estimates are independently verified • Best available control technologies are required • Continuous monitoring and reporting requirements are enforced • Public transparency is maintained throughout the process This decision will have long-term implications for surrounding residents and the broader community. Thank you for your time and careful consideration of these concerns.

I am an older adult who is very concerned about this situation that is occuring in our county. Please consider these issues in your review.

Brenda Wimberly
[redacted]
Oxford, MS 38655
[redacted]

Outlook

Public Comment – Hot Mix Asphalt Facility Air Emissions Review

From Capri Brooks [redacted]
Date Mon 3/9/2026 11:53 PM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>

This Message Is From an External Sender
This message came from outside your organization.

Mr Whitlock,

I am submitting this email in response to the February 25, 2026 public notice regarding air emissions associated with the proposed Hot Mix Asphalt facility in Lafayette County.

As I am sure you are aware, the asphalt plant was originally intended to go on another side of Lafayette County that was not as densely populated. However, rather than eliminating this air and water concern when people opposed, the facility was planned to be relocated to within 1 mile of my home. As you can imagine, I am very concerned about the numerous dangers associated with air and water contamination for myself, but also for my children and the many other children and immune compromised adults living in close proximity of the proposed facility.

My children were able to recognize the smell of marijuana at the ages of 5 and 9 due to another plant in the industrial park close to our home. That's not something that I ever imagined having to explain at such a young age. However, due to the marijuana plant that went in the same area, I have been faced with this. There are already families that do not want to live in this area now due to that air quality issue. I can only imagine what further detriment this asphalt plant will do to the health of families and to the property value in this area.

I know you and your office are so busy, but I am humbly requesting that MDEQ conduct a thorough and careful review of all projected air emissions associated with this facility before granting permit coverage. I am very concerned about Volatile organic compounds, fine particulate matter (PM2.5 and PM10), Nitrogen Oxides (NOx) produced during combustion processes, emissions generated during the heating and mixing of bitumen, odor and quality of life impacts. These concerns are compounded with the emissions already in the industrial area. I am also concerned about the close proximity to the local airport and request those impacts be fully assessed as well.

I can only imagine that if you or your family owned a home in this area you would be as concerned as I am. I am very worried about how this might impact my family now and for years to come, both in our health, the environment and also property value. It would seem only logical that this type of facility be placed in an area without hundreds of families living in residential neighborhoods next to it. Thank you so much for your time and consideration.

Blessings,
Dr. Capri Brooks
[redacted]
Oxford, MS 38655
[redacted]

Outlook

Public Comment on the Hot Mix Asphalt plant in Lafayette County

From Susannah Furr [redacted]
Date Tue 3/10/2026 11:49 AM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>

This Message Is From an External Sender
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Dear Mr. Whitlock,

I am submitting this comment in response to the February 25, 2026 public notice regarding air emissions associated with the proposed Hot Mix Asphalt facility in Lafayette County.

My name is Susannah Furr, and my 90 year old mother and I live **within a mile** of the proposed site. My mother, Cynthia Linton, and late step-father built this home in the Quail Creek Subdivision in 1980, five years before the Lafayette County Industrial Park was formed. I moved from North Carolina to take care of her. It should go without saying that a hot mix asphalt plant is the last thing an elderly person with respiratory issues should live near, and that any of the thousands of people in our neighborhoods should, for that matter. The additional air pollutants this facility would emit are a serious concern to me and our family for the toxic impact it would have for our mother and other vulnerable neighbors.

I respectfully request that MDEQ conduct a thorough and careful review of all projected air emissions associated with this facility before granting permit coverage.

In particular, I am concerned about:
- Emissions generated during the heating and mixing of bitumen (an oil byproduct)
- Nitrogen oxides (NOx) produced during combustion processes
- Volatile organic compounds (VOCs)
- Fine particulate matter (PM2.5 and PM10)
- Odor impacts and quality of life effects
- The cumulative impact of emissions in an area already experiencing industrial activity

Given the proximity of residential neighborhoods, children, seniors, and potentially sensitive populations, I ask that cumulative air quality impacts be carefully evaluated — not just emissions from this facility in isolation.

I am also concerned about the facility's proximity to the University airport and request that any potential impacts related to visibility, air quality, or aviation operations be fully assessed.

My mother and family are also very concerned about long-term property value impacts associated with industrial air emissions. I can assure you that not one of us would buy a home and property this close to a polluting and stinky facility such as this. We've been here since 1980 and greatly resent this being thrust upon us.

If you make the unfortunate decision to allow permitting of this facility, please ensure that:
- All emission estimates are independently verified
- Best available control technologies are required
- Continuous monitoring and reporting requirements are enforced
- Public transparency is maintained throughout the process

This decision will have long-term implications for surrounding residents and the broader community.

Thank you for your time and careful consideration of these concerns.

Respectfully,

Susannah Furr, M.Ed., LPC

[redacted]
Oxford, Mississippi 38655
[redacted]

Outlook

Hot Mix Asphalt Facility Air Emissions Lafayette County (Public Notice - 2-25-26)

From Phyllis Jenkins [redacted]
Date Mon 3/16/2026 9:39 AM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>

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Hello, Mr. Whitlock,

I am a retired Biology teacher and I live approximately 1 mile from the proposed Hot Mix Asphalt facility in Lafayette County. I am not opposed to industry, however, I am concerned with the impact of Nitrous Oxides and VOCs emissions in a densely populated area. Protection of property value is a priority. I did contact the EPA and have been referred to Lovett Queen, Region 4 Customer Service.

My concerns include:

- Toxic Plant Emissions
- Release of Hot Water from the plant. This water feeds directly into the Berry Creek and feeds Sardis Reservoir.
- Increase of Traffic and Emissions from Industrial Trucks (Approximately 15 - 20 Truck Loads per hour)
- Inadequate Safety Inspections for the plant
- Inadequate Emergency Plans (Trained Firemen)
- Two schools are located within 1 mile of the proposed plant
- Population density

Oxford's low environmental regulations and the enforced accountability for the Hot Asphalt Plant are concerns. The companies are allowed to self-monitor. The potential for incorrect reporting is a concern.

The proximity of the proposed Hot Asphalt Plant to the University Airport is another concern. Air Traffic will continue to grow. The impact of the Hot Asphalt Plant and increased air traffic has not been considered.

The long term impact of the Hot Asphalt Plant on Oxford's environmental quality is troubling.

Thanks so much for your consideration of my concerns.

Phyllis Jenkins
[redacted]

Outlook

Fwd: Hot Mix Asphalt Facility, Oxford MS

From Lisa Chandler [redacted]
Date Sat 3/21/2026 11:35 AM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>

1 attachment (2 MB)
MDEQ asphalt.pdf;

This Message Is From an External Sender
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Attached is my letter regarding the hot mix asphalt facility proposed to be located behind my home in Oxford, MS.

Sent from my iPhone

Begin forwarded message:

> **From:** Lisa Chandler [redacted]
> **Date:** March 21, 2026 at 11:14:45 AM CDT
> **To:** jwhitlock@mdeq.ms.gov
> **Subject: Hot Mix Asphalt Facility, Oxford MS**
>
> Sent from my iPhone

Dear Mr. Whitlock,

March 20, 2026

I am writing to you regarding the proposed Hot Mix Asphalt Plant in Lafayette County, MS.

My name is Lisa Chandler, MD and I live extremely close to the proposed site for the Asphalt plant within the Max Hipp Industrial Park. Our home is at the most back part of Quail Creek subdivision. The new segment of the Toby Tubby Parkway, (CR166) that connects to the industrial park runs right through the middle of our property and circles around through the back of our property just before reaching the industrial park.

My husband, Mike Bennett, and I purchased this property in 1998 without knowing that the zoning would change in 2018 with the adoption of zoning ordinances or that a road would come through our property. (Parcels labeled Bennett, Michael W ETUX).
The county supervisors approved a Master Plan that included only light industrial zoning. The Master Plan describes a "park like" area that will be attractive to residents and visitors. An asphalt facility does not fit their proposed Master Plan.

This proposed Hot Mix Asphalt Facility will be slightly diagonal, (southeast) behind our home and within only a few hundred feet. The facility will be visible through my kitchen window and from my backyard - just beyond a group of trees. I will see, and hear, and smell the constant production of asphalt and the heavy asphalt truck traffic proposed to run 12 hours per day, filling and releasing numerous trucks per hour.

I am a practicing physician, a pathologist, and know how chronic exposure to toxins, volatile gases and emissions affect respiratory health and the adverse microscopic effects it may have on patient's lungs which at some point become irreversible. This asphalt facility will be too close to hundreds of residents, some living adjacent to the proposed site. There will be a constant, unrelenting release of pollutants, gases, and byproducts that in the long run will affect those most susceptible to respiratory illnesses. I am concerned about emissions generated during the heating and mixing of bitumen, the nitrogen oxides, the fine particulate matter that can only be seen with a microscope.

I can walk a short distance along CR 166 from my property to the driveway of the proposed asphalt plant, (by AllTrails app is 739 feet). Measurements made on LandGlide app from my property to the area where site is approximates 278 yards. Maps do not realistically show the closeness of our properties. We use every bit of our land for walking, gardening, hunting, fishing and just pure enjoyment of nature. We would like to keep it that way. My

family will one day inherit our home. The noise, the smell, the fumes, the constant asphalt truck traffic will be detrimental to our quality of life and the value of our property.

I am also concerned about the long-term effects of ground water contamination. We have stocked ponds, animals that graze on the grass. My next-door neighbor (whose land borders the proposed site) has a well that is his primary water source.
All economic data supports our property value will very likely reduce significantly. Who wants to invest in a home this close to a hot mix asphalt plant?

I do not agree that this is the best location for this asphalt facility. I am asking MDEQ to require a thorough review of the location of this site being situated so close to hundreds of residential properties, (several developed and well-established neighborhoods). Please determine if this is a truly acceptable location based on a thorough evaluation of all factors that stand to have considerable environmental impact on health and safety, both short and long term.
Once this facility is allowed to be built in this location the damage is done. This decision will have long-term effects on the residents of Oxford and Lafayette County, especially those living in this area.

Thank you for your time and consideration on these matters.

Respectfully,

Lisa Chandler, MD
[redacted]
Oxford, MS 38655

[redacted]

Outlook

Public comment-Hot Mix Asphalt Facility Air Emissions Review

From John Duchaine [redacted]
Date Mon 3/23/2026 10:15 AM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>

1 attachment (870 KB)
MDEQ.pdf;

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Mr. Whitlock,

Attached is our public comment for your review.

Thank you very much,

John and Meg DuChaine

PUBLIC COMMENT TEMPLATE

⚠ Important Guidance:

- Do NOT copy and paste without modifying.
- Add your personal connection.
- Be factual.
- Avoid exaggeration.
- Avoid attacking individuals.
- Submit before March 25.

MDEQ – Air Emissions Public Notice (Hot Mix Asphalt Facility)

Deadline: March 25, 2026

To: Mr. Jaricus Whitlock

Air 2 Branch, Environmental Permits Division

Mississippi Department of Environmental Quality

P.O. Box 2261

Jackson, MS 39201

Email: jwhitlock@mdeq.ms.gov

Subject: Public Comment – Hot Mix Asphalt Facility Air Emissions Review

Dear Mr. Whitlock,

I am submitting this comment in response to the February 25, 2026 public notice regarding air emissions associated with the proposed Hot Mix Asphalt facility in Lafayette County.

My name is John/Meg DuChaine, and I (live/work/own property) in the vicinity of proposed asphalt plant. My home/business is approximately 150 ~~miles~~ feet from the proposed site.

I respectfully request that MDEQ conduct a thorough and careful review of all projected air emissions associated with this facility before granting permit coverage.

In particular, I am concerned about:

- Emissions generated during the heating and mixing of bitumen (an oil byproduct)
- Nitrogen oxides (NOx) produced during combustion processes
- Volatile organic compounds (VOCs)
- Fine particulate matter (PM2.5 and PM10)
- Odor impacts and quality of life effects
- The cumulative impact of emissions in an area already experiencing industrial activity

Given the proximity of residential neighborhoods, children, seniors, and potentially sensitive populations, I ask that cumulative air quality impacts be carefully evaluated — not just emissions from this facility in isolation.

I am also concerned about the facility's proximity to the University airport and request that any potential impacts related to visibility, air quality, or aviation operations be fully assessed.

Please ensure that:

- All emission estimates are independently verified
- Best available control technologies are required
- Continuous monitoring and reporting requirements are enforced
- Public transparency is maintained throughout the process

This decision will have long-term implications for surrounding residents and the broader community.

Thank you for your time and careful consideration of these concerns.

Respectfully,

Name: John / Meg DuChaine

Address: [redacted] Oxford, MS 38655

Email/Phone (optional): [redacted] gmail.com

🔎 Optional Add-On Paragraphs (People Can Insert If Applicable)

If they have children:

"As a parent of young children, I am particularly concerned about exposure to fine particulate matter and combustion-related emissions."

If they have respiratory issues:

* "I or a member of my household has respiratory sensitivity, and additional air pollutants are a serious concern."

If they are a pilot or aviation-connected:

"As someone familiar with aviation operations in the area, I request careful review of any potential impacts to air quality and visibility near flight paths."

If they are a property owner:

* "I am concerned about long-term property value impacts associated with industrial air emissions near residential areas."

We have over 200acres next to the proposed site Our property pre-dates the industrial park by more than 30years - we have raised cattle/horses on this property and still have horses - The property surrounding us is all residential/subdivisions — The emissions are detremental to us and our livestock and ponds the prevailing winds in our area are going to push the emissions on us and our neighbors - please do not allow this to happen - it is a poor location - extremely poor and the plant is not necessary for the asphalt needs of the area — there are two schools with young children, prevailing winds will push emissions on both schools year round

Thank you John DuChaine 3/22/26

Outlook

Asphalt Facility opposition

From lynda dantoni [redacted]
Date Mon 3/23/2026 4:31 PM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>

Mr Whitlock, my husband and I are very much opposed to the Asphalt Plant trying to start up less than 1 mile from our home in Oxmoor. We fear: the truck traffic, the emissions during heating, and the fine particle matter issues. The odor could certainly affect our quality of life and certainly decrease the value of our home and neighborhood. The proximity to the airport (Dr Wu's report relating visibility) and proximity to the University concerns us. We are seniors and have Grandchildren who may not come visit us if we all deem it unsafe. So very sad.
Please keep the Industrial Park for light industry only. In the end, What other company will want to be in the vicinity of an Asphalt Plant? Please consider the environment, the people affected, the neighborhoods and the schools. Please do the right thing for us all.
Thank you, Lynda and Blaise D'Antoni in Oxmoor Ridge
Sent from my iPhone

Outlook

Public Comment - Hot Mix Asphalt Facility Air Emissions Review

From Samantha Breeding [redacted]
Date Tue 3/24/2026 11:53 PM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>

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MDEQ – Air Emissions Public Notice (Hot Mix Asphalt Facility)
Deadline: March 25, 2026
To: Mr. Jaricus Whitlock
Air 2 Branch, Environmental Permits Division
Mississippi Department of Environmental Quality
P.O. Box 2261
Jackson, MS 39201
Email: jwhitlock@mdeq.ms.gov

Dear Mr. Jaricus Whitlock,

I am submitting this comment to you in response to the Mississippi Department of Environmental Quality (MDEQ) Public Notice in the Oxford Eagle, dated February 25, 2026, regarding air emissions associated with the proposed Hot Mix Asphalt Plant in Lafayette County. My name is Samantha Breeding. I've lived in Oxford most of my life and built what I thought was my forever home here over a quarter of a century ago, which is approximately 3,055 feet from the proposed Hot Mix Asphalt Facility.

I am very concerned about the negative impact this proposed asphalt facility will have on the air (and water) quality in our community due to the toxic and noxious fumes that will be emitted. When I was driving through southern Mississippi one day, my nose started burning and my eyes started watering such that I had to close the windows, the AC vent, and cover my nose and mouth until I got out of that area. I found out later that the fumes were caused by a hot mix asphalt plant several miles east of town. I normally do not have any allergies or respiratory problems, but I definitely had a problem with those fumes. If this plant is built, we will have to move away.

This proposed asphalt facility is within very close proximity to many existing residential neighborhoods, housing thousands of people, with more neighborhoods being approved and built on a regular basis. I know many people who live in Oxford and Lafayette County, including my son, who suffer from allergies. There are lots of children and seniors also living in this area, some which have other respiratory issues or other sensitivities. I can only imagine how detrimental this will be on their health and quality of life.

This proposed facility has been pushed through the local county government system without regard to the health and safety and environmental impact concerns from the local residents who have expressed those concerns to the Planning Commission when they asked them to not approve this facility. Instead, they deferred all environmental quality concerns to the MDEQ stating that MDEQ would be monitoring and testing the air and water quality to ensure this facility was in compliance. But I have a different understanding of how this works procedurally and who is supposed to be responsible for health and safety. For example, the lake in my neighborhood was reclassified as a high risk lake. It is our responsibility to maintain the dam, spillways, etc., to inspect the dam, and to submit the reports to MDEQ according to MDEQ requirements, which we do. However, I understand the company planning this facility already has some fines due to non compliance on some other projects. So I'm very hesitant to automatically trust when the stakes are so high. Additionally, I thought I read in the Annoted

Code of Mississippi Laws of 1972, as amended, that MDEQ had delegated some of the responsibilities of health and safety to the county governments.

The importance of maintaining environmental quality can not be overstated! Once these toxic chemicals are released into the air, it's impossible to contain them, and the negative environmental impact is cumulative. I've read that nitrogen oxides, volatile organic compounds, particulate matter, and other combustion related pollutants such as bitumen are released during asphalt production, not to mention the noxious odor. The county government stated that this facility would bring in ~$36,000/year in taxes. But that is a drop in the bucket of what they will loose if this facility is built due to the drastic and rapid drop in property values when people start fleeing the area.

Additionally I understand that the air emission towers from this proposed facility are in the flight path of our local airport and that the particulate matter released could cause problems for any aircraft flying in or out of this airport.

I respectfully request that MDEQ conduct a thorough and careful review of all environmental impacts, air emissions, water quality, flooding issues, air and ground traffic safety, noise and vibrations, including cumulative effects, associated with this facility before granting a permit.

Respectfully,
Samantha Breeding

Macel Juergens
[redacted]
Oxford, MS 38655

RECEIVED
MAR 25 2026
Environmental Quality

Mr. Jaricus Whitlock

Air 2 Branch, Environmental Permits Division

P.O. Box 2261

Jackson, MS 39201

Dear Sir:

Please know that we are highly opposed to the installation of an asphalt plant at the presently proposed location along West Oxford Loop.

My home is within a 1 ½ miles of the proposed plant location site. I do not wish to be exposed to the emissions of hot mix asphalt production.

The proposed plant location is THREE miles from the Oxford Square!!!

Oxford has changed from a 'small town' which supported the University of Mississippi to a location in which people from the surrounding areas can receive health care. Oxford is now a retirement community housing and serving the elderly with the addition of the Baptist Hospital. Oxford has been called the "Cultural Mecca" of the South. Visitors come here to enjoy our tourist attractions. We don't need poisonous air emissions on our recently operatable road access.

We must keep our air clean. Please conduct a thorough review of all our community's needs and do not allow this health hazard to be built so close to our vibrant community.

Thank you,

John and Macel Juergens

JOHN P. JUERGENS
MACEL JUERGENS
[redacted]
OXFORD, MS 38655

MEMPHIS TN 380
23 MAR 2026 PM 3 L



Mr. Jaricus Whitlock

Air 2 Branch, Environmental Permits Division

P.O. Box 2261

Jackson, MS 39201

99225-226161

Outlook

Magnolia Materials

From Carrie Barefoot <CBAREFOOT@mdeq.ms.gov>
Date Wed 5/20/2026 9:28 AM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>
Cc Montie Hardaway <MGlenn@mdeq.ms.gov>

Good morning,

Because the portals have been down, I'm working through the MDEQ Contact database spreadsheet. I found this communication related to Magnolia Materials and wanted to pass along for the files.

Nicholas Sullivan
[redacted]
Concerned Citizen of Oxford

"I am writing as a concerned resident of Oxford, Mississippi, to submit formal public comments and express serious environmental and public health concerns regarding the proposed hot mix asphalt plant by Magnolia Materials, LLC (J.W. McCurdy / JWM Development) in the Max D. Hipp Lafayette County Industrial Park.
While the site is zoned for heavy industrial use, its proximity to growing residential neighborhoods, subdivisions, and sensitive waterways raises significant risks. Key environmental concerns include:

Air Emissions and Odors: Hot mix asphalt production involves substantial emissions of particulate matter, volatile organic compounds (VOCs), hazardous air pollutants, and strong odors that can travel long distances. With the plant located near homes and only a few miles from the University of Mississippi campus, continuous operations could degrade air quality and create persistent nuisance odors for thousands of residents.

Stormwater Runoff and Water Quality: The site generates potential runoff containing sediments, oils, heavy metals, and other pollutants from asphalt production. This could impact local waterways such as Berry Branch and nearby tributaries of the Yocona River, especially during heavy rains common in North Mississippi. Any failure in containment or treatment could harm aquatic ecosystems and downstream water supplies.

Cumulative Health and Environmental Impacts: Nearby residents, including families and students, could face increased exposure to dust, noise, and emissions. This is particularly concerning given the plant's proposed scale (up to 300 tons per hour) and outdoor nature of operations.

Hundreds of Lafayette County residents have voiced opposition through public meetings and petitions, citing incompatibility with the area's rapid residential growth and the threat to quality of life, but their concerns are being ignored."

jwhitlock@mdeq.ms.gov
2026-05-13 11:54:28

Thanks,
CB

Carrie Barefoot, P.E.
Division Chief
MDEQ – Land Disturbance Division
P.O. Box 2261, Jackson, MS 39225
515 E. Amite Street, Jackson, MS 39201
Office: (601) 961-5249

Outlook

Re: Magnolia Materials / Oxford, MS / Asphalt Facility / Notice of Appeal to Circuit Court

From Glynna McKendree [redacted]

Date Wed 5/27/2026 11:48 AM

To Anderson Thomas <athomas@mdeq.ms.gov>; Carrie Barefoot <CBAREFOOT@mdeq.ms.gov>; Montie Hardaway <MGlenn@mdeq.ms.gov>; Jaricus Whitlock <jwhitlock@mdeq.ms.gov>; waltdavis@dunbardavis.com <waltdavis@dunbardavis.com>; mduchaine@dunbardavis.com <mduchaine@dunbardavis.com>

1 attachment (3 MB)

5.14.2026 Notice of Appeal.pdf;

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This message came from outside your organization.

Mr. Thomas,

This email is to follow-up on the voice mail I left a short time ago regarding Magnolia Materials and the opposition we are engaged in regarding the proposed asphalt facility in Oxford, MS. Attached is a copy of the NOA and below is the timeline associated with this action. Our question to you is regarding the Public Hearing set for June 10th and the Permit Boards review which follows the resolution of the questions presented at this hearing. While we are preparing for this hearing our question is whether or not both the Public Hearing and the Permit Board review can be tabled until such time as the court process has completed.

We feel we have strong arguments for the courts to invalidate the lease given the term exceeds that which is allowed by state law and continues on in perpetuity upon completion of the 35 years. In addition, the failure on the part of the Supervisors/County to notify the public, the County has refused to produce any documents/records requested that lead up to the signing of this lease. If the courts rule this lease is invalid, Magnolia has no access to this land and may choose to litigate the matter further with the County. The NOA outlines conflicts of interests and the Supervisors failure to recuse themselves while acting beyond the scope of their authority in all actions associated with Magnolia Materials.

On May 14th, we filed a Notice of Appeal in Circuit Court regarding actions taken by the Lafayette County Board of Supervisors and the location/zoning of the area leased to Magnolia for the asphalt facility.

The timeline is as follows:

- The County has 10 days from the date of filing of the NOA to designate any other items or matters for the record;
- The County has 30 days from the date of filing of the NOA to submit the record to the Court;
- We file objections to the record, if any;
- If there are objections to address, we expect the Court to have a hearing to resolve them;
- Judge will enter a scheduling order with briefing deadlines and a hearing date, if any, for the parties to appear and present oral argument.
    - We file our brief first;
    - County will file their brief;
    - We file our rebuttal brief, if any.
- After we file our rebuttal brief, we expect the Court will set a hearing to have oral arguments. The Court will then issue a ruling.

We also expect Magnolia Materials to move to intervene in the case which we expect the Court to grant. The lease was approved in executive session on December 15th, fully executed on December 18th, and the site plan was not presented to the Planning Commission until December 22nd. There was no notice of a public hearing on either the lease or the site plan until December 22nd. Magnolia will be allowed to submit briefs at the same time the County does and participate in any arguments.

Is it possible to table the Public Hearing and Permit Board review until such time as the legal process completes. Should we prevail, there would be no permit that could be issued to Magnolia for this facility at this location.

Copied on this email is our attorney, Mr. Walt Davis (Dunbar-Davis) and the responsible MDEQ representatives, Mr. Jaricus Whitlock (air), Ms. Carrie Barefoot (construction/stormwater) and Ms. Monte Glenn (construction/stormwater). Please respond to all.

Thank you again for your consideration and response.

Glynna McKendree
[redacted]

IN THE CIRCUIT COURT
OF LAFAYETTE COUNTY, MISSISSIPPI

MEG DUCHAINE, JOHN DUCHAINE AND RONNIE MCGINNESS **APPELLANTS**

VS. **CIVIL ACTION NO.** L26-236

THE BOARD OF SUPERVISORS OF LAFAYETTE COUNTY, MISSISSIPPI **APPELLEE**

NOTICE OF APPEAL

COME NOW, Appellants, Meg DuChaine, John DuChaine and Ronnie McGinness, and file their Notice of Appeal pursuant to Miss. Code Ann. § 11-51-75 challenging the denial of members of the Lafayette County Board of Supervisors to recuse themselves from presiding over requests to rezone County-owned property, as well as the Board's decision to deny rezoning of of Lafayette County Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00 from Heavy Industrial (I-2) to Light Industrial (I-1).

I. STATEMENT OF THE REASONS FOR APPEAL

A. Appellants Meg Duchaine and John Duchaine are the owners of real property located in Lafayette County, Mississippi, namely Lafayette County Parcels 133-08-004.00 and 133-08-005.00. Those parcels of real property are adjacent to or immediately proximate to parcels of land contained within and along the western edge of the Lafayette County Industrial Park, namely Lafayette County Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00;

B. Ronnie McGinness is the owner of real property located in Lafayette County, Mississippi, namely Lafayette County Parcel 133Y-07-136.00. That parcel is proximately located to parcels of land contained within and along the western edge of the Lafayette County Industrial Park, namely Lafayette County Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00;

LAFAYETTE COUNTY
FILED
MAY 14 2026
JEFF BUSBY, CIRCUIT CLERK
BY _____ DC

C. Appellee Lafayette County is the owner of record of Lafayette County Parcels 133-05-024.00 and 133-08-001.02, which are located within and along the western edge of the Lafayette County Industrial Park. The Lafayette County Economic Development District, partially funded by Lafayette County, Mississippi and in which Lafayette County, Mississippi has substantial interest and involvement, is the owner of record of Lafayette County Parcel 133-08-001.01. Lafayette County Parcel 133-08-001.01 is also located within and along the western edge of the Lafayette County Industrial Park;

D. On January 18, 2018, Lafayette County, Mississippi adopted its first Zoning Ordinance. One provision of that ordinance established a "Heavy Industrial" or "I-2" zoning district. With respect to this type of district, the ordinance requires "insofar as possible" that I-2 districts be located "adjacent only to C-3 or I-1 districts, which shall serve as transitional zones between I-2 districts and residential uses and lower intensity commercial uses";

E. At the same time Lafayette County adopted the Zoning Ordinance on January 18, 2018, it also adopted an Official Zoning Map. Contrary to and inconsistent with the terms of the Zoning Ordinance, that map designated the entirety of Lafayette County Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00 as "Heavy Industrial" without locating those parcels "adjacent only to C-3 or I-1 districts, which shall serve as transitional zones between I-2 districts and residential uses and lower intensity commercial uses." Instead, the "Heavy Industrial" designation of those parcels placed them immediately adjacent to parcels designated Rural ("A-1"), in which low intensity uses – such as single-family residences; the raising, care and feeding of livestock; and the farming of row crops – are expressly permitted as a matter of right;

F. With respect to Lafayette County Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00, the creation of a "transitional zone" between Heavy Industrial designations in the

Lafayette County Industrial Park and the A-1 Rural properties to the west of the Industrial Park was mandated by the Zoning Ordinance "insofar as possible." The placement of a C-3 or I-1 "transitional zone" within and along the western edge of the Lafayette County Industrial Park, including all (or part) of Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00 was undeniably "possible" at the time of the adoption of the Zoning Ordinance;

G. Evidence in the record from Lafayette County regarding why it failed to place "transitional zones" of C-3 or I-1 districts between I-2 designations and the Appellants' property comes from Lafayette County Planning Director Joel Holliwell. Holliwell merely stated that Lafayette County's Planning Consultant "did the best job he could" and county officials did "the best that we could do." The end result is that the western edge of this Heavy Industrial (I-2) district violated the terms of the Zoning Ordinance and directly adjoined A-1 districts, the default category for the vast majority of the County's Zoning Map. At the time of adoption of the Zoning Ordinance and for years thereafter, a substantial portion of Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00 along the western border of the Industrial Park remained inaccessible and unusable for any purpose, industrial or otherwise (and was in fact unused for any purpose). This only changed with the opening of the Pat Patterson Parkway in August of 2025. Other portions which were actually previously used – such as for storage of gravel, sand and other such materials – were consistent with I-1 usage. The record reflects absolutely no factual reason why, in 2018, I-1 designations could not have been utilized *within* the park to comply with the requirements of the County's own Zoning Ordinance;

H. The failure to create a "transitional zone," as required by the Zoning Ordinance, was the result of an administrative mistake, including a mistake of fact regarding whether it was "possible" to place a transitional zone of either C-3 or I-1 zoning between the Appellants'

property and Heavy Industrial zones within the Industrial Park itself. In adopting the Heavy Industrial zones at issue in this case, the Board of Supervisors relied upon factual premise(s) that were demonstrably invalid at the time. Alternatively, because of administrative mistake, the Board of Supervisors failed to take into account then-existing facts, including the fact that the placement of a transitional zone as required by its own ordinance was "possible;"

I. In 2022, Lafayette County adopted a Master Plan for development of the Industrial Park. That Master Plan recognized the inaccessibility of a substantial portion of the western edge of the park, which was anticipated to become accessible and usable with the opening of the new Pat Patterson Parkway, then slated to open and provide a thoroughfare through the Industrial Park that would send substantial amounts of new traffic through the park. The new Parkway was, in fact, specifically intended to help address traffic congestion in the larger surrounding area;

J. The Master Plan proposed multiple "under roof" industrial uses throughout the Industrial Park and other improvements, so that it would not be a place "located on the outskirts of town" and seen as a place of "unsightly industry" but instead a park-like "technology campus" complete with walking and biking trails and other beautification improvements. The Lafayette County Board of Supervisors approved this Master Plan and in light of that approval, helped secure substantial grants to create this transformation of the Industrial Park to the desired park-like technology campus;

K. The Pat Patterson Parkway section that bisects the Industrial Park and now drives substantial additional traffic through the industrial park opened in August 2025, in no small part "to alleviate traffic congestion" in the area, as stated by Lafayette County officials. Lafayette

County has since cited and relied upon the construction of this parkway as justification for finding a "change in the neighborhood" in the rezoning of other nearby parcels;

L. Additionally, since the establishment of the Zoning Ordinance and Zoning Map in 2018, residential growth in the area surrounding the Industrial Park has mushroomed, with Lafayette County citing this growth of residential development as justification for finding a "change in the neighborhood" in the rezoning of other, nearby parcels. Further, additional residential growth in the area has been specifically approved by the Lafayette County Board of Supervisors, including the rezoning of two specific parcels with the anticipated future addition of at least 1,200 new homes as a result of that separate re-zoning;

M. On December 15, 2025, the Lafayette County Board of Supervisors declared Lafayette County Parcel 133-08-001.02 to be "surplus property" and approved the lease of that property to Magnolia Materials, LLC exclusively for the construction and operation of an asphalt plant (a Heavy Industrial, I-2 use). That lease agreement provided for an initial thirty-five (35) year term, subject to perpetual five (5) year renewals and further provided Magnolia Materials, LLC an option to purchase the property for fair-market value. Lafayette County and Magnolia Materials, LLC executed that lease on December 18, 2025;

N. Consideration and approval of this lease agreement was done without any public input or discussion. Moreover, when a public records request to Lafayette County, Mississippi asked for all written communications between anyone acting on behalf of Lafayette County and anyone acting on behalf of Magnolia Materials, LLC related to this lease agreement, Lafayette County failed to produce any such communications and affirmatively stated that there were no responsive documents. As such, according to Lafayette County itself, it negotiated, approved and executed this lease without using any letters, emails, text messages or other correspondence;

O. On January 5, 2026, Appellant Ronnie McGinness submitted to Lafayette County a request to rezone Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00 from Heavy Industrial (I-2) to Light Industrial (I-2). On March 5, 2026, that request was amended and updated to include Appellants Meg and John Duchaine as additional applicants;

P. On March 23, 2026, the Appellants' request for rezoning came before the Lafayette County Planning Commission ("Planning Commission"). During the hearing, the Planning Commission Chair predicted the ultimate future denial of the rezoning petition by the Board of Supervisors as well as highlighted the institutional conflict of interest in this matter, specifically referencing the lease agreement by stating, "Do you honestly think that the Board of Supervisors is going to undo . . . [what] they've already done?" The Planning Commission then voted to recommend denial of the rezoning application;

Q. On May 4, 2026, the rezoning application came before the Lafayette County Board of Supervisors for consideration. Before proceeding to the merits of the request, the undersigned counsel requested that the individual supervisors recuse themselves from hearing this matter because of an institutional conflict of interest. More specifically, the Board of Supervisors was called to sit as an adjudicative body on a rezoning request on property that the County itself owned and which was subject to a lease agreement and purchase option that potentially meant millions of dollars of funds deposited to the County coffers that they themselves also controlled. This rezoning request threatened that contractual agreement made by Lafayette County. The Supervisors were requested to recuse themselves because any objective observer would determine that there was a probability of actual bias in making their decision. Stated in another way, the circumstance would offer an average man the possible temptation to ignore the appropriate governing standard and instead protect separate interests. Despite this

request, none of the individual supervisors recused themselves from hearing this matter and instead voted to deny the rezoning request;

R. This appeal now follows. The decisions of the Supervisor(s) below were arbitrary, capricious, discriminatory, beyond their legal authority or unsupported by substantial evidence. The Supervisors' failure to recuse themselves from hearing this matter justifies reversal and remand for that reason alone. Alternatively, the decision to deny the rezoning request on the basis of mistake is reversible as that decision was not "fairly debatable" and the record is clear that an administrative mistake occurred, including a factual mistake regarding whether it was "possible" to place I-1 transitional zoning within the Industrial Park along its western border. In the alternative, the decision to deny the request to rezone based upon a clearly established change in the neighborhood and public need should also be reversed, as that decision and related decisions are in direct conflict with other, prior findings of the Board of Supervisors when rezoning other nearby parcels and the decision was otherwise arbitrary, capricious, discriminatory, beyond their legal authority or unsupported by substantial evidence;

S. In light of the foregoing, this Court should:

1) Due to the failure to the individual Supervisors to recuse themselves from hearing this matter, reverse the decision of the Board of Supervisors denying rezoning and order reconsideration before a separate disinterested person or person(s) appointed by the Court for that purpose;

2) Alternatively, reverse and render a decision in favor of the Appellants for rezoning of the requested parcels based upon mistake; or

3) Alternatively, reverse and render a decision in favor of the Appellants for rezoning on the basis of an established change in the neighborhood and public need.

II. DESIGNATION OF THE APPEAL RECORD

The Appellants desire to make the following documents part of the record in this matter:

A. The original request for rezoning filed by Appellant Ronnie McGinness, dated January 5, 2026;

B. The supplemental request for rezoning filed by all Appellants, dated March 5, 2026, along with all submitted attachments and exhibits;

C. All correspondence between Lafayette County, Mississippi and the Appellants and any third party related to the Appellants' re-zoning request;

D. The agenda and attachments for the meetings of the Lafayette County Planning Commission dated March 23, 2026, and the Lafayette County Board of Supervisors dated May 4, 2026, as well as all documents and materials presented to those bodies[1] related to the aforementioned rezoning requests and the request to recuse made to the Lafayette County Board of Supervisors;

E. Any and all audio, video and stenographic records or recordings of the proceedings before the Lafayette County Planning Commission and the Lafayette County Board of Supervisors related to the aforementioned rezoning requests and related request to recuse made to the Lafayette County Board of Supervisors;

[1] While the Appellants designate all submissions to the Board of Supervisors as part of the record, the Appellants reserve the right to object to the use or consideration of the substantial submissions of Magnolia Materials, LLC at the May 4, 2026 hearing itself. Those materials were never considered by the Board of Supervisors and the undersigned counsel had no fair opportunity to review those submissions prior to the decision of the Board of Supervisors below.

F. All administrative and other documents connected with the rezoning requests, including but not limited to published notices, notices provided to adjoining landowners and all communications with any Lafayette County officials related to the rezoning requests.

Pursuant to Miss. Code Ann. § 11-51-75(a)(iv), the Appellants state that they have in their possession a copy of the materials identified in Exhibit "A" to this Notice of Appeal.

III. PRAYER FOR RELIEF

Appellants Meg DuChaine, John DuChaine and Ronnie McGinness request that this Court reverse and remand the Lafayette County Board of Supervisors' decision to deny rezoning based on their failure to recuse themselves from hearing the matter below, with directions to have independent hearing officer(s) hear this matter anew. Alternatively, the Appellants request that this Court reverse and render the Lafayette County Board of Supervisors' decision to deny rezoning on the basis of mistake. Alternatively, the Appellants request that this Court reverse and render the Lafayette County Board of Supervisors' decision to deny rezoning on the basis of a change in the neighborhood coupled with a public need for rezoning. Appellants Meg DuChaine, John DuChaine and Ronnie McGinness further request that they be granted any additional relief to which they may be entitled, including but not limited to an award of all costs associated with this appeal.

RESPECTFULLY SUBMITTED, this the 14th day of May 2026.

MEG DUCHAINE, JOHN DUCHAINE
AND RONNIE MCGINNESS

BY: _____
WALTER ALAN DAVIS, MSB #9875
REID K. POSEY, MSB #105975

Of Counsel:

Dunbar Davis, PLLC
324 Jackson Avenue East
Oxford, MS 38655
(662) 281-0001

CERTIFICATE OF SERVICE

I hereby certify that I have this date mailed by United States Mail, postage prepaid, and/or electronically submitted via email, a true and correct copy of the above and foregoing to:

Brent Larson
Board of Supervisors District 1
300 N. Lamar Boulevard
Oxford, MS 38655
blarson@lafayettecoms.com

Kate Victor
County Administrator
300 N. Lamar Boulevard
Oxford, MS 38655
kvictor@lafayettecoms.com

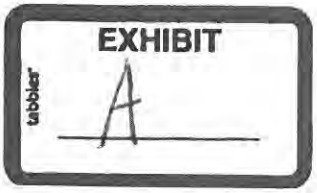
David O'Donnell
Clayton O'Donnell
1403 Van Buren Avenue, Suite 103
Oxford, MS 38655
dodonnell@claytonodonnell.com

THIS this 14th day of May 2026.

WALTER ALAN ~~DAVIS~~

Exhibit "A" List of Record Documents and Transcripts in Appellants' Possession

1. Application for Rezoning, Dated January 5, 2026;
2. Supplemental Applications for Rezoning, with related correspondence and Exhibits (1-15) Dated March 5, 2026;
3. Notices to Surrounding Owners of Pending Application for Rezoning, along with certified mail receipts;
4. Video Recordings of Planning Commission Meeting Dated March 23, 2026;
5. Agenda for Meeting of Planning Commission Dated March 23, 2026;
6. Agenda Item Packet for Rezoning Requests, for meeting of Planning Commission Dated March 23, 2026;
7. Proofs of Publication for Hearing before Board of Supervisors;
8. Agenda for Meeting of Board of Supervisors Dated May 4, 2026;
9. Agenda Item Packet for Rezoning Requests, for Meeting of Board of Supervisors Dated May 4, 2026;
10. Applicants' Supplemental Exhibits Presented to Board of Supervisors at hearing Dated May 4, 2026;
11. Brief and Exhibits (1-17) Submitted by Magnolia Materials to Board of Supervisors at hearing dated May 4, 2026 (objections to use on appeal reserved by Appellants);
12. Transcript of Proceedings before Board of Supervisors at hearing Dated May 4, 2026.



Outlook

MDEQ Website Message - "Proposed asphalt plant in Lafayette County, MS"

From MDEQ <mdeqweb@mdeq.ms.gov>
Date Tue 5/26/2026 4:02 PM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>; MDEQ Web <mdeqweb@mdeq.ms.gov>

From: Prentiss & Pamela Turman [redacted]
Subject: Proposed asphalt plant in Lafayette County, MS

Message Body:
Mr. Whitlock,
We are absolutely opposed to this plant that will be located 1.2 miles from our home. We live in one of the surrounding neighborhoods within a 5 miles radius of this plant. A plant that is NOT necessary since there is already one that is only working at 50% capacity approximately 1.6 miles from this proposed site!

But the main reason we are opposed to it is because we are both cancer patients. I was diagnosed in 2020, with chemotherapy and radiation. My husband was diagnosed with leukemia in 2021, underwent aggressive chemotherapy treatments, and 2 stem cell transplants. His system is immunocompromised and should never be exposed to toxic fumes:

Current and former cancer patients should avoid exposure to asphalt plant fumes due to the high concentration of hazardous, carcinogenic compounds—such as Polycyclic Aromatic Hydrocarbons (PAHs), benzene, and formaldehyde. For individuals with a compromised immune or respiratory system, inhaling these toxic pollutants significantly increases the risk of developing secondary malignancies or exacerbating pre-existing conditions.Specific Risks for Cancer PatientsEstablished Carcinogens: Asphalt fumes are laden with PAHs, which the International Agency for Research on Cancer (IARC) identifies as potentially carcinogenic to humans.Respiratory Compromise: The fumes contain hazardous volatile organic compounds (VOCs) and fine particulate matter (\(PM_{2.5}\) and \(PM_{10}\)). For patients recovering from or undergoing treatment for lung cancer, these irritants can trigger chronic bronchitis, coughing, and severely diminished lung capacity.Systemic Burden: Chemicals like benzene are directly linked to leukemia and damage to vital organs (like the liver and kidneys), creating additional toxic burdens on a body already recovering from disease.

I'm sure we are not the only individuals near this proposed site who have undergone or are currently undergoing cancer treatments. PLEASE STOP IT FROM BEING BUILT!

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This e-mail was sent from a contact form on MDEQ (https://mdeq.ms.gov)

Outlook

Opposition to the Magnolia Materials Asphalt Plant in Lafayette County

From Susannah Furr [redacted]
Date Wed 6/3/2026 2:18 PM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>; Montie Hardaway <MGlenn@mdeq.ms.gov>

This Message Is From an External Sender
This message came from outside your organization

June 3, 2026

Mississippi Department of Environmental Quality
Office of Pollution Control
P.O. Box 2261
Jackson, MS 39225

RE: Opposition to Magnolia Materials Proposed Greenfield Hot Mix Asphalt Plant (Berry Branch Watershed)

To Mr. Whitlock and Mrs. Glenn,

I am writing to formally express my strong opposition to the proposed Magnolia Materials hot mix asphalt plant. I live less than one mile from the designated 22.92-acre site. Our family has lived here since before the Industrial Plant was formed.

I am deeply concerned about the immediate health and environmental threats this industrial operation poses to my family, my neighbors, and our local ecosystem.

My 90-year-old mother lives with me. At her advanced age, she is highly vulnerable to air pollution, and her respiratory system is already compromised from covid infections. This plant will produce up to 300 tons of asphalt per hour and 500,000 tons per year. The resulting emissions from the natural gas-fired drum dryer, liquid asphalt cement storage, and heavy truck loadout operations present a direct risk to her health. Even with a baghouse filter, the fine particulate matter (PM2.5), volatile organic compounds (VOCs), and toxic air pollutants will severely compromise the air quality in our neighborhood, aggravating respiratory and cardiovascular risks for elderly residents and young children alike. In my immediate neighborhood alone there are at least a thousand living within a mile of the proposed site.

Placing a high-capacity stationary asphalt plant in such close proximity to densely populated neighborhoods is a clear environmental justice and safety issue. The continuous truck traffic, heavy loadouts, and unavoidable fugitive dust from raw aggregates, reclaimed asphalt pavement, and lime silo storage will disrupt the community and lower the quality of life for thousands of Lafayette County citizens.

The environmental footprint on the local ecosystem is too severe. The project plans to disturb 13.71 acres within the sensitive Berry Branch watershed. While the proposal outlines temporary sediment basins and silt fencing, clearing this much land and adding massive impervious surfaces creates a long-term risk of stormwater runoff pollution. Any failure in the stormwater management system could leak petroleum products, chemical additives, and heavy metals into our local waterways.

The MDEQ holds the power to stop this plant from being built before the inevitable damage is done to the health of the nearby residents and environment. I am sure the MDEQ is aware that this developer, Mr. JW McCurdy, has continuously violated state environmental regulations, paid a fine and then moved on to the next violation. Has your department reviewed the various violations and considered, if he cannot follow regulations for moving dirt and building subdivisions, how can he be trusted to carefully handle toxic materials and honestly self-report to your department?

An industrial facility of this scale does not belong near thousands of residential homes and fragile watersheds. I urge the Mississippi Department of Environmental Quality to deny the permits for this Magnolia Materials facility to

protect the health of our vulnerable citizens and preserve our environment.

Thank you for your time and your consideration of our community's safety. I plan to be at the public hearing you will be holding in Oxford on June 10th, and would like to make a public comment at that time.

Sincerely,

Susannah Furr

[redacted] Oxford, MS 38655
[redacted]

--

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, re-transmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please delete the material from any computer.

Susannah Furr, M.Ed.
Licensed Professional Counselor
Oxford, MS 38655

Outlook

MDEQ Website Message - "Hot Mix Asphalt, Oxford, MS"

From MDEQ <mdeqweb@mdeq.ms.gov>
Date Thu 6/4/2026 2:59 PM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>; MDEQ Web <mdeqweb@mdeq.ms.gov>

From: Lisa Chandler Bennett [redacted]
Subject: Hot Mix Asphalt, Oxford, MS

Message Body:
Dear Mr. Whitlock,
I will be unable to attend the hearing scheduled for June 10th due to scheduled travel. I have emailed before regarding the extremely close proximity to my residence in Lafayette Co. I have read several references / articles referring to a buffer zone between an asphalt plant and residences of 1,000 to 1,500 feet. I don't know why that does not apply to MS. As stated in my letter, my property which is situated on CR166, which runs behind my house is less than 1,000 feet from the proposed site for the the asphalt plant per Magnolia Materials, LLC. This measurement is an approximation taken from LandGlide app. My next door neighbor's residence (Collier) and the next residence, (Duchaine) abuts the proposed property and there is not buffer zone.
I am very concerned about air quality for the numerous surrounding residences along with noise, traffic and quality of life for all of us. Many have had our homes here for over 20 years. I do not feel that the supervisors or the planning commission are using the appropriate criteria for the location choice of an asphalt plant.
Thank you for your consideration.
Lisa Chandler - Bennett

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This e-mail was sent from a contact form on MDEQ (https://mdeq.ms.gov)

Outlook

MDEQ Website Message - "msr700115"

From MDEQ <mdeqweb@mdeq.ms.gov>
Date Sat 6/6/2026 4:09 PM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>; MDEQ Web <mdeqweb@mdeq.ms.gov>

From: Elizabeth and David Johnston [redacted]
Subject: msr700115

Message Body:
Hot Mix Asphalt General Permit-MSR700115

Given that the proposed site for the hot mix asphalt plant (HMAP) is :

150 feet from the nearest private property line

2280 Feet from the Olin-Winchester Ammunitions Plant

2153 feet from at least 5 Quail Creek subdivision homes where children reside,

within .5 miles of hundreds of homes,

within 1 mile of a school, golf course and airport

and that the county, private land owners and Magnolia Asphalt have entered into legal court filings regarding the site,

We request that any permits for a Greenfield Stationary hot mix asphalt plant NOT be issued:

Although Magnolia may have satisfactorily checked off the requirements for the permit, the company and the county have done nothing to allay the concerns of this type of industry so close to established residential areas and an ammunition plant. What may appear as satisfactory requirements for permits on paper will NOT in real time and in daily operation protect our safety and health.

I request that MSEQ consider the complexity of this specific location.

Specific questions:

Can MSDEQ guarantee the community's safety to have a hot mix asphalt plant within 1/2 mile of the Olin-Winchester ammunition Plant?

What are the MDEQ requirements for training/safety for those working in a hot mix asphalt plant? What agency monitors this?

What exhaust systems will be in place so sparks from combustable hydrogen sulfide emissions cannot be near ignition systems? What agency monitors this?

Re: Max potential rate 300 tons/hour not to exceed 500,000 tons per rolling 12 month period:

Who will monitor the trucks/hour/rolling 12 month year? Math calculations indicate that large orders of asphalt would require hauls that increase trucks/hour depending on axle size of the trucks and number of hours/day of operations. Assuming prime operating months in North MS are approximately March-October, this plant could quickly reach 500,000 tons. Who monitors that the tonnage will not exce

--
This e-mail was sent from a contact form on MDEQ (https://mdeq.ms.gov)

Outlook

Fwd: MSR 109782 and 700115 June 10, 2026 Oxford MS

From elizabeth johnston [redacted]
Date Sat 6/6/2026 4:00 PM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>

2 attachments (54 KB)
MDEQHMAPgeneralmsr700115.pdf; mseqstormwatermsr109782.pdf;

This Message Is From an External Sender
This message came from outside your organization.

Elizabeth Johnston
[redacted]il.com

Begin forwarded message:

From: elizabeth johnston [redacted]
Subject: MSR 109782 and 700115 June 10, 2026 Oxford MS
Date: June 6, 2026 at 3:55:35 PM CDT
To: jwhitlock@mdeq.ms.gov

Please note that the address for hardaway montie comes up as nonfunctional.

Also had problems trying to get the document for Mr. Whitlock to copy into the subject through the model website.

Thank you.

Elizabeth Johnston
[redacted]

Elizabeth Johnston
[redacted]

Hot Mix Asphalt General Permit-MSR700115

Given that the proposed site for the hot mix asphalt plant (HMAP) is :

150 feet from the nearest private property line

2280 Feet from the Olin-Winchester Ammunitions Plant

2153 feet from at least 5 Quail Creek subdivision homes where children reside,

within .5 miles of hundreds of homes,

within 1 mile of a school, golf course and airport

and that the county, private land owners and Magnolia Asphalt have entered into legal court filings regarding the site,

We request that any permits for a Greenfield Stationary hot mix asphalt plant NOT be issued:

Although Magnolia may have satisfactorily checked off the requirements for the permit, the company and the county have done nothing to allay the concerns of this type of industry so close to established residential areas and an ammunition plant. What may appear as satisfactory requirements for permits on paper will NOT in real time and in daily operation protect our safety and health.

I request that MSEQ consider the complexity of this specific location.

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Who will monitor the trucks/hour/rolling 12 month year? Math calculations indicate that large orders of asphalt would require hauls that increase trucks/hour depending on axle size of the trucks and number of hours/day of operations. Assuming prime operating months in North MS are approximately March-October, this plant could

quickly reach 500,000 tons. Who monitors that the tonnage will not exceed the stated guidelines?

Does the truck count include vehicles related to operations of natural gas-fired drum dryers controlled by a bag-house, onsite storage and conveyance of various materials, and raw aggregates ?

It is not the opinion of the community that the roads/traffic can handle this volume.

Lafayette County does not have either odor or noise regulations in place at the Max Hipp Industrial Park. It is documented in complaints lodged against asphalt plants nationally and can therefore be predictive locally, that a HMAP would emit both. What MSDEQ guidelines across the state are in place for these kinds of pollutants? Have regulations been placed on Magnolia Asphalt's application to address odor and noise emissions? County Supervisors and whoever runs the Max Hipp Industrial Park has not done the due diligence to allow a company, new to this type of production, to operate.

Bitumin emits toxic fumes. Please explain to us at the meeting, how this combustible and carcinogenic chemical will be transferred safely, stored correctly and mixed. There have been zero explanations from the County or Magnolia Asphalt of what precautions will be taken regarding liquid asphalt cement. What fire prevention controls are to be placed on site?

It is documented and again, predictive, that the operation of a HMAP increases air pollution close to the site and even further, depending on correct monitoring of emissions and wind direction. What agency monitors this? How will our community know if regulations have been exceeded?

WE DO NOT SUPPORT ISSUANCE OF ANY PERMITS FOR A HMAP IN CLOSE PROXIMITY TO OUR NEIGHBORHOODS AND SCHOOLS.

Thank you,

Dave and Betsy Johnston
[redacted]
Oxford MS 1 mile from proposed plant

Large Construction Storm Water General Permit -MSR 109782

As we understand it, Magnolia will be required to build ponds to catch the pollutants that will accumulate on the ground as raw aggregates and various mixtures are watered down or used to produce the asphalt.

In the event of heavy water use or excessive rain, the ponds will overflow and drain to Berry Branch Creek

Berry Branch Creek drains within 1 mile of the proposed Magnolia site into a pond on the property of Regents School of Oxford (RSO) and then, less than a mile from RSO through MTrade Sports Park.

The drainage then heads for Sardis Lake. Has the Department of MS Wildlife and Fisheries approved this?

Our specific question is: What agency will test the Berry Creek water at both Regents and MTrade on a continuous basis to assure that children are not exposed to toxic waste from a HMAP upstream? A RV park is currently being constructed close to Berry Branch Creek and closer to the proposed site than MTrade Sports Park that will be on well water. Will the people using this park be drawing from contaminated water?

How will the community know whether leaks are occurring on site at the HMAP contaminating ground water? What are the procedures for testing soil and water contamination? Who will test for these leaks and how will the data be validated? Since surrounding homes and the city of Oxford utilize wells for potable water, how will the quality of these water sources nearby to the HMAP be monitored, by whom and by what procedures and validation?

WE DO NOT SUPPORT ISSUANCE OF ANY PERMITS FOR A HMAP WITHIN SUCH A CLOSE PROXIMITY TO OUR NEIGHBORHOODS, PARKS AND SCHOOLS.

Thank you,

Dave and Betsy Johnston
[redacted]
Oxford MS 1 mile from the proposed HMAP

Outlook

MSR109782 June 10, 2026 Oxford, MS

From david johnston [redacted]
Date Sun 6/7/2026 7:39 PM
To Jaricus Whitlock <jwhitlock@mdeq.ms.gov>

1 attachment (22 KB)
msr_109782_johnston_061026.pdf;

This Message Is From an External Sender
This message came from outside your organization.

Mr. Whitlock,

Please find attached a PDF submittal sent to Mrs. Glenn referencing the MRS109782 Storm Water General Permit Public Hearing for your reference.

Regards,

David B. Johnston
Director Emeritus of Corporate Engineering
[redacted]
Oxford, MS 38655

The MDEQ Permit submitted by a company Magnolia Material LLC for a Large Construction Storm Water General Permit (No. MSR109782) specifies that a stormwater management area at a drainage basin outfall and a temporary sediment basin will protect the Oxford/Lafayette County community from the pollution of Berry Branch Creek of which this site is at the Creek headwaters.

Question 1: Does this not refer to a standard retention pond which will accumulate bitumen particulates that fall to the ground forming a sludge material upon the evaporation and seepage into the soil of the runoff water?

Question 2: Is not bitumen in concentrated quantities considered to be combustable as well as toxic and carcinogenic?

Question 3: The Permit application refers to no allowable dispensing of gasoline but there is no mention of restricted dispensing of diesel fuel. Will the spillage of diesel fuel not accumulate in this sediment basin contributing to the combustibility?

Question 4: Who will be responsible for monitoring leakage from a diesel fuel underground storage tank?

Question 5: With natural gas ignition sources utilized nearby in the hot mix process, would accumulation of bitumen and diesel sludge in a sediment basin create the risk of a fireball endangering employees, nearby residences, a nearby gunpowder facility and wildlife?

Question 6: With high levels of seasonal rains and an unknown amount of process water discharge accumulating into the drainage basin, what assurance is there that this basin will not routinely overflow into the nearby Berry Branch Creek making it's way though private property, schools, a municipal sports park and ultimately to a US Army Corps of Engineers Lake taking bitumen particulates and diesel residue with it?

Question 7: What proof has the MDEQ Environmental Compliance and Enforcement Division received from this Applicant that the over-arching EPA Title 40 CFR Part 262 General Duty Clause has been satisfied that this Applicant can effectively contain and manage this sediment basin?

Question 8: Has this Applicant provided any training programs in place, any operating procedures in place or any remediation equipment on site to prevent the discharge of hazardous, toxic and combustable bitumen and diesel sludge into a public creek satisfying General Duty Clause?

Question 9: If overflow of the drainage and sediment basins occurs carrying sludge particles with it, how will this operation be capable of accurately measuring the amount of sludge that has been produced by the processes meeting the General Duty Clause?

Question 10: Since a viable, operational and highly experienced hot mix asphalt plant already exists in Lafayette County, this Applicant for an additional greenfield facility will face severe competition in the region. When this outfit is forced to cease operation, given that the 22.92 acres is leased from Lafayette County and the Applicant was allowed to be chartered as an LLC limiting operational liability, who will be responsible for the hazardous material cleanup of the soil that has been saturated with toxic bitumen and diesel fuel?

Question 11: Since the Applicant will have been permitted by the MDEQ, is it highly predictable that the County will step back and let the State of MS own yet another hazardous material site remediation and cleanup of bitumen, diesel fuel and lime that is left behind?

I would respectfully request that the MDEQ foresee the potential environmental damage by this Applicant that cannot be undone and deny any Construction Storm Water General Permit or Hot Mix Asphalt General Permit for the construction of said Applicant greenfield hot asphalt manufacturing plant in the densely populated Lafayette County.

David B. Johnston
Director Emeritus of Corporate Engineering
[redacted]
Oxford, MS

From: Fair Berg
To: Becky Simonson; Carrie Barefoot
Subject: (Public hearing request) Re: [Agency Interest # (AI# 90112) and/or NOI number MSR109733]Resident concerns regarding permit of Magnolia Materials LLC
Date: Wednesday, January 21, 2026 10:07:55 PM

This Message Is From an External Sender
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Hi. I would also like to request a public hearing on the permitting for this plant - and I also may need to get some clarifications to impacts to Berry Branch and the local park. thank you!

On Wed, Jan 21, 2026 at 8:41 AM Fair Berg [redacted] wrote:

> Good morning —
>
> In addition to other concerns you may have received regarding the Magnolia Materials LLC permits, please also **closely examine Berry Branch "creek" which is where the permit indicates they will discharge treated wastewater.** Illustrated maps regarding the creek are misleading as it is not, in fact, a creek with a consistently reliable water flow. **Berry Branch will not have enough water to consistently dilute the wastewater from the plant AND it directly runs through a high-use local park (MTrade park).**
>
> See Google street view attached.
>
> Just yesterday, MTrade Park received the USSSA park of the year award. **This is an extremely high-use area**, and a lack of proper drainage poses a potentially concerning risk to child health and the environment.
>
> Thank you,
> Fair Berg, EdD

From: ANN L WHITAKER
To: Becky Simonson
Cc: Carrie Barefoot; Jaricus Whitlock
Subject: Agency Interest # (AI# 90112) and/or NOI number MSR109733"
Date: Thursday, January 22, 2026 12:59:26 PM

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Dear Ms. Simonson,
My name is Ann Whitaker. I live in the Quail Creek subdivision of Lafayette County, MS, and have lived here since August 2011. I am writing in reference to the proposed Magnolia Materials asphalt facility (Agency Interest # (AI# 90112) and/or NOI number MSR109733")

I have many concerns over the proposed facility. Research shows that hot mix asphalt plants have numerous health hazards for people living near the plant. While I am sure you may have received quite a few emails from people in my local area, I am writing because my primary concern is for the health of the humans who live here.

There are concerns about the increase in road traffic, hazards for those who have wells in our area, for the environment itself (as how will this affect wildlife and pollinators) and many others. I am deeply troubled by the health hazards for humans. There are 2 schools within our local area that would be impacted. Research shows that in areas where such a facility is built, children have a very high risk of developing asthma. My husband has COPD; the effects of such a plant so near to us could have devastating consequences. We do not need this during our retirement years.

I am also concerned about the "self-reporting" that is allegedly required by such a facility to MDEQ regarding air quality, and other hazards. This seems totally unacceptable.

I am opposed to a permit being let for this facility. I ask that you consider ALL that impacts this proposed location. Before moving forward on this proposed asphalt plant, I humble ask for you to hear the people of our area who are opposed. We are taxpayers in Lafayette County and believe our voices should be heard. I am also asking for a public hearing in regard to this matter. Thank you for your time.

Cordially,
Ann Whitaker

The Rev. Ann L. Whitaker, TSSF
Retired

From: ANN L WHITAKER
To: Becky Simonson
Cc: Carrie Barefoot; Jaricus Whitlock
Subject: Agency Interest # (AI# 90112) and/or NOI number MSR109733"
Date: Thursday, January 22, 2026 12:59:26 PM

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I am opposed to a permit being let for this facility. I ask that you consider ALL that impacts this proposed location. Before moving forward on this proposed asphalt plant, I humble ask for you to hear the people of our area who are opposed. We are taxpayers in Lafayette County and believe our voices should be heard. I am also asking for a public hearing in regard to this matter. Thank you for your time.

Cordially,
Ann Whitaker

The Rev. Ann L. Whitaker, TSSF
Retired

From: Capri Brooks
To: Becky Simonson
Cc: Carrie Barefoot
Subject: Agency Interest # (AI# 90112)/ NOI number MSR109733"
Date: Tuesday, January 27, 2026 10:29:51 PM

This Message Is From an External Sender
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Dear Ms Simonson,

I hope you are doing well and that you are safe during this ice storm. I am writing to express my great concern regarding the proposed asphalt plant in Oxford. The asphalt plan was originally intended to go on another side of Lafayette County. It seems now that instead of eliminating the concern for this in Oxford, there is a plan to move it to a location close to my home. Thus, not eliminating the problem but simply relocating the dangers. I am very concerned about the numerous types of air and water contamination risks for my children and my family.

My children were able to recognize the smell of marijuana at the ages of 5 and 9 due to the plant in the industrial park close to our home. That's not something that I ever imagined having to explain at such a young age. However, due to the decisions of city officials and the plant that went in the same area, I have been faced with this. There are already families that do not want to live in this area now due to that air quality issue. I can only imagine what further detriment this asphalt plant will do.

Please know I have been and will continue to pray about this, for the leaders making decisions, and for the many families affected by it. I ask that you consider how you might respond if your home was around the proposed site. I would like to request that there be a public hearing on this matter in order to spend time hearing the concerns and make the a decision that supports the health and safety of families in this Oxford area rather than a decision based solely on money. Please support the thousands of people close to the proposed site, as well as the schools, and do grant a public hearing so we can be heard. I look forward to hearing from you.

Blessings,
Dr. Capri Brooks
[redacted]
Oxford, MS 38655
[redacted]

From: Carrie Barefoot
To: Michelle Clark; Sara Beasley
Cc: Montie Hardaway; Jaricus Whitlock; Mike Freiman; Micheal Canerdy; Becky Simonson
Subject: FW: Magnolia Materials
Date: Friday, February 6, 2026 9:22:58 AM

Hey Michelle/Sara,

Could y'all log this into CTS? Ms. McKendree called me back a second time this morning to inform me that they have started construction.

Thanks,
Carrie

Carrie Barefoot, P.E.
Manager, 401/Stormwater Branch
MDEQ – Environmental Permits Division
P.O. Box 2261, Jackson, MS 39225
515 E. Amite Street, Jackson, MS 39201
Office: (601) 961-5249

From: Glynna McKendree [redacted]
Sent: Friday, February 6, 2026 9:16 AM
To: Carrie Barefoot <CBAREFOOT@mdeq.ms.gov>
Subject:

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Pictures where work began yesterday....this also was NOT approved as part of the preliminary site plan.


CAT







From: lynda dantoni
To: Becky Simonson; Carrie Barefoot
Subject: Fwd: Asphalt plant complaint. 2.9.26
Date: Tuesday, February 10, 2026 4:46:48 PM

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Sent from my iPad

Begin forwarded message:

From: lynda dantoni [redacted]
Date: February 10, 2026 at 4:28:43 PM CST
To: jhollowell@lafayettecom.com
Cc: Jeast@lafayettesheriff.net
Subject: Asphalt plant complaint

I would like to express my disappointment in Magnolia Company clearing the County's road/land without a permit. I am also disappointed in this being done when so many people were unable to even get into their homes. So rude and sneaky. Will a fine be given to Magnolia?
Sent from my iPhone

From: John Duchaine
To: Becky Simonson; cbarefoort@mdeq.ms.gov
Subject: Fwd: reference AI 90112 NOI MSR109733
Date: Thursday, January 22, 2026 6:58:46 AM

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---------- Forwarded message ---------
From: **John Duchaine** <jduchaine57@gmail.com>
Date: Wed, Jan 21, 2026 at 1:48 PM
Subject: reference AI 90112 NOI MSR109733
To: <bsimonson@mdeq.ms.gov>, <cbarefoot@mdeq.ms>

John and Meg DuChaine
We have 200 plus acres next to the proposed asphalt plant in the Max Hipp Industrial Park in Lafayette County Mississippi. We are very concerned with the environmental impact the plant will have on our farm. We have raised horses on this property for over 50 years. We also have two stock ponds for the livestock and fishing. The emissions concern us very much. The topography of the area is very steep and hilly and we are worried about the plant runoff and emissions contaminating our water source , damaging our pastures and old growths hardwoods we have worked so hard to preserve. We would like the opportunity to have an open meeting here in Oxford. I am self employed and it is nearly impossible for me to leave Oxford this time of year as I manage a farm and have livestock to tend to twice daily. Thank you for your time and consideration

John and Meg Faulkner DuChaine

From: Jane Josey
To: Becky Simonson; Carrie Barefoot
Cc: david josey
Subject: Hot Asphalt Plant Concerns - Oxford, MS
Date: Wednesday, January 21, 2026 3:36:51 PM

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Agency Interest AI# 90112
NOI # MSR109733

Attn: Becky Simonson, Carrie Barefoot

Please see the following email previously sent to Jaricus Whitlock, Tim Palmer, and Chris Wells. And, accept our request for a public hearing regarding this matter. Thank you both for your time.

We are residents of Oxford, MS, and appreciate your reviewing the following concerns regarding Magnolia Materials proposed development of a hot asphalt plant near numerous heavily populated neighborhoods. Please share with all appropriate departments. MDEQ has been repeatedly referenced by the Lafayette County Planning Commissioners and Board of Supervisors as the entity with environmental responsibility as it relates to thousands of residents, people, families, and children living within a 2 mile radius of the proposed hot asphalt plant.

As you may already be aware, the City of Taylor, MS successfully protested the development of this same hot asphalt plant near a largely agricultural area this past fall. The developer, Magnolia Materials, eventually withdrew the project. The population of Taylor is less than 500. The location they are now pursuing would affect more than 2,000 residents.

Upon withdrawal, the same developer immediately announced he would be building the plant in an industrial park location in Lafayette County, which was at one time surrounded by primarily farmland.
Over the years, Lafayette County rezoned the land surrounding this industrial park to residential, which resulted in the development of numerous neighborhoods and thousands of residents nearby - in close proximity to the current proposed hot asphalt plant site.

After the Taylor, MS initiative failed, the developer quickly pursued the above mentioned site location. The Lafayette County Planning Commission held a site plan meeting on December 22, 2025, while many residents were traveling for the holidays.

At this meeting, residents, professors, and other experts addressed the commission regarding numerous environmental safety concerns, repeatedly asking the commission to table the vote until more research could be done.

Professionals cited numerous legitimate environmental hazards for thousands of nearby residents including: ongoing high risk air contamination | effects on young children who are the most vulnerable from years of daily exposure | critical well water risks and water run-off concerns | harmful emissions, VOCs, PAHs, sulphur dioxide, bitumen risks, asphalt dust | pungent sulphuric odors | close proximity to existing schools and parks | natural disaster concerns | contamination of Sardis Lake | studies reflecting low birth rates | spill exposure and traffic risks from heavy asphalt and supply trucks | fumes posing aviation flight risks due to the close proximity and direct flight path of Oxford's regional airport | and a multitude of other concerns with detrimental effects to the dense population.

Many of these nearby neighborhoods are filled with children, which is critically concerning. High risk exposure to air contaminants for all nearby families would be inevitable. "Studies have shown that this can significantly impact air quality and pose health risks to nearby communities." There are also vulnerable residents with pre-existing conditions, and disadvantaged communities very close to the proposed site who are dependent upon uncontaminated well water. They feel they are not being seen or heard. The serious health effects of water and air contamination were cited repeatedly. At the close of this meeting, the commission still refused to table the vote and proceeded to vote in favor of the site plan.

On January 5, 2026, the Board of Supervisors held the site plan approval meeting. Only three of the five supervisors voted in favor of the site plan. While denying the public from making any comments, the plan was pushed through and approved without environmental reports available for public review. The boardroom was packed, standing room only, and overflow was told to stand in the hallways with no ability to hear the board members. The public was not permitted to speak, ask questions, or voice any concerns. Even courteous and respectful requests for standard 2-minute comments were denied.

Lastly, there is substantial property available on the outskirts of Oxford, unpopulated and far more appropriate - away from people, families, and children. The health and safety of our neighborhoods and thousands of residents should be a priority to all involved. We are respectfully asking MDEQ to consider the extraordinary risks as you review any permit application submitted for this site.

Sincerely,

David and Jane Josey
[redacted]
Oxford, MS 39759

Montie Hardaway

From: Montie Hardaway
Sent: Thursday, June 4, 2026 3:52 PM
To: Carrie Barefoot; Jaricus Whitlock
Subject: FW: MDEQ Website Message - "Hot Mix Asphalt, Oxford, MS"

Montie Hardaway Glenn, P.E.
401/Stormwater Branch
Environmental Permits Division
(601) 961-5596

-----Original Message-----
From: MDEQ <mdeqweb@mdeq.ms.gov>
Sent: Thursday, June 4, 2026 3:51 PM
To: Montie Hardaway <MGlenn@mdeq.ms.gov>; MDEQ Web <mdeqweb@mdeq.ms.gov>
Subject: MDEQ Website Message - "Hot Mix Asphalt, Oxford, MS"

From: Lisa Chandler Bennett [redacted]
Subject: Hot Mix Asphalt, Oxford, MS

Message Body:
Dear Montie Glenn,
I will be unable to attend the hearing scheduled for June 10th due to scheduled travel. I have emailed Mr. Whitlock before regarding the extremely close proximity to my residence in Lafayette Co. I have read several references / articles referring to a buffer zone between an asphalt plant and residences of 1,000 to 1,500 feet. I don't know why that does not apply to Oxford, MS. I have also found reference to a buffer zone of 600 ft in a mdmq.ms public notice document found online. My property which is situated on CR166, which runs behind my house, is less than 1,000 feet from the proposed site for the the asphalt plant (per Magnolia Materials, LLC). This measurement is an approximation taken from LandGlide app. We have a stocked pond that we fish as well as my neighbor's pond who also has his own water well. This next door neighbor's residence (Collier) and the next residence, (Duchaine) abuts the proposed property and THERE IS NO BUFFER ZONE for these two residential properties. Joel Hollowell, Director of Development Services, disclosed at the supervisors meeting, held May 4th that 40 ft. is the requirement for a buffer zone. No explanation as to where this distance came from. Again there is no buffer zone at all. I am very concerned about ground water contamination and any runoff in addition to air quality, noise, additional truck traffic, quality of life and decrease in property value for all of us in the surrounding area. Many have had our homes

here for over 20 years. I do not feel that the supervisors or the members of the planning commission are using the appropriate criteria for the location choice of this asphalt plant.
Thank you for your consideration.
Lisa Chandler - Bennett

--
This e-mail was sent from a contact form on MDEQ (https://mdeq.ms.gov)

Montie Hardaway

From: elizabeth johnston [redacted]
Sent: Saturday, June 6, 2026 4:13 PM
To: Montie Hardaway
Subject: Fwd: Msr 109782, 700115 June 10, 2026 Oxford MS
Attachments: MDEQHMAPgeneralmsr700115.pdf; mseqstormwatermsr109782.pdf

This Message Is From an External Sender
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Elizabeth Johnston
[redacted]

Begin forwarded message:

From: elizabeth johnston [redacted]
Subject: Msr 109782, 700115 June 10, 2026 Oxford MS
Date: June 6, 2026 at 3:57:49 PM CDT
To: m.glenn@mdeq.ms.gov

Elizabeth Johnston
[redacted]

Montie Hardaway

From: Susannah Furr [redacted]
Sent: Wednesday, June 3, 2026 2:18 PM
To: Jaricus Whitlock; Montie Hardaway
Subject: Opposition to the Magnolia Materials Asphalt Plant in Lafayette County

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June 3, 2026

Mississippi Department of Environmental Quality
Office of Pollution Control
P.O. Box 2261
Jackson, MS 39225

RE: Opposition to Magnolia Materials Proposed Greenfield Hot Mix Asphalt Plant (Berry Branch Watershed)

To Mr. Whitlock and Mrs. Glenn,

I am writing to formally express my strong opposition to the proposed Magnolia Materials hot mix asphalt plant. I live less than one mile from the designated 22.92-acre site. Our family has lived here since before the Industrial Plant was formed.

I am deeply concerned about the immediate health and environmental threats this industrial operation poses to my family, my neighbors, and our local ecosystem.

My 90-year-old mother lives with me. At her advanced age, she is highly vulnerable to air pollution, and her respiratory system is already compromised from covid infections. This plant will produce up to 300 tons of asphalt per hour and 500,000 tons per year. The resulting emissions from the natural gas-fired drum dryer, liquid asphalt cement storage, and heavy truck loadout operations present a direct risk to her health. Even with a baghouse filter, the fine particulate matter (PM2.5), volatile organic compounds (VOCs), and toxic air pollutants will severely compromise the air quality in our neighborhood, aggravating respiratory and cardiovascular risks for elderly residents and young children alike. In my immediate neighborhood alone there are at least a thousand living within a mile of the proposed site.

Placing a high-capacity stationary asphalt plant in such close proximity to densely populated neighborhoods is a clear environmental justice and safety issue. The continuous truck traffic, heavy loadouts, and unavoidable fugitive dust from raw aggregates, reclaimed asphalt pavement, and lime silo storage will disrupt the community and lower the quality of life for thousands of Lafayette County citizens.

The environmental footprint on the local ecosystem is too severe. The project plans to disturb 13.71 acres within the sensitive Berry Branch watershed. While the proposal outlines temporary sediment

basins and silt fencing, clearing this much land and adding massive impervious surfaces creates a long-term risk of stormwater runoff pollution. Any failure in the stormwater management system could leak petroleum products, chemical additives, and heavy metals into our local waterways.

The MDEQ holds the power to stop this plant from being built before the inevitable damage is done to the health of the nearby residents and environment. I am sure the MDEQ is aware that this developer, Mr. JW McCurdy, has continuously violated state environmental regulations, paid a fine and then moved on to the next violation. Has your department reviewed the various violations and considered, if he cannot follow regulations for moving dirt and building subdivisions, how can he be trusted to carefully handle toxic materials and honestly self-report to your department?

An industrial facility of this scale does not belong near thousands of residential homes and fragile watersheds. I urge the Mississippi Department of Environmental Quality to deny the permits for this Magnolia Materials facility to protect the health of our vulnerable citizens and preserve our environment.

Thank you for your time and your consideration of our community's safety. I plan to be at the public hearing you will be holding in Oxford on June 10th, and would like to make a public comment at that time.

Sincerely,

Susannah Furr

[redacted] Oxford, MS 38655

([redacted]

--

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Susannah Furr, M.Ed.
Licensed Professional Counselor
Oxford, MS 38655

Nicholas Sullivan, Ph.D.
[redacted]
Oxford, Mississippi 38655

RECEIVED
JUN 12 2026
Dept. of Environmental Quality

Mississippi Department of Environmental Quality
Environmental Permits Division
P.O. Box 2261
Jackson, Mississippi 39225

Re: Formal Public Comment Opposing the Proposed Magnolia Materials Asphalt Plant in Lafayette County, Mississippi

To the Mississippi Department of Environmental Quality:

I am writing as a resident of Oxford/Lafayette County to state my strong and unequivocal opposition to the proposed Magnolia Materials hot-mix asphalt plant in the Max D. Hipp Industrial Park. I respectfully request that MDEQ deny the requested permits, or at minimum delay any approval until there has been a full, transparent, site-specific review of the public-health, air-quality, stormwater, odor, particulate-matter, fugitive-dust, cumulative-impact, monitoring, and enforcement concerns raised by this proposal.

To us, this is not a routine industrial-permitting matter. It is a consequential environmental decision that could permanently affect the health, safety, property, and quality of life of nearby residents. Reporting on the project has described the proposed plant as having the capacity to produce asphalt at a maximum rate of 300 tons per hour.[1]

I oppose this project because the risks are real, the proposed controls and review must be subjected to the highest scrutiny, and the burden of uncertainty is being placed on nearby residents rather than on the applicant. If this project is allowed to proceed, residents will not consider the matter closed upon permit approval. We will actively monitor all aspects of the facility's operation and will pursue every available lawful remedy—administrative, civil, injunctive, nuisance, public-records, ethics, zoning, and permit-challenge actions—for any violations, emissions events, odor complaints, health concerns, stormwater issues, or other impacts that arise. This reflects the deep and unwavering seriousness with which many residents view this matter and our firm commitment to protecting our community's health, safety, and quality of life.

My strong opposition is grounded in the following specific concerns, all of which raises serious questions about public health, environmental protection, and responsible permitting:

1. Asphalt emissions are not harmless. They include pollutants of legitimate health and environmental concern.

The public should not be told, directly or indirectly, that this is merely a matter of smell or aesthetics. Asphalt-related emissions can include volatile organic compounds, particulate matter, polycyclic aromatic hydrocarbons, carbon monoxide, nitrogen oxides, sulfur dioxide, and other pollutants associated with combustion, heating, material handling, asphalt production, asphalt storage, and asphalt aging.

OSHA identifies asphalt fumes as a workplace hazard and states that possible health effects from exposure include headache, skin rash, sensitization, fatigue, reduced appetite, throat and eye irritation, cough, and skin cancer.[2] Although occupational exposure is not identical to residential exposure, the occupational evidence is important because it establishes that asphalt emissions are chemically and

biologically meaningful. They are not benign. They are not merely unpleasant. They are sufficiently hazardous that federal workplace-safety authorities warn about them.

The International Agency for Research on Cancer has classified occupational exposures to hard bitumens and their emissions during mastic asphalt work as "possibly carcinogenic to humans," occupational exposures to straight-run bitumens and their emissions during road paving as "possibly carcinogenic to humans," and occupational exposures to oxidized bitumens and their emissions during roofing as "probably carcinogenic to humans."[3]

This does not prove that every resident near an asphalt plant will develop cancer. But it does mean that asphalt-related emissions have a serious enough toxicological and epidemiological profile that MDEQ should not treat residential proximity, odor complaints, fugitive emissions, or long-term exposure uncertainty as minor issues. When the scientific record includes recognized occupational hazards and possible carcinogenic classifications for relevant bitumen-related exposures, the responsible regulatory posture is precaution, not dismissal.

2. Recent scientific research strengthens the case for caution.

The scientific literature increasingly suggests that asphalt emissions deserve more scrutiny, not less. A 2020 Yale-reported study found that asphalt is a significant source of air pollutants in urban areas, especially on hot and sunny days, and noted that asphalt emissions are often missing from urban air-quality management plans.[4] That finding is especially relevant in Mississippi, where heat and sunlight are ordinary conditions rather than unusual extremes.

This matters because regulatory review can be too narrow if it treats asphalt emissions as a fixed, easily contained, stack-based problem. Asphalt-related emissions may vary with heat, sunlight, production intensity, material handling, storage, truck movement, start-up and shutdown conditions, and meteorology. MDEQ should therefore evaluate not just average modeled compliance, but worst-case and high-impact conditions that residents may actually experience.

A facility may not exceed a broad regulatory threshold and still impose a meaningful localized burden on nearby homes. That distinction is central to this case.

3. Community exposure studies show measurable impacts even when federal standards are not exceeded.

A common industry defense is that a plant will operate below federal thresholds. That argument is not enough. Compliance with a permit limit does not mean emissions are zero. It does not mean residents will not experience odor, nuisance, fugitive dust, particulate exposure, traffic impacts, stormwater concerns, or cumulative burdens. It also does not mean the site is appropriate from an environmental-risk standpoint.

Researchers from the Desert Research Institute and UNLV studied air quality near a Las Vegas asphalt plant and school. DRI reported that, although the school's air pollution never exceeded EPA limits, asphalt plant emissions contributed to PM2.5 and PM10 by as much as 28% and 50%, respectively, in a single day. DRI also reported that wind speed and wind direction had a large impact on how and when the plant's emissions moved toward the school.[5]

That finding is critical. It shows why "below EPA limits" cannot be the end of the analysis. The question for nearby residents is not only whether a monitor might show a regulatory exceedance; the question is

whether the plant will impose preventable, localized, wind-driven pollution burdens on homes, families, children, older residents, and property owners.

A related UNLV thesis found that asphalt plants emit PM2.5 and PM10 during production.[6] MDEQ should therefore evaluate not only modeled emissions, but the actual lived exposure conditions created by wind, proximity, hours of operation, peak production, fugitive dust, aggregate storage, truck loading, and reclaimed asphalt handling.

4. Odor is a serious quality-of-life and legal issue, not a trivial inconvenience.

We should not have to wait until we are living with persistent industrial odors before our concerns are taken seriously. Odor can interfere with sleep, outdoor activity, opening windows, children playing outside, ordinary property enjoyment, and basic confidence that the air around our home is safe.

The national record shows that odor complaints from asphalt plants are not speculative. In Chicago, residents filed a class-action nuisance lawsuit against MAT Asphalt alleging that noxious odors from the facility prevented neighbors from enjoying their homes. Reporting states that residents received payments from a $1.2 million class-action settlement.[7] A separate settlement-information page states that the certified class included residential owner-occupants and renters within one-half mile of the facility.[8]

In Massachusetts, the Attorney General announced a settlement with Aggregate Industries requiring up to $1.45 million in payments over claims involving emissions and noxious odors from a Chelmsford asphalt plant.[9]

In New York, CBS reported that Green Asphalt was fined $25,000 for recordkeeping and nuisance violations, ordered to monitor air quality, and ordered to double the height of its smokestack or face an additional $99,500 fine.[10] NY1 later reported that the plant temporarily shut down after failing to meet the state deadline to raise its smokestacks.[11]

These examples demonstrate that asphalt-plant conflicts are predictable. They also demonstrate that permitting a plant does not eliminate the risk of nuisance, litigation, enforcement, or eventual public harm. If MDEQ approves this plant despite substantial resident opposition and proximity concerns, the agency should expect that residents will preserve the record and pursue every available remedy if odor, emissions, runoff, dust, or nuisance impacts occur.

5. Regulatory compliance does not equal environmental safety or responsible permitting.

The question before MDEQ should not be reduced to whether the applicant can submit modeling documents that appear to satisfy a minimum regulatory threshold. That is too narrow. A facility may be legally permitted and still create odors, dust, localized exposure, quality-of-life damage, truck impacts, stormwater risks, and property-value concerns.

MDEQ's own Hot Mix Asphalt General Permit states that it may cover new and existing hot-mix asphalt facilities in Mississippi that manufacture hot-mixed asphalt paving mixtures and blocks.[12] EPA's New Source Performance Standards for hot-mix asphalt facilities, codified at 40 C.F.R. Part 60, Subpart I, establish particulate-matter and opacity standards for affected hot-mix asphalt facilities.[13] This illustrates the narrowness of the regulatory framework. A plant can satisfy specific permit and performance-standard requirements while still leaving serious site-specific concerns about odor, cumulative exposure, fugitive dust, truck traffic, stormwater, monitoring, enforcement, and compatibility with nearby homes. MDEQ should not treat permit compliance as a substitute for environmental protection. A hot-mix asphalt plant

placed close to homes creates risks that cannot be solved by telling residents after the fact to file complaints.

6. Stormwater, runoff, hazardous materials, and material-handling risks require rigorous site-specific scrutiny.

The proposed facility involves more than a smokestack. It involves aggregate storage, asphalt production, truck staging, raw-material movement, fuel, lubricants, hydraulic fluid, cleaning solvents, asphalt cement, and other materials commonly associated with asphalt-plant operations.

The Daily Mississippian reported that Exhibit B of the lease identifies permitted hazardous substances including asphalt cement, aggregate materials, diesel fuel, gasoline, motor oil and lubricants, hydraulic fluid, antifreeze, cleaning solvents, paints, and coating. It also reported that the lease includes "any other materials commonly used in the operation and maintenance of an asphalt plant" if used, stored, and disposed of in compliance with environmental law and in quantities reasonable for the permitted use.[14]

That language should concern MDEQ. The public deserves more than a broad and open-ended statement that other materials commonly used in asphalt-plant operations may be present. We ask MDEQ to require a detailed, site-specific stormwater and runoff analysis that accounts for ordinary rainfall, extreme rainfall, slope and drainage patterns, disturbed acreage, nearby properties, downstream receptors, retention and detention design, inspection frequency, maintenance obligations, spill response, track-out prevention, and enforceable consequences for noncompliance.

We ask MDEQ to also require clear and enforceable conditions related to fugitive dust, aggregate piles, reclaimed asphalt pavement storage, truck washing, visible emissions, odor complaints, production limits, hours of operation, start-up and shutdown emissions, and real-time community complaint response.

7. The permit should not be approved without strict, enforceable, publicly transparent monitoring requirements.

If MDEQ is unwilling to deny the permit outright, we ask that you not issue a weak permit that leaves residents dependent on informal complaints after harm occurs. Any permit must include strict, enforceable, transparent conditions.

At minimum, we expect MDEQ to require independent baseline air monitoring before operations begin and ongoing independent monitoring after operations begin. Monitoring should include PM2.5, PM10, VOCs, PAHs where feasible, visible emissions, odor events, and meteorological conditions. Data should be reported publicly in a timely and understandable format. Monitoring should not be controlled entirely by the applicant. Residents should not have to simply trust the operator to self-report conditions that may affect their homes, health, and property.

MDEQ should also require enforceable complaint-response procedures, including a clear public contact process, response deadlines, recordkeeping, investigation triggers, and escalating penalties for repeated odor, dust, visible-emission, or runoff events. A permit that lacks meaningful monitoring and enforcement mechanisms would place an unreasonable burden on residents.

8. MDEQ should deny, delay, or substantially condition any permit.

For these reasons, I request that MDEQ deny the requested permits. If MDEQ does not deny the permits outright, then at minimum MDEQ should delay action until the following conditions are satisfied.

First, MDEQ should require a comprehensive site-specific air-quality analysis that addresses VOCs, PAHs, PM2.5, PM10, nitrogen oxides, sulfur dioxide, carbon monoxide, hazardous air pollutants, start-up and shutdown emissions, fugitive dust, aggregate handling, truck loading, and reclaimed asphalt pavement storage.

Second, MDEQ should require worst-case meteorological modeling that specifically evaluates transport toward nearby homes and properties, including high-production days, high-heat conditions, low-wind conditions, inversion conditions, and wind directions that carry emissions toward residential areas.

Third, MDEQ should require a detailed odor-control and nuisance-response plan with enforceable complaint-response procedures, independent monitoring triggers, reporting obligations, and penalties for repeated odor events.

Fourth, MDEQ should require a comprehensive stormwater, runoff, and erosion-control analysis that addresses site slope, disturbed acreage, material storage, sediment control, fuel and chemical management, spill response, inspection, maintenance, and downstream receptors.

Fifth, MDEQ should require enforceable limits on hours of operation, production volume, truck staging, truck routes, idling, visible emissions, dust suppression, material storage, and start-up/shutdown procedures.

Sixth, MDEQ should require independent baseline monitoring before operations begin and ongoing independent monitoring after operations begin, with data made publicly available in a timely and understandable format.

Seventh, MDEQ should require a meaningful public-comment process that gives residents a real opportunity to participate, not merely a procedural box-check after major local decisions have already been made.

9. The local history of this proposal reinforces the need for heightened environmental scrutiny.

Although MDEQ may not be the primary zoning authority, the local history of this proposal is directly relevant to the agency's environmental review because it shows that this is not an ordinary or uncontested industrial permit. Magnolia Materials first proposed this asphalt plant near Taylor, Mississippi, on Mississippi Highway 328 across from Falkner Farms. That proposal drew intense public opposition from nearby residents, landowners, and agricultural interests. Mississippi Today reported that developer J.W. McCurdy announced on October 28, 2025, that he would move the proposed plant to the Lafayette County Industrial Park after residents and nearby farm owners vocally opposed the Taylor location and fought the rezoning before the Lafayette County Board of Supervisors.[15] The Daily Mississippian likewise reported that McCurdy withdrew the Taylor rezoning application after weeks of community resistance and announced plans to relocate Magnolia Materials to the Max D. Hipp Industrial Park.[16]

This relocation history matters because the public-health, environmental, odor, traffic, and land-use concerns did not disappear when the plant moved from Taylor to the industrial park. The burden was simply shifted from one group of residents to another. The applicant's own reported statement that the move was made "for the sake of peace" does not constitute an environmental finding, a safety finding, or a public-health finding.[14] MDEQ should therefore not treat the industrial-park label as evidence that the proposed location is environmentally appropriate.

The surrounding context also shows why heightened scrutiny is necessary. Public reporting indicates that the current Lafayette County zoning framework was adopted in 2018, while many nearby homes, properties, and family lands predate that framework.[13] The Daily Mississippian reported that approximately 335 homes are located within one mile of the proposed asphalt plant site, that nearby neighborhoods include Tara Estates, Quail Creek Estates, and Whitetail Landing, and that John and Meg Faulkner DuChaine's nearly 200-year-old family home would be approximately 150 feet from the proposed plant site.[13] These facts make it misleading to suggest that nearby residents knowingly assumed the risk of living next to a hot-mix asphalt plant.

The local process has also raised serious public-trust concerns. The Daily Mississippian reported that residents asked the Board of Supervisors on December 15, 2025, to table the issue until the public could be notified, and that District 2 Supervisor John Morgan allegedly responded, "What more do you want? It's going in the industrial park."[13] The same reporting states that the Board signed a lease agreement with Magnolia Materials on December 15, 2025, executed the lease three days later, and that the Planning Commission approved the preliminary site plan on December 22, 2025.[13] I understand that MDEQ may not adjudicate every local zoning or procedural dispute. However, this history is relevant because it demonstrates that residents have reasonable concerns that the project has been treated as predetermined rather than carefully evaluated.

For purposes of MDEQ's review, the key point is straightforward: this proposal has already been rejected by one affected community, is now being advanced near hundreds of homes and longstanding family property, and has generated substantial public concern about emissions, odor, runoff, monitoring, and enforceability. That history should lead MDEQ to apply greater scrutiny, not less. The agency should not allow a disputed local zoning label to substitute for rigorous, site-specific environmental review.

Conclusion

I strongly oppose the proposed Magnolia Materials asphalt plant. This opposition is based first and foremost on the environmental, public-health, air-quality, odor, stormwater, fugitive-dust, monitoring, and enforcement concerns that fall squarely within MDEQ's responsibilities. The evidence already shows that asphalt plants emit pollutants of legitimate concern, that asphalt fumes are recognized occupational hazards, that asphalt-related emissions can worsen under hot and sunny conditions, that community exposure can be measurable and wind-dependent, and that asphalt plants across the country have generated nuisance lawsuits, regulatory settlements, fines, shutdowns, and prolonged community conflict.[2]

The local history reinforces, rather than replaces, those environmental concerns. This plant was opposed near Taylor, moved "for the sake of peace," and is now being pushed into another community-adjacent location where hundreds of homes are nearby, where longstanding family property predates the current zoning framework, where county planning principles call for buffering from residential uses, and where residents believe the process has been dismissive and predetermined. That is not responsible environmental permitting. That is the displacement of risk.

MDEQ should not place the burden of uncertainty on Oxford and Lafayette County residents. The burden should be on Magnolia Materials and the approving bodies to prove that this location is safe, appropriate, transparent, enforceable, and consistent with the public interest. Based on the available evidence, they have not done so.

I respectfully request that MDEQ deny the permit. If the permit is not denied, then residents should be expected to challenge this project through every lawful avenue available, including administrative

13. U.S. Environmental Protection Agency. (n.d.). Hot Mix Asphalt Facilities: New Source Performance Standards (NSPS). https://www.epa.gov/stationary-sources-air-pollution/hot-mix-asphalt-facilities-new-source-performance-standards-nsps

14. Kennedy, L. (2026, May 12). Public opposition to Magnolia Materials asphalt plant rolls over to Oxford industrial park. The Daily Mississippian. https://thedmonline.com/public-opposition-to-magnolia-materials-asphalt-plant/

15. Lin, K., & Rozier, A. (2025, October 28). Developer moves proposed Lafayette County asphalt plant, "for the sake of peace" with neighbors. Mississippi Today. https://mississippitoday.org/2025/10/28/developer-moves-proposed-lafayette-county-asphalt-plant-for-the-sake-of-peace-with-neighbors/

16. The Daily Mississippian. (2025, October 28). Plans for proposed asphalt plant near Taylor relocated to industrial park "for the sake of peace." https://thedmonline.com/plans-for-proposed-asphalt-plant-near-taylor-relocated-to-industrial-park-for-the-sake-of-peace/

17. A2H. (n.d.). Lafayette County, MS – Max D. Hipp Industrial Park Master Plan. https://a2h.com/project/lafayette-county-ms-max-d-hipp-industrial-park-master-plan/

From:	elizabeth johnston
To:	Jeffrey Bland
Cc:	Chris Wells; Glynna Mckendree; Becky Simonson; robyn@oxfordms.net
Subject:	Ox Ms Proposed Hot Asphalt Plant AI90112 NOI MSR 109733
Date:	Saturday, January 24, 2026 5:34:42 PM
Attachments:	LCprevailingwinds12026rev6 copy 2.pdf

Please read the attached handout regarding the proposed hot asphalt plant in Oxford MS.

Dave and I, in addition to all neighborhoods, are concerned The handout highlights 10 immediate neighborhoods within 1 mile. Those neighborhoods would be exposed to truck emissions, traffic and odor concerns in addition to all the listed neighborhoods that are exposed to toxic emissions from the 2 stacks. Many households surround this location.

This proposed plant is also within a mile of an ammunition manufacturing plant, Olin-Winchester.

We request that you come here for a site visit and discussion. Please help us.

Thank you.

Dave and Betsy Johnston

Elizabeth Johnston
[redacted]

The Proposed Asphalt Plant…….Does it Affect YOU?

YES !

Fact: A hot asphalt plant emits toxic particulate matter (PM) even when filters are utilized. Asphalt plants emit dust, odors and noise. Diesel trucks emit toxins, dust and noise. (Asphalt Plants FactPack P131))

Fact: Both the Environmental Protection Agency (EPA) and the Mississippi Department of Environmental Quality (DEQ) have had severe budget cuts. Guidelines for and monitoring of operations could be limited, eased or absent. (EPA and MS DEQ data)

Fact: Lafayette County does not have a noise ordinance to apply to the Industrial Park (reported at Lafayette County Planning Commission Meeting 1-2026)

Fact: The MS DEQ application and Lafayette County do not have an odor ordinance that would apply to heavy industry odor emissions. (MS DEQ application)

Fact: Prevailing winds carry particulate matter. (PM) Prevailing winds blow PM in various directions given where the wind is coming from. Prevailing wind speeds in the Oxford area averages approximately 6.0 mph with Fall/Winter/Spring winds up to 10-15 mph.

Fact: The lighter the particulate matter, the longer it can stay floating and be inhaled. You cannot see the smallest particulates. Small PMs are the most dangerous to *breathe*. **Most of Lafayette County and a major portion of The City of Oxford and the Campus will have toxins floating in the air.** The current air quality in Oxford is good. Poor air quality is predicted for our community if Lafayette County does not address industry placement, increased development and traffic emissions.

Oxford winds blow primarily from the South in the Summer and from the North in the Fall/Winter/Spring. However, winds from all directions occur in the Oxford area throughout ALL the seasons. (Oxford Airport Data)

NOW

Keep reading: Dave and I used a Lafayette County map. We pushed a pin in the spot where the proposed plant is to be built. We tied a string to the pin and measured the string to a 6 mile radius using the scale of the map. Try it

TAKE A LOOK-DOES IT AFFECT YOU??

NOTE: This is not a complete neighborhood area list *italic=within 1 mile

Winds from the SOUTH affect:

**Winds from the SOUTHEAST affect:*

**Quail Creek*
**Whitetail*
Regents Upper and Lower Schools

**Winds from the SOUTHWEST affect:*

**Briarwood*
**Oxmoor*
Northpoint
Audubon Park
Long Meadow

**Winds from the EAST affect:*

**Tara*
**Twelve Oaks*
**Magnolia Montessori Schoo*l
Fox Trail Estates
**Gumtree*
**Whitetail*
**Quail Creek*
Regents Upper School Campus
Mtrade Park

PROPOSED HOT ASPHALT PLANT

**Winds from the WEST affect:*

Woodland Hills
**Oxmoor*
Northpoint
Audubon Park
CR 181 Neighborhood
**Briarwood*
Long Meadow
Woodson Ridge Farm

**Winds from the NORTHEAST affect:*

**Fieldstone FarmsDevelopment*
**Ole Miss Golf Course*
Ole Miss Airport
Lakeway
College Hill Heights
Lamar Park
**Tara*
**Twelve Oaks*
Old Country Club Neighborhood
Woodlawn
Mtrade Park

**Winds from the NORTHWEST affect:*

Molly Barr-Hwy 30 Corridor
Avent Park
Oxford Commons
Oxford High School
Della Davidson Elementary
Oxford Early Childhood Ctr
**N Lamar Condo Developmnt*
Oxford School Board Office
Hwy 30 Surgery Centers
Grand Oaks
Baptist NW MS Hospital

Winds from the NORTH affect:

**The Ole Miss Golf Course*
Ole Miss Airport
**Fieldstone Farms Development*
The Lamar Development
Chickasaw Neighborhood
City of Oxford city limits

Wellsgate

From: Amanda Devera
To: Becky Simonson
Cc: Carrie Barefoot
Subject: proposed magnolia material asphalt facility
Date: Wednesday, January 21, 2026 2:47:50 PM
Attachments: Outlook-0ncozvhi.png
Outlook-mo1o4qrg.png
Outlook-nnkynlqq.png
Outlook-plaiuuik.png

This Message Is From an External Sender
This message came from outside your organization.

To whom it may concern,

I am writing to express extreme concern regarding the proposed construction of a hot asphalt plant in close proximity to elementary and high schools, multiple residential neighborhoods, and homes that rely on well water for daily use.

A hot asphalt plant produces significant levels of hazardous emissions, including particulate matter and toxic fumes, which pose well-documented risks to children, residents, and the environment. Locating such a facility near schools—where children spend hours each day—and near neighborhoods dependent on groundwater is deeply troubling. Any potential contamination of well water would have long-lasting and potentially irreversible consequences for families in the area.

Additionally, I am alarmed by the speed and lack of transparency with which this project appears to be moving forward. Planning has occurred quickly and quietly, without meaningful public awareness or engagement. This alone raises serious concerns about whether residents have been given a fair opportunity to understand the risks and voice their concerns.

Furthermore, it is troubling that the proposed site is county-leased property, not permanently owned. The long-term implications and liabilities of placing a hazardous industrial facility on leased land must be carefully and transparently examined.

The community deserves a public hearing in reference to the proposed asphalt plant. In

addition, I am in full support of rezoning that area to reflect the changes the area has had as it is now a primarily residential area.

Public health, environmental protection, and community trust must come before speed or convenience. I respectfully request that this matter be handled with the seriousness, transparency, and community involvement it clearly warrants.

Thank you for your time.

amanda deVera

Amanda deVera, MS, CCC-SLP
Clinical Instructor/Speech-Language Pathologist
University of Mississippi/South Oxford Campus
2301 S. Lamar Blvd, NE 1114
P.O. Box 1848
University, MS 38677
[news.olemiss.edu] [facebook.com] [instagram.com] [twitter.com]

Please consider Environment before printing this Email.

From: Sharon Morris
To: Becky Simonson
Cc: Carrie Barefoot
Subject: Proposed Magnolia Material Asphalt Plant in Oxford
Date: Wednesday, January 21, 2026 10:31:23 AM

This Message Is From an External Sender
This message came from outside your organization.

Dear Ms. Simonson,

Please accept this email as a formal request for a public hearing about the proposed Magnolia Material Asphalt Plant in Oxford, MS. I live in a neighborhood that will be directly impacted by the fumes and pollutants generated by a hot asphalt plant, and I am deeply concerned about the lack of transparency that has occurred with our local government.

This type of plant has no place so close to thousands of humans in a high-growth residential area. Please help protect our health and allow the public to receive more input and information about this proposed plant.

Sincerely,
Sharon Morris
Oxford, MS Resident

From: Glynna McKendree
To: Chris Wells; Tad Campbell; Carrie Barefoot; Becky Simonson
Subject: Re: Email 2 of 2 Attachments - Magnolia Materials LCSWP Permit - Oxford Ms., Asphalt Plant
Date: Thursday, January 22, 2026 5:25:12 AM
Attachments: Statement of Env. Facts 1.21.2026.docx
Magnolia Materials DEQ Construction Coverage Permit App 12232025.pdf
MagnoliaMaterials PR Release.pdf

This Message Is From an External Sender
This message came from outside your organization.

Email 2 of 2

Please see remaining attachments.

Summary of Environmental Deficiencies Noted In The Preliminary Site Plan

21 January 2026

On Behalf of: Residents within 0-3 Miles of the Proposed Magnolia Materials Hot Ash Asphalt Facility, including but not limited to Quail Creek, White Tail, Fieldstone Farms, Briarwood, Tara, Twelve Oaks, Gum Tree, Oakmont, Oxmoor, North Point and all Rural Residents located within the same distance.

EROSION AND SEDIMENT CONTROL

The County Director of Development stated Lafayette County had no tree assessment policy and establishes no requirement for tree type or replacement of trees. The County stated this concern was deferred to MDEQ and would be addressed between the Developer and MDEQ during the permitting process.

One typical medium sized tree of a typical variety will intercept as much as 2,380 gallons of rainfall per year. (See Reference 1: "Fact Sheet #4: Control Stormwater Runoff with Trees", Center for Urban Forest Research, Pacific Southwest Research Station, USDA Forest Service, Davis, California, July 2002.

The proposed site is currently a densely forested site full of tall mature trees. The loss of even 1/4 of these trees will result in a massive increase in surface water runoff flowing into the watershed and lower surrounding property at an increased flow rate, increased erosion, increased pollutant loading, an increased risk of flooding, and decreasing water quality.

The preliminary plan only noted what landscaping would be completed and the size of a few cedar and magnolia trees. This plan does not address the buffer zones between residential property lines as the zoning of this park violated that requirement by not establishing a buffer C-3 between facilities and private property. The plan did not address the following:

- Increased erosion standards for the increased surface water runoff
- Increase in erosion pollutants
- Decreased Water Quality
- Increased Flooding
- Number of trees and type of trees to be cut
- Type of soil used for the fill

SOIL - SITE STABILITY - TOXIC MATERIALS CONTAINMENT

The site plan did not address how many cubic feet of soil will need to be cut or filled before the development begins. When questioned specifically Magnolia's engineer stated approximately 80,000 yards, using local soil on site to fill gullies and trenches. In order to level the site additional soil would be required. There was no documentation to identify type of soil presently on site or type that would be imported into the site.

COMPACTION

The site plan did not identify the type of compaction or how long the soil will be allowed to settle before construction would begin. Questions regarding the same were unanswered by both Magnolia Materials and the County Engineer did not express any knowledge of the topography of the land, soil type, or county requirements for compaction.

The Planning Commission Member, Chad Creger inquired what these questions were related to and why. The site plan was deficient in these areas and copies of anything Magnolia

Materials and the Planning Commission may have had were not included in the records request. Mr. Creger stated: Magnolia Materials engineer submitted the site plan to the Planning Commission and would submit it to MDEQ. The Planning Commission later blindly approved, without this data. The County Director of Planning and Development laid the responsibility on confirming these requirements on the Developer and MDEQ, stating they would take surface water flow into account as part of the permitting process.

It is a documented fact that soil plays a critical role in ensuring site and building stability, which is especially important when planning facilities that house sensitive electrical equipment that monitor and operate high temperature manufacturing operations, store toxic chemicals and/or house potentially hazardous waste byproducts and pollution reduction/collection filters.

WATER TESTING AND STUDIES

MDEQ will require water testing. Magnolia Materials will be responsible for sampling, testing and self-reporting the results to MDEQ; however, the County has performed no due diligence into the history of J.W. McCurdy's other projects whereby violations of the Large Construction and Storm Water permit resulted in civil penalties for those violations.

The site plan did not address whether the stormwater runoff pond would be lined to properly collect and test the water before discharging it into Berry Branch Creek, Toby Tubby Creek, through a documented wetland area and eventually into Sardis Lake. Once into Sardis Lake it flows into the Tallahatchie River, into the Mississippi River before reaching the Gulf of America. The site plan failed to address any environmental issues. The Planning Commission did not express any concern or question the Developer regarding these deficiencies and lay the entirety of these matters on an underfunded and understaff state agency (MDEQ).

Public health and safety of the citizens of Lafayette County rest solely with county government and elected officials. There is no overwatch of Magnolia Materials to assure they comply with regulatory controls or to ensure they make adjustments for environmental issues when the State is unable to perform those functions.

STORM WATER DRAINAGE AND DETENTION PLAN

Lafayette County depends on groundwater, namely the Wilcox Aquifer, for its water consumption. Wells on property near the proposed asphalt plant are likely 100-400 ft deep and would pull from that aquifer. The plant intends to distribute wastewater from the facility directly into Berry Branch Creek. An expert needs to be employed to verify the wells, particularly independently maintained private wells, would not be impacted in any way by either runoff or the release of wastewater.

The second issue is releasing wastewater into Berry Branch Creek, which passes in front of a school and through a public park. It then flows through wetlands, into Toby Tubby

waterway, and then into Sardis Lake. All of that waterflow is significant in that it is federally managed and protected.

A third issue is how the retention pond is designed. Information was provided that it was designed for a 10-year flood event and a 25-year flood event. How the retention pond was designed and to what specifications should be clear. If the County requirement is 25-year flood event, then the design should comply. Because of climate change, the frequency of heavy rainfall is higher, preparing for a 10-year flood event is significantly different than preparing for a 25-year storm. Neither are particularly high standards for engineering design safety.

Another concern is about the consistency of the sediment on the site. The site plan did not address soil type or the cut and fill standards to be applied. Soil consistency impacts runoff, as well as groundwater seepage. Without that information, Magnolia Materials cannot be sure of the impacts to water around the site, and Magnolia Materials cannot make claims on mitigation and infiltration.

When this retention pond reaches a point a discharge value will open and release potentially contaminated water into Berry Branch Creek. The problem is this area has had multiple heavy rainfall events with rains in excess of 7 to 10" over a short period of time. This causes the soil around the discharge valves to fail if there is a flooding event, the gates can be shut but the soil will be at risk of failure and closing the gates will not matter, causing waters to flow downstream. This area has experienced rainfall on two separate occasions in the spring of 2025 whereby rainfall exceeded 7" in a short period of time creating flash flood conditions and significant runoff and erosion. Additionally, heavy rainfall in 2021 caused high water to erode soil around the spillway culvert on an area subdivision lake creating a situation that caused a major evacuation of neighboring homes. The detention pond does not include lining to safeguard toxic materials from soaking into the ground water.

SANITARY SEWAGE PLAN

No such plan was provided.

WETLANDS IDENTIFICATION

The Corps of Engineers has not been engaged to address the wetlands area nearing Sardis Lake whereby the stormwater runoff and discharge from the stormwater detention pond area will flow.

ENVIRONMENTAL TOXINS AND HEALTH AND SAFETY CONCERNS OF HUMANS AND LIVE ANIMALS

Human health concerns are clearly documented in various medical journals identifying the impact on pulmonary health, cancers, and skin rashes.

Additionally, concerns affecting livestock and domestic animals were documented and submitted during these same discussions when proposing the Taylor, Mississippi location for this facility.

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

LARGE CONSTRUCTION NOTICE OF INTENT (LCNOI) FOR COVERAGE UNDER THE LARGE CONSTRUCTION STORM WATER GENERAL NPDES PERMIT

INSTRUCTIONS

The Large Construction Notice of Intent (LCNOI) is for coverage under the Large Construction General Permit for land disturbing activities of five (5) acres or greater; or for land disturbing activities, which are part of a larger common plan of development or sale that are initially less than five (5) acres but will ultimately disturb five (5) or more acres. Applicant must be the owner or operator. For construction activities, the operator is typically the prime contractor. The owner(s) of the property and the prime contractor associated with regulated construction activity on the property have joint and severable responsibility for compliance with the Large Construction Storm Water General Permit MSR10.

If the company seeking coverage is a corporation, a limited liability company, a partnership, or a business trust, attach proof of its registration with the Mississippi Secretary of State and/or its Certificate of Good Standing. This registration or Certificate of Good Standing must be dated within twelve (12) months of the date of the submittal of this coverage form. Coverage will be issued in the company name as it is registered with the Mississippi Secretary of State.

Completed LCNOIs should be filed at least thirty (30) days prior to the commencement of construction. Discharge of storm water from large construction activities without written notification of coverage is a violation of state law.

Submittals with this LCNOI must include:
- **A site-specific Storm Water Pollution Prevention Plan (SWPPP) developed in accordance with ACT5 of the General Permit**
- **A detailed site-specific scaled drawing showing the property layout and the features outlined in ACT5 of the General Permit**
- **A United States Geological Survey (USGS) quadrangle map or photocopy, extending at least one-half mile beyond the facility property boundaries with the site location and outfalls outlined or highlighted. The name of the quadrangle map must be shown on all copies. Quadrangle maps can be obtained from the MDEQ, Office of Geology at 601-961-5523.**

Additional submittals may include the following, if applicable:
- **Appropriate Section 404 documentation from U.S. Army Corps of Engineers**
- **Appropriate documentation concerning future disposal of sanitary sewage and sewage collection system construction**
- **Appropriate documentation from the MDEQ Office of Land & Water concerning dam construction and low flow requirements**
- **Approval from County Utility Authority in Hancock, Harrison, Jackson, Pearl River and Stone Counties**
- **Antidegradation report for disturbance within Waters of the State**

ALL QUESTIONS MUST BE ANSWERED (Answer "NA" if the question is not applicable)

MSR10 __ __ __ __

(NUMBER TO BE ASSIGNED BY STATE)

APPLICANT IS THE: ☑ **OWNER** ☐ **PRIME CONTRACTOR**

OWNER CONTACT INFORMATION

OWNER CONTACT PERSON: JW McCurdy

OWNER COMPANY LEGAL NAME: Magnolia Materials, LLC

OWNER STREET OR P.O. BOX: 31 Highway 328

OWNER CITY: Oxford **STATE:** MS **ZIP:** 38655

OWNER PHONE #: (662) 816-2700 **OWNER EMAIL:** jw@mrconstructionoxford.com

PREPARER CONTACT INFORMATION

IF NOI WAS PREPARED BY SOMEONE OTHER THAN THE APPLICANT

CONTACT PERSON: John Granberry

COMPANY LEGAL NAME: Granberry & Associates, LLC

STREET OR P.O. BOX: 1686 Padington Park Lane

CITY: Germantown **STATE:** TN **ZIP:** 38138

PHONE # ( ) (662) 312-9672 **EMAIL:** jgranberry@mccartygranberry.com

PRIME CONTRACTOR CONTACT INFORMATION

PRIME CONTRACTOR CONTACT PERSON: Jeffrey Gooch

PRIME CONTRACTOR COMPANY LEGAL NAME: Axis Sitework

PRIME CONTRACTOR STREET OR P.O. BOX: 31 Highway 328

PRIME CONTRACTOR CITY: Oxford **STATE:** MS **ZIP:** 38655

PRIME CONTRACTOR PHONE #: (662) 308-7307 **PRIME CONTRACTOR EMAIL:** grant@axissitework.com

FACILITY SITE INFORMATION

FACILITY SITE NAME: Magnolia Materials - Plant 1

FACILITY SITE ADDRESS (If the physical address is not available, please indicate the nearest named road. For linear projects indicate the beginning of the project and identify all counties the project traverses.)

STREET: 87 CR 166

CITY: Oxford STATE: MS COUNTY: Lafayette ZIP: 38655

FACILITY SITE TRIBAL LAND ID (N/A If not applicable): N/A

LATITUDE: 34 **degrees** 24 **minutes** 34 **seconds** **LONGITUDE:** 89 **degrees** 32 **minutes** 07 **seconds**

LAT & LONG DATA SOURCE (GPS *(Please GPS Project Entrance/Start Point)* or Map Interpolation): Map Interpolation

TOTAL ACREAGE THAT WILL BE DISTURBED [1]: 13.78 acres

IS THIS PART OF A LARGER COMMON PLAN OF DEVELOPMENT? YES ☐ NO ☑

IF YES, NAME OF LARGER COMMON PLAN OF DEVELOPMENT: _____
AND PERMIT COVERAGE NUMBER: MSR10_ _ _ _

ESTIMATED CONSTRUCTION PROJECT START DATE: 2026-02-01
YYYY-MM-DD

ESTIMATED CONSTRUCTION PROJECT END DATE: 2026-12-31
YYYY-MM-DD

DESCRIPTION OF CONSTRUCTION ACTIVITY: Earthwork, sitework, and infrastructure construction for a Hot Mix Asphalt batch plant

PROPOSED DESCRIPTION OF PROPERTY USE AFTER CONSTRUCTION HAS BEEN COMPLETED:
Hot Mix Asphalt Batch Plant

SIC Code: 2951 **NAICS Code** 324121

NEAREST NAMED RECEIVING STREAM: Berry Branch

IS RECEIVING STREAM ON MISSISSIPPI'S 303(d) LIST OF IMPAIRED WATER BODIES? (The 303(d) list of impaired waters and TMDL stream segments may be found on MDEQ's web site: http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section**)** YES ☑ NO ☐

HAS A TMDL BEEN ESTABLISHED FOR THE RECEIVING STREAM SEGMENT? YES ☑ NO ☐

FOR WHICH POLLUTANT:

ARE THERE RECREATIONAL STREAMS, PRIVATE/PUBLIC PONDS OR LAKES WITHIN ½ MILE DOWNSTREAM OF PROJECT BOUNDRY THAT MAY BE IMPACTED BY THE CONSTRUCTION ACTIVITY? YES ☐ NO ☑

EXISTING DATA DESCRIBING THE SOIL (for linear projects please describe in SWPPP):
Silt and Sandy Loam (Lexington Silt Loam & Smithdale Sandy Loam Associations) with Hydrologic Soil Group B with slopes from 5 to 35%

WILL FLOCCULANTS BE USED TO TREAT TURBIDITY IN STORM WATER? YES ☐ NO ☑

IF YES, INDICATE THE TYPE OF FLOCCULANT. ☐ **ANIONIC POLYACRYLIMIDE (PAM)**
☐ **OTHER** _____

IF YES, DOES THE SWPPP DESCRIBE THE METHOD OF INTRODUCTION, THE LOCATION OF INTRODUCTION AND THE LOCATION OF WHERE FLOCCULATED MATERIAL WILL SETTLE?

IS A SDS SHEET INCLUDED FOR THE FLOCCULATE? YES ☐ NO ☑

WILL THERE BE A 50 FT BUFFER BETWEEN THE PROJECT DISTURBANCE AND THE WATERS OF THE STATE? YES ☐ NO ☑

IF NOT, PROVIDE EQUIVALENT CONTROL MEASURES IN THE SWPPP.

[1]Acreage for subdivision development includes areas disturbed by construction of roads, utilities and drainage. Additionally, a housesite of at least 10,000 ft^2 per lot (entire lot, if smaller) shall be included in calculating acreage disturbed.

DOCUMENTATION OF COMPLIANCE WITH OTHER REGULATIONS/REQUIREMENTS

COVERAGE UNDER THIS PERMIT WILL NOT BE GRANTED UNTIL ALL OTHER REQUIRED MDEQ PERMITS AND APPROVALS ARE SATISFACTORILY ADDRESSED

IS LCNOI FOR A FACILITY THAT WILL REQUIRE OTHER PERMITS? YES ☑ NO ☐

IF YES, CHECK ALL THAT APPLY: ☑ AIR ☐ HAZARDOUS WASTE ☐ PRETREATMENT

☐ WATER STATE OPERATING ☐ INDIVIDUAL NPDES ☑ OTHER: HMA & ISNOI

IS THE PROJECT REROUTING, FILLING OR CROSSING A WATER CONVEYANCE OF ANY KIND? (If yes, contact the U.S. Army Corps of Engineers' Regulatory Branch for permitting requirements.) YES ☐ NO ☑

IF THE PROJECT REQUIRES A CORPS OF ENGINEER SECTION 404 PERMIT, PROVIDE APPROPRIATE DOCUMENTATION THAT:

-The project has been approved by individual permit, or
-The work will be covered by a nationwide permit and NO NOTIFICATION to the Corps is required, or
-The work will be covered by a nationwide or general permit and NOTIFICATION to the Corps is required

IS THE PROJECT REROUTING, FILLING OR CROSSING A STATE WATER CONVEYANCE OF ANY KIND? (If yes, please provide an antidegradation report.) YES ☐ NO ☑

IS A LAKE REQUIRING THE CONSTRUCTION OF A DAM BEING PROPOSED? (If yes, provide appropriate approval documentation from MDEQ Office of Land and Water, Dam Safety.) YES ☐ NO ☑

IF THE PROJECT IS A SUBDIVISION OR A COMMERCIAL DEVELOPMENT, HOW WILL SANITARY SEWAGE BE DISPOSED? Check one of the following and attach the pertinent documents.

☐ **Existing Municipal or Commercial System. Please attach plans and specifications for the collection system and the associated "Information Regarding Proposed Wastewater Projects" form or approval from County Utility Authority in Hancock, Harrison, Jackson, Pearl River and Stone Counties. If the plans and specifications can not be provided at the time of LCNOI submittal, MDEQ will accept written acknowledgement from official(s) responsible for wastewater collection and treatment that the flows generated from the proposed project can and will be transported and treated properly. The letter must include the estimated flow.**

☐ **Collection and Treatment System will be Constructed. Please attach a copy of the cover of the NPDES discharge permit from MDEQ or indicate the date the application was submitted to MDEQ (Date: _____.)**

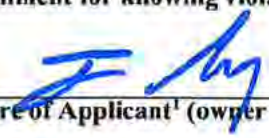
☑ **Individual Onsite Wastewater Disposal Systems for Subdivisions Less than 35 Lots. Please attach a copy of the Letter of General Acceptance from the Mississippi State Department of Health or certification from a registered professional engineer that the platted lots should support individual onsite wastewater disposal systems.**

☐ **Individual Onsite Wastewater Disposal Systems for Subdivisions Greater than 35 Lots. A determination of the feasibility of installing a central sewage collection and treatment system must be made by MDEQ. A copy of the response from MDEQ concerning the feasibility study must be attached. If a central collection and wastewater system is not feasible, then please attach a copy of the Letter of General Acceptance from the State Department of Health or certification from a registered professional engineer that the platted lots should support individual onsite wastewater disposal systems.**

INDICATE ANY LOCAL STORM WATER ORDINANCE (I.E. MS4)WITH WHICH THE PROJECT MUST COMPLY:

Lafayette County Stormwater Ordinance

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



Signature of Applicant[1] (owner or prime contractor)

12/23/2025

Date Signed

JW McCurdy

Printed Name[1]

Owner

Title

[1]This application shall be signed as follows:

- **For a corporation, by a responsible corporate officer.**
- **For a partnership, by a general partner.**
- **For a sole proprietorship, by the proprietor.**

For a municipal, state or other public facility, by principal executive officer, mayor, or ranking elected official

Please submit the LCNOI form to: **Chief, Environmental Permits Division**
MS Department of Environmental Quality, Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225

Electronically: **https://www.mdeq.ms.gov/construction-stormwater/**

Revised 3/23/22

MAGNOLIA
MATERIALS

INVESTING IN LAFAYETTE COUNTY'S FUTURE

Serving all of Lafayette County and putting the whole County's future first

Lower Costs, Better Infrastructure, Stronger Growth



EXECUTIVE SUMMARY

Lafayette County maintains 876 lane miles of asphalt roads, and it is expected to have to maintain or surface about 600 miles over the next decade. At current market costs, that's about $15 million worth of new asphalt the County will be purchasing. Even though the County carries this recurring expense year in and year out, we don't have a single locally-owned asphalt producer. But that's about to change, and it's going to be a boon to Lafayette County.



DIRECT COST SAVINGS TO THE COUNTY

The explosion in growth in Lafayette County is undisputed, and it's not stopping anytime soon. Lafayette County's Board of Supervisors have fought hard to respond to this influx but also to be proactive about preparing for the future.

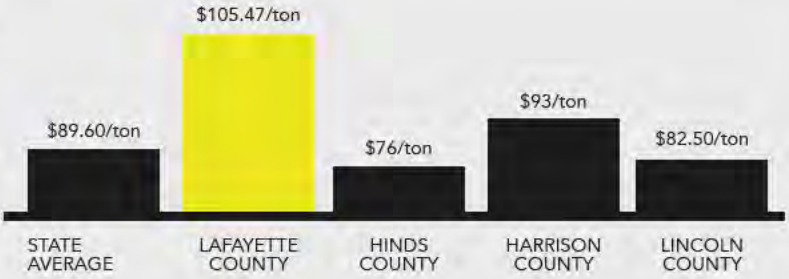
Asphalt production has gotten centralized down to a few giant producers like publicly traded Granite Construction (Lehman-Roberts is a subsidiary) and Ireland-based CRH (APAC). Monopolies mean higher prices, and monopolized markets result in buyers, including government bodies, simply being "told" what they are going to pay. Then, on top of that, in a smaller county like ours, we have to compete with far bigger markets like Memphis, Nashville, and even Tupelo for the limited production occurring in Mississippi.

The result is that Lafayette County pays up to 17.72% more for asphalt than the statewide average.

Lafayette County pays up to

17.72 %

more for asphalt than the statewide average



Asphalt has effectively become a tax on counties, and it is a unique opportunity when a county has the opportunity not only to add a state-of-the-art modern asphalt plant but has the opportunity to see one built and owned by a lifelong Lafayette County resident. J.W. McCurdy is bringing that to Lafayette County in Magnolia Materials.

All of this can happen without the County spending a dime. It's pure private investment into the community - by a member of the community.

With a locally-owned plant online, Lafayette County (private and public sector) will get cheaper asphalt, and it will get it faster with no concern for demand.

BENEFITS TO TAXPAYERS

REDUCED HAULING COSTS	***LOWER*** PROJECT COSTS
LOCAL PLANT	***FASTER*** PROJECT COMPLETION
LAFAYETTE COUNTY OWNED	***DIRECT*** CONTROL OVER SUPPLY

ECONOMIC BENEFITS

This asphalt plant can have a transformative economic opportunity for the 60,000 residents of Lafayette County. While the County itself will get the main benefits as the largest local consumer of asphalt - reducing transportation costs and ensuring a reliable, competitively priced supply for public road projects - the positive impacts extend far beyond county infrastructure. This facility will serve contractors, developers, and businesses across our community, helping drive down costs for construction and maintenance and supporting growth in housing, commercial development, and public works. A modern, local source of asphalt strengthens the entire building and transportation network, making the County more attractive for investment and expansion.

Lafayette County regularly has to carry the burden of basically supporting a college community, and from housing to keeping up with rising construction costs, our County needs every advantage it can get to be successful and strong, not just now but into the future.

Magnolia Materials will bring immediate and lasting economic benefits: over $9.5 million in private capital investment will be injected into Lafayette County, creating permanent, well-paying jobs with an annual payroll exceeding $1 million. These positions will range from mid-$20-per-hour skilled operator and technician roles to management and engineering positions paying up to $150,000 per year, offering meaningful career opportunities to local residents. In addition, the property's tax contribution will grow dramatically, from just $93.46 last year

to approximately $37,000 annually (and likely increasing over time). These growth opportunities for the County don't come along every day, and this will immediately impact school funding with an additional estimated $40,000 in school taxes and general County strength.

Overall, this project is more than an asphalt plant, it is a long-term investment in the County's growth, competitiveness, and self-sufficiency. It provides the infrastructure backbone needed for future development while creating new jobs, increasing the tax base, and keeping millions of dollars circulating locally rather than leaving the community.

$1,000,000
PAYROLL
of new jobs

$93.46

$37,000
annual property tax increase

$9,500,000
INVESTMENT
into Lafayette County

IDEAL SITE LOCATION

Lafayette County has 60,000 residents, and they all deserve respect. Site selection for any new manufacturing venture is challenging as the site should both avoid residential areas but also have easy access to major highways. There are very few sites in any county that thread this needle. Magnolia's site was chosen because it fits these requirements perfectly.

Just over 2,000 feet from Highway 7, where MDOT is set to spend $138 million in improvements over the next three years, there is no better location in Lafayette County. As a local, Mr. McCurdy has worked with his neighbors and has strong support from the majority of the people who share a property boundary with him.

The vocal minority opposing this growth have sent mass emails to email lists that have nothing to do with Lafayette County and demanding people call Lafayette County officials - with absolutely no regard for whether the people actually even live in Lafayette County.

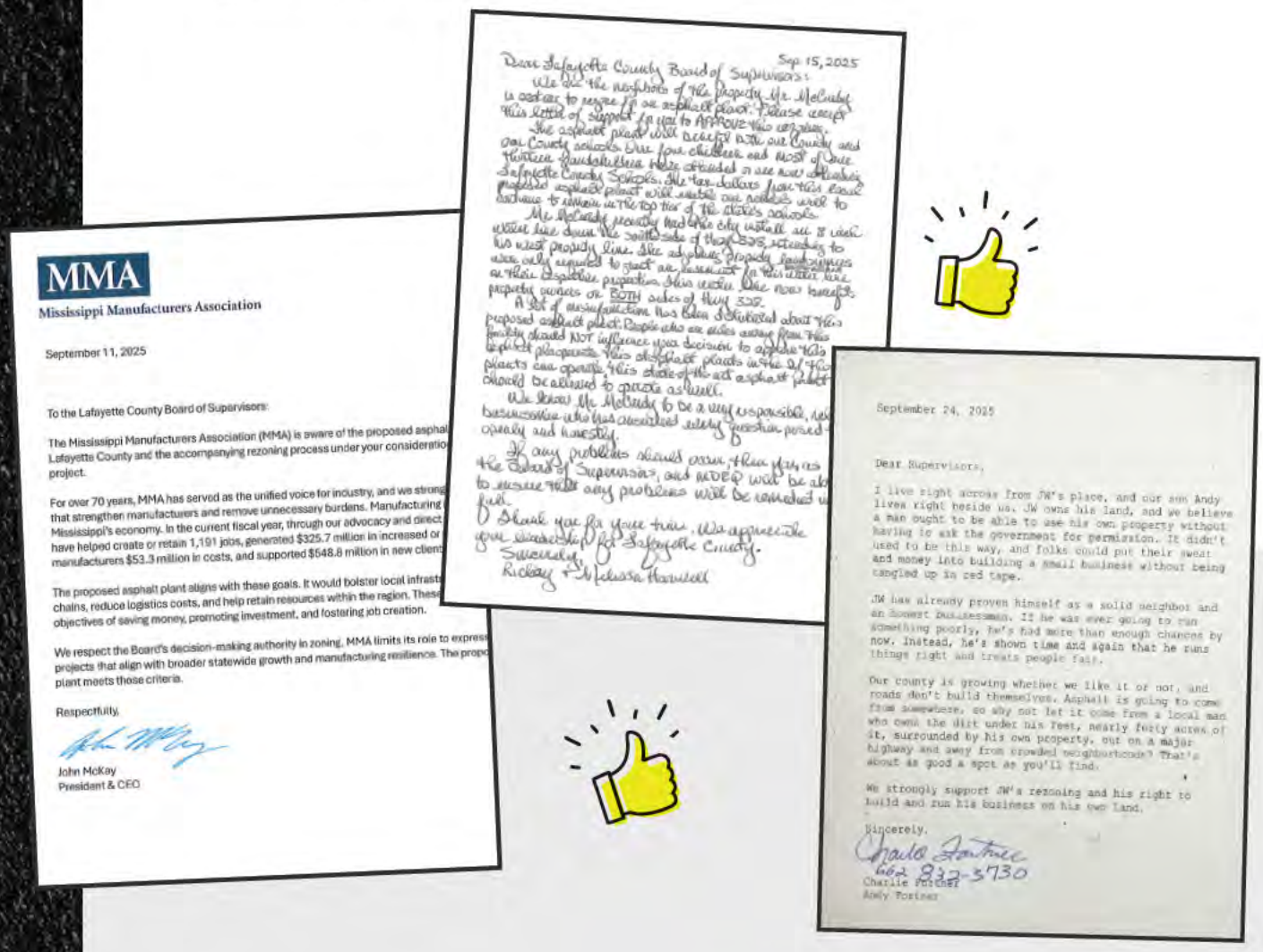


Conversely, Magnolia Materials has the strong support of our County stakeholders and community organizations tasked with considering the interests of the entirety of Lafayette County, not just one neighborhood. It has become a common refrain during this development process that "we want a new asphalt plant, but just put it somewhere else." That "somewhere else" is in one of the more densely populated areas of Oxford near almost 1,000 homes, schools, and right next to an existing asphalt plant.

That type of claim translates to nothing more than "let's do this, but just stick it in their back yard." That's wrong, and that's why this site is right.

For the sake of comparison, while Magnolia Materials will consist of a handful of structures and be able to service, at most, one vehicle at a time, to date, our research shows that Plein Air has introduced 180 cars and trucks to Taylor. 220 more will be added to accompany the 110 homes yet to be built out (plus 12 townhomes and 12–18 loft apartments). Ironically, that equates to 8,660 tons of asphalt and approximately 5.6 new lane miles of roads to be maintained (approximately 4,330 tons and approximately 2.8 lane miles still to come). Plein Air is in the center of Taylor. The proposed site is approximately 2.0 miles from Taylor (but only approximately 0.2 miles from Highway 7).

Thanks to developments like Plein Air, Lafayette County is, in fact, growing, and its needs are growing alongside it. In a year or two when any local municipality or neighborhood goes looking for asphalt (even those who are demanding the County reject this plant), we believe they are going to take the best price with the fastest delivery, and they will look no further than Magnolia Materials. Mark our words.



MMA
Mississippi Manufacturers Association

September 11, 2025

To the Lafayette County Board of Supervisors:

The Mississippi Manufacturers Association (MMA) is aware of the proposed asphal
Lafayette County and the accompanying rezoning process under your considerati
project.

For over 70 years, MMA has served as the unified voice for industry, and we strong
that strengthen manufacturers and remove unnecessary burdens. Manufacturing
Mississippi's economy. In the current fiscal year, through our advocacy and direct
have helped create or retain 1,191 jobs, generated $325.7 million in increased or
manufacturers $53.3 million in costs, and supported $548.8 million in new client

The proposed asphalt plant aligns with these goals. It would bolster local infrast
chains, reduce logistics costs, and help retain resources within the region. These
objectives of saving money, promoting investment, and fostering job creation.

We respect the Board's decision-making authority in zoning. MMA limits its role to expres
projects that align with broader statewide growth and manufacturing resilience. The propo
plant meets those criteria.

Respectfully,

John McKay
President & CEO

Sep 15, 2025

Dear Lafayette County Board of Supervisors:

We the neighbors of the property Mr. McCurley is under to rezone for an asphalt plant. Please accept this letter of support for you to APPROVE this rezone.

The asphalt plant will benefit both our County and our County schools. Five of our children and most of our [illegible] attended or are now attending Lafayette County Schools. The tax dollars from this local business asphalt plant will enable our neighbors will to continue to remain in the top tier of the state's schools.

Mr. McCurley recently had the city install an 8" water line down the south side of the 328, extending to his west property line. The adjoining property owners were only required to grant an easement for this water line on their respective properties. This water line now benefits property owners on BOTH sides of Hwy 328.

A lot of misinformation has been circulated about this proposed asphalt plant. People who are miles away from this facility should NOT influence your decision to approve this asphalt plant. This asphalt plant is the 2/3 [illegible] plants can operate. This state of the art asphalt plant should be allowed to operate as well.

We know Mr. McCurley to be a very responsible, [illegible] businessman who has answered every question posed [illegible] openly and honestly.

If any problems should occur then you as the Board of Supervisors, and MDEQ will be able to ensure that any problems will be corrected in full.

Thank you for your time. We appreciate your leadership for Lafayette County.

Sincerely,
Rickey & Melissa Harwell

September 24, 2025

Dear Supervisors,

I live right across from JW's place, and our son Andy lives right beside us. JW owns his land, and we believe a man ought to be able to use his own property without having to ask the government for permission. It didn't used to be this way, and folks could put their sweat and money into building a small business without being tangled up in red tape.

JW has already proven himself as a solid neighbor and an honest businessman. If he was ever going to run something poorly, he's had more than enough chances by now. Instead, he's shown time and again that he runs things right and treats people fair.

Our county is growing whether we like it or not, and roads don't build themselves. Asphalt is going to come from somewhere, so why not let it come from a local man who owns the dirt under his feet, nearly forty acres of it, surrounded by his own property, out on a major highway and away from crowded neighborhoods? That's about as good a spot as you'll find.

We strongly support JW's rezoning and his right to build and run his business on his own land.

Sincerely,
Charlie Fortner
662 832-3730
Andy Fortner

ADDRESSING CONCERNS

Bluntly put, the hysteria, fear-mongering, and defamation of public officials on Facebook has been sadly typical of Facebook. If you want silly AI images of dead animals in the streets… and if you want accusations of bribery, look to Facebook. If you want the actual facts, look below. And, we can know these are the facts because this industry is not new, and every fact below can be externally verified.

99.94% Emission Capture

In 2002, the United States Environmental Protection Agency officially "delisted" asphalt plants as a major source of air pollution (67 Federal Register 6521). And there have been twenty-three years of advancements even since then. Modern containment technologies (and decades of scrutiny by the federal government) have resulted in filtration technologies (which are required) that remove 99.94% of particulate from emissions.

To put that into context, the total emissions from an asphalt plant like the one proposed for Lafayette County equate to approximately the same emissions created by two residential fireplaces over an average year of usage. Or three restaurants over a year. Or one gas station.

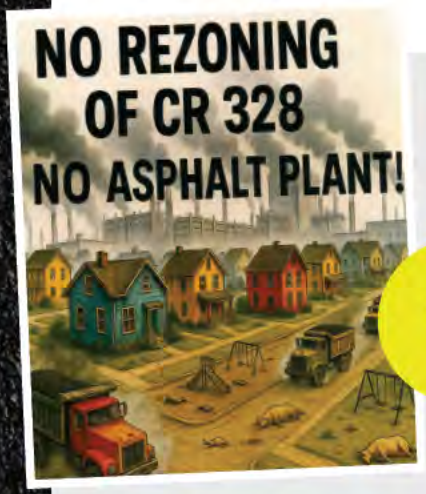
A common commercial bakery will emit more pollution in two days than a full year of this proposed plant in operation.

An industry like this doesn't go through eight years of Barack Obama and four years of Joe Biden without coming out on the other end as one of the most highly regulated industries in the nation.



The EPA removed asphalt plants as major pollution emitters

23 years ago



VS



Fear Mongering Image Pasted Around the County

Magnolia Materials

Elevated Site

Farmland is often in bottoms; buildings are not. Protecting rivers is the job of the Mississippi Department of Environmental Quality and of the United States Corps of Engineers (USACE) and they do it well. State law already requires a 50-foot setback from the top of any riverbank, including the Yocona. That standard has protected Mississippi's waterways for decades. This project goes far beyond that, with a 130-foot buffer - nearly triple what the law demands.

Further, this plant, like any new construction, will be required to be elevated out of the flood plain, and claims that the plant will be sitting in the flood plain and just flood out with the adjacent cropland during rains are really not worthy of response. Obviously, like any new construction, the facility will be raised above the 100-year flood elevation to address flood risk. Further, the design includes substantial stormwater retention and detention features to ensure drainage is properly managed in accordance with current standards... all strictly enforced by state and local authorities. The County Planner will be sure of this, but the Mississippi Department of Environmental Quality and the County Engineer will also enforce this.

Even simpler, if the construction plans and drainage and water management plans cannot guarantee these protections, construction will never be permitted in the first place. Not one inch of dirt will get moved. Just like any County permitted project, nearby land and waterways will be protected - 100% - or construction won't start.

Inspections

The County won't have to babysit this facility just like it doesn't have to babysit the asphalt plant that's been operating two miles from the Square for decades. There's no shortage of regulatory bodies who will strictly enforce this hyper-regulated plant.

There will be unannounced compliance inspections conducted by both the Oxford and Jackson MDEQ Offices. And, at these inspections, it must be demonstrated that the facility is adhering to regulations established by MDEQ and the EPA under the Hot Mix Asphalt General Permit, as well as the Large Construction and Industrial Stormwater General Permits… all in accordance with the Clean Air Act and Clean Water Act.

Comprehensive inspections are performed during active operations on a weekly and monthly basis, with additional assessments of facility conditions, receiving waterbodies, and all implemented preventative measures immediately following rainfall events. The MDEQ prescribes specific lists of prohibited and permitted equipment, requires the use of control devices on all emission-generating equipment, and enforces strict annual limits on emissions, fuel consumption, and material production, which must be tracked monthly and on a rolling twelve-month basis.

Finally, to demonstrate ongoing regulatory compliance, the plant will be required to submit Annual Air Operating Reports to both MDEQ and EPA, detailing all inspections and calculated emission and production totals for the preceding twelve months.

And, if the plant fails any one of these? It shuts down. It's easy as that.

But, don't take MDEQ or the EPA's word for it. Fortunately for the County's consideration, Oxford already has an asphalt plant and has had one for thirty-two years. There are 597 homes within one mile of that plant. Have you ever heard anyone complain about its smell? Have you ever heard of it polluting waterways? You haven't… because it hasn't happened.

At the time of this writing, an open records request was submitted to the County, the City of Oxford, and MDEQ seeking any complaints of any kind at any time resulting from the current asphalt plant. The response for all, "No such complaints exist."

Traffic

Some have oddly claimed that, instead of going to Highway 7 just 2,000 feet away, asphalt trucks will instead turn left, drive four miles, and go through Taylor to make deliveries. First off, this makes no sense. But by comparison, Plein Air has already introduced ~180 cars and trucks to Taylor (roughly 90 homes × 2 vehicles each), with another 180 vehicles expected as 110 more homes, 12 townhomes, and 12–18 loft apartments are built. From a traffic perspective, the residential component alone currently generates about 855 vehicle trips per day and will add an additional 1,220–1,260 trips at full build-out. Commercially, Plein Air contains approximately 150,000+ square feet of restaurants, coffee shops, retail, studios, small offices/medical spaces, school, salon, and fitness uses—producing roughly 2,300 trips per day (between 1,700 and 3,000 depending on season and tenant mix). Known truck movement is minimal: a Ben E. Keith 18-wheeler makes one weekly restaurant delivery around 5 a.m. on Tuesdays (1 in/1 out), just two trip-ends per week.

Aesthetics

Lafayette County and Oxford currently have an asphalt plant, three concrete plants, and several dirt pits. Magnolia Materials will not only be leagues ahead of those in terms of aesthetics, given the investment by a lifelong Lafayette County resident into the plant, it may very well be the finest looking asphalt plant in America.

The site is appropriately located outside residential areas and will be buffered even from this rural road with extensive landscaping and fencing. Further, given that Mr. McCurdy owns the land around this property, it will be that much more softened to fit the community.

Comparable Sites

Leflore County and Greenwood are home to an APAC asphalt plant, and it is located right in the middle of massive commercial agricutural operations and also less than a mile from a major Delta river. We investigated that site to determine if it had created any problems, and the farmer who farmed the land next to the site said, in writing, "My family and I have farmed the hundreds of acreas of land all around the APAC asphalt plant in Greenwood for 30 years. I have crops within fifty feet of the plant. That plant has never caused a single problem for any of my crops, and it has never created any pollution problems whatsoever." Further, a Leflore County Supervisor was asked, and his response was, "The asphalt plant has been nothing but good for our county, and there hasn't been a single instance of any pollution or effects on the adjacent agricultural production or the river." First-hand, long-term experience compared to unsupported claims thrown at the wall.


Lafayette County Board of Supervisors
300 North Lamar Blvd.
Oxford, MS 38655

Re: Asphalt plants near farmland

Dear Board of Supervisors:

My family and I have farmed the hundreds of acres of land all around the APAC asphalt plant in Greenwood for 30 years. I have crops within fifty feet of the plant. That plant has never caused a single problem for any of my crops, and it has never created any pollution or problems whatsoever.

I've heard about people in Oxford claiming that a new plant is going to do all sorts of terrible things, but that's just not true, and there are many, many operating plants to prove that. Also, the APAC plant by my farm was built in 2011, so the one going up in your County will have about fifteen more years of technological advancement to make it that much safer.

I hope this information helps y'all in being sure you know the truth as your County grows.

Sincerely,

Riley Poe

"We want an asphalt plant, but just put it at the Industrial Park."





REZONING LAW

Mississippi law authorizes a county to rezone when the character of a neighborhood has changed enough to justify it and there is a public need. *Bd. of Aldermen of Bay Springs v. Jenkins*, 423 So. 2d 1323, 1328 (Miss. 1982). Rezoning is a legislative act and may be overturned only for abuse of discretion, and each case must be decided on its own facts. *Thomas v. Panola Cnty.*, 45 So. 3d 1173, 1187 (Miss. 2010). Courts have recognized that conditional uses and special exceptions can demonstrate a change in character, as can the construction of new utilities or major highway improvements. *McWaters v. Biloxi*, 591 So. 2d 824, 827 (Miss. 1991); *Gentry v. Baldwyn*, 821 So. 2d 870, 873 (Ct. App. 2002); *White v. Starkville*, 283 So. 3d 189, 193–94 (Miss. Ct. App. 2019).

In this case, the evidence of change is clear, and the facts far exceed comparable state law affirming change in character. The City of Oxford has annexed southward to within 1.3 miles of the property, showing increasing urbanization of the area. Highway 7 is being widened to four lanes, and there has been notable commercial growth at the intersection of Highway 7 and Highway 328, including businesses such as Inspired Flooring & Design, Rebel Gas Mart, 4 Seasons Equipment, Bandit Towing, and the Cline Bus Tours Depot. Properties adjacent to the subject site have been rezoned to light industrial use, and McGregor Steel, located approximately half a mile away at the intersection of Highway 7 and 9 West, has been rezoned to heavy industrial (I-2). In addition, the City of Oxford has expanded its water infrastructure along State Highway 328, further signaling development and a change in the character of the neighborhood.

Public need exists when development benefits the county and leaving the land vacant serves no purpose. Gentry, 821 So. 2d at 874. Courts have repeatedly recognized that increasing the tax base, creating jobs, and adding industrial land are valid public needs that justify rezoning. *Harvey v. Marion*, 756 So. 2d 835, 838 (Miss. Ct. App. 2000); White, 283 So. 3d at 193; *Edwards v. Harrison Cnty.*, 22 So. 3d 268, 277 (Miss. 2009).

In this case, the project will expand the tax base needed to support the Lafayette County School District. The asphalt plant's $9,500,000-plus construction will generate temporary jobs, while the completed facility will provide permanent employment opportunities, including some six-figure positions. There is no meaningful public benefit in keeping the property vacant, and the Lafayette County Comprehensive Plan expressly calls for the creation of more industrial land with transportation access and public utilities, noting that commercial and industrial uses currently occupy less than one square mile of parcels. Finally, the new plant will introduce competition to the existing Lehman-Roberts facility, owned by a publically traded company, lowering prices and saving taxpayer money.

CONCLUSION

We respectfully ask that our Board consider the needs of all of Lafayette County - every family, farmer, and fireman… from Tula to Teckville… from Paris to Denmark. We are growing as a County together, and our future strength depends on the infrastructure that connects us. Magnolia Materials is more than an industrial site; it is a commitment to serving the entire County, not a single neighborhood or interest group. It represents a $9.5 million private investment by a lifelong Lafayette County resident who believes that our roads, our workers, and our economy should be built and supplied right here at home.

This project will keep taxpayer dollars in Lafayette County, provide skilled local jobs, and strengthen our schools and public services through an expanded tax base. It will ensure faster,

cheaper, and more reliable roadwork for every corner of the County benefiting every resident who depends on safe, well-maintained infrastructure.

The facts are clear: the area around this site has changed, the public need is evident, and the opportunity before us is rare. For the sake of progress that serves all 60,000 residents, not just today but for generations to come, we respectfully ask the Lafayette County Board of Supervisors to approve the rezoning of this site and make this investment in our shared future a reality.



From:	Glynna McKendree
To:	Chris Wells; Tad Campbell
Cc:	Becky Simonson; Carrie Barefoot; Jaricus Whitlock
Subject:	Re: Magnolia Materials Application for LCSWP Asphalt Plant - Oxford, Mississippi - False and Misleading Information
Date:	Thursday, January 22, 2026 5:16:59 AM
Attachments:	MDEQ Private Ponds 1.22.2026.pdf TSC Pond Maps ecopy 1.22.2026.pdf

This Message Is From an External Sender
This message came from outside your organization.

Email 1 of 2 - Attachments sent separately.

Mr. Wells and Mr. Campbell:

Attached please find a letter regarding the application for the Large Construction and Storm Water Permit submitted by Magnolia Materials for the construction of a hot mix asphalt facility in Oxford, Ms.

As you may be aware there is considerable opposition to this facility being constructed in a very close proximity to a densely populated area. The location was improperly zoned against the Lafayette County zoning ordinances and provides no buffer to the adjacent private properties.

The application presented without Board approval on 12/23/25 provides false and misleading information regarding 4 private working ponds and one primary underground water well located within feet of the facility; and, 8 other ponds located in less than a quarter mile.

We are opposing this facility for a variety of reasons, all of which have been identified in a number of comments provided to MDEQ by residents; however, this is the most egregious! These ponds serve to provide a water source for horses and wildlife, as well as providing a private water source for one home and for fishing and garden operations of the owners.

We are requesting a public hearing and the opportunity to walk this area down with your representatives. Magnolia Materials and the Lafayette County Planning Department have not provided MDEQ or the public with true and correct information regarding this facility and the dangers it presents to the area. Those dangers include substantial environmental impact as well has traffic hazards that given an accident with any entering or exiting truck will create a catastrophic environmental spill dumping multiple amounts of hazardous materials into ground, ground water and eventually into a large primary U.S. Corps of Engineers Lake.

The attached documents are provided electronically to you and your Division Chiefs and Department Managers with hard copies being sent this date to both of your offices. The application would not attach to this email; however, a hard copy is provided in the copy mailed to your offices. For reference the application permit number is MSR109733, AI 90112, submitted to your office electronically on 12/23/2025. All other referenced attachments are included herein.

We are respectfully requesting this permit be denied and look forward to further discussion and a public meeting in order for MDEQ to understand the gravity of this situation.

Thank you!
Glynna McKendree
[redacted]

22 January 2026

Via Priority Mail Delivery and Email Transmission: cwells@mdeq.ms.gov **and** tcampbell@mdeq.ms.gov
Mississippi Department of Environmental Quality ("MDEQ")
Mr. Chris Wells, Executive Director
Office of Executive Director
Mr. Tad Campbell, Chief Counsel
Office of Legal Services
P.O. Box 2261
Jackson, MS 39225

Re: Magnolia Materials ("JWC, LLC") Application for Permit – Large Construction and Storm Water Permit – Hot Mix Asphalt ("HMA") Production Facility – Oxford, Mississippi

Dear Mr. Wells and Mr. Campbell,

On 23 December 2025, Owner of Magnolia Materials, Mr. J.W. McCurdy, applied for a Large Construction and Storm Water Permit to begin construction on the proposed HMA Production facility. This location and facility have been under intense opposition across Lafayette County for several months, with the first opposition stance located in the southern part of the County on what is zoned agriculture land. The location was later moved to the Lafayette County Industrial Park, where even more intense opposition began. Understanding the zoning violations are not the concern of MDEQ, it is important to note that all of this transition was done without compliance to zoning standards legally set for Light Industrial and later changed to Heavy Industrial by the County Board of Supervisors without notification. These actions were done without the required public hearing or notification, to the adjacent landowners. This is important as it relates to the conditions of the land identified to place this facility.

The environmental concerns cited at the first proposed location near Taylor, Mississippi have been exacerbated by the attempts to relocate this facility to an area, which, by Magnolia Materials' own admission in published documentation, is not appropriate due to the density of the population. Within a quarter to one-half mile there are 3,000+ homes, two schools, a large actively utilized city park, restaurants, a Mega church and two pending hotel considerations. The proposed storm water runoff is Berry Branch Creek, into Toby Tubby Creek, across a wetland area and into the U.S. Corps of Engineers Sardis Lake. The land itself will be lowered in excess of 20' further increasing pollution potential.

A Magnolia Materials press release issued during the Taylor opposition made multiple statements that do not represent the facts, such as public support, multiple high paying jobs, increased productivity for asphalt production at lower competitive pricing, air emissions equivalent to only two residential fireplaces or a bakery, plus many other false statements. This press release clearly stated the Industrial Park **was not** a suitable location due to the density of the population and alluded to providing the state with competitively

priced asphalt for state highway projects. Those contracts have already been awarded to other asphalt companies. The current facility, owned and operated by Lehman Roberts, is operating at less than 50% capacity, with four other facilities in the surrounding counties also operating below capacity. This is a personal project to build a facility to avoid purchasing the asphalt and established for Mr. McCurdy's and other non-local development companies for various residential and commercial developments currently planned, permitted or underway for the Oxford area.

There are a considerable number of environmental concerns regarding this facility; however, the purpose of this letter is to specifically address the private ponding water sources that are within less than 1,000' of the storm water detention pond noted in the preliminary site design.

These private ponds are working ponds for the owners of this property. Having said this, there have been no published public meetings to discuss these concerns; however, during the 22 December 2025 Preliminary Site Planning Commission meeting, the commission president, Mr. Ray Garrett, did allow the public to speak stating he was not **required** to allow persons to speak, as this meeting was not considered a public hearing, albeit it was noticed as such on a posted sign.

During this meeting the Planning Commission was presented with several deficiencies noted in the preliminary site plan by a civil engineer, hydrolysis engineer, an economics professor and several other professionals who live within a quarter to half a mile of the proposed site. These deficiencies violate the state's environmental regulations and were conveniently not identified within this preliminary plan. The Commission accepted the plan after the masses respectfully requested the vote be tabled until such time as the public could be made fully aware of all concerns. It was clear the Planning Commission members had not reviewed the site plan and as concerns were presented, the only response by the County Director of Planning and Development, Mr. Joel Hollowell, was that "it would be MDEQ's problem." On 5 January 2026, the Board of Supervisors ("BOS") was presented with a written review of the plan, again noting the various zoning and environmental violations. The BOS refused public comment, removed residents from the room and voted to accept the preliminary site plan stating the Magnolia Materials could move forward and apply for the necessary permits. We have since discovered Mr. McCurdy and Mr. Grandberry, against county policy and **without Board approval at the time**, applied for the Large Construction and Storm Water permit on 23 December 2025, citing false and misleading information that was fully known to be incorrect at the time of the submittal. Mr. Grandberry is the Preparer Contact noted on this permit request.

The permit application requires a designation regarding public and/or private ponds. "Are there Recreational streams, Private/Public Ponds or Lakes within **1/2 mile downstream** of project boundary that may be impacted by construction." The answer to this question is yes.

There are four ("4") ponds on the adjacent private property within less than 1,000' that will be directly impacted by both the stormwater detention (sic) pond collection and over spill, and the discharge into Berry Branch Creek, and eight ("8") more on property within a 1/4 mile primarily used to water wildlife and private water recreation. The four ponds with immediate impact are stocked fishing ponds routinely used as recreational and food sources for the residents, as well as being used to water livestock daily. In addition, these ponds are daily stopping points for geese and other wildlife. The proposed lowering of the land area through excavation will increase the potential of raw materials, storm water, diesel fuels and other contaminants reaching these ponds.

Some of the environmental deficiencies in the overall site plan include:

- The storm water detention pond does not meet the county's 25-year flood event requirements, and a variation was allowed to reduce this to a 10-year flood event, knowing in 2025 alone we had two consecutive day where over 7" of rain fell creating flash flooding events and notifications.
- There are no secondary containment or spill prevention plans.
- There is no minimum buffer zone of 500' for livestock water source, and no mandatory buffer zone between the designation of Heavy Industrial and private property lines. If that requirement was adhered to the land would not be sufficient enough for this type of facility to be built.
- The radiant heat generated from this facility and entering the water sources will stress or kill the fish stock and will generate harmful algae growth. Impact to the fish will be reduced oxygen supply in the water caused by air contamination settling into the water.
- The noise and vibration levels are so strong at this point it will stress livestock. All three adjacent properties graze and house horses. Lafayette County has no noise ordinance which is a disservice to the residents of the county as a whole.
- Specific documented impact to the horses is chronic respiratory disease, inflammatory airway disease and reduced lung capacity.

Additional concern is for water wells located within 1,000' of the storm water detention pond and contaminated ground water. All horses are grass fed and the percolation of contaminated ground water will have a negative effect on their overall health. Mr. Butch Collier, an adjacent landowner utilizes an independent water well for their main water source which is are located 1,200' from the storm water detention pond and the discharge area into the creek. The water from this well serves his home, horses and garden operation. Multiple other water wells are located within one-quarter mile of the proposed site mostly owned by low-income rural residents

A second false and misleading representation is, "Is the Project re-routing, filling or crossing a water conveyance of any kind." The answer is yes. While the storm water runoff is into Berry Branch Creek, this runoff also crosses a wetland area as it approaches the U.S. Corps of Engineers Sardis Lake, a major water recreational and fishing lake for a three-county area (Lafayette, Marshall and Panola Counties).

A third false and misleading representation is the septic/sewage system. "If the Project is a subdivision or a commercial development, how will sanitary sewage be disposed?" This is a county area with no sanitary sewage system, sitting directly adjacent to over 100 homes utilizing septic systems. At the very least an approved septic system should be required for the size of the facility, taking into consideration the size of the area, over 25 acres, and the possible contaminations that could enter the system by washing of diesel fluids, antifreeze, etc. through various drains.

The Developer, J.W. McCurdy, has a history of violating this same permit in the construction of The Highlands Phase II in Lafayette County, with a civil penalty levied in the amount of $14,000. In addition, after being notified to stop work, he continued the work, giving rise to a lawsuit for damages from the property owners. Likewise, there is a second violation of regulatory controls between Mr. McCurdy and another LLC partner, MWM, LLC, that resulted in a civil penalty of over $6,275.

JWM Development LLC order No. 7216 22
Date of 9/22/2022
Project Highlands Subdivision Phase 12
Violations:

- Failure to implements the Storm Water Pollution Prevention Plan (SWPPP)
- Failure to maintain erosion controls
- Failure to meet non-numeric limitation requirements
- Failure to maintain weekly inspection reports
- Penalty: Civil Penalty $14,000

MFM Development, LLC
Order No. 7003 19
Date of Order: 9/27/2020
Project Lafayette County, MS
Violations:

- Violation of ACT6 Condition S-1 Failure to implement the WPPPP for Large Construction Storm Water General Permit
- Penalty: Civil Penalty $6,275

On behalf of the residents who own these properties, we are requesting MDEQ to deny this permit and engage in further investigation into the potential harmful effects and damage that will result to this entire area. We are happy to meet with your representatives to provide a guided tour of the area and to obtain exact measurements, independently from those provided by Mr. McCurdy, his representatives and the County, as we believe that both parties have misrepresented the facts and are not acting in the best interest of the residents in this area.

We would very much like to meet with your directors and representatives managing storm water and air emissions to address these concerns and provide a guided tour of the area as the total impact of this situation cannot be determined from the drawings Magnolia Materials provided. In addition, we respectfully **request a public hearing** be held in Oxford, Lafayette County, MS due to the number of residents, businesses and schools that oppose this facility.

We look forward to hearing from you regarding this matter. Should you have any questions, I may be reached at 662-801-7955.

With kind regards, I remain

Sincerely,

Glynna McKendree

c: Ms. Becky Simonson, Large Construction Storm Water Division Chief
bsimonson@mdeq.ms.gov
Ms. Carrie Barefoot, Manager Storm Water Branch Permits Department
cbarefoot@mdeq.ms.gov
Mr. Jarius Whitlock, Air Division Chief (Reference only, air emissions concerns have been submitted directly to Mr. Whitlock). jwhitlock@medq.ms.gov

Immediate Adjacent Landowners:

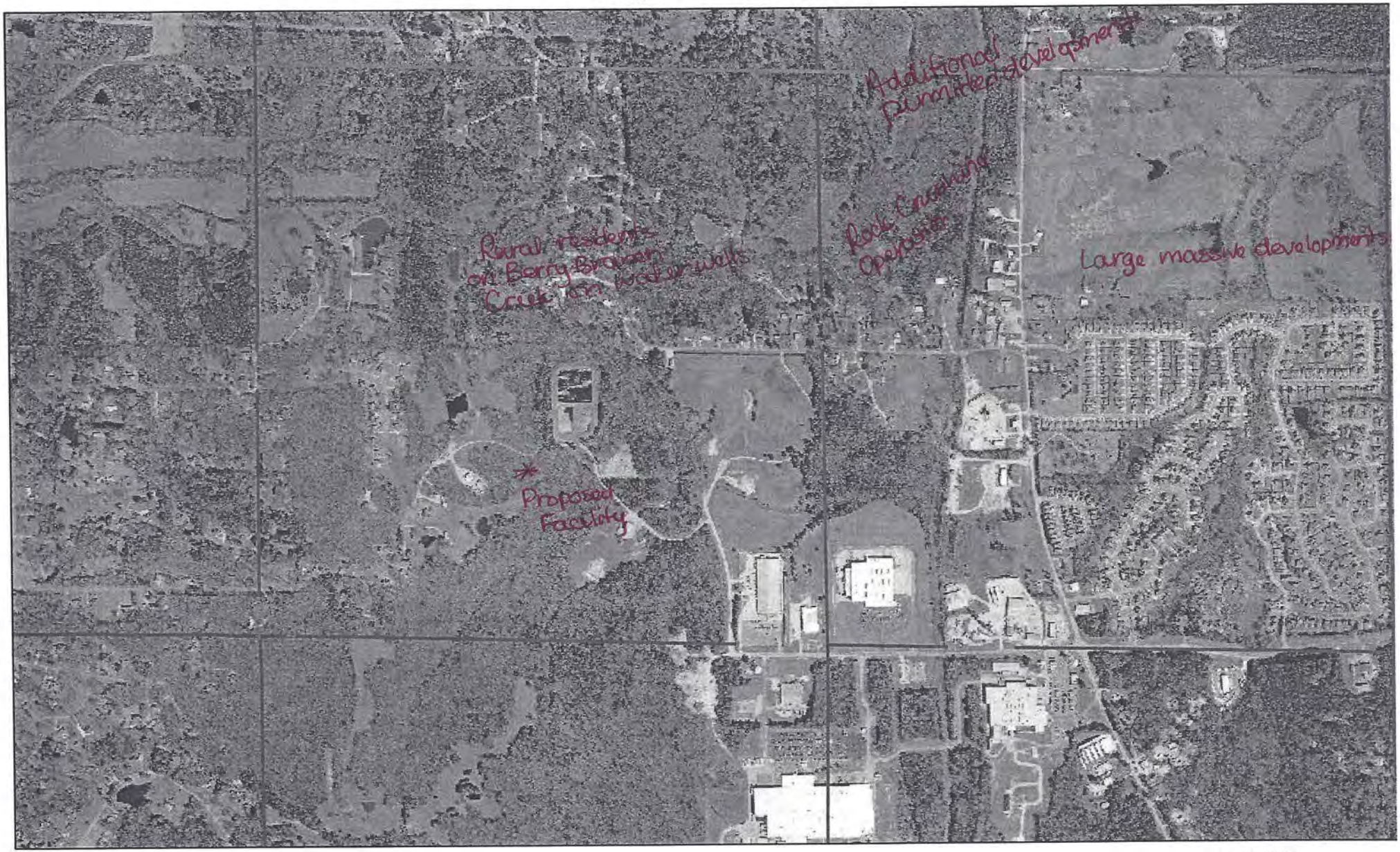
Mr. Butch Collier
[redacted]
Oxford, MS 38655
[redacted]

Mr. John and Mrs. Meg Duchaine
[redacted]
Oxford, MS 38655
[redacted]

Mr. Michael Bennett and Dr. Lisa Chandler
[redacted]
Oxford, MS 38655
[redacted]

Attachments:
MDEQ Large Construction Notice of Intent – Magnolia Materials
Environmental Deficiency Summary of Preliminary Site Plan – Magnolia Materials
TSC Maps – Maps note locations more clearly electronically:
https://lafayettems.maps.arcgis.com/apps/webappviewer/index.html?id=f41897907b1f4e10a1c839e3bdec2339
Magnolia Materials Publication

Lafayette County MS



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Lafayette County MS



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Lafayette County MS



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From: Glynna McKendree
To: Becky Simonson; Carrie Barefoot
Cc: Summer Hill Vinson
Subject: Re: Magnolia Materials Large Construction and Storm Water Permit - Approved or Not Approved
Date: Thursday, February 5, 2026 6:23:04 PM

This Message Is From an External Sender
This message came from outside your organization.

Good Morning Ms. Barefoot and Ms. Simonson,

It appears that Magnolia Materials, J.W. McCurdy is moving equipment onto the location of the asphalt plant in Oxford for which he has applied for the referenced permit. I sent information over before the ice storm regarding the false and misleading information he provided on the permit application. I am writing to confirm whether or not he has been issued the permit for the asphalt facility and if a public hearing will be provided to the residents of Oxford/Lafayette.

I have requested photographs and we are attempting to confirm the owner or leasee of the equipment and will forward those photographs upon receipt.

Thank you!
Glynna McKendree
[redacted]

From: John Duchaine
To: Becky Simonson; cbarefoot@mdeq.ms
Subject: reference AI 90112 NOI MSR109733
Date: Wednesday, January 21, 2026 1:49:10 PM

This Message Is From an External Sender
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John and Meg DuChaine
We have 200 plus acres next to the proposed asphalt plant in the Max Hipp Industrial Park in Lafayette County Mississippi. We are very concerned with the environmental impact the plant will have on our farm. We have raised horses on this property for over 50 years. We also have two stock ponds for the livestock and fishing. The emissions concern us very much. The topography of the area is very steep and hilly and we are worried about the plant runoff and emissions contaminating our water source , damaging our pastures and old growths hardwoods we have worked so hard to preserve. We would like the opportunity to have an open meeting here in Oxford. I am self employed and it is nearly impossible for me to leave Oxford this time of year as I manage a farm and have livestock to tend to twice daily. Thank you for your time and consideration

John and Meg Faulkner DuChaine

From: Fair Berg
To: Jaricus Whitlock; Becky Simonson
Subject: Request for Evaluation of Potential Changed Site Conditions: Permitting of Magnolia Materials LLC
Date: Friday, January 30, 2026 12:18:13 PM
Attachments: PM25 Vegetation and Childhood Cancer 2024.pdf

This Message Is From an External Sender
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Dear Mr. Whitlock and Ms. Simonson -

I hope you are doing well and that your teams experienced minimal disruption from the recent winter storm. Thank you also for the professionalism and courtesy you have shown in past conversations.

As you are aware, winter storm Fern significantly altered parts of Lafayette County, including the loss of many trees and vegetation that once potentially served as buffers and environmental controls. I respectfully request your diligent review of whether your current assessments reflect these new realities (in addition to your currently planned actions on the permits).

Regulatory compliance is essential, but it does not necessarily mean zero impact. Because some level of emissions are unavoidable — siting, proximity, and vegetation all become critical environmental factors.Likewise, methodologically rigorous peer-reviewed research on environmental exposure and child health (such as the attached study which discusses vegetation as a mediating factor between pediatric cancer and particulate matter) consistently emphasize the importance of minimizing long-term exposure risks and the importance of adequate 'green space' in reducing those exposures.

To note - given the current state of our county, a lack of public opposition should not be automatically interpreted as informed acceptance, particularly when permit submissions and review occurred both during the holidays and now amid storm recovery efforts when fundamental resources have been depleted. If residents have not had a realistic opportunity to understand the potential impacts (due to factors beyond their control), advancing the permit at this time could invite avoidable questions about whether community input was fairly considered.

For these reasons, I respectfully ask that, once recovery efforts have subsided and the majority of impacted residents have retained reasonable access to basic needs (such as access to food, water, heat, and internet), these same residents be given a meaningful and complete opportunity to be informed about this facility and provide input before any further action is taken.

Thank you for your time and efforts.

Sincerely,

Fair Berg, EdD

JNCI: Journal of the National Cancer Institute, 2024, 116(6), 876–884
https://doi.org/10.1093/jnci/djae035
Advance Access Publication Date: February 15, 2024
Article

$PM_{2.5}$, vegetation density, and childhood cancer: a case-control registry-based study from Texas 1995-2011

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[6]Department of Pediatrics, Division of Hematology-Oncology, Baylor College of Medicine, Houston, TX, USA
[7]Dan L. Duncan Comprehensive Cancer Center, Baylor College of Medicine, Houston, TX, USA
[8]Cancer and Hematology Center, Texas Children's Hospital, Houston, TX, USA

***Correspondence to:** Lindsay A Williams, PhD, MPH, Division of Epidemiology & Clinical Research, Department of Pediatrics, MMC 715, 420 Delaware St S.E., Minneapolis, MN 55455, USA (e-mail: lawilliams@umn.edu).

Abstract

Background: Air pollution is positively associated with some childhood cancers, whereas greenness is inversely associated with some adult cancers. The interplay between air pollution and greenness in childhood cancer etiology is unclear. We estimated the association between early-life air pollution and greenness exposure and childhood cancer in Texas (1995 to 2011).

Methods: We included 6101 cancer cases and 109 762 controls (aged 0 to 16 years). We linked residential birth address to census tract annual average fine particulate matter $<2.5\,\mu g/m^3$ ($PM_{2.5}$) and Normalized Difference Vegetation Index (NDVI). We estimated odds ratios (ORs) and 95% confidence intervals (CIs) between $PM_{2.5}$/NDVI interquartile range increases and cancer. We assessed statistical interaction between $PM_{2.5}$ and NDVI (likelihood ratio tests).

Results: Increasing residential early-life $PM_{2.5}$ exposure was associated with all childhood cancers (OR = 1.10, 95% CI = 1.06 to 1.15), lymphoid leukemias (OR = 1.15, 95% CI = 1.07 to 1.23), Hodgkin lymphomas (OR = 1.27, 95% CI = 1.02 to 1.58), non-Hodgkin lymphomas (OR = 1.24, 95% CI = 1.02 to 1.51), ependymoma (OR = 1.27, 95% CI = 1.01 to 1.60), and others. Increasing NDVI exposure was inversely associated with ependymoma (0- to 4-year-old OR = 0.75, 95% CI = 0.58 to 0.97) and medulloblastoma (OR = 0.75, 95% CI = 0.62 to 0.91) but positively associated with malignant melanoma (OR = 1.75, 95% CI = 1.23 to 2.47) and Langerhans cell histiocytosis (OR = 1.56, 95% CI = 1.07 to 2.28). There was evidence of statistical interaction between NDVI and $PM_{2.5}$ ($P < .04$) for all cancers.

Conclusion: Increasing early-life exposure to $PM_{2.5}$ increased the risk of childhood cancers. NDVI decreased the risk of 2 cancers yet increased the risk of others. These findings highlight the complexity between $PM_{2.5}$ and NDVI in cancer etiology.

Childhood cancer has few established environmental risk factors beyond ionizing radiation (1,2). Chemically measured air pollution has been linked to an increased risk of certain childhood cancers including leukemias (odds ratios [ORs] = 1.1-3.3) (3-10), lymphomas (OR = 1.4-2.1) (11,12), and some brain tumors (OR = 1.2-4.2) (5,13-15). Increasing $PM_{2.5}$ has been associated with childhood cancers overall (16), and non-Hodgkin lymphoma (12) and astrocytoma (5) individually. Complicating these investigations is understanding the critical windows of exposure. The highest incidence of childhood cancer occurs in children younger than 5 years of age, which aligns with observations that leukemias (17,18), central nervous system (CNS) tumors (19,20), embryonal tumors (21), and germ cell tumors (GCTs) (22,23) are initiated *in utero* and diagnosed soon after birth. Texas had one of the highest childhood cancer rates in the southern United States at 183.2 cases per 1 000 000 persons in 2003-2014, according to the Centers for Disease Control and Prevention (24). Therefore, exposure to $PM_{2.5}$ in early life (gestation and after birth) may be important for childhood cancer initiation, particularly among individuals in Texas.

Although air pollution has been associated with cancer, it is unrealistic to assume there are no counteracting co-exposures, such as greenness (25). It is well documented that trees can reduce air pollution (26,27). A 2013 study estimated that trees removed 5 tons of $PM_{2.5}$ in Syracuse, New York, and 64 tons in Atlanta, Georgia (28). In an experimental wind tunnel study, trees surrounding buildings removed up to 20% of $PM_{2.5}$ from the air (29). In adult cancers, increasing exposure to greenness is associated with a 20%-30% decreased risk of disease (30-32). Collectively, these findings point toward a role of vegetation density in $PM_{2.5}$ reduction, which may impact cancer development in children. Therefore, we sought to characterize the associations between maternal residential exposure to $PM_{2.5}$ and greenness (Normalized Difference Vegetation Index [NDVI]) during the year

Received: October 18, 2023. **Revised:** January 5, 2024. **Accepted:** February 9, 2024
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of birth and childhood cancer in children from Texas (representing 10% of all childhood cancer cases in the United States).

Methods

Study population

Individuals reported to the Texas Cancer Registry and the Vital Statistics Section of the Department of State Health Services who were born in the state of Texas between January 1, 1995, and December 31, 2011, were included. Children aged 0 to 16 years at cancer diagnosis, described in the Supplementary Methods (also see Supplementary Table 1, available online), were frequency matched to controls on the basis of sex and birth year (12 controls per case).

Cancer definition

Cancers were defined using the International Classification of Childhood Cancer, third edition, with some modifications using the IARC (2017) extended recodes on the basis of histologic type ICD-O-3 (33). Additionally, we included Langerhans cell histiocytosis (LCH; ICD-O-3 morphology code 9751). See Supplementary Methods (available online) for additional information.

Publicly available environmental and sociodemographic data

Cases and controls were linked to publicly available environmental and socioeconomic status data on the basis of their address at birth on the birth certificate and corresponding latitude and longitude. Cases and controls were spatially assigned to their birth year's census tract for exposure variable value assignment as described for each specific measure below and in the Supplementary Methods (available online). Exposure to NDVI and $PM_{2.5}$ were derived for the census tract average annual exposure for the offspring's year of birth. Residential address at birth was selected to serve as a proxy for early-life exposures (a combination of pre-pregnancy, pregnancy, and/or shortly after birth) for the child.

Particulate matter <2.5 μg/m^3 ($PM_{2.5}$)

An annual global estimation model is used for $PM_{2.5}$ data (34). Van Donkelaar and colleagues (34) created a ground-truthed PM model by combining multiple NASA remote sensing datasets including Moderate Resolution Imaging Spectroradiometer (MODIS), Multi-angle Image SpectroRadiometer, and Sea-viewing Wide Field-of-view. The resulting Network Common Data Form dataset is a coarser resolution than MODIS at 0.01 decimal degrees or approximately 850m^2. Yearly average $PM_{2.5}$ values from the model were used for our analysis and were assigned based on the birth year of the child. See Supplementary Methods, available online, for additional information.

Normalized Difference Vegetation Index

NDVI data, our measure of greenness, were extracted from Google Earth Engine (35). NDVI is derived from a NASA satellite sensor MODIS that revisits every place on the globe every 16 days and has a pixel resolution of 250 × 250 m (date accessed: October 1, 2021). A total of 23 images are collected for every year (2001 has 22). The satellite sensor collected red and near-infrared bands are used for NDVI calculation (36). NDVI is calculated by subtracting the red from the near-infrared and then dividing that result by the sum of the near-infrared and red bands. NDVI ranges from -1.0 to 1.0 corresponding to shrubs and grassland (0.2-0.3) and temperate and tropical rainforests (0.6-0.8) (37). Cases and controls were assigned the census tract average NDVI values for year of birth. Individuals born before the year 2000 were assigned the year 2000 value. See Supplementary Methods (available online) for additional information.

Yost index for socioeconomic status

Case and control data were linked to the publicly available Yost index via geoid and birth year (38,39). The Yost index is a widely used measure of area-level socioeconomic status (SES) derived from multiple predicative SES metrics from census blocks within census tracts. Birth years 1995-2007 were linked to the year 2000 decennial Yost data, and birth years 2008-2011 were linked to 2008 Yost data based on the 2008 American Community Survey. Predefined Yost index quintiles were used.

Hispanic enclave membership

We examined variation in the association between $PM_{2.5}$, NDVI, and childhood cancer by living in a Hispanic enclave. Enclaves were created as described previously (40-42). Briefly, enclave membership was based on a measurement derived from 4 factors assessed in principal components analysis: Hispanic resident percentage, foreign-born Hispanic percentage, Spanish speaking with limited English proficiency percentage, and the overall percentage of households that speak Spanish only. All Texas census tracts were scored 1 (most ethnically diverse) to 5 (least ethnically diverse). Enclaves were labeled as tracts in the highest quintiles for Hispanic individuals.

Statistical analysis

Logistic regression was used to estimate odds ratios and 95% confidence intervals (CIs) between $PM_{2.5}$, NDVI, and each type of childhood cancer. Each odds ratio was based on an interquartile range (IQR) unit increase derived from control data ($PM_{2.5}$ IQR = 2.68 μg/m^3; NDVI IQR = 0.13). Cancer-specific odds ratios (95% confidence intervals) were produced per $PM_{2.5}$ or NDVI IQR change, adjusting for birth year, sex (female, male [referent]), birth-certificate reported maternal race/Ethnicity (White [referent], Hispanic, Black, Asian), and socioeconomic status (Yost quintiles 1-3, 4-5 [referent]). Models for $PM_{2.5}$ and childhood cancer were adjusted for NDVI (lowest quartile referent). Models for NDVI and childhood cancer were adjusted for $PM_{2.5}$ (lowest quartile referent). Likelihood ratio tests were conducted to identify statistical interaction between $PM_{2.5}$, NDVI, and each covariate ($PM_{2.5}$ or NDVI [median dichotomized], SES, living in a Hispanic enclave [yes/no], maternal race/ethnicity [White, Black, Hispanic], child sex) for all cancers and each cancer individually. A P value less than .05 was indicative of statistical interaction. We conducted age-stratified analyses in those 0 to 4 years old, as this is a period when some cancers are more frequent. Logistic regression was conducted in SAS version 9.2 (SAS Institute, Cary, NC). We used the Kruskal-Wallis rank-sum test to test the hypothesis that there were no differences in the average annual $PM_{2.5}$ and NDVI values in controls (Supplementary Figure 1, available online). Then we used Pettitt's (43) nonparametric change-point detection test to determine the year when $PM_{2.5}$ and NDVI demonstrated a statistically significant change in value among the controls only. A two-sided alpha of 0.05 was used to determine statistical significance. As these are observational data, we did not adjust for multiple comparisons and used 95% confidence intervals that excluded the null value of 1 for identification of important effect estimates (44).

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Table 1. Characteristics of cases and controls from the Texas birth and cancer registry linkage (1995-2011)

	Controls No. (%)	Cases No. (%)
Total	109 762 (100.0)	6101 (100.0)
Sex		
Female	54 258 (49.4)	2763 (45.3)
Male	55 504 (50.6)	3338 (54.7)
Mother race/Ethnicity		
White	43 479 (39.8)	2529 (42.2)
Hispanic	48 224 (44.2)	2745 (45.8)
Black	13 564 (12.4)	547 (9.1)
Asian	3865 (3.6)	176 (2.9)
Missing	630	104
Yost index (SES)		
Q1 (low)	23 534 (21.4)	1315 (21.6)
Q2	21 146 (19.3)	1149 (18.8)
Q3	19 011 (17.3)	1025 (16.8)
Q4	22 485 (20.5)	1235 (20.2)
Q5 (high)	23 581 (21.5)	1376 (22.6)
Missing	5	1
Hispanic ethnic enclave		
No	67 082 (61.1)	3684 (60.4)
Yes	42 676 (38.9)	2416 (39.6)
Missing	4	1
NDVI quartiles (based on controls)		
Q1: 0.04 <NDVI ≤0.36	27 437 (25.0)	1452 (23.8)
Q2: 0.36 <NDVI ≤0.42	27 442 (25.0)	1588 (26.0)
Q3: 0.42 <NDVI ≤0.49	27 438 (25.0)	1510 (24.8)
Q4: 0.49 <NDVI ≤0.74	27 441 (25.0)	1550 (25.4)
Missing	4	1
Air pollution ($PM_{2.5}$ μg/m^3) quartiles (based on controls)		
Q1: 3.48 <PM2.5 ≤ 9.74	27 446 (25.0)	1347 (22.1)
Q2: 9.74 <PM2.5 ≤ 11.2	27 419 (25.0)	1457 (23.9)
Q3: 11.2 <PM2.5 ≤ 12.4	27 458 (25.0)	1536 (25.2)
Q4: 12.4 <PM2.5 ≤ 28.1	27 435 (25.0)	1760 (28.9)
Missing	4	1
	Mean (SD)	Mean (SD)
Average NDVI	0.42 (0.11)	0.42 (0.11)
Average air pollution (PM 2.5)	11.07 (2.13)	11.25 (2.16)
Age at cancer diagnosis (years)		
0-4		4097 (67.1)
5-9		1364 (22.4)
10-16		640 (10.5)

Results

There were 6101 cases of childhood cancer and 109 762 controls in this analysis (Table 1, by cancer types Supplementary Table 2, available online). Cases were more likely to be male, with the largest male excess observed for Burkitt lymphoma (85% male) and medulloblastoma (67% male). Conversely, extracranial/extragonadal GCT and thyroid carcinoma were more than 70% female. Some cancers had more than 50% Hispanic maternal ethnicity, including acute lymphoblastic leukemia (ALL), myelodysplastic syndrome, ependymoma, retinoblastoma, osteosarcoma, ma lignant gonadal GCT, and LCH. The distribution the Yost index (SES) varied by cancer type with no clear patterns emerging. Approximately 40% of individuals lived in a Hispanic ethnic enclave.

The average $PM_{2.5}$ (μg/m^3) concentrations were similar between cases and controls. However, cases lived in areas with higher $PM_{2.5}$ during the birth year (25% of controls vs 29% of cases lived in areas with $12.4 < PM_{2.5} \leq 28.1$). $PM_{2.5}$ also varied by cancer type, with 51% of children diagnosed with Hodgkin lymphoma, 54% with osteosarcoma, and 43% with Ewing sarcoma living in areas with the highest levels. NDVI was the same between cases and controls overall (mean [SD] = 0.42 [0.11]), but some variation was observed by cancer type, with 30% of cases of chronic myeloproliferative diseases, ependymoma, and thyroid carcinomas living in areas with the lowest NDVI ($0.04 < \text{NDVI} \leq 0.36$). There was variation in $PM_{2.5}$ and NDVI across the state (Figure 1).

Increasing early-life residential average annual $PM_{2.5}$ exposure based on birth year was associated with cancer overall (IQR = 2.68 μg/m^3 OR = 1.10, 95% CI = 1.06 to 1.15), ALL (OR = 1.15, 95% CI = 1.07 to 1.23), Hodgkin lymphomas (OR = 1.27, 95% CI = 1.02 to 1.58), non-Hodgkin lymphomas (OR = 1.24, 95% CI = 1.02 to 1.51), Burkitt lymphoma (0 to 4-year-olds OR = 1.84, 95% CI = 1.29 to 2.63), ependymoma (OR = 1.27, 95% CI = 1.01 to 1.60), retinoblastoma (OR = 1.25 95% CI = 1.04 to 1.49), osteosarcoma (0- to 4-year-olds OR = 2.95, 95% CI = 1.13 to 7.69) (which is exceedingly rare in this age group [n = 4 cases] and should be interpreted with caution), and thyroid carcinoma (OR = 1.39, 95% CI = 1.02 to 1.89) (Table 2). Models without NDVI adjustment produced similar odds ratios (Supplementary Table 3, available online). We found statistically significant differences in average annual $PM_{2.5}$ values among controls via the Kruskal-Wallis rank-sum test ($P < .001$; Supplementary Figure 1, A, available online). A statistically significant change-point as detected during 2006 via Pettitt's change-point test ($P < .001$). Therefore, we estimated odds ratios for 2006 to 2011 in Table 2. Most estimates were similar in direction to those from the full study years, but the magnitude of effect was larger in some instances. Notable 2006 to 2011 odds ratios were observed for all cancers (OR = 1.40; 95% CI = 1.26 to 1.57), ALL (OR = 1.83, 95% CI = 1.47 to 2.29), astrocytoma (OR = 2.05, 95% CI = 1.38 to 3.05), and medulloblastoma (OR = 2.72, 95% CI = 1.35 to 5.46); the latter two associations were not observed in the full study years.

Increasing early-life residential average annual NDVI exposure was inversely associated with ependymoma ([IQR increase = 0.13] 0- to 4-year-old OR = 0.75, 95% CI = 0.58 to 0.97) and medulloblastoma (OR = 0.75, 95% CI = 0.62 to 0.91) after adjustment for $PM_{2.5}$ quartiles (Table 3). Conversely, each IQR increase in maternal residential NDVI was associated with an increased risk of malignant melanoma (OR = 1.75, 95% CI = 1.23 to 2.47) and LCH (OR = 1.56, 95% CI = 1.07 to 2.28) and was borderline statistically significant in neuroblastoma (0- to 4-year-old OR = 1.11, 95% CI =1.00 to 1.23). Results were similar without adjustment for $PM_{2.5}$ (Supplementary Table 4, available online). We found statistically significant differences in the average annual NDVI among controls via the Kruskal-Wallis test ($P < .001$; Supplementary Figure 1, B, available online). A statistically significant change-point was detected in 2005 via Pettitt's change-point test ($P < .001$). In analyses restricted to 2005 to 2011, we found no statistically significant effects for each IQR increase in NDVI, but we did find the effect estimate for ependymoma was still similar in magnitude and direction (OR = 0.74, 95% CI = 0.49 to 1.13) to that observed for the full study years.

To explore the relationship between early-life exposure to NDVI and $PM_{2.5}$, we estimated P values for statistical interaction between NDVI and $PM_{2.5}$ and between each exposure and SES, Hispanic enclave status, maternal race/ethnicity, and sex for all cancers and individual cancer (Supplementary Table 5, available online). There was evidence of statistical interaction between continuous NDVI and median dichotomized $PM_{2.5}$ (Q1, Q2 [low ≤ 11.2 μg/m^3] and Q3, Q4 [high > 11.2 μg/m^3]) for all cancers (continuous NDVI OR_{low} $PM_{2.5}$ = 0.99, 95% CI = 0.95 to 1.06; continuous NDVI OR_{high} $PM_{2.5}$ = 1.06, 95% CI = 1.01 to 1.12; $P = .04$) that was not observed among single cancers alone. The same was true for continuous $PM_{2.5}$ and median-dichotomized NDVI (Q1, Q2 [low ≤

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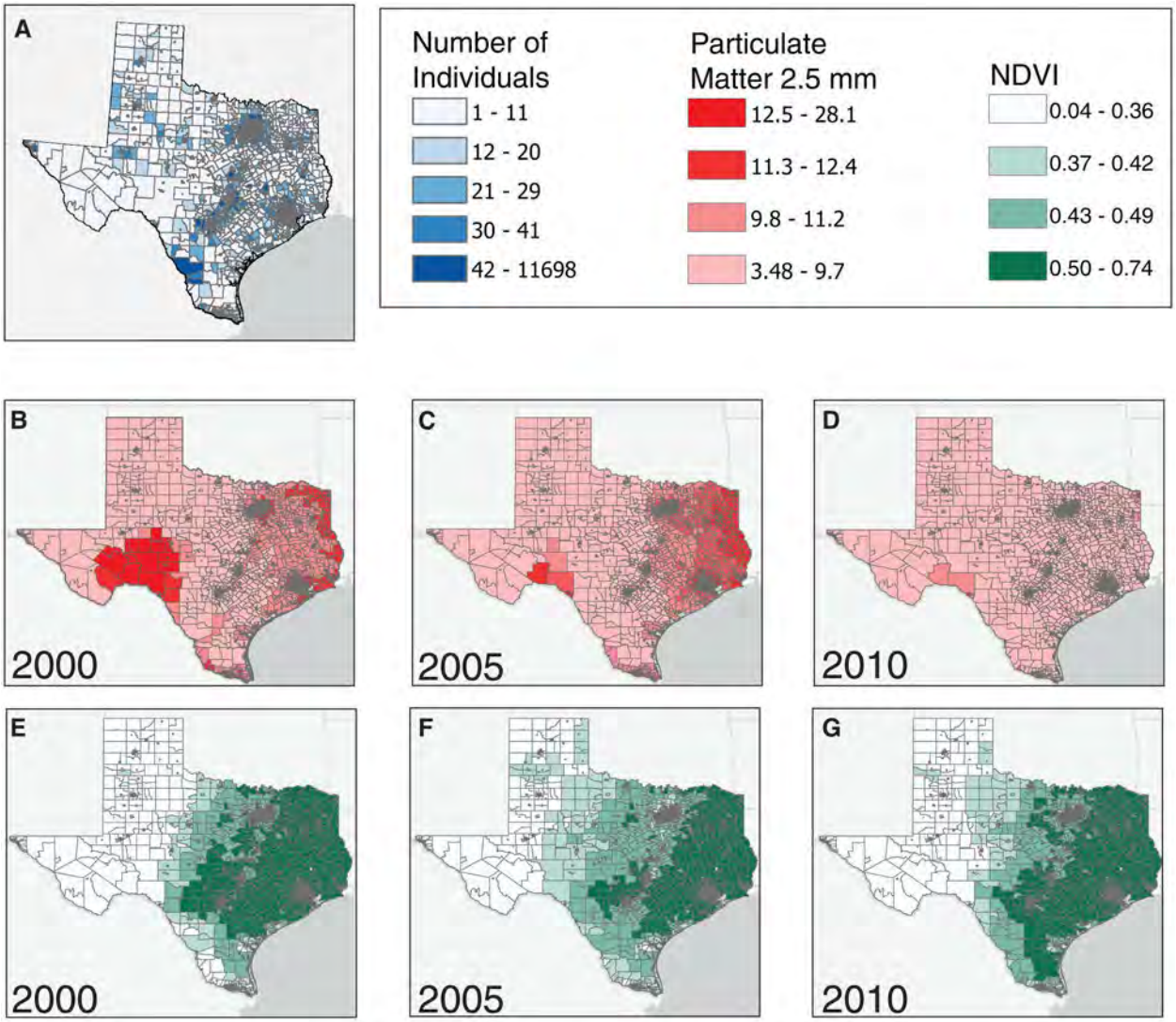


Figure 1. Texas census tract distribution of **A**) cases and controls combined in Texas from 1995 to 2011 (quintiles), **B-D**) $PM_{2.5}$ $\mu g/m^3$ annual average based on quartile distribution in the controls in the year 2000 (B), year 2005 (C), and year 2010 (D), **E-G**) Normalized Difference Vegetation Index (NDVI) annual average based on quartile distribution in the controls in the year 2000 (**E**), year 2005 (**F**), and year 2010 (**G**).

0.42] and Q3, Q4 [high > 0.42]) (continuous $PM_{2.5}$ $OR_{low\ NDVI}$ = 1.06, 95% CI =: 1.02 to 1.11; continuous $PM_{2.5}$ $OR_{high\ NDVI}$ = 1.24, 95% CI = 1.15 to 1.33; all cancers combined $P = .03$). These findings suggest a synergistic effect between increasing NDVI and $PM_{2.5}$ exposures in early life and the risk of developing childhood cancer. Even with our large sample size in this study, interaction analyses may be underpowered and should be interpreted with caution. As such, we have chosen not to present stratified main results for interaction analyses.

Discussion

In our study of 6101 children diagnosed with cancer in Texas (1995 to 2011), we observed a 10% excess risk in childhood cancers for each IQR increase (2.68 $\mu g/m^3$) in annual average residential $PM_{2.5}$ exposure during the birth year. Among single cancers for increasing early-life $PM_{2.5}$ exposure, we observed an excess risk of 15% for ALL, 27% for Hodgkin lymphoma, 24% for non-Hodgkin lymphoma, 84% for Burkitt lymphoma (0- to 4-year-olds), 27% for ependymoma, 25% for retinoblastoma, 195% for osteosarcoma (0- to 4-year-olds), and 39% for thyroid carcinoma. Findings were not impacted by NDVI adjustment. In more recent years (2006 to 2011), we observed strong findings for all cancers (40% excess risk), ALL (83% excess risk), astrocytoma (105% excess risk), and medulloblastoma (172% excess risk), suggesting that despite an improvement in $PM_{2.5}$ annual averages among controls, cases were still adversely impacted by $PM_{2.5}$ exposures. In analyses for $PM_{2.5}$ and childhood cancer within, below and above the median NDVI categories, there was an increased risk for increasing $PM_{2.5}$ exposure in the above-median NDVI group for cancer overall and in malignant gonadal GCTs. Our findings for statistical interaction between NDVI and $PM_{2.5}$ may be indicative of a potentially synergistic relationship between increasing NDVI and increasing $PM_{2.5}$ during early life that may increase the risk of developing childhood cancer and serve as a proxy for pesticide exposure, but that is beyond the scope of our study. More research is necessary, as our sample size was inadequate to fully address interactions.

Concerning greenness, each IQR increase (0.13) in NDVI during the birth year resulted in an estimated 25% reduced risk of medulloblastoma and ependymoma (0- to 4-year-olds), a 56% increased risk of LCH, and a 75% increased risk of malignant

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Table 2. Odds ratio (OR) and 95% confidence interval (CI) for the association between an interquartile range increase (2.68 μg/m^3) in air pollution measured as the annual average of $PM_{2.5}$ (μg/m^3) and childhood cancer with adjustment for the Normalized Difference Vegetation Index quartiles (based on the distribution in the controls), Texas (1995 to 2011)

	Age at diagnosis for cases					
	0- to 16-year-olds[a]		0- to 4-year-olds[a]		0- to 16-year-olds[a,b] (2006 to 2011)	
Controls	N 109 127	OR (95% CI) Referent	N 109 127	OR (95% CI) Referent	N 25 574	OR (95% CI) Referent
All cancers combined	5996	1.10 (1.06 to 1.15)	4028	1.11 (1.06 to 1.17)	1308	1.40 (1.26 to 1.57)
Acute lymphoblastic leukemia	1762	1.15 (1.07 to 1.23)	1202	1.18 (1.08 to 1.29)	317	1.83 (1.47 to 2.29)
Acute myeloid leukemias	283	1.00 (0.84 to 1.19)	210	1.06 (0.86 to 1.30)	73	0.98 (0.63 to 1.53)
Chronic myeloproliferative diseases	108	1.13 (0.86 to 1.49)	77	1.05 (0.74 to 1.51)	39	0.96 (0.53 to 1.73)
Myelodysplastic syndrome	60	0.78 (0.54 to 1.14)	42	0.62 (0.39 to 0.99)	15	1.01 (0.39 to 2.62)
Hodgkin lymphomas	126	1.27 (1.02 to 1.58)	19	0.88 (0.47 to 1.66)	7	2.04 (0.52 to 7.96)
Non-Hodgkin lymphomas	206	1.24 (1.02 to 1.51)	87	1.39 (1.01 to 1.91)	24	1.70 (0.75 to 0.85)
Burkitt lymphoma	77	1.23 (0.91 to 1.66)	34	1.84 (1.29 to 2.63)	8	2.73 (0.68 to 0.99)
Ependymomas	135	1.27 (1.01 to 1.60)	91	1.20 (0.89 to 1.61)	31	1.94 (0.97 to 3.87)
Astrocytomas	611	0.99 (0.88 to 1.11)	335	1.05 (0.89 to 1.24)	100	2.05 (1.38 to 3.05)
Medulloblastoma	182	1.13 (0.92 to 1.39)	93	1.29 (0.96 to 1.73)	31	2.72 (1.35 to 5.46)
Primitive neuroectodermal tumor	57	1.05 (0.70 to 1.57)	45	1.08 (0.67 to 1.73)	15	1.99 (0.65 to 6.08)
Atypical teratoid/rhabdoid tumor	54	0.75 (0.46 to 1.23)	51	0.78 (0.47 to 1.28)	28	0.70 (0.33 to 1.47)
Other gliomas	253	1.11 (0.92 to 1.34)	111	1.13 (0.83 to 1.53)	43	0.91 (0.51 to 1.63)
Neuroblastoma	625	0.96 (0.85 to 1.09)	581	0.95 (0.84 to 1.09)	203	1.22 (0.92 to 1.61)
Retinoblastoma	271	1.25 (1.04 to 1.49)	269	1.24 (1.03 to 1.48)	96	1.21 (0.82 to 1.80)
Nephroblastoma	384	1.12 (0.96 to 1.31)	323	1.14 (0.96 to 1.35)	96	1.16 (0.78 to 1.73)
Hepatoblastoma	123	1.04 (0.80 to 1.36)	116	1.03 (0.78 to 1.36)	41	1.49 (0.82 to 2.71)
Osteosarcoma	69	0.99 (0.72 to 1.37)	4	2.95 (1.13 to 7.69)	2	not estimated
Ewing sarcoma	47	1.30 (0.90 to 1.89)	12	0.99 (0.43 to 2.29)	5	1.82 (0.34 to 9.77)
Rhabdomyosarcoma	174	1.19 (0.95 to 1.49)	114	1.22 (0.91 to 1.64)	36	1.30 (0.67 to 2.54)
Intracranial and intraspinal GCT	56	1.34 (0.92 to 1.96)	27	1.51 (0.83 to 2.76)	11	1.05 (0.36 to 3.06)
Extracranial and extragonadal GCT	66	1.01 (0.68 to 1.52)	65	1.01 (0.67 to 1.52)	31	1.39 (0.67 to 2.87)
Malignant gonadal GCT	115	0.90 (0.70 to 1.15)	66	0.84 (0.58 to 1.20)	25	0.61 (0.29 to 1.28)
Thyroid carcinomas	46	1.39 (1.02 to 1.89)	4	1.24 (0.29 to 5.24)	1	not estimated
Malignant melanomas	62	1.14 (0.76 to 1.70)	23	1.26 (0.62 to 2.54)	4	2.68 (0.45 to 15.99)
Langerhans cell histiocytosis	44	0.88 (0.52 to 1.48)	27	0.85 (0.42 to 1.70)	26	1.08 (0.49 to 2.38)

[a] Model adjusted for child sex, maternal race/ethnicity, birth year group, Yost index (high/low). GCT = germ cell tumors.
[b] Birth years included were 2006 to 2011 as the year 2006 was the change-point according to the Pettitt's test ($P < .001$).

melanoma, which may be related to increased UV exposure when there is more residential greenness for outdoor activity as observed in an Australian study (45). We also observed an 11% increased risk for neuroblastoma with each increase in NDVI, which could be related to UV or pesticide exposures as reported in a meta-analysis of 9 studies for prenatal exposure (46).

In the previous literature, the strongest evidence for an association between air pollution (traffic density, $PM_{2.5}$, NO_2, or benzene) has been reported for leukemias (OR = 1.1-3.3) (3-10), lymphomas (OR = 1.4-2.1) (11,12), and brain tumors (OR = 1.2-4.2) (5,13-15). We have reported increased risks of ALL and lymphomas in the present work. We also observed an increased risk for ependymoma with increasing $PM_{2.5}$ exposure agreeing with a previous report from Texas using a subset of this registry data for maternal proximity to roadways (13). Additionally, we found an increased risk of retinoblastoma and $PM_{2.5}$, which was also observed in a California study (OR: 1.11, 95% CI: 1.01-1.21) (3). Finally, we observed a nearly 200% increased risk of osteosarcoma for increasing early-life total $PM_{2.5}$. This is in the opposite direction with similar magnitude for bone tumors and $PM_{2.5}$ in a Danish study (OR: 0.54, 95% CI: 0.30-0.98) (11).

As with air pollution, studies use different measures of vegetation density ranging from residential proximity to green spaces to assigning residential NDVI, as we have done. Most of the greenness literature arises from adult cancers. Using residential NDVI, every IQR increase resulted in an estimated 20%-30% reduced risk of adult lung, bladder, prostate, skin, and breast cancer (30-32) but a 33% increased risk of breast cancer when agricultural sites were within 300 m of the home (32). There has been one study on residential greenness exposure at diagnosis and leukemia (OR = 0.78, 95% CI = 0.62 to 0.98) (47). We did not observe such findings in our study. We did, however, find inverse associations between increasing greenness and the two most common malignant brain tumors in children, ependymoma and medulloblastoma. These findings warrant validation in other studies as definitive risk and protective factors are few for childhood brain tumors.

Mechanistically, air pollution is linked to inflammation, oxidative stress, and production of proinflammatory cytokines (48-50), which can cross the placenta, enter fetal circulation, induce systemic inflammation in the fetus (51), and create a permissive environment for cancer. Interestingly, studies have shown increased cytokines at birth for children with ALL (52,53). Air pollution inhaled by the child postnatally can induce a systemic inflammatory response and perturb normal development of the immune system (54). Many tumors have *in utero* origins (21,55), whereas others acquire their second hit for carcinogenic transformation during early life (56). Mechanistically, not only does increasing vegetation density function by cleaning some $PM_{2.5}$ out of the air, but it also may promote increased activity levels, which can reduce inflammation and thus reduce cancer risk (57,58). Conversely, agricultural vegetation may increase cancer risk by exposing those nearby to increased levels of pesticides, which are linked to an increased risk of leukemia (59) and CNS

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Table 3. Odds ratio (OR) and 95% confidence interval (CI) for the association between an interquartile range increase (0.13) in annual average Normalized Difference Vegetation Index and childhood cancer with adjustment for $PM_{2.5}$ quartiles and in models stratified by low and high $PM_{2.5}$, Texas (1995 to 2011)

	Age at diagnosis for the cases					
	0- to 16-year-olds[a]		0- to 4-year-olds[a]		0- to 16-year-olds[a,b] (2005 to 2011)	
Controls	N 109 127	OR (95% CI) Referent	N 109127	OR (95% CI) Referent	N 29 493	OR (95% CI) Referent
All cancers combined	5996	1.01 (0.98 to 1.04)	4028	1.01 (0.97 to 1.05)	1663	1.01 (0.95 to 1.08)
Acute lymphoblastic leukemia	1762	1.02 (0.96 to 1.08)	1202	1.01 (0.94 to 1.09)	437	1.07 (0.94 to 1.21)
Acute myeloid leukemias	283	1.06 (0.92 to 1.24)	210	1.08 (0.91 to 1.29)	94	0.97 (0.74 to 1.26)
Chronic myeloproliferative diseases	108	0.95 (0.75 to 1.20)	77	0.92 (0.70 to 1.22)	43	1.06 (0.73 to 1.55)
Myelodysplastic syndrome	60	0.94 (0.69 to 1.28)	42	0.86 (0.60 to 1.23)	20	0.60 (0.34 to 1.07)
Hodgkin lymphomas	126	1.08 (0.85 to 1.36)	19	1.12 (0.64 to 1.98)	11	0.76 (0.35 to 1.65)
Non-Hodgkin lymphomas	206	1.06 (0.89 to 1.27)	87	1.07 (0.82 to 1.41)	35	1.01 (0.65 to 1.56)
Burkitt lymphoma	77	1.07 (0.80 to 1.43)	34	1.18 (0.76 to 1.83)	10	1.50 (0.67 to 3.33)
Ependymomas	135	0.87 (0.70 to 1.08)	91	0.75 (0.58 to 0.97)	37	0.74 (0.49 to 1.13)
Astrocytomas	611	0.95 (0.86 to 1.06)	335	0.96 (0.84 to 1.10)	130	1.00 (0.80 to 1.26)
Medulloblastoma	182	0.75 (0.62 to 0.91)	93	0.80 (0.62 to 1.05)	37	0.96 (0.63 to 1.47)
Primitive Neuroectodermal Tumor	57	1.06 (0.75 to 1.50)	45	1.11 (0.75 to 1.65)	16	0.92 (0.47 to 1.80)
Atypical teratoid/rhabdoid tumor	54	1.27 (0.91 to 1.78)	51	1.21 (0.86 to 1.71)	30	1.50 (0.96 to 2.34)
Other gliomas	253	0.93 (0.79 to 1.09)	111	0.86 (0.68 to 1.10)	55	0.93 (0.66 to 1.31)
Neuroblastoma	625	1.09 (0.98 to 1.20)	581	1.11 (1.00 to 1.23)	239	1.07 (0.90 to 1.26)
Retinoblastoma	271	0.98 (0.84 to 1.14)	269	0.98 (0.84 to 1.15)	111	1.03 (0.81 to 1.31)
Nephroblastoma	384	0.98 (0.86 to 1.12)	323	1.01 (0.88 to 1.17)	122	0.88 (0.70 to 1.11)
Hepatoblastoma	123	0.96 (0.77 to 1.21)	116	0.98 (0.78 to 1.24)	48	0.96 (0.67 to 1.39)
Osteosarcoma	69	1.01 (0.74 to 1.38)	4	2.28 (0.56 to 9.33)	2	not estimated
Ewing sarcoma	47	1.20 (0.82 to 1.76)	12	1.54 (0.75 to 3.19)	6	1.57 (0.57 to 4.31)
Rhabdomyosarcoma	174	1.08 (0.89 to 1.31)	114	0.99 (0.78 to 1.25)	57	1.00 (0.71 to 1.41)
Intracranial and intraspinal GCT	56	0.78 (0.55 to 1.10)	27	0.74 (0.44 to 1.22)	18	0.65 (0.35 to 1.19)
Extracranial and extragonadal GCT	66	1.04 (0.76 to 1.42)	65	1.04 (0.76 to 1.42)	37	0.94 (0.62 to 1.43)
Malignant gonadal GCT	115	0.93 (0.73 to 1.17)	66	1.02 (0.75 to 1.38)	30	0.93 (0.58 to 1.48)
Thyroid carcinomas	46	0.91 (0.61 to 1.33)	4	0.78 (0.21 to 2.92)	1	not estimated
Malignant melanomas	62	1.75 (1.23 to 2.47)	23	1.50 (0.85 to 2.65)	6	1.45 (0.47 to 4.52)
Langerhans cell histiocytosis	44	1.56 (1.07 to 2.28)	27	1.35 (0.83 to 2.18)	31	1.44 (0.92 to 2.26)

[a] Model adjusted for child sex, maternal race/ethnicity, birth year group, Yost index (high/low). GCT = germ cell tumors.
[b] Birth years included were 2005 to 2011 as the year 2005 was the change-point of NDVI according to the Pettitt's test ($P < .001$).

tumors (2) in children. Few epidemiologic studies have examined the modifying effect of vegetation density on air pollution and human health associations. Findings have been mixed, with studies showing stronger health impacts of air pollution exposure for both higher and lower greenness, which may depend on whether the vegetation is agricultural or not (60-63). Other studies have found largely no differences in air pollution–health associations by greenness (64). Therefore, the relationship between greenness and air pollution is complex (25), and this complexity was borne out in our study findings of statistical interaction between NDVI and $PM_{2.5}$.

Our study, although one of the largest studies worldwide on $PM_{2.5}$ and cancer and one of the first on greenness and childhood cancer, is not without limitations. Due to computational intensity and different resolutions of $PM_{2.5}$ and NDVI data, we assigned exposure on the census tract potentially missing some nuance to smaller area-level exposures. To use the full dataset, we assigned exposure values for individuals born before the year 1998 the year 1998 $PM_{2.5}$ value and those born before the year 2000 the year 2000 NDVI value. This may have led to exposure estimation error for these individuals, but average $PM_{2.5}$ and NDVI values were similar across years (Supplementary Figure 1, available online). Therefore, we do not expect tremendous variation in exposure estimates before the year 1998 for $PM_{2.5}$ and the year 2000 for NDVI. Because we used the entire birth year, we are capturing some preconception, *in utero*, and postnatal periods for children depending on their date of birth; thus, our results give estimates for early-life exposures, not just pregnancy alone. Additionally, we lack information on residential history after birth. However, work in this study population has shown that among cases, movement between birth and cancer diagnosis minimally impacted exposure assignment for hazardous air pollutants, suggesting that most participants do not move far from their birth residence (65). For consistency with other studies (5,12,16), we considered total $PM_{2.5}$ and did not account for $PM_{2.5}$ chemical components that have differing toxicities (66, 67) because of the cumbersome computational nature of such work on a study of our size. We do not have information on agricultural sites, although only 5% of individuals in this study lived in rural areas (results not shown). Therefore, agricultural runoff containing pesticides may not be a large contributor to cancer risk in this population. Additionally, we did not account for individual SES, which is not well measured in our registry data. Maternal education is usually the proxy for SES but was missing for more than 50% of individuals in our study. We believe the Yost index is a more relevant and comprehensive measure of SES in our study.

In what is one of the largest studies in the world on early-life exposures to $PM_{2.5}$ and NDVI and childhood cancer risk, we observed an increased risk for several cancers with increasing $PM_{2.5}$. When we considered increasing NDVI exposure, there were reduced risks for some brain tumors, whereas there were increased risks for melanoma, LCH, and neuroblastoma. We did find evidence of statistical interaction between $PM_{2.5}$ and NDVI for all cancers combined such that high levels of both exposures may work synergistically to increase childhood cancer

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development. Our results highlight the complex relationship between $PM_{2.5}$ and NDVI in the development of childhood cancer in Texas. This warrants further exploration in other studies from various states/countries where air pollution and greenness may vary to better understand the role of these co-exposures in childhood tumor development.

Data availability

Case and control registry data can be requested from the Texas Department of Health. Air pollution and greenness data are publicly available as outlined in the methods.

PM2.5 data available from: https://sites.wustl.edu/acag/datasets/surface-pm2-5/.

NDVI data available from: https://developers.google.com/earth-engine/datasets/catalog/MODIS_061_MOD13Q1/#dois.

Author contributions

Lindsay A. Williams, PhD, MPH (Conceptualization; Data curation; Investigation; Methodology; Project administration; Supervision; Writing—original draft; Writing—review & editing), David Haynes, PhD (Data curation; Formal analysis; Writing—original draft; Writing—review & editing), Jeannette Sample, MPH (Formal analysis; Writing—original draft), Zhanni Lu, DrPH, MPH (Formal analysis; Writing—original draft), Ali Hossaini, MS (Data curation; Formal analysis), Laura McGuinn, PhD, MSc (Writing—original draft), Thanh Hoang, PhD (Writing—original draft), Philip Lupo, PhD, MPH (Data curation; Supervision; Writing—original draft), Michael Scheurer, PhD, MPH (Conceptualization; Data curation; Supervision; Writing—original draft).

Funding

This work was supported in part by the National Institutes of Environmental Health Sciences (R00ES032480 to L.A.M).

Conflicts of interest

The authors declare they have nothing to disclose.

Acknowledgments

PL, who is a JNCI Associate Editor and co-author on this paper, was not involved in the editorial review or decision to publish the manuscript.

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JNCI: Journal of the National Cancer Institute, 2024, 116, 876–884
https://doi.org/10.1093/jnci/djae035
Article

Carrie Barefoot

From: Becky Simonson
Sent: Wednesday, June 17, 2026 2:43 PM
To: Jaricus Whitlock; Carrie Barefoot
Subject: FW: MDEQ Website Message - "Permit Review for Magnolia Materials - Oxford, MS hot asphalt plant"

Who wants this one?

Becky Simonson, BCEEM
Chief, Environmental Permits Division
Mississippi Department of Environmental Quality PO Box 2261 Jackson, MS 39225 Phone (601) 961-5580 Fax (601) 961-5703

-----Original Message-----
From: MDEQ <mdeqweb@mdeq.ms.gov>
Sent: Wednesday, June 17, 2026 2:11 PM
To: Becky Simonson <BSIMONSON@MDEQ.MS.GOV>; MDEQ Web <mdeqweb@mdeq.ms.gov>
Subject: MDEQ Website Message - "Permit Review for Magnolia Materials - Oxford, MS hot asphalt plant"

From: David J. Hester [redacted]
Subject: Permit Review for Magnolia Materials - Oxford, MS hot asphalt plant

Message Body:
Dear Becky,
Will you let me know who to contact regarding the permit application and review process to voice my concerns and objections to this plant? It will be located .6 miles from my life-long dream retirement home acquired in 2023 in Fieldstone Farms, a conservation neighborhood behind Meg Faulkner's property and the proposed plant.
Thank you,
David
[redacted]

--
This e-mail was sent from a contact form on MDEQ (https://mdeq.ms.gov)

Carrie Barefoot

From: Montie Hardaway
Sent: Thursday, June 4, 2026 3:52 PM
To: Carrie Barefoot; Jaricus Whitlock
Subject: FW: MDEQ Website Message - "Hot Mix Asphalt, Oxford, MS"

Montie Hardaway Glenn, P.E.
401/Stormwater Branch
Environmental Permits Division
(601) 961-5596

-----Original Message-----
From: MDEQ <mdeqweb@mdeq.ms.gov>
Sent: Thursday, June 4, 2026 3:51 PM
To: Montie Hardaway <MGlenn@mdeq.ms.gov>; MDEQ Web <mdeqweb@mdeq.ms.gov>
Subject: MDEQ Website Message - "Hot Mix Asphalt, Oxford, MS"

From: Lisa Chandler Bennett [redacted]
Subject: Hot Mix Asphalt, Oxford, MS

Message Body:
Dear Montie Glenn,
I will be unable to attend the hearing scheduled for June 10th due to scheduled travel. I have emailed Mr. Whitlock before regarding the extremely close proximity to my residence in Lafayette Co. I have read several references / articles referring to a buffer zone between an asphalt plant and residences of 1,000 to 1,500 feet. I don't know why that does not apply to Oxford, MS. I have also found reference to a buffer zone of 600 ft in a mdmq.ms public notice document found online. My property which is situated on CR166, which runs behind my house, is less than 1,000 feet from the proposed site for the the asphalt plant (per Magnolia Materials, LLC). This measurement is an approximation taken from LandGlide app. We have a stocked pond that we fish as well as my neighbor's pond who also has his own water well. This next door neighbor's residence (Collier) and the next residence, (Duchaine) abuts the proposed property and THERE IS NO BUFFER ZONE for these two residential properties. Joel Hollowell, Director of Development Services, disclosed at the supervisors meeting, held May 4th that 40 ft. is the requirement for a buffer zone. No explanation as to where this distance came from. Again there is no buffer zone at all. I am very concerned about ground water contamination and any runoff in addition to air quality, noise, additional truck traffic, quality of life and decrease in property value for all of us in the surrounding area. Many have had our homes here for over 20 years. I do not feel that the supervisors or the members of the planning commission are using the appropriate criteria for the location choice of this asphalt plant.
Thank you for your consideration.
Lisa Chandler - Bennett

--
This e-mail was sent from a contact form on MDEQ (https://mdeq.ms.gov)

Carrie Barefoot

From: Glynna McKendree [redacted]
Sent: Wednesday, May 27, 2026 11:45 AM
To: Anderson Thomas; Carrie Barefoot; Montie Hardaway; Jaricus Whitlock; waltdavis@dunbardavis.com; mduchaine@dunbardavis.com
Subject: Re: Magnolia Materials / Oxford, MS / Asphalt Facility / Notice of Appeal to Circuit Court
Attachments: 5.14.2026 Notice of Appeal.pdf

This Message Is From an External Sender
This message came from outside your organization.

Mr. Thomas,

This email is to follow-up on the voice mail I left a short time ago regarding Magnolia Materials and the opposition we are engaged in regarding the proposed asphalt facility in Oxford, MS. Attached is a copy of the NOA and below is the timeline associated with this action. Our question to you is regarding the Public Hearing set for June 10th and the Permit Boards review which follows the resolution of the questions presented at this hearing. While we are preparing for this hearing our question is whether or not both the Public Hearing and the Permit Board review can be tabled until such time as the court process has completed.

We feel we have strong arguments for the courts to invalidate the lease given the term exceeds that which is allowed by state law and continues on in perpetuity upon completion of the 35 years. In addition, the failure on the part of the Supervisors/County to notify the public, the County has refused to produce any documents/records requested that lead up to the signing of this lease. If the courts rule this lease is invalid, Magnolia has no access to this land and may choose to litigate the matter further with the County. The NOA outlines conflicts of interests and the Supervisors failure to recuse themselves while acting beyond the scope of their authority in all actions associated with Magnolia Materials.

On May 14th, we filed a Notice of Appeal in Circuit Court regarding actions taken by the Lafayette County Board of Supervisors and the location/zoning of the area leased to Magnolia for the asphalt facility.

The timeline is as follows:

- The County has 10 days from the date of filing of the NOA to designate any other items or matters for the record;
- The County has 30 days from the date of filing of the NOA to submit the record to the Court;
- We file objections to the record, if any;
- If there are objections to address, we expect the Court to have a hearing to resolve them;
- Judge will enter a scheduling order with briefing deadlines and a hearing date, if any, for the parties to appear and present oral argument.
    - We file our brief first;
    - County will file their brief;
    - We file our rebuttal brief, if any.
- After we file our rebuttal brief, we expect the Court will set a hearing to have oral arguments. The Court will then issue a ruling.

We also expect Magnolia Materials to move to intervene in the case which we expect the Court to grant. The lease was approved in executive session on December 15th, fully executed on December 18th, and the site plan was not presented to the Planning Commission until December 22nd. There was no notice of a public hearing on either the lease or the site plan until December 22nd. Magnolia will be allowed to submit briefs at the same time the County does and participate in any arguments.

Is it possible to table the Public Hearing and Permit Board review until such time as the legal process completes. Should we prevail, there would be no permit that could be issued to Magnolia for this facility at this location.

Copied on this email is our attorney, Mr. Walt Davis (Dunbar-Davis) and the responsible MDEQ representatives, Mr. Jaricus Whitlock (air), Ms. Carrie Barefoot (construction/stormwater) and Ms. Monte Glenn (construction/stormwater). Please respond to all.

Thank you again for your consideration and response.

Glynna McKendree
[redacted]

IN THE CIRCUIT COURT
OF LAFAYETTE COUNTY, MISSISSIPPI

MEG DUCHAINE, JOHN DUCHAINE AND RONNIE MCGINNESS **APPELLANTS**

VS. **CIVIL ACTION NO.** L26-236

THE BOARD OF SUPERVISORS OF LAFAYETTE COUNTY, MISSISSIPPI **APPELLEE**

NOTICE OF APPEAL

COME NOW, Appellants, Meg DuChaine, John DuChaine and Ronnie McGinness, and file their Notice of Appeal pursuant to Miss. Code Ann. § 11-51-75 challenging the denial of members of the Lafayette County Board of Supervisors to recuse themselves from presiding over requests to rezone County-owned property, as well as the Board's decision to deny rezoning of of Lafayette County Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00 from Heavy Industrial (I-2) to Light Industrial (I-1).

I. STATEMENT OF THE REASONS FOR APPEAL

A. Appellants Meg Duchaine and John Duchaine are the owners of real property located in Lafayette County, Mississippi, namely Lafayette County Parcels 133-08-004.00 and 133-08-005.00. Those parcels of real property are adjacent to or immediately proximate to parcels of land contained within and along the western edge of the Lafayette County Industrial Park, namely Lafayette County Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00;

B. Ronnie McGinness is the owner of real property located in Lafayette County, Mississippi, namely Lafayette County Parcel 133Y-07-136.00. That parcel is proximately located to parcels of land contained within and along the western edge of the Lafayette County Industrial Park, namely Lafayette County Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00;

LAFAYETTE COUNTY
FILED
MAY 14 2026
JEFF BUSBY, CIRCUIT CLERK
BY _____ DC

C. Appellee Lafayette County is the owner of record of Lafayette County Parcels 133-05-024.00 and 133-08-001.02, which are located within and along the western edge of the Lafayette County Industrial Park. The Lafayette County Economic Development District, partially funded by Lafayette County, Mississippi and in which Lafayette County, Mississippi has substantial interest and involvement, is the owner of record of Lafayette County Parcel 133-08-001.01. Lafayette County Parcel 133-08-001.01 is also located within and along the western edge of the Lafayette County Industrial Park;

D. On January 18, 2018, Lafayette County, Mississippi adopted its first Zoning Ordinance. One provision of that ordinance established a "Heavy Industrial" or "I-2" zoning district. With respect to this type of district, the ordinance requires "insofar as possible" that I-2 districts be located "adjacent only to C-3 or I-1 districts, which shall serve as transitional zones between I-2 districts and residential uses and lower intensity commercial uses";

E. At the same time Lafayette County adopted the Zoning Ordinance on January 18, 2018, it also adopted an Official Zoning Map. Contrary to and inconsistent with the terms of the Zoning Ordinance, that map designated the entirety of Lafayette County Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00 as "Heavy Industrial" without locating those parcels "adjacent only to C-3 or I-1 districts, which shall serve as transitional zones between I-2 districts and residential uses and lower intensity commercial uses." Instead, the "Heavy Industrial" designation of those parcels placed them immediately adjacent to parcels designated Rural ("A-1"), in which low intensity uses – such as single-family residences; the raising, care and feeding of livestock; and the farming of row crops – are expressly permitted as a matter of right;

F. With respect to Lafayette County Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00, the creation of a "transitional zone" between Heavy Industrial designations in the

Lafayette County Industrial Park and the A-1 Rural properties to the west of the Industrial Park was mandated by the Zoning Ordinance "insofar as possible." The placement of a C-3 or I-1 "transitional zone" within and along the western edge of the Lafayette County Industrial Park, including all (or part) of Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00 was undeniably "possible" at the time of the adoption of the Zoning Ordinance;

G. Evidence in the record from Lafayette County regarding why it failed to place "transitional zones" of C-3 or I-1 districts between I-2 designations and the Appellants' property comes from Lafayette County Planning Director Joel Holliwell. Holliwell merely stated that Lafayette County's Planning Consultant "did the best job he could" and county officials did "the best that we could do." The end result is that the western edge of this Heavy Industrial (I-2) district violated the terms of the Zoning Ordinance and directly adjoined A-1 districts, the default category for the vast majority of the County's Zoning Map. At the time of adoption of the Zoning Ordinance and for years thereafter, a substantial portion of Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00 along the western border of the Industrial Park remained inaccessible and unusable for any purpose, industrial or otherwise (and was in fact unused for any purpose). This only changed with the opening of the Pat Patterson Parkway in August of 2025. Other portions which were actually previously used – such as for storage of gravel, sand and other such materials – were consistent with I-1 usage. The record reflects absolutely no factual reason why, in 2018, I-1 designations could not have been utilized *within* the park to comply with the requirements of the County's own Zoning Ordinance;

H. The failure to create a "transitional zone," as required by the Zoning Ordinance, was the result of an administrative mistake, including a mistake of fact regarding whether it was "possible" to place a transitional zone of either C-3 or I-1 zoning between the Appellants'

property and Heavy Industrial zones within the Industrial Park itself. In adopting the Heavy Industrial zones at issue in this case, the Board of Supervisors relied upon factual premise(s) that were demonstrably invalid at the time. Alternatively, because of administrative mistake, the Board of Supervisors failed to take into account then-existing facts, including the fact that the placement of a transitional zone as required by its own ordinance was "possible;"

I. In 2022, Lafayette County adopted a Master Plan for development of the Industrial Park. That Master Plan recognized the inaccessibility of a substantial portion of the western edge of the park, which was anticipated to become accessible and usable with the opening of the new Pat Patterson Parkway, then slated to open and provide a thoroughfare through the Industrial Park that would send substantial amounts of new traffic through the park. The new Parkway was, in fact, specifically intended to help address traffic congestion in the larger surrounding area;

J. The Master Plan proposed multiple "under roof" industrial uses throughout the Industrial Park and other improvements, so that it would not be a place "located on the outskirts of town" and seen as a place of "unsightly industry" but instead a park-like "technology campus" complete with walking and biking trails and other beautification improvements. The Lafayette County Board of Supervisors approved this Master Plan and in light of that approval, helped secure substantial grants to create this transformation of the Industrial Park to the desired park-like technology campus;

K. The Pat Patterson Parkway section that bisects the Industrial Park and now drives substantial additional traffic through the industrial park opened in August 2025, in no small part "to alleviate traffic congestion" in the area, as stated by Lafayette County officials. Lafayette

County has since cited and relied upon the construction of this parkway as justification for finding a "change in the neighborhood" in the rezoning of other nearby parcels;

L. Additionally, since the establishment of the Zoning Ordinance and Zoning Map in 2018, residential growth in the area surrounding the Industrial Park has mushroomed, with Lafayette County citing this growth of residential development as justification for finding a "change in the neighborhood" in the rezoning of other, nearby parcels. Further, additional residential growth in the area has been specifically approved by the Lafayette County Board of Supervisors, including the rezoning of two specific parcels with the anticipated future addition of at least 1,200 new homes as a result of that separate re-zoning;

M. On December 15, 2025, the Lafayette County Board of Supervisors declared Lafayette County Parcel 133-08-001.02 to be "surplus property" and approved the lease of that property to Magnolia Materials, LLC exclusively for the construction and operation of an asphalt plant (a Heavy Industrial, I-2 use). That lease agreement provided for an initial thirty-five (35) year term, subject to perpetual five (5) year renewals and further provided Magnolia Materials, LLC an option to purchase the property for fair-market value. Lafayette County and Magnolia Materials, LLC executed that lease on December 18, 2025;

N. Consideration and approval of this lease agreement was done without any public input or discussion. Moreover, when a public records request to Lafayette County, Mississippi asked for all written communications between anyone acting on behalf of Lafayette County and anyone acting on behalf of Magnolia Materials, LLC related to this lease agreement, Lafayette County failed to produce any such communications and affirmatively stated that there were no responsive documents. As such, according to Lafayette County itself, it negotiated, approved and executed this lease without using any letters, emails, text messages or other correspondence;

O. On January 5, 2026, Appellant Ronnie McGinness submitted to Lafayette County a request to rezone Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00 from Heavy Industrial (I-2) to Light Industrial (I-2). On March 5, 2026, that request was amended and updated to include Appellants Meg and John Duchaine as additional applicants;

P. On March 23, 2026, the Appellants' request for rezoning came before the Lafayette County Planning Commission ("Planning Commission"). During the hearing, the Planning Commission Chair predicted the ultimate future denial of the rezoning petition by the Board of Supervisors as well as highlighted the institutional conflict of interest in this matter, specifically referencing the lease agreement by stating, "Do you honestly think that the Board of Supervisors is going to undo . . . [what] they've already done?" The Planning Commission then voted to recommend denial of the rezoning application;

Q. On May 4, 2026, the rezoning application came before the Lafayette County Board of Supervisors for consideration. Before proceeding to the merits of the request, the undersigned counsel requested that the individual supervisors recuse themselves from hearing this matter because of an institutional conflict of interest. More specifically, the Board of Supervisors was called to sit as an adjudicative body on a rezoning request on property that the County itself owned and which was subject to a lease agreement and purchase option that potentially meant millions of dollars of funds deposited to the County coffers that they themselves also controlled. This rezoning request threatened that contractual agreement made by Lafayette County. The Supervisors were requested to recuse themselves because any objective observer would determine that there was a probability of actual bias in making their decision. Stated in another way, the circumstance would offer an average man the possible temptation to ignore the appropriate governing standard and instead protect separate interests. Despite this

request, none of the individual supervisors recused themselves from hearing this matter and instead voted to deny the rezoning request;

R. This appeal now follows. The decisions of the Supervisor(s) below were arbitrary, capricious, discriminatory, beyond their legal authority or unsupported by substantial evidence. The Supervisors' failure to recuse themselves from hearing this matter justifies reversal and remand for that reason alone. Alternatively, the decision to deny the rezoning request on the basis of mistake is reversible as that decision was not "fairly debatable" and the record is clear that an administrative mistake occurred, including a factual mistake regarding whether it was "possible" to place I-1 transitional zoning within the Industrial Park along its western border. In the alternative, the decision to deny the request to rezone based upon a clearly established change in the neighborhood and public need should also be reversed, as that decision and related decisions are in direct conflict with other, prior findings of the Board of Supervisors when rezoning other nearby parcels and the decision was otherwise arbitrary, capricious, discriminatory, beyond their legal authority or unsupported by substantial evidence;

S. In light of the foregoing, this Court should:

1) Due to the failure to the individual Supervisors to recuse themselves from hearing this matter, reverse the decision of the Board of Supervisors denying rezoning and order reconsideration before a separate disinterested person or person(s) appointed by the Court for that purpose;

2) Alternatively, reverse and render a decision in favor of the Appellants for rezoning of the requested parcels based upon mistake; or

3) Alternatively, reverse and render a decision in favor of the Appellants for rezoning on the basis of an established change in the neighborhood and public need.

II. DESIGNATION OF THE APPEAL RECORD

The Appellants desire to make the following documents part of the record in this matter:

A. The original request for rezoning filed by Appellant Ronnie McGinness, dated January 5, 2026;

B. The supplemental request for rezoning filed by all Appellants, dated March 5, 2026, along with all submitted attachments and exhibits;

C. All correspondence between Lafayette County, Mississippi and the Appellants and any third party related to the Appellants' re-zoning request;

D. The agenda and attachments for the meetings of the Lafayette County Planning Commission dated March 23, 2026, and the Lafayette County Board of Supervisors dated May 4, 2026, as well as all documents and materials presented to those bodies[1] related to the aforementioned rezoning requests and the request to recuse made to the Lafayette County Board of Supervisors;

E. Any and all audio, video and stenographic records or recordings of the proceedings before the Lafayette County Planning Commission and the Lafayette County Board of Supervisors related to the aforementioned rezoning requests and related request to recuse made to the Lafayette County Board of Supervisors;

[1] While the Appellants designate all submissions to the Board of Supervisors as part of the record, the Appellants reserve the right to object to the use or consideration of the substantial submissions of Magnolia Materials, LLC at the May 4, 2026 hearing itself. Those materials were never considered by the Board of Supervisors and the undersigned counsel had no fair opportunity to review those submissions prior to the decision of the Board of Supervisors below.

F. All administrative and other documents connected with the rezoning requests, including but not limited to published notices, notices provided to adjoining landowners and all communications with any Lafayette County officials related to the rezoning requests.

Pursuant to Miss. Code Ann. § 11-51-75(a)(iv), the Appellants state that they have in their possession a copy of the materials identified in Exhibit "A" to this Notice of Appeal.

III. PRAYER FOR RELIEF

Appellants Meg DuChaine, John DuChaine and Ronnie McGinness request that this Court reverse and remand the Lafayette County Board of Supervisors' decision to deny rezoning based on their failure to recuse themselves from hearing the matter below, with directions to have independent hearing officer(s) hear this matter anew. Alternatively, the Appellants request that this Court reverse and render the Lafayette County Board of Supervisors' decision to deny rezoning on the basis of mistake. Alternatively, the Appellants request that this Court reverse and render the Lafayette County Board of Supervisors' decision to deny rezoning on the basis of a change in the neighborhood coupled with a public need for rezoning. Appellants Meg DuChaine, John DuChaine and Ronnie McGinness further request that they be granted any additional relief to which they may be entitled, including but not limited to an award of all costs associated with this appeal.

RESPECTFULLY SUBMITTED, this the 14th day of May 2026.

MEG DUCHAINE, JOHN DUCHAINE
AND RONNIE MCGINNESS

BY: _____
WALTER ALAN DAVIS, MSB #9875
REID K. POSEY, MSB #105975

Of Counsel:

Dunbar Davis, PLLC
324 Jackson Avenue East
Oxford, MS 38655
(662) 281-0001

CERTIFICATE OF SERVICE

I hereby certify that I have this date mailed by United States Mail, postage prepaid, and/or electronically submitted via email, a true and correct copy of the above and foregoing to:

Brent Larson
Board of Supervisors District 1
300 N. Lamar Boulevard
Oxford, MS 38655
blarson@lafayettecoms.com

Kate Victor
County Administrator
300 N. Lamar Boulevard
Oxford, MS 38655
kvictor@lafayettecoms.com

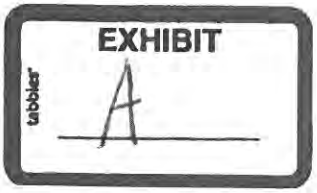
David O'Donnell
Clayton O'Donnell
1403 Van Buren Avenue, Suite 103
Oxford, MS 38655
dodonnell@claytonodonnell.com

THIS this 14th day of May 2026.

WALTER ALAN ~~DAVIS~~

Exhibit "A" List of Record Documents and Transcripts in Appellants' Possession

1. Application for Rezoning, Dated January 5, 2026;
2. Supplemental Applications for Rezoning, with related correspondence and Exhibits (1-15) Dated March 5, 2026;
3. Notices to Surrounding Owners of Pending Application for Rezoning, along with certified mail receipts;
4. Video Recordings of Planning Commission Meeting Dated March 23, 2026;
5. Agenda for Meeting of Planning Commission Dated March 23, 2026;
6. Agenda Item Packet for Rezoning Requests, for meeting of Planning Commission Dated March 23, 2026;
7. Proofs of Publication for Hearing before Board of Supervisors;
8. Agenda for Meeting of Board of Supervisors Dated May 4, 2026;
9. Agenda Item Packet for Rezoning Requests, for Meeting of Board of Supervisors Dated May 4, 2026;
10. Applicants' Supplemental Exhibits Presented to Board of Supervisors at hearing Dated May 4, 2026;
11. Brief and Exhibits (1-17) Submitted by Magnolia Materials to Board of Supervisors at hearing dated May 4, 2026 (objections to use on appeal reserved by Appellants);
12. Transcript of Proceedings before Board of Supervisors at hearing Dated May 4, 2026.



Carrie Barefoot

From: Carrie Barefoot
Sent: Wednesday, May 20, 2026 9:28 AM
To: Jaricus Whitlock
Cc: Montie Hardaway
Subject: Magnolia Materials

Good morning,

Because the portals have been down, I'm working through the MDEQ Contact database spreadsheet. I found this communication related to Magnolia Materials and wanted to pass along for the files.

Nicholas Sullivan
[redacted]
Concerned Citizen of Oxford

"I am writing as a concerned resident of Oxford, Mississippi, to submit formal public comments and express serious environmental and public health concerns regarding the proposed hot mix asphalt plant by Magnolia Materials, LLC (J.W. McCurdy / JWM Development) in the Max D. Hipp Lafayette County Industrial Park.
While the site is zoned for heavy industrial use, its proximity to growing residential neighborhoods, subdivisions, and sensitive waterways raises significant risks. Key environmental concerns include:

Air Emissions and Odors: Hot mix asphalt production involves substantial emissions of particulate matter, volatile organic compounds (VOCs), hazardous air pollutants, and strong odors that can travel long distances. With the plant located near homes and only a few miles from the University of Mississippi campus, continuous operations could degrade air quality and create persistent nuisance odors for thousands of residents.

Stormwater Runoff and Water Quality: The site generates potential runoff containing sediments, oils, heavy metals, and other pollutants from asphalt production. This could impact local waterways such as Berry Branch and nearby tributaries of the Yocona River, especially during heavy rains common in North Mississippi. Any failure in containment or treatment could harm aquatic ecosystems and downstream water supplies.

Cumulative Health and Environmental Impacts: Nearby residents, including families and students, could face increased exposure to dust, noise, and emissions. This is particularly concerning given the plant's proposed scale (up to 300 tons per hour) and outdoor nature of operations.

Hundreds of Lafayette County residents have voiced opposition through public meetings and petitions, citing incompatibility with the area's rapid residential growth and the threat to quality of life, but their concerns are being ignored."

jwhitlock@mdeq.ms.gov
2026-05-13
11:54:28

2

Thanks,
CB

Carrie Barefoot, P.E.
Division Chief
MDEQ – Land Disturbance Division
P.O. Box 2261, Jackson, MS 39225
515 E. Amite Street, Jackson, MS 39201
Office: (601) 961-5249

Carrie Barefoot

From: Glynna McKendree [redacted]
Sent: Monday, March 9, 2026 3:16 PM
To: Michelle Clark; [redacted] Summer Hill Vinson; [redacted] dhalljr@olemiss.edu; Carrie Barefoot
Subject: Re: Magnolia Materials Enforcement Investigation - Oxford Mississippi

This Message Is From an External Sender
This message came from outside your organization.

Ms. Clark and Ms. Barefoot,

This email is to follow up with a voice mail I left earlier today.

I spoke with your representative on Friday regarding the investigation into Magnolia Materials and J.W. McCurdy's proposed construction and violation of work without a permit for the proposed asphalt facility in Oxford, MS. I was told that interviews were conducted with Mr. McCurdy and his engineer and as expected made another false and misleading statements regarding the work. Our team was not interviewed, and I requested the opportunity to provide another side to this story. We provided video of the dozer operator removing a buffer zone and turning into the center of the site and removing trees.

As of today, McCurdy is moving in equipment to begin work. When the County was contacted Joel Hollowell, Director of Planning and Development, told our people it was **"his understanding from MDEQ**" that as long as they did not disturb more than 5 acres a permit was not required. This is a 27-acre site that is all inclusive of this asphalt plant construction. Hence, the plan was to begin construction activity for soil boring to test the soil for compaction tests He also stated he had not spoken to MDEQ. This is an example of McCurdy NOT complying with state requirements and attempt to skirt around the regulatory controls and the County conspiring with McCurdy to avoid the basic regulatory controls.

This issue is volatile with multiple facets. We are requesting additional interviews regarding the violations and that MDEQ issue another cautionary note to McCurdy to **stand down** until such time as the issues surrounding this proposed facility can be resolved. We have also requested a public hearing to be held in Oxford, based on the comments submitted from the people of Lafayette County who are opposed to this facility and the proposed densely populated area.

Thank you for your time and consideration.

Regards,
Glynna McKendree
[redacted]

Carrie Barefoot

From: Becky Simonson
Sent: Tuesday, January 20, 2026 11:31 AM
To: Carrie Barefoot
Subject: FW: JW McCurdy - Magnolia Materials Large Construction and Storm Water Permit
Attachments: Magnolia Materials DEQ Construction Coverage Permit App 12232025.pdf

Becky Simonson

Becky Simonson
Chief, Environmental Permits Division
Mississippi Department of Environmental Quality
PO Box 2261
Jackson, MS 39225
Phone (601) 961-5580
Fax (601) 961-5703

From: Glynna McKendree [redacted]
Sent: Friday, January 16, 2026 1:36 PM
To: cbarefppt@mdeq.ms.gov
Cc: Becky Simonson <BSIMONSON@MDEQ.MS.GOV>
Subject: Re: JW McCurdy - Magnolia Materials Large Construction and Storm Water Permit

This Message Is From an External Sender
This message came from outside your organization.

Carrie,

The Large Construction and Stormwater Permit (attached) and completed by McCurdy's Engineering firm **is not accurate.** The question noted below is incorrectly answered.

"Are there Recreational streams, Private/Public Ponds or Lakes within 1/2 mile downstream or project boundary that may be impacted by construction." **The answer to this question is YES!**

There are 4 ponds on the adjacent private property that will be directly impacted and 7 more on property within a 1/4 mile. The runoff will run through Berry Branch Creek, into Tobby Tubby Creek, pass through a wetland and dump into Sardis Lake which is approximately one mile from the facility.

We are fighting this location for a number of reasons, and the environmental reasons are monumental. Especially given this Developer, J.W. McCurdy violated this same permit in the construction of The Highlands and paid a $14,000 fine. In addition, after being notified to stop work, he continued the work giving rise to a lawsuit for damages.

McCurdy has a history of violating regulatory controls between this company and other LLC he has registered. Another violation of the same was under the company name MWM, LLC.

Please let us know if there is a public hearing on this permit so that the 3,000+ residents who live directly in the path of this proposed facility may voice more opinions and provide our detailed breakdown of the violations in their proposed site plan.

Also, please advise if McCurdy is allowed to begin any work, site prep or otherwise, prior to MDEQ approving this permit.

Thank you!
Glynna McKendree
[redacted]

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

LARGE CONSTRUCTION NOTICE OF INTENT (LCNOI) FOR COVERAGE UNDER THE LARGE CONSTRUCTION STORM WATER GENERAL NPDES PERMIT

INSTRUCTIONS

The Large Construction Notice of Intent (LCNOI) is for coverage under the Large Construction General Permit for land disturbing activities of five (5) acres or greater; or for land disturbing activities, which are part of a larger common plan of development or sale that are initially less than five (5) acres but will ultimately disturb five (5) or more acres. Applicant must be the owner or operator. For construction activities, the operator is typically the prime contractor. The owner(s) of the property and the prime contractor associated with regulated construction activity on the property have joint and severable responsibility for compliance with the Large Construction Storm Water General Permit MSR10.

If the company seeking coverage is a corporation, a limited liability company, a partnership, or a business trust, attach proof of its registration with the Mississippi Secretary of State and/or its Certificate of Good Standing. This registration or Certificate of Good Standing must be dated within twelve (12) months of the date of the submittal of this coverage form. Coverage will be issued in the company name as it is registered with the Mississippi Secretary of State.

Completed LCNOIs should be filed at least thirty (30) days prior to the commencement of construction. Discharge of storm water from large construction activities without written notification of coverage is a violation of state law.

Submittals with this LCNOI must include:
- **A site-specific Storm Water Pollution Prevention Plan (SWPPP) developed in accordance with ACT5 of the General Permit**
- **A detailed site-specific scaled drawing showing the property layout and the features outlined in ACT5 of the General Permit**
- **A United States Geological Survey (USGS) quadrangle map or photocopy, extending at least one-half mile beyond the facility property boundaries with the site location and outfalls outlined or highlighted. The name of the quadrangle map must be shown on all copies. Quadrangle maps can be obtained from the MDEQ, Office of Geology at 601-961-5523.**

Additional submittals may include the following, if applicable:
- **Appropriate Section 404 documentation from U.S. Army Corps of Engineers**
- **Appropriate documentation concerning future disposal of sanitary sewage and sewage collection system construction**
- **Appropriate documentation from the MDEQ Office of Land & Water concerning dam construction and low flow requirements**
- **Approval from County Utility Authority in Hancock, Harrison, Jackson, Pearl River and Stone Counties**
- **Antidegradation report for disturbance within Waters of the State**

ALL QUESTIONS MUST BE ANSWERED (Answer "NA" if the question is not applicable)

MSR10 __ __ __ __

(NUMBER TO BE ASSIGNED BY STATE)

APPLICANT IS THE: ☑ **OWNER** ☐ **PRIME CONTRACTOR**

OWNER CONTACT INFORMATION

OWNER CONTACT PERSON: JW McCurdy

OWNER COMPANY LEGAL NAME: Magnolia Materials, LLC

OWNER STREET OR P.O. BOX: 31 Highway 328

OWNER CITY: Oxford **STATE:** MS **ZIP:** 38655

OWNER PHONE #: (662) 816-2700 **OWNER EMAIL:** jw@mrconstructionoxford.com

PREPARER CONTACT INFORMATION

IF NOI WAS PREPARED BY SOMEONE OTHER THAN THE APPLICANT

CONTACT PERSON: John Granberry

COMPANY LEGAL NAME: Granberry & Associates, LLC

STREET OR P.O. BOX: 1686 Padington Park Lane

CITY: Germantown **STATE:** TN **ZIP:** 38138

PHONE # ( ) (662) 312-9672 **EMAIL:** jgranberry@mccartygranberry.com

PRIME CONTRACTOR CONTACT INFORMATION

PRIME CONTRACTOR CONTACT PERSON: Jeffrey Gooch

PRIME CONTRACTOR COMPANY LEGAL NAME: Axis Sitework

PRIME CONTRACTOR STREET OR P.O. BOX: 31 Highway 328

PRIME CONTRACTOR CITY: Oxford **STATE:** MS **ZIP:** 38655

PRIME CONTRACTOR PHONE #: (662) 308-7307 **PRIME CONTRACTOR EMAIL:** grant@axissitework.com

FACILITY SITE INFORMATION

FACILITY SITE NAME: Magnolia Materials - Plant 1

FACILITY SITE ADDRESS (If the physical address is not available, please indicate the nearest named road. For linear projects indicate the beginning of the project and identify all counties the project traverses.)

STREET: 87 CR 166

CITY: Oxford STATE: MS COUNTY: Lafayette ZIP: 38655

FACILITY SITE TRIBAL LAND ID (N/A If not applicable): N/A

LATITUDE: 34 **degrees** 24 **minutes** 34 **seconds** **LONGITUDE:** 89 **degrees** 32 **minutes** 07 **seconds**

LAT & LONG DATA SOURCE (GPS *(Please GPS Project Entrance/Start Point)* or Map Interpolation): Map Interpolation

TOTAL ACREAGE THAT WILL BE DISTURBED [1]: 13.78 acres

IS THIS PART OF A LARGER COMMON PLAN OF DEVELOPMENT? YES ☐ NO ☑

IF YES, NAME OF LARGER COMMON PLAN OF DEVELOPMENT: _____
AND PERMIT COVERAGE NUMBER: MSR10_ _ _ _

ESTIMATED CONSTRUCTION PROJECT START DATE: 2026-02-01
YYYY-MM-DD

ESTIMATED CONSTRUCTION PROJECT END DATE: 2026-12-31
YYYY-MM-DD

DESCRIPTION OF CONSTRUCTION ACTIVITY: Earthwork, sitework, and infrastructure construction for a Hot Mix Asphalt batch plant

PROPOSED DESCRIPTION OF PROPERTY USE AFTER CONSTRUCTION HAS BEEN COMPLETED:
Hot Mix Asphalt Batch Plant

SIC Code: 2951 **NAICS Code** 324121

NEAREST NAMED RECEIVING STREAM: Berry Branch

IS RECEIVING STREAM ON MISSISSIPPI'S 303(d) LIST OF IMPAIRED WATER BODIES? (The 303(d) list of impaired waters and TMDL stream segments may be found on MDEQ's web site: http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section**)** YES ☑ NO ☐

HAS A TMDL BEEN ESTABLISHED FOR THE RECEIVING STREAM SEGMENT? YES ☑ NO ☐

FOR WHICH POLLUTANT:

ARE THERE RECREATIONAL STREAMS, PRIVATE/PUBLIC PONDS OR LAKES WITHIN ½ MILE DOWNSTREAM OF PROJECT BOUNDRY THAT MAY BE IMPACTED BY THE CONSTRUCTION ACTIVITY? YES ☐ NO ☑

EXISTING DATA DESCRIBING THE SOIL (for linear projects please describe in SWPPP):
Silt and Sandy Loam (Lexington Silt Loam & Smithdale Sandy Loam Associations) with Hydrologic Soil Group B with slopes from 5 to 35%

WILL FLOCCULANTS BE USED TO TREAT TURBIDITY IN STORM WATER? YES ☐ NO ☑

IF YES, INDICATE THE TYPE OF FLOCCULANT. ☐ **ANIONIC POLYACRYLIMIDE (PAM)**
☐ **OTHER** _____

IF YES, DOES THE SWPPP DESCRIBE THE METHOD OF INTRODUCTION, THE LOCATION OF INTRODUCTION AND THE LOCATION OF WHERE FLOCCULATED MATERIAL WILL SETTLE?

IS A SDS SHEET INCLUDED FOR THE FLOCCULATE? YES ☐ NO ☑

WILL THERE BE A 50 FT BUFFER BETWEEN THE PROJECT DISTURBANCE AND THE WATERS OF THE STATE? YES ☐ NO ☑

IF NOT, PROVIDE EQUIVALENT CONTROL MEASURES IN THE SWPPP.

[1]Acreage for subdivision development includes areas disturbed by construction of roads, utilities and drainage. Additionally, a housesite of at least 10,000 ft^2 per lot (entire lot, if smaller) shall be included in calculating acreage disturbed.

DOCUMENTATION OF COMPLIANCE WITH OTHER REGULATIONS/REQUIREMENTS

COVERAGE UNDER THIS PERMIT WILL NOT BE GRANTED UNTIL ALL OTHER REQUIRED MDEQ PERMITS AND APPROVALS ARE SATISFACTORILY ADDRESSED

IS LCNOI FOR A FACILITY THAT WILL REQUIRE OTHER PERMITS? YES ☑ NO ☐

IF YES, CHECK ALL THAT APPLY: ☑ AIR ☐ HAZARDOUS WASTE ☐ PRETREATMENT

☐ WATER STATE OPERATING ☐ INDIVIDUAL NPDES ☑ OTHER: HMA & ISNOI

IS THE PROJECT REROUTING, FILLING OR CROSSING A WATER CONVEYANCE OF ANY KIND? (If yes, contact the U.S. Army Corps of Engineers' Regulatory Branch for permitting requirements.) YES ☐ NO ☑

IF THE PROJECT REQUIRES A CORPS OF ENGINEER SECTION 404 PERMIT, PROVIDE APPROPRIATE DOCUMENTATION THAT:

-The project has been approved by individual permit, or
-The work will be covered by a nationwide permit and NO NOTIFICATION to the Corps is required, or
-The work will be covered by a nationwide or general permit and NOTIFICATION to the Corps is required

IS THE PROJECT REROUTING, FILLING OR CROSSING A STATE WATER CONVEYANCE OF ANY KIND? (If yes, please provide an antidegradation report.) YES ☐ NO ☑

IS A LAKE REQUIRING THE CONSTRUCTION OF A DAM BEING PROPOSED? (If yes, provide appropriate approval documentation from MDEQ Office of Land and Water, Dam Safety.) YES ☐ NO ☑

IF THE PROJECT IS A SUBDIVISION OR A COMMERCIAL DEVELOPMENT, HOW WILL SANITARY SEWAGE BE DISPOSED? Check one of the following and attach the pertinent documents.

☐ **Existing Municipal or Commercial System. Please attach plans and specifications for the collection system and the associated "Information Regarding Proposed Wastewater Projects" form or approval from County Utility Authority in Hancock, Harrison, Jackson, Pearl River and Stone Counties. If the plans and specifications can not be provided at the time of LCNOI submittal, MDEQ will accept written acknowledgement from official(s) responsible for wastewater collection and treatment that the flows generated from the proposed project can and will be transported and treated properly. The letter must include the estimated flow.**

☐ **Collection and Treatment System will be Constructed. Please attach a copy of the cover of the NPDES discharge permit from MDEQ or indicate the date the application was submitted to MDEQ (Date: _____.)**

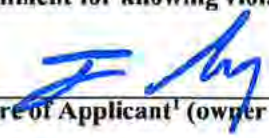
☑ **Individual Onsite Wastewater Disposal Systems for Subdivisions Less than 35 Lots. Please attach a copy of the Letter of General Acceptance from the Mississippi State Department of Health or certification from a registered professional engineer that the platted lots should support individual onsite wastewater disposal systems.**

☐ **Individual Onsite Wastewater Disposal Systems for Subdivisions Greater than 35 Lots. A determination of the feasibility of installing a central sewage collection and treatment system must be made by MDEQ. A copy of the response from MDEQ concerning the feasibility study must be attached. If a central collection and wastewater system is not feasible, then please attach a copy of the Letter of General Acceptance from the State Department of Health or certification from a registered professional engineer that the platted lots should support individual onsite wastewater disposal systems.**

INDICATE ANY LOCAL STORM WATER ORDINANCE (I.E. MS4)WITH WHICH THE PROJECT MUST COMPLY:

Lafayette County Stormwater Ordinance

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



Signature of Applicant[1] (owner or prime contractor)

12/23/2025

Date Signed

JW McCurdy

Printed Name[1]

Owner

Title

[1]This application shall be signed as follows:

- **For a corporation, by a responsible corporate officer.**
- **For a partnership, by a general partner.**
- **For a sole proprietorship, by the proprietor.**

For a municipal, state or other public facility, by principal executive officer, mayor, or ranking elected official

Please submit the LCNOI form to: **Chief, Environmental Permits Division**
MS Department of Environmental Quality, Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225

Electronically: **https://www.mdeq.ms.gov/construction-stormwater/**

Revised 3/23/22

Carrie Barefoot

From: Becky Simonson
Sent: Tuesday, January 6, 2026 6:10 PM
To: Carrie Barefoot
Subject: Fwd: Public Comment regarding AI# 90112 / NOI MSR109733 – Magnolia Materials, LLC

Becky Simonson
Chief, Environmental Permits Division
Mississippi Department of Environmental Quality
PO Box 2261
Jackson, MS 39225
Phone (601) 961-5580
Fax (601) 961-5703

Begin forwarded message:

From: Ísis Arantes [redacted]
Date: January 6, 2026 at 5:41:49 PM CST
To: Becky Simonson <BSIMONSON@mdeq.ms.gov>
Subject: Public Comment regarding AI# 90112 / NOI MSR109733 – Magnolia Materials, LLC

This Message Is From an External Sender
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Dear Ms. Simonson,

My name is Ísis Arantes and I reside at [redacted] in Lafayette County. I am writing to formally submit comments and serious objections regarding the **Magnolia Materials, LLC** Notice of Intent (NOI), reference numbers **AI# 90112** and **NOI MSR109733**.

I urge the MDEQ to deny or, at minimum, hold this permit application for further independent review due to the following critical concerns regarding stormwater, wetlands, and procedural irregularities.

1. Improper Filing and Procedural Irregularities It has come to the community's attention that there are significant discrepancies regarding the application timeline. While it was stated at the Board Meeting on January 6th that the permit application was submitted that day, records indicate the permit was actually filed on **December 23, 2025**. Under County and Board regulations, the applicant was not permitted to apply until *after* receiving Board approval on the night of January 6, 2026. This premature filing suggests that the applicant

may have acted on inside information or bypassed necessary regulatory steps, rendering the current application procedurally invalid.

2. Stormwater Runoff and Wetland Contamination The proposed site presents a severe risk to local water systems that the current NOI does not adequately address:

- **Wetlands and Sardis Lake:** There is a wetland area near Sardis Lake directly in the path of the site's runoff. The application appears to misrepresent or "skirt the truth" regarding the presence and proximity of these wetlands.
- **Topography and Drinking Water:** The topography of the area includes small creeks that flow into Berry Branch. Runoff from this industrial site will inevitably enter this system. As a resident living approximately one mile away, I rely on well water for my family. The potential for runoff to contaminate the groundwater and my well water poses an unacceptable health risk to my children and my household.

3. Cumulative Environmental Impact and Health Concerns In addition to water concerns, this location is fundamentally unsuitable for heavy industry due to its proximity to established residential neighborhoods.

- **Cumulative Exposure:** We already reside near Lehman-Roberts (Asphalt Plant 11) on North Lamar. Adding a second asphalt plant within a one-mile radius creates a cumulative health burden on residents that has not been assessed.
- **Air Quality:** Asphalt plants are known emitters of PM2.5, VOCs, and hazardous air pollutants like benzene. The combined impact of odor, noise, and chemical emissions threatens the quality of life and health of the surrounding community.

Given the misrepresentation of wetland proximity and the procedural violation regarding the filing date, I request that this permit be denied. At the very least, an independent environmental impact assessment—specifically focusing on stormwater paths to Berry Branch and Sardis Lake—must be conducted before any approval is considered.

Thank you for your time and for helping to protect the environment and health of Lafayette County residents.

Sincerely,

Ísis Arantes [redacted]

Ísis Arantes, PhD (she, her)
Instructional Assistant Professor
Dept. of Biology
University of Mississippi
iarantes@olemiss.edu

Carrie Barefoot

From: Becky Simonson
Sent: Tuesday, January 6, 2026 7:04 PM
To: Carrie Barefoot
Subject: Fwd: Possible prior penalties re: Agency Interest # (AI# 90112) and/or NOI number MSR109733

Becky Simonson
Chief, Environmental Permits Division
Mississippi Department of Environmental Quality
PO Box 2261
Jackson, MS 39225
Phone (601) 961-5580
Fax (601) 961-5703

Begin forwarded message:

From: Fair Berg [redacted]
Date: January 6, 2026 at 6:07:51 PM CST
To: Becky Simonson <BSIMONSON@mdeq.ms.gov>
Subject: Possible prior penalties re: Agency Interest # (AI# 90112) and/or NOI number MSR109733

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Hi I was provided your contact information to comment on the recent permit request for Magnolia Materials LLC. Some information that was recently passed along to me — it appears that the business owner may have had two prior penalties under two different LLCs in the past.

I was also told to reference Agency Interest # (AI# 90112) and/or NOI number MSR109733 in this comment.

Please do review for accuracy in terms of who the owner of the company was at the time of the violation cited, as I do not wish to provide inaccurate information about these businesses.

>> **I also would like to provide this comment anonymously** as I may have a conflict of interest and do not intend to participate in public comment. Thank you!

"JWM Development, LLC (2022)
Order Number: 7216 22
(https://www.mitchellwilliamslaw.com/webfiles/Order%207216%2022.pdf

[mitchellwilliamslaw.com])
Date of Order: September 27, 2022
Project Site: Highlands Subdivision Phase 12, Oxford, MS (Lafayette County)
Documented Violations:
Failure to implement the Storm Water Pollution Prevention Plan (SWPPP)
Failure to maintain erosion controls
Failure to meet non-numeric limitation requirements
Failure to maintain weekly inspection reports
Penalty: JWM Development agreed to a civil penalty of $14,000

2. MFM Development, LLC (2020)
Order Number: 7003 19 (https://www.mdeq.ms.gov/wp-content/uploads/2020/05/EXECUTED-February-2020-Minutes.pdf)
Date of Order: February 27, 2020
Project Site: Documented in Lafayette County, MS
Documented Violations:
Violation of ACT6 Condition S-1 (1): Failure to implement the SWPPP for the Large Construction Storm Water General Permit
Penalty: MFM Development agreed to a civil penalty of $6,275 “

Carrie Barefoot

From: Becky Simonson
Sent: Tuesday, January 6, 2026 5:23 PM
To: Carrie Barefoot; Jeffrey Bland
Subject: Fwd: Magnolia Materials - Agency Interest # (AI# 90112) and/or NOI number MSR109733.

Becky Simonson
Chief, Environmental Permits Division
Mississippi Department of Environmental Quality
PO Box 2261
Jackson, MS 39225
Phone (601) 961-5580
Fax (601) 961-5703

Begin forwarded message:

From: Glynna McKendree[redacted]
Date: January 6, 2026 at 4:48:27 PM CST
To: Becky Simonson <BSIMONSON@mdeq.ms.gov>
Cc: Tim Gordon <tgordon@lafayettecoms.com>, Summer Hill Vinson <summerhillvinson@gmail.com>
Subject: Re: Magnolia Materials - Agency Interest # (AI# 90112) and/or NOI number MSR109733.

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Ms. Simonson,

Thank you for your response regarding Mr. McCurdy's application for the Large Construction and Stormwater permit.

Please note there is significant opposition to this project given the stormwater runoff which collects in an unlined stormwater collection detention pond does in fact run through 2 substantive drainage creeks and off into Sardi Lake. The Developer and the County Director of Planning Services misrepresented this fact at the Board of Supervisors meeting held on 1/5 stating there was no wetland area "on this site." The collection detention pond DOES NOT meet the County's 25-year flood event and this variance was granted without public consideration or comment. Likewise, the area identified for this project has not properly addressed soil type or compaction whereby the water will be seeping into ground water prior to being released from this detention pond. Below are the comments provided to the County and ignored regarding Stormwater collection and run off.

3.7 STORM WATER DRAINAGE AND DETENTION PLAN

3.7.1 Article V Section 6 – Storm Water Drainage, Paragraph G states:
The Developer must develop and build a storm water management system certified by a professional engineer such that once the improvements and lots

are developed, the rate of storm water runoff leaving the development does not exceed the rate of storm water runoff prior to development. The minimum run-off coefficients used to calculate the pre-construction, and post-construction shall be industry standard co-efficient based on the existing terrain and the proposed improvements and submitted for review by County Engineer.

Lafayette County depends on groundwater, namely the Wilcox Aquifer, for its water consumption. Wells on property near the proposed asphalt plant are likely 100-400 ft deep and would pull from that aquifer, not groundwater. The plant intends to distribute wastewater from the facility directly into Berry Branch Creek. An expert needs to be employed to verify the wells, particularly independently maintained private wells, would not be impacted in any way by either runoff or the release of wastewater.

The second issue is releasing wastewater into Berry Branch Creek, which passes in front of a school and through a public park. It then flows through wetlands, into Toby Tubby waterway, and then into Sardis Lake. All of that waterflow is significant in that it is federally managed and protected.

A third issue is how the retention pond is designed. Information was provided that it was designed for a 10-year flood event and a 25-year flood event. How the retention pond was designed and to what specifications should be clear. If the County requirement is 25-year flood event, then the design should comply. Because of climate change, the frequency of heavy rainfall is higher, preparing for a 10-year flood event is significantly different than preparing for a 25-year storm. Neither are particularly high standards for engineering design safety.

Another concern is about the consistency of the sediment on the site. The site plan did not address soil type or the cut and fill standards to be applied. Soil consistency impacts runoff, as well as groundwater seepage. Without that information, Magnolia Materials cannot be sure of the impacts to water around the site, and Magnolia Materials cannot make claims on mitigation and infiltration.

When this detention pond reaches a point a discharge value will open and release potentially contaminated water into Berry Branch Creek. The problem is this area has had multiple heavy rainfall events with rains in excess of 7 to 10” over a short period of time. This causes the soil around the discharge valves to fail if there is a flooding event, the gates can be shut but the soil will be at risk of failure and closing the gates will not matter, causing waters to flow downstream. This area has experienced rainfall on two separate occasions in the spring of 2025 whereby rainfall exceeded 7” in a short period of time creating flash flood conditions and significant runoff and erosion. Additionally, heavy rainfall in 2021 caused high water to erode soil around the spillway culvert on an area subdivision lake creating a situation that caused a major evacuation of neighboring homes. The detention pond does not include lining to safeguard toxic materials from soaking into the ground water.

While we have obtained legal counsel the residents are requesting this Large Construction and Stormwater not be approved until such time as our Environmental experts can show where the deficiencies are in this plan.

Thank you!
Glynna McKendree

Carrie Barefoot

From: Kler, Denis
Sent: Monday, January 5, 2026 6:31 AM
To: Tyler Hardy
Cc: Hughes-Fairley, Rosalyn
Subject: FWD: (CAA - FY26-345987-3714-CV) Regional Tip and/or Complaint - Mississippi

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01/05/2026

SUBJECT: FWD: (CAA - FY26-345987-3714-CV) Regional Tip and/or Complaint - Mississippi
FROM: kler.denis@epa.gov
TO: thardy@mdeq.ms.gov
CC: Hughes-Fairley.Rosalyn@epa.gov

Forwarding this complaint for your review and follow up as needed. Thank you.

-----Original Message-----

12/19/2025 1:30 PM

HQ LEAD NUMBER: FY26-345987-3714-CV

SUBJECT: Regional Tip and/or Complaint - Mississippi

FROM:

TO:
Alleged Violator's Name: NA

Alleged Violator's Address: Oxford MS

Alleged Violator's City: Oxford MS

Alleged Violator's State: Mississippi

Alleged Violator's Zip: 38655

Tip or Complaint: Significant community concerns regarding being intentionally misled about the establishment of a new hot asphalt plant approximating residential locations Residents hold significant concern that the local board intends to make a decision intentionally during the holidays when residents have minimila to respond. Our hope is that the EPA will step in and ensure all public notice and public engagement protocol will be followed. Concerns being shared include the following:" " UPDATE: Meeting Monday, Dec. 22., Chancery Building Second Floor Courtroom, 5:30 p.m. Several of us have been working diligently to make calls, gather information and develop facts associated with the Asphalt plant and to be prepared for the Monday meeting of the Planning Commission (PC). There are a litany of concerns that the county government owes us all an opportunity to address. The goal Monday is to get the PC to delay

any further action on approving the Site Plan and give us a chance to sit down and talk through these concerns and not railroad this initiative through. JUST BECAUSE THIS IS ZONED INDUSTRIAL DOES NOT MEAN A TOXIC PRODUCTION FACILITY CAN BE LOCATED THERE. While there is a good bit of gaslighting going on by the County. There are toxic chemicals and heavy metals that will produce various types of contamination. For example...the chemicals used in the production are zinc, lead, copper and chromium. The raw materials include Bitumen which is a by product of crude oil. The Site Plan DOES NOT include a lined basin to collect runoff to be captured and tested prior to be either released or remediated and disposed of accordingly. There are no contracts for this facility for the local highway projects (Hwy 7). Those are already awarded to Lehman A COLD ASH PLANT. Contrary to what the County has stated this is NOT the same process as Magnolia Materials planned HOT ASH facility. Ground water contamination is probable in the event of a release. The water wells on the other side of the loop road stand to be impacted. While this contamination will not show up immediately, and will likely surface long after Magnolia Materials has earned their millions and very likely will have sold the facility. There has been NO comprehensive study of this land area, no comprehensive drainage plan to support this facility and no comprehensive emergency management plan to support a release event of contaminants. This plant is expected to generate 2,000 tons of hot ash per day transporting 85 - 130 trucks per day on the roads where there are 3 schools, massive traffic flow during shift change, a large city park with a record number of visitors weekly, restaurants and future hotels. Prevailing summer winds will carry the ash and stench from the 2 - 36' stacks across the school and park areas during the late summer and early fall months and from west to east across 3 large residential development areas other times during the year. This does not take into consideration our storm season of early spring. The industrial park, at its conception, was not intended for this type of production and currently seeks to attract technology firms. The County Supervisors went into an executive session and approved entering into the contract with Magnolia. This is the beginning of negotiations with Magnolia Materials. They SHOULD NOT HAVE DONE THIS BEHIND CLOSED DOORS, knowing there were concerns beginning to surface. A copy of the lease discussions and negotiations and the document have been requested through a public records request but have not been provided or communicated Contrary to comments made by county supervisors property values will be impacted. There is enough research to support this concern. So, for the 1,500 homes within quarter mile of the facility will lose value. This is Tara, Quail Creek, White Tail, Oxmoor, NorthPointe and OakMont and other independent homes not within a specified subdivision. Contrary to the county information a stench from this facility will not occur, what is released is "only" steam." For those living in the area now, there are currently days the medical marijuana burns are very notable. To be clear, EPA will required scrubbers within the stacks to scrub out contaminants. You don't need scrubbers if it is just steam. PLEASE EMAIL Chairman of the Planning Commission, Mr. Ray Garrett at prgarrett@gfgmlaw.com and let him know you want a voice. We also need you, if at all possible, to be present on Monday. If we do not speak up loud enough the Asphalt plant will begin construction before the end of January. ”

Violation Still Occurring? Yes

State DEP/DEQ/DEM Notified? No

Carrie Barefoot

From: Kler, Denis
Sent: Monday, January 5, 2026 6:30 AM
To: Tyler Hardy
Cc: Hughes-Fairley, Rosalyn
Subject: FWD: (CAA - FY26-346121-3714-CV) Regional Tip and/or Complaint - Mississippi

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01/05/2026

SUBJECT: FWD: (CAA - FY26-346121-3714-CV) Regional Tip and/or Complaint - Mississippi
FROM: kler.denis@epa.gov
TO: thardy@mdeq.ms.gov
CC: Hughes-Fairley.Rosalyn@epa.gov

Forwarding this complaint for your review and follow up as needed. Thank you.

-----Original Message-----

12/21/2025 4:13 PM

HQ LEAD NUMBER: FY26-346121-3714-CV

SUBJECT: Regional Tip and/or Complaint - Mississippi

FROM: [redacted]

TO:
Name: Ted M Freeny

Phone: [redacted]

Alleged Violator's Name: Magnolia Materials Oxford MS 38655

Alleged Violator's Address: CR 166 Oxford MS Max Hipp Industrial Park

Alleged Violator's City: Oxford

Alleged Violator's State: Mississippi

Alleged Violator's Zip: 38655

Tip or Complaint: Above named company owned by JW McCurdy of Oxford is pursuing the construction of a hot ash type asphalt site on CR 166 Oxford MS, This location is proximity to numerous subdivisions including my home It

appears that this location may be in part of the watershed to Toby Tubby Creek which empties into the Sardis Lake Reservoir.

Violation Still Occurring? No

State DEP/DEQ/DEM Notified? No

Carrie Barefoot

From: Kler, Denis
Sent: Monday, January 5, 2026 6:27 AM
To: Tyler Hardy
Cc: Hughes-Fairley, Rosalyn
Subject: FWD: (CAA - FY26-346192-3714-CV) Regional Tip and/or Complaint - Mississippi
Attachments: IMG_4636.png

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01/05/2026

SUBJECT: FWD: (CAA - FY26-346192-3714-CV) Regional Tip and/or Complaint - Mississippi
FROM: kler.denis@epa.gov
TO: thardy@mdeq.ms.gov
CC: Hughes-Fairley.Rosalyn@epa.gov

Forwarding this complaint for your review and follow up as needed. Thank you.

-----Original Message-----

12/22/2025 9:13 PM

HQ LEAD NUMBER: FY26-346192-3714-CV

SUBJECT: Regional Tip and/or Complaint - Mississippi

FROM:

TO:
Alleged Violator's Name: Magnolia Materials

Alleged Violator's Address: Oxford MS

Alleged Violator's City: Oxford

Alleged Violator's State: Mississippi

Alleged Violator's Zip: 38655

Tip or Complaint: Magnolia Materials is already operating as an entity in Lafayette County MS without proper certifications and approvals. See attached image of social media presence which suggests they have declared themselves operational.

Violation Still Occurring? Yes

State DEP/DEQ/DEM Notified? No

Carrie Barefoot

From: Fair Berg [redacted]
Sent: Wednesday, January 21, 2026 10:08 PM
To: Becky Simonson; Carrie Barefoot
Subject: (Public hearing request) Re: [Agency Interest # (AI# 90112) and/or NOI number MSR109733] Resident concerns regarding permit of Magnolia Materials LLC

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Hi. I would also like to request a public hearing on the permitting for this plant - and I also may need to get some clarifications to impacts to Berry Branch and the local park. thank you!

On Wed, Jan 21, 2026 at 8:41 AM Fair Berg [redacted] wrote:

> Good morning —
>
> In addition to other concerns you may have received regarding the Magnolia Materials LLC permits, please also **closely examine Berry Branch "creek" which is where the permit indicates they will discharge treated wastewater.** Illustrated maps regarding the creek are misleading as it is not, in fact, a creek with a consistently reliable water flow. **Berry Branch will not have enough water to consistently dilute the wastewater from the plant AND it directly runs through a high-use local park (MTrade park).**
>
> See Google street view attached.
>
> Just yesterday, MTrade Park received the USSSA park of the year award. **This is an extremely high-use area**, and a lack of proper drainage poses a potentially concerning risk to child health and the environment.
>
> Thank you,
> Fair Berg, EdD

Carrie Barefoot

From: Glynna McKendree [redacted]
Sent: Thursday, January 22, 2026 5:16 AM
To: Chris Wells; Tad Campbell
Cc: Becky Simonson; Carrie Barefoot; Jaricus Whitlock
Subject: Re: Magnolia Materials Application for LCSWP Asphalt Plant - Oxford, Mississippi - False and Misleading Information
Attachments: MDEQ Private Ponds 1.22.2026.pdf; TSC Pond Maps ecopy 1.22.2026.pdf

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Email 1 of 2 - Attachments sent separately.

Mr. Wells and Mr. Campbell:

Attached please find a letter regarding the application for the Large Construction and Storm Water Permit submitted by Magnolia Materials for the construction of a hot mix asphalt facility in Oxford, Ms.

As you may be aware there is considerable opposition to this facility being constructed in a very close proximity to a densely populated area. The location was improperly zoned against the Lafayette County zoning ordinances and provides no buffer to the adjacent private properties.

The application presented without Board approval on 12/23/25 provides false and misleading information regarding 4 private working ponds and one primary underground water well located within feet of the facility; and, 8 other ponds located in less than a quarter mile.

We are opposing this facility for a variety of reasons, all of which have been identified in a number of comments provided to MDEQ by residents; however, this is the most egregious! These ponds serve to provide a water source for horses and wildlife, as well as providing a private water source for one home and for fishing and garden operations of the owners.

We are requesting a public hearing and the opportunity to walk this area down with your representatives. Magnolia Materials and the Lafayette County Planning Department have not provided MDEQ or the public with true and correct information regarding this facility and the dangers it presents to the area. Those dangers include substantial environmental impact as well has traffic hazards that given an accident with any entering or exiting truck will create a catastrophic environmental spill dumping multiple amounts of hazardous materials into ground, ground water and eventually into a large primary U.S. Corps of Engineers Lake.

The attached documents are provided electronically to you and your Division Chiefs and Department Managers with hard copies being sent this date to both of your offices. The application would not attach to this email; however, a hard copy is provided in the copy mailed to your offices. For reference the application permit number is MSR109733, AI 90112, submitted to your office electronically on 12/23/2025. All other referenced attachments are included herein.

We are respectfully requesting this permit be denied and look forward to further discussion and a public meeting in order for MDEQ to understand the gravity of this situation.

Thank you!
Glynna McKendree
[redacted]

22 January 2026

Via Priority Mail Delivery and Email Transmission: cwells@mdeq.ms.gov **and** tcampbell@mdeq.ms.gov
Mississippi Department of Environmental Quality ("MDEQ")
Mr. Chris Wells, Executive Director
Office of Executive Director
Mr. Tad Campbell, Chief Counsel
Office of Legal Services
P.O. Box 2261
Jackson, MS 39225

Re: Magnolia Materials ("JWC, LLC") Application for Permit – Large Construction and Storm Water Permit – Hot Mix Asphalt ("HMA") Production Facility – Oxford, Mississippi

Dear Mr. Wells and Mr. Campbell,

On 23 December 2025, Owner of Magnolia Materials, Mr. J.W. McCurdy, applied for a Large Construction and Storm Water Permit to begin construction on the proposed HMA Production facility. This location and facility have been under intense opposition across Lafayette County for several months, with the first opposition stance located in the southern part of the County on what is zoned agriculture land. The location was later moved to the Lafayette County Industrial Park, where even more intense opposition began. Understanding the zoning violations are not the concern of MDEQ, it is important to note that all of this transition was done without compliance to zoning standards legally set for Light Industrial and later changed to Heavy Industrial by the County Board of Supervisors without notification. These actions were done without the required public hearing or notification, to the adjacent landowners. This is important as it relates to the conditions of the land identified to place this facility.

The environmental concerns cited at the first proposed location near Taylor, Mississippi have been exacerbated by the attempts to relocate this facility to an area, which, by Magnolia Materials' own admission in published documentation, is not appropriate due to the density of the population. Within a quarter to one-half mile there are 3,000+ homes, two schools, a large actively utilized city park, restaurants, a Mega church and two pending hotel considerations. The proposed storm water runoff is Berry Branch Creek, into Toby Tubby Creek, across a wetland area and into the U.S. Corps of Engineers Sardis Lake. The land itself will be lowered in excess of 20' further increasing pollution potential.

A Magnolia Materials press release issued during the Taylor opposition made multiple statements that do not represent the facts, such as public support, multiple high paying jobs, increased productivity for asphalt production at lower competitive pricing, air emissions equivalent to only two residential fireplaces or a bakery, plus many other false statements. This press release clearly stated the Industrial Park **was not** a suitable location due to the density of the population and alluded to providing the state with competitively

priced asphalt for state highway projects. Those contracts have already been awarded to other asphalt companies. The current facility, owned and operated by Lehman Roberts, is operating at less than 50% capacity, with four other facilities in the surrounding counties also operating below capacity. This is a personal project to build a facility to avoid purchasing the asphalt and established for Mr. McCurdy's and other non-local development companies for various residential and commercial developments currently planned, permitted or underway for the Oxford area.

There are a considerable number of environmental concerns regarding this facility; however, the purpose of this letter is to specifically address the private ponding water sources that are within less than 1,000' of the storm water detention pond noted in the preliminary site design.

These private ponds are working ponds for the owners of this property. Having said this, there have been no published public meetings to discuss these concerns; however, during the 22 December 2025 Preliminary Site Planning Commission meeting, the commission president, Mr. Ray Garrett, did allow the public to speak stating he was not **required** to allow persons to speak, as this meeting was not considered a public hearing, albeit it was noticed as such on a posted sign.

During this meeting the Planning Commission was presented with several deficiencies noted in the preliminary site plan by a civil engineer, hydrolysis engineer, an economics professor and several other professionals who live within a quarter to half a mile of the proposed site. These deficiencies violate the state's environmental regulations and were conveniently not identified within this preliminary plan. The Commission accepted the plan after the masses respectfully requested the vote be tabled until such time as the public could be made fully aware of all concerns. It was clear the Planning Commission members had not reviewed the site plan and as concerns were presented, the only response by the County Director of Planning and Development, Mr. Joel Hollowell, was that "it would be MDEQ's problem." On 5 January 2026, the Board of Supervisors ("BOS") was presented with a written review of the plan, again noting the various zoning and environmental violations. The BOS refused public comment, removed residents from the room and voted to accept the preliminary site plan stating the Magnolia Materials could move forward and apply for the necessary permits. We have since discovered Mr. McCurdy and Mr. Grandberry, against county policy and **without Board approval at the time**, applied for the Large Construction and Storm Water permit on 23 December 2025, citing false and misleading information that was fully known to be incorrect at the time of the submittal. Mr. Grandberry is the Preparer Contact noted on this permit request.

The permit application requires a designation regarding public and/or private ponds. "Are there Recreational streams, Private/Public Ponds or Lakes within **1/2 mile downstream** of project boundary that may be impacted by construction." The answer to this question is yes.

There are four ("4") ponds on the adjacent private property within less than 1,000' that will be directly impacted by both the stormwater detention (sic) pond collection and over spill, and the discharge into Berry Branch Creek, and eight ("8") more on property within a 1/4 mile primarily used to water wildlife and private water recreation. The four ponds with immediate impact are stocked fishing ponds routinely used as recreational and food sources for the residents, as well as being used to water livestock daily. In addition, these ponds are daily stopping points for geese and other wildlife. The proposed lowering of the land area through excavation will increase the potential of raw materials, storm water, diesel fuels and other contaminants reaching these ponds.

Some of the environmental deficiencies in the overall site plan include:

- The storm water detention pond does not meet the county's 25-year flood event requirements, and a variation was allowed to reduce this to a 10-year flood event, knowing in 2025 alone we had two consecutive day where over 7" of rain fell creating flash flooding events and notifications.
- There are no secondary containment or spill prevention plans.
- There is no minimum buffer zone of 500' for livestock water source, and no mandatory buffer zone between the designation of Heavy Industrial and private property lines. If that requirement was adhered to the land would not be sufficient enough for this type of facility to be built.
- The radiant heat generated from this facility and entering the water sources will stress or kill the fish stock and will generate harmful algae growth. Impact to the fish will be reduced oxygen supply in the water caused by air contamination settling into the water.
- The noise and vibration levels are so strong at this point it will stress livestock. All three adjacent properties graze and house horses. Lafayette County has no noise ordinance which is a disservice to the residents of the county as a whole.
- Specific documented impact to the horses is chronic respiratory disease, inflammatory airway disease and reduced lung capacity.

Additional concern is for water wells located within 1,000' of the storm water detention pond and contaminated ground water. All horses are grass fed and the percolation of contaminated ground water will have a negative effect on their overall health. Mr. Butch Collier, an adjacent landowner utilizes an independent water well for their main water source which is are located 1,200' from the storm water detention pond and the discharge area into the creek. The water from this well serves his home, horses and garden operation. Multiple other water wells are located within one-quarter mile of the proposed site mostly owned by low-income rural residents

A second false and misleading representation is, "Is the Project re-routing, filling or crossing a water conveyance of any kind." The answer is yes. While the storm water runoff is into Berry Branch Creek, this runoff also crosses a wetland area as it approaches the U.S. Corps of Engineers Sardis Lake, a major water recreational and fishing lake for a three-county area (Lafayette, Marshall and Panola Counties).

A third false and misleading representation is the septic/sewage system. "If the Project is a subdivision or a commercial development, how will sanitary sewage be disposed?" This is a county area with no sanitary sewage system, sitting directly adjacent to over 100 homes utilizing septic systems. At the very least an approved septic system should be required for the size of the facility, taking into consideration the size of the area, over 25 acres, and the possible contaminations that could enter the system by washing of diesel fluids, antifreeze, etc. through various drains.

The Developer, J.W. McCurdy, has a history of violating this same permit in the construction of The Highlands Phase II in Lafayette County, with a civil penalty levied in the amount of $14,000. In addition, after being notified to stop work, he continued the work, giving rise to a lawsuit for damages from the property owners. Likewise, there is a second violation of regulatory controls between Mr. McCurdy and another LLC partner, MWM, LLC, that resulted in a civil penalty of over $6,275.

JWM Development LLC order No. 7216 22
Date of 9/22/2022
Project Highlands Subdivision Phase 12
Violations:

- Failure to implements the Storm Water Pollution Prevention Plan (SWPPP)
- Failure to maintain erosion controls
- Failure to meet non-numeric limitation requirements
- Failure to maintain weekly inspection reports
- Penalty: Civil Penalty $14,000

MFM Development, LLC
Order No. 7003 19
Date of Order: 9/27/2020
Project Lafayette County, MS
Violations:

- Violation of ACT6 Condition S-1 Failure to implement the WPPPP for Large Construction Storm Water General Permit
- Penalty: Civil Penalty $6,275

On behalf of the residents who own these properties, we are requesting MDEQ to deny this permit and engage in further investigation into the potential harmful effects and damage that will result to this entire area. We are happy to meet with your representatives to provide a guided tour of the area and to obtain exact measurements, independently from those provided by Mr. McCurdy, his representatives and the County, as we believe that both parties have misrepresented the facts and are not acting in the best interest of the residents in this area.

We would very much like to meet with your directors and representatives managing storm water and air emissions to address these concerns and provide a guided tour of the area as the total impact of this situation cannot be determined from the drawings Magnolia Materials provided. In addition, we respectfully **request a public hearing** be held in Oxford, Lafayette County, MS due to the number of residents, businesses and schools that oppose this facility.

We look forward to hearing from you regarding this matter. Should you have any questions, I may be reached at 662-801-7955.

With kind regards, I remain

Sincerely,

Glynna McKendree

c: Ms. Becky Simonson, Large Construction Storm Water Division Chief
bsimonson@mdeq.ms.gov
Ms. Carrie Barefoot, Manager Storm Water Branch Permits Department
cbarefoot@mdeq.ms.gov
Mr. Jarius Whitlock, Air Division Chief (Reference only, air emissions concerns have been submitted directly to Mr. Whitlock). jwhitlock@medq.ms.gov

Immediate Adjacent Landowners:

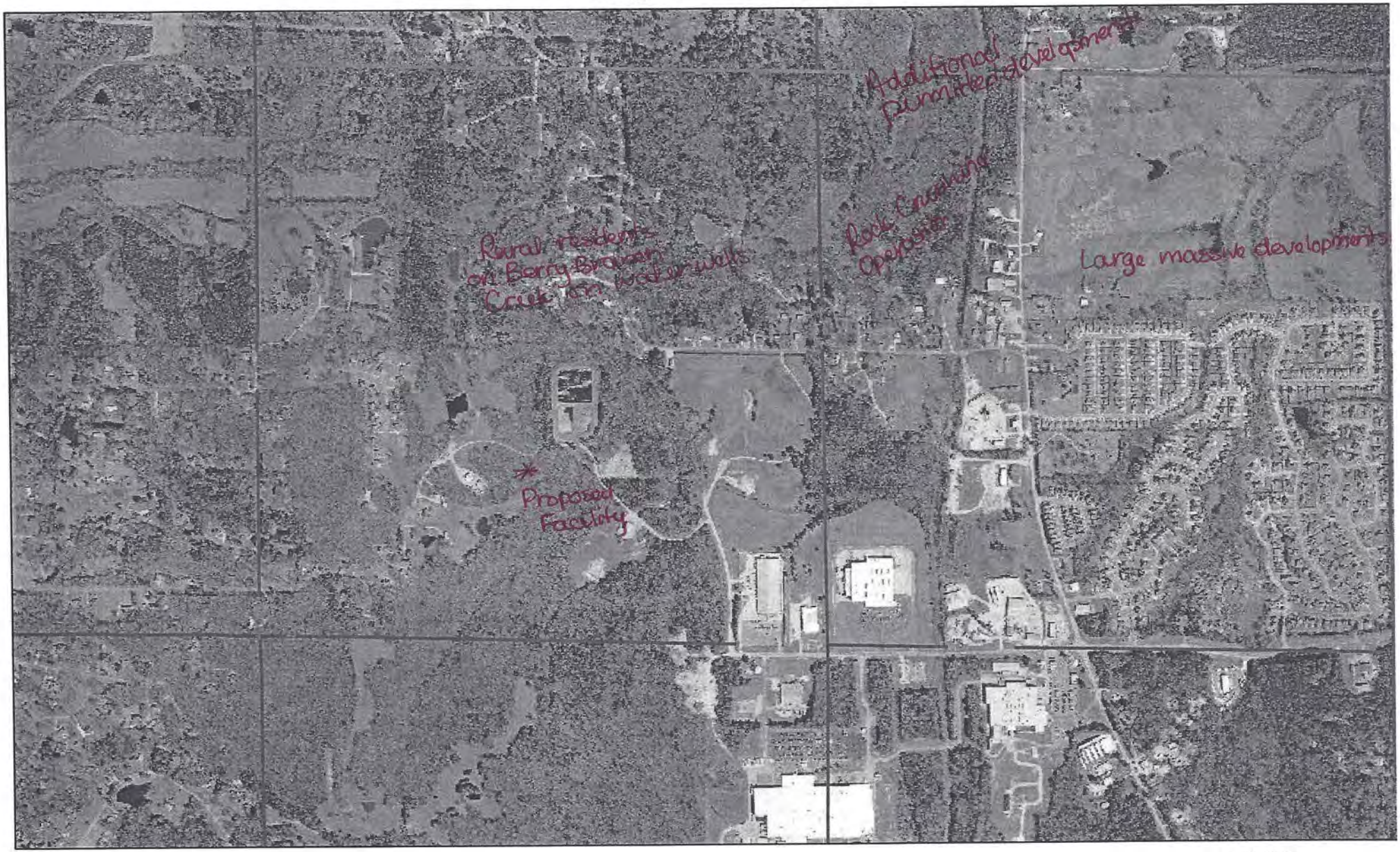
Mr. Butch Collier
[redacted]
Oxford, MS 38655
[redacted]

Mr. John and Mrs. Meg Duchaine
[redacted]
Oxford, MS 38655
[redacted]

Mr. Michael Bennett and Dr. Lisa Chandler
[redacted]
Oxford, MS 38655
[redacted]

Attachments:
MDEQ Large Construction Notice of Intent – Magnolia Materials
Environmental Deficiency Summary of Preliminary Site Plan – Magnolia Materials
TSC Maps – Maps note locations more clearly electronically:
https://lafayettems.maps.arcgis.com/apps/webappviewer/index.html?id=f41897907b1f4e10a1c839e3bdec2339
Magnolia Materials Publication

Lafayette County MS



1/20/2026, 7:35:00 PM

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Lafayette County MS



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Lafayette County MS



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Roads and Railroads

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Leader

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Parcels

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Carrie Barefoot

From: Glynna McKendree [redacted]
Sent: Friday, February 6, 2026 2:22 PM
To: Carrie Barefoot
Cc: Summer Hill Vinson; David Hill; Danny Hall; Samantha Breeding; Lisa Chandler (Bennett)
Subject: Re: Magnolia Materials - County Response

This Message Is From an External Sender
This message came from outside your organization.

Carrie,

We sent a note to the County Director of Planning and Development regarding the work. His response was that the work was done in order to perform a site geotechnical survey and not considered "construction". Pictures provided were taken at 6:41 this morning and again at 10:08. The work began yesterday; however, it was too dark to take the photos when discovered. Mr. Hollowell is not being truthful in that there was one bulldozer or that the road was cleared for a geo technical survey team. **As of this moment the land is being cleared and a construction team is on site.**

Please advise what our options might be.

Thank you!
Glynna McKendree

Carrie Barefoot

From: Glynna McKendree [redacted]
Sent: Monday, March 9, 2026 3:16 PM
To: Michelle Clark; [redacted] Summer Hill Vinson; [redacted] dhalljr@olemiss.edu; Carrie Barefoot
Subject: Re: Magnolia Materials Enforcement Investigation - Oxford Mississippi

This Message Is From an External Sender
This message came from outside your organization.

Ms. Clark and Ms. Barefoot,

This email is to follow up with a voice mail I left earlier today.

I spoke with your representative on Friday regarding the investigation into Magnolia Materials and J.W. McCurdy's proposed construction and violation of work without a permit for the proposed asphalt facility in Oxford, MS. I was told that interviews were conducted with Mr. McCurdy and his engineer and as expected made another false and misleading statements regarding the work. Our team was not interviewed, and I requested the opportunity to provide another side to this story. We provided video of the dozer operator removing a buffer zone and turning into the center of the site and removing trees.

As of today, McCurdy is moving in equipment to begin work. When the County was contacted Joel Hollowell, Director of Planning and Development, told our people it was **"his understanding from MDEQ**" that as long as they did not disturb more than 5 acres a permit was not required. This is a 27-acre site that is all inclusive of this asphalt plant construction. Hence, the plan was to begin construction activity for soil boring to test the soil for compaction tests He also stated he had not spoken to MDEQ. This is an example of McCurdy NOT complying with state requirements and attempt to skirt around the regulatory controls and the County conspiring with McCurdy to avoid the basic regulatory controls.

This issue is volatile with multiple facets. We are requesting additional interviews regarding the violations and that MDEQ issue another cautionary note to McCurdy to **stand down** until such time as the issues surrounding this proposed facility can be resolved. We have also requested a public hearing to be held in Oxford, based on the comments submitted from the people of Lafayette County who are opposed to this facility and the proposed densely populated area.

Thank you for your time and consideration.

Regards,
Glynna McKendree
[redacted]

APPENDIX D

Certified Transcript of Public Hearing

In Re: Magnolia Materials, LLC

Transcript of Proceedings - (Magnolia Materials, LLC)

June 10, 2026

All depositions & exhibits are available for downloading at
<<www.brookscourtreporting.com>>
Please call or e-mail depo@brookscourtreporting.com if you need a **Username** and **Password.**



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MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

MAGNOLIA MATERIALS, LLC PUBLIC HEARING

Taken at Oxford Conference Center
102 Ed Perry Boulevard, Oxford, Mississippi
on Wednesday, June 10, 2026,
beginning at 6:05 p.m.

REPORTED BY:

CHRISTA SHERMAN, CCR #1964

APPEARANCES:

JARICUS WHITLOCK, P.E.
CARRIE BAREFOOT, P.E.
MS Department of Environmental Quality
P.O. Box 2261
Jackson, Mississippi 39225
jwhitlock@mdeq.ms.gov
cbarefoot@mdeq.ms.gov

INDEX

Style.....1
Appearances.....2
Index 3
Certificate of Court Reporter 75

EXHIBITS

Exhibit 1 Walter Davis Exhibits 74
Exhibit 2 Glynna McKendree Exhibits 74
Exhibit 3 Sheldon Morris Exhibit 74

MR. WHITLOCK: Good evening ladies and gentlemen. Can you hear me before I proceed any further?

Okay. Perfect.

Okay. Thank you for being here this evening. It is now 6 -- oh, okay.

How about now? Okay.

It is now 6:06, and I will now formally begin this public hearing. My name is Jaricus Whitlock and I am Chief of the Air Division at the Mississippi Department of Environmental Quality, or MDEQ for short. With me on the stage this evening is Ms. Carrie Barefoot, Chief of the Land Disturbance Division at MDEQ.

This public hearing pertains to the proposed issuance of coverages under the Mississippi Large Construction General Permit, or Large Construction GP for short, and the Mississippi Hot-Mix Asphalt General Permit, or Hot-Mix GP for short, for a greenfield hot-mix asphalt production facility to be named Magnolia Materials, LLC and located at 87 County Road 166 in Oxford, Mississippi.

This public hearing is the culmination of this public comment period associated with the proposed coverages, which began May 8, 2026, and will formally conclude tonight at 12:00 a.m.

Given the significant interest that these proposed permitting actions have garnered, I will share at the onset of this hearing that anything conveyed during this overall proceeding is considered public record and may be recorded, quoted, and/or reported.

The purpose of the overall public comment period and this hearing is to receive comments, concerns, and other information for consideration on the respectively proposed general permit coverages.

Please know that a final decision regarding the proposed coverages will be made by the Mississippi Environmental Quality Permit Board, or Permit Board for short going forward.

The Permit Board is created by Mississippi law for the purpose of issuing, denying, or modifying -- under such

conditions and limitations as it may prescribe -- environmental permits and coverages to control air and wastewater releases within the State of Mississippi.

The composition of the Permit Board is established by state law and consists of the directors, or their assigned designees, from specific state agencies that have interest in environmental matters throughout the state. A complete listing of the specific agencies and their corresponding directors or assigned designees can be found on MDEQ's website.

Now I will provide a brief description of each proposed permitting action under consideration.

First, the Large Construction GP. Issued February 4, 2022, and effective until January 31, 2027, the Large Construction GP was established in accordance with the provisions of the Mississippi Air and Water Pollution Control Law as well as the regulations and standards adopted under the authority granted pursuant to Section 402(b) of the Federal Water Pollution Control Act.

Through individually issued certificates

of coverage, an authorized entity is allowed to disturb a land area greater than five acres and discharge stormwater from those regulated construction activities into state waters in accordance with federally enforceable limitations and requirements set forth in the general permit.

On February 17, 2026, MDEQ received a Large Construction Notice of Intent and an associated Stormwater Pollution Prevention Plan requesting coverage under the Large Construction GP to conduct land disturbing activities in preparation for the proposed construction of a hot-mix asphalt production facility. The project area lies within the Berry Branch watershed and encompasses a total of 22.92 acres. Of that area, approximately 13.71 acres are proposed to be disturbed as part of the construction activities for the facility.

The proposed construction consists of grading, utility installation, road construction, construction of the asphalt plant, construction of a small office building, and construction of a stormwater

management area located at the major drainage basin outfall.

The primary erosion and sediment control Best Management Practices, or BMPs for short, for this proposed project include the use of silt fencing along disturbed areas, inlet protection at storm drains, rock filter dams and wattles within proposed drainage swales, a temporary sediment basin, and timely vegetative stabilization of all disturbed soils.

Although referred to as a temporary basin, the basin is designed to be a permanent feature and will ultimately serve as stormwater detention and attenuation for the completed development. Coverage under the Large Construction GP will remain in effect for the full duration of construction from initial land clearing to final stabilization.

Now for the Hot-Mix Asphalt GP. Initially issued October 24, 2022, modified September 27, 2023, and effective until September 30, 2027, the Hot-Mix Asphalt GP was established in accordance with the

respective provisions of the Mississippi Air and Water Pollution Control Law, the Mississippi State Implementation Plan as approved by the United States Environmental Protection Agency under the Clean Air Act, as well as the regulations and standards adopted under authority granted pursuant to Section 402(b) of the Federal Water Pollution Control Act.

The Hot-Mix Asphalt GP is a multi-media permit. Accordingly, through individually issued certificates of coverage, an entity is authorized to perform the following activities: Construct and operate air emissions equipment associated with a hot-mix asphalt plant; and discharge stormwater associated with industrial activities into state waters.

However, each action must be performed in accordance with the applicable federally enforceable limitations and requirements set forth in the Hot-Mix GP.

Again, on February 17, 2026, MDEQ received a Notice of Intent and an associated Stormwater Pollution Prevention Plan from the

facility requesting coverage under the Hot-Mix Asphalt GP for the construction and operation of a hot-mix asphalt facility.

The proposed facility will consist of a natural gas-fired counter-flow drum dryer; on-site storage and conveyance of various solid materials, such as raw aggregates, reclaimed asphalt pavement, lime, and other additives; the storage and use of liquid asphalt cement; and truck loadout and dispatch of finished asphalt mix.

As conveyed by the facility, the following activities will not be conducted on-site: The crushing of rock or recycled asphalt pavement and the operation of emergency engines.

As it relates to stormwater pollution prevention from on-site production activities, Magnolia Materials is proposing several BMPs to manage site runoff, prevent spills or leaks, as well as address sludge, waste disposal, and drainage from raw material storage areas. For clarification, these BMPs are the procedures, controls, and maintenance activities implemented to either

reduce or prevent pollutant discharges to state waters.

As it relates to air emissions, the proposed operation of the facility under coverage of the hot-mix Asphalt GP restricts asphalt production to no more than 500,000 tons per year based on a rolling 12-month basis, as well as the required use of a baghouse on the drum dryer and lime storage silo.

Through these operational restrictions in addition to other requirements, the facility's potential-to-emit each regulated air pollutant; i.e., particulate matter less than 10 microns in diameter, particulate matter less than 2.5 microns in diameter, carbon monoxide, nitrogen oxides, volatile organic compounds, and sulfur dioxide; will remain below the regulatory actionable threshold of 100 tons per year based on a rolling 12-month basis.

A comprehensive review and consideration of all information provided by Magnolia Materials for each requested general permit coverage has been completed by MDEQ.

However, all concerns and issues presented this evening, as well as during the general public comment period, will be considered by MDEQ to ensure that all relevant issues have been properly examined.

Now before we begin the comment portion of the hearing, I want to share a few important guidelines and instructions to ensure we can hear from as many people as possible and maintain a respectful environment.

MDEQ is committed to providing a space where all participants can express their views without disruption. Therefore, we ask that you all refrain from booing, cheering, or interrupting a commenter during their remarks. Also applause, vocal reactions, or any other demonstrations -- whether in support or opposition of the proposed project -- should be made only during intermittent periods between commenters. Each -- I ask that each commenter please be as concise as possible as to allow every commenter the opportunity to fully convey their comments. Therefore, we do not have to

give, at this time, a time-limit per commenter.

Please come to the podium before presenting your comment. But if you are physically impaired and cannot walk to the podium, please let us know and we will bring a microphone to your seat.

This hearing is being transcribed by a court reporter so that the proceedings can be archived for the public record. Therefore, we ask that you please speak clearly into the microphone so that your comments can be properly archived.

If you are presenting a pre-prepared comment, we ask that you please submit them upon completion of your presentation to ensure the transcript is accurate. Before sharing your comment, please state your name. If you represent an organization please share its name as well.

In lieu of presenting your comment at the podium or at the microphone at your seat, you may still submit written comments to enter into the public record. Located at the entrance to this auditorium is a registration table where

comment cards and pens are available. Upon completing your written comment, please submit it to MDEQ staff so that it may be properly archived.

We appreciate your cooperation and professionalism. Your respect for these guidelines ensures a fair, orderly, and productive public hearing for everyone.

We will now call individuals to comment in the following order: First, those individuals that indicated "yes" on their registration cards with the -- for the desire to speak; second, those individuals that indicated "maybe" or "undecided;" and then lastly, we will open up the floor to anyone in general who wishes to comment.

At this time we will now open the floor. I will -- and I guess as a side tangent, we do have commenters that wish to provide a visual presentation. I'm sorry. That's it, a visual presentation. So we will allow them to go first.

And I ask that as you come to the computer, please turn on the microphone and speak into it as well as speaking your name and any organization you might represent.

So first is Ms. Glynna McKendree.

MS. McKENDREE: Right. Walt was going

to go first.

MR. WHITLOCK: Oh, okay. So we'll go with Mr. Walt Davis.

MR. DAVIS: Here?

MR. WHITLOCK: So since you are presenting I ask that you come and turn that microphone on.

MR. DAVIS: Sure. Good afternoon. My name is Walt Davis. I'm an attorney here in Oxford and I represent Meg and John DuChaine, who own property immediately west to the site where the proposed asphalt plant would be constructed; as well as Ronnie and Dustin McGinnis, who live nearby in the nearby neighborhood.

I just wanted to comment generally on the status of legal proceedings involving the proposed project. As you may be aware, on behalf of my clients I filed a petition to rezone the --

MR. WHITLOCK: Speak into the microphone.

MR. DAVIS: Okay.

MR. WHITLOCK: Yeah.

MR. DAVIS: All right. I filed a

petition to rezone this parcel of property as well as some adjoining piece -- parcels of property in light of the county's failure to place transitional zoning of light industrial or heavy commercial between areas of agricultural and residential as required by the local county ordinance.

That request was denied, ultimately, by the Board of Supervisors. And that matter is currently on appeal before the Circuit Court of Lafayette County. That remains pending.

As a second matter -- I'm happy to answer any questions you may have about that.

As a second matter, I would point out that, as I believe the department is already aware, the applicant here has a lease agreement with Lafayette County for the lease of this property and the term of the lease is substantial. However, there is a -- it is our position that because of the nature of the beast, a Board of Supervisors cannot contractually bind a successor Board of Supervisors. And the net effect of that is that following the next Board of Supervisors election there may or may not be new

supervisors in those seats. And those new supervisors may or may not choose to void this lease agreement.

And therefore, the term of the lease agreement is in flux. And you don't simply have to take my word for it, you can take the word of the Mississippi Attorney General.

I've attached a couple -- and submitted to you a couple -- of Attorney General opinions, including an opinion dated December 23, 2024, Opinion No. 2004-0491, specifically citing the same statute used by the Board of Supervisors in this case, which is Mississippi Code Annotated 19-7-3 where they state that our office has consistently opined that absent specific authority, governing authorities may not bind their successors in office to contracts which take away the rights and powers conferred by law.

Any such agreement would be voidable at the will of the successors in office. And that we are unable to find any specific authority which would permit the county to bind its successors to an extended lease pursuant to Section 19-7-3, which is that

exact same section used in this case by the Lafayette County Board of Supervisors.

And finally, I would point out a new issue that's been recently brought to light. All right. This is a document that was submitted as part of Magnolia Materials submissions. And if I may -- may I?

MR. WHITLOCK: Yeah.

MR. DAVIS: If I may, I would like to point out the property line spelled out by Magnolia Materials as part of their engineers shows an existing fence line cutting across the property. That fence line was built by my client's father in the mid-sixties after acquiring the property by deed in 1964. And it has been maintained there ever since.

There are trees grown in through the fence posts along that line. My clients have mowed and maintained that property ever since.

That's important because Magnolia Material's own engineer also acknowledges there is a description overlap between the deed that Magnolia Materials is using and my client's property to the extent of almost an

acre -- a little over an acre.

While no suit has yet been filed, we do anticipate litigation over the ownership of this 1-acre property. That potentially affects the site plan application, setbacks, and other requirements that may apply to Magnolia Materials, both before the Mississippi Department of Environmental Quality as well as other required boards.

So I didn't want to spend a ton to time up here. Those are the three, briefly, issues that I think are notable to bring to the attention of the Board. I'd be happy to answer any questions.

MR. WHITLOCK: Ms. McKendree, would you like to go next?

Okay. Ms. Glynna McKendree.

MS. McKENDREE: There's one for the court reporter and one for each of you.

MR. WHITLOCK: Okay.

MS. McKENDREE: Summer is going to bring up the map when I explain it to her. They are minimized on -- and I'll tell you when to bring them up.

As you are aware, the opposition of this

proposed facility is far more than just the environmental impact on property values, destabilization of the soil, air emissions, traffic concerns, or documented health issues directly linked to the production and transportation of hot asphalt.

It is about the density of the population that will be impacted and the vast impact on the entire one to two-mile circumference of the entire area of the location in question.

It includes over 3000 residents with nearly 2000 more planned, some by this very developer, and permanent developments in the same area as two schools and a mega-sports complex that is fully occupied with literally thousands of children, parents, and grandparents almost daily over 85 percent of the calendar year.

So all of these critical important facts aside, we appreciate the opportunity to present our environmental concerns to MDEQ tonight. And I will focus my specific concerns on the environmental impact of the construction and air emissions as stated in

your notice.

Most of what I had to say should not come as a surprise to this board, given your areas of expertise, and are stated on the record -- for the record with the requested response for these concerns.

First, I will address the elephant in the room in regarding closely located asphalt plant run by Lehman Roberts. This plant routinely operates below 50 percent and that includes holding contracts with other asphalt companies for the Highway 7 expansion, due to be completed within three years.

The difference is this facility has operated responsibly and without incident for well over 60 years and does not have any direct impact on the ecological systems, waterways, and air emissions and traffic of this -- the Magnolia Materials proposed facility will have.

The first map is a map of some questionable -- some questionable information that was provided by Magnolia Materials. Magnolia Materials falsely and misleading -- provided false and misleading assertions on

the application for these permits.

That is it.

DR. VINSON: Okay.

MS. McKENDREE: They falsely stated that there are no public or private ponds within one-half mile. There are 11 ponds -- and you can see them circled there -- and six functional private working water wells within one-quarter to one-half mile of this proposed facility.

Misleading is the recreational stream. Berry Branch Creek runs through mTrade Park Sports Complex where tournaments where thousands of visitors play and camp in the area during the weekend games and tournaments. Soon they will also have the ability to hook up to water systems in the nearby RV Park.

Stormwater runoff will pass directly past Regent school, mTrade Park, and wetlands areas that surround the park on the -- on its path to Sardis Lake. These low-lying areas, and of course Berry Branch, will incur the same exposure, the heavy metals in the bitumen byproduct during heavy rains, and

stormwater runoff.

Kids running through the area will splash through the mud and muck while dragging -- while dragging them along with these contaminants, contaminants that can be absorbed through the skin.

Another false statement is that the land to be disturbed is noted as 13.71 acres. This location is 33 acres. You can see the box there in black on the right. It's 33 acres, land that was previously stated by the county as unsuitable for development and surplus prior to the brokering of the deal with Magnolia Materials.

The land is full of gullies and trenches and is comprised of sandy loam soil which is unstable and holds water, and as a direct result will hold heavy metal contaminated water which will seep into the groundwater.

The land by Magnolia Material's own engineers statements in a planning commission meeting is anticipated to be cut down 50 feet and then raised to another 20 feet above road level. Where will this fill dirt come from?

The production facility site plan --

move over to the flood zone picture, please.

The production facility site plan identified reconfiguring the 33 acres of this production facility -- office, parks, parking areas, the same information you laid out early in your presentation. This area will have truck lanes for feeder purposes, a staging area for 15 to 20 trucks per hour staged for release onto County Road 166 during seven days a week of operations.

It is inconceivable to believe that he intends to disturb only 13 acres of 33 total acres of previously identified unsuitable lands. His bulldozers already attempted to destroy part of that land when they attempted to start construction by knocking down trees before the permit application was ever submitted back in January.

The use of heavy metals in both air emissions and stormwater runoff will ultimately find their way into the atmosphere and into Berry Branch Creek.

That's the next one.

And you can see that. This next picture shows the blue lines. Those are the creeks.

The red line is where the proposed facility will go. So you can see that the water runoff is all through that area.

During production and heavy rainfall events this -- the contaminants will settle into the ground water, leading to water pollution and harm to aquatic life eventually downstream. It is not a matter of if, as research shows it's a matter when this will occur and how long it will take for these metals and run off to impact the water sources in the immediate area and then one -- less than one to two miles downstream.

Based on factual research from Science of the Total Environment, the ecotoxicological risk of heavy metals in asphalt productions has proven detrimental impact to the endocrine disruptors, also known as hormones, in plant life, marine life, and humans.

In a simple explanation these chemicals become embedded in the soil and floating within the water. Once they find their way into the air and the ground, water wells, streams, and discharges, eventually they work

their way into the lakes and rivers. For us the immediate concern is the streams, working ponds, and, of course, Sardis Lake.

These heavy metals are absorbed by zooplankton in the water, which is then eaten by the invertebrates; marine life, insects, worms, crustaceans, et cetera; which are consumed by small fish, such as crappies; which are then brought to the family dinner table. The end results are diseases, cancer, respiratory illnesses, and much more.

Toxins released through the air will have a profound effect on the entire city of Oxford and the county from all directions. A study completed by the University of Mississippi, and attached herein to your documents -- excuse me -- indicates exactly what areas will be impacted throughout various seasonal prevailing winds.

Please note there is not a single area, school, or park that will be spared from the toxic emissions.

While the new technology may help with emissions, it does not completely eliminate the toxins or the odor released from the

stacks. Magnolia Materials has also received a variance adding an additional 41 feet to the towers creating a height exceeding 70 feet, thereby creating even more of a detriment to aircraft using the Oxford University Airport, which is less than a half a mile from this location.

A statement from Dr. Wu in aerospace engineering from the University Mississippi is attached to your packet.

There are two additional federal agencies that were not notified as required by law. One you are aware of, and that is the FAA due to the proximity of the airport and the impact on air quality and to atmospheric conditions impacting air traffic landing and takeoff patterns.

I believe Dr. Wu may be here tonight, and he will speak to that. But, again, it is in the letter that's in your packet.

The second is the US Army Corps of Engineers, which has jurisdictional waters control of all streams, flood zones, and wetlands in industrial park. A copy of the alleged violation is attached along with the

letter sent from the Corps of Engineers to Lafayette County attesting to that control back in 2010.

Now that has to be revisited and revised due to the age of the letter, but it shows the intent that jurisdictional waters are present all around the industrial park. That investigation may be closed only because construction has not begun.

Well, once construction begins Magnolia Materials will be monitored closely for disturbing and not following any permit requirements.

There are many people here tonight with valid concerns regarding environmental dangers of this facility and the proposed operation. I will close with this statement: There are 82 counties in Mississippi and 75 asphalt plants, with four in the general vicinity area. All of these plants are operating below 50 percent. And that is well documented with MDEQ's records.

There is no need to place other risks around this densely populated area. Should the Permit Board consider approval of this

application, please provide the citizens with justification for that decision.

And lastly, thank you, Mr. Whitlock, Ms. Barefoot, and Ms. Glenn -- I haven't met her tonight -- for all of the time you have afforded us throughout this process. You've been very patient and responsive to all of us, all of the calls, and all of the questions. And we appreciate this public hearing.

The packet that I gave you is the statement that I made, and the documents that I referenced are all attachments, as well as copy of those maps.

MR. WHITLOCK: Dr. Vinson?

DR. VINSON: My name is Summer Hill Vinson. I'd like to read you my statement, and then I have a list of questions that I have submitted to MDEQ that I hope will be answered. In the effort of saving time, I hate to go through them all because each one has multiple parts.

I live half a mile from the proposed Magnolia Materials hot-mix asphalt plant location in Lafayette County, Mississippi. I

am writing out of great concern for the number of lives this plant has the potential to impact.

My community is an established one predating the industrial park along its western border. Development in the industrial park for much of its history was along the east side near Old Highway 7.

The lot designated for the asphalt plant location on the far western border was inaccessible and acted as a buffer between heavy industrial use and the adjacent neighbors for decades. Only when the Pat Patterson Parkway extension opened during to summer 2025 did development adjacent to our community become possible.

Aerial maps are deceptive because the two neighborhoods located closest to the western border of the industrial park are heavily wooded. More than 50 homes are located within the half mile radius of the proposed location on the western boundary. That number grows to hundreds of homes when you extend the radius to a mile in every direction, including almost the entirety of

Tara, Whitetail Landing, Quail Creek, and Fieldstone Farms subdivisions.

I'd like to just make a quick note that I put in my submission that I emailed that on the map you been given, Fieldstone Farms is not on it. But Fieldstone Farms is a hundred acre development that has existed for almost a decade. So that's on the southern side.

Just outside of the mile radius are Northpointe and Oxmoor subdivisions, established homes on County Road 104, two private schools, and a golf course.

Many of the people living in my community are the most impacted by air and water quality -- elderly people who had lived in their homes for 20 to 40 years and families with young children. Some of my neighbors have livestock ponds located 1,000 feet from the proposed site. Another lives 1,500 feet away and drinks water from a well. Any change in air quality could worsen the health of three of my neighbors with advanced COPD.

Retirees and young families often spend much of their time at home breathing the air

around them. It is not just the number of people living within a mile of this proposed plant and the associated risks not evaluated by MDEQ, such as traffic, but the type of people living in the vicinity who spend a great amount of their time at home, making them more sensitive to air and water pollution.

The proposed lot is wooded with rolling topography and will require substantial dirt work. Great care will be necessary to ensure pollutants on the site stay on the site. Berry Branch flows from the eastern boundary of the lot in front of Regents Upper School through mTrade Park and into the Sardis water system with the potential to impact many more people who do not live near the proposed site.

The industrial park has been struck by two tornadoes in recent memory, likely because it sits on a ridge. From it you can see the university airport one-and-a-half miles away and buildings on the University of Mississippi campus two-and-a-half miles away. The entire reason for locating an industrial

development with toxic chemicals away from residents and farms is to protect against the likelihood of a catastrophic event.

A study just released by the University of Mississippi found that air pollution at lower levels than permitted by the EPA can still negatively impact human health. A reason the MDEQ permitting process for an asphalt plant is extensive is their potential for being toxic, exactly the reason to deny a permit for this facility so close to so many human lives.

I have a list of six questions with multi-parts. I'm assuming that -- will somebody in this process answer those questions?

MR. WHITLOCK: (Nods.)

MS. McKENDREE: Okay. I also have a statement from Lisa Chandler who is one of the closest property owners. She's out of the country and asked that I read her statement if I'm permitted to do so. She lives -- she has a property that borders this plant.

MR. WHITLOCK: If you could just state

her name again for the court reporter and then that way we know the difference.

DR. VINSON: Sure. Okay. Lisa Chandler.

She says, "Dear Mr. Whitlock, I will be unable to attend the hearing scheduled for June 10th due to scheduled travel. I have emailed before regarding the extremely close proximity to my residence in Lafayette County.

"I have read several references and articles referring to a buffer zone between an asphalt plant and residences of 1,000 to 1,500 feet. I don't know why that doesn't apply to Mississippi.

"As stated in my letter, my property, which is situated on County Road 166, which runs behind my house, is less than 1,000 feet from the proposed site for the asphalt plant per Magnolia Materials. This measurement is an approximation taken from the LandGlide app.

"My next door neighbor's residence, Collier, and the next residence, DuChaine, abuts the proposed property and there is not

a buffer zone. I am very concerned about air quality for the numerous surrounding residences along with noise, traffic, and quality of life for all of us. Many have had our homes here for 20 years."

Actually she says over 20 years.

"I do not feel that the supervisors or the planning commission are using the appropriate criteria for the location choice of an asphalt plant. Thank you for your consideration. Lisa Chandler."

Just as a note, I believe also she sent some information to MDEQ this spring. She's a pathologist, so I know she's concerned about the effects from that perspective as well.

Thank you very much for your time.

MR. WHITLOCK: You're welcome. John and Meg Faulkner DuChaine? I'm sorry if I got that last name wrong.

MR. DuCHAINE: Close enough.

MR. WHITLOCK: I'm still sorry.

MR. DuCHAINE: My name is John DuChaine. Our farm -- our family owns about 225 acres of agricultural land and the proposed asphalt

plant location is on our east property line directly adjacent to us.

We have horses that roam and feed on our property next to the proposed site. The impact on our livestock and our personal health is our biggest concern. The potential to contaminate our multiple ponds is of utmost concern, as are the air emissions from the stacks of the plant creating pulmonary issues for us and our horses.

The ponds are the only water source for our livestock. In addition, night-time illumination and especially loud operational noise will have an impact on our farm animals and ourselves.

Directly adjacent to the proposed site on our east line there are about 25 100-year-old-plus native cedar trees that were planted in a row down that property line some time back in history. We are very concerned about the survival of these trees as well as the native oaks, hickories, dogwoods, and others that are just as old or older all over our farm.

Another concern we have is the impact of

the air emissions on our pasture grasses. Air emissions from the designed 36-foot stacks will release a variety of toxins into the air immediately over our property. The toxins associated with the hot asphalt production and air contamination are clearly documented and will have an adverse effect on our farm animals as well as ourselves.

The emissions stacks on the proposed plan are designed at 35 to 36 feet. It was said at a previous meeting that they possibly will need to be doubled in height to about 70 feet, which will require a variance from the county.

These emissions are described by the Director of Development as being, "like melting chocolate on your stove, you get steam."

I don't believe that's an accurate statement, is it?

All of our horses are championship bred with World Champion and World Grand Champion accomplishments. They are valuable and their health and well-being is most important to us.

The site location is reported as 20 feet above the street level. There's a large amount of hillside that must be cut down to reach that level. There's an area behind the site bordering us that is only 105 feet from our property.

How are they going to stabilize that area from washing away after it's cut down to site level? And how will they keep the trees that are supposed to be left alone from dying due to the disturbance of the ground and root systems? How will they control runoff from erosion from the massive cut down area of the trees and dirt?

We've heard nothing about what's going to happen there.

The runoff will travel to a floodway southwest of the proposed site and then across the southern portion of our property and then to Sardis Lake. Additionally, there's a floodway north of the site that flows past a school, mTrade Recreational Park, and on to Sardis Lake.

MS. FAULKNER DuCHAINE: The county director of development has stated in a

meeting that the county can use our land as a buffer between I-2 Heavy Industrial and private uses instead of following their own county ordinance that requires transitional zoning between I-2 Heavy and private use land.

I do not believe anyone would want their land, whether it's 1 acre or 1,000 acres, to be assumed and used by the county as a buffer between heavy industrial and private use or residential.

Our farm predates the establishment of the County Industrial Park by about 30 years so, obviously, we did not move next to this. It moved in next to us. We cannot pick up this farm, our home that I have lived my entire life, and move it somewhere else.

We do not want to live the rest of our lives with the worries and concerns that have been stated right next door to us.

Please, everyone, put yourselves in this situation. I don't think you would want this next door to you or any of your family. We respectfully request that our concerns and problems with this be noted.

We thank each and every one of you for the scheduling of this hearing and traveling to Oxford to listen to the facts.

I would like to close with one thing. In researching various MDEQ articles we read the following: "Goal of the Mississippi Department of Environmental Quality. The goal of the Mississippi Department of Environmental Quality is to protect the state's air, land, and water resources in a way that safeguards the health, safety, and welfare of present and future generations of Mississippians."

"MDEQ works to conserve and improve the environment through focused research, responsible regulation, and wise economic growth which means:

"1. Public health and safety. Reducing environmental hazards that could harm people or ecosystems.

"2. Environmental protection. Ensuring clean air, safe water, and healthy land for residents."

Thank you for your consideration and time.

MR. WHITLOCK: Thank you. Ms. Susannah Furr?

Ms. Furr, if you would, would you just adjust the mic so it maximizes the volume?

MS. FURR: How's that?

MR. WHITLOCK: Okay. Thank you.

MS. FURR: Yes, my name is Susannah Furr. Good evening and thank you very much for holding this hearing and for your serious consideration of our concerns about this matter.

I live within a mile of the proposed site. My family built and has lived in that home since before the formation of the Lafayette County Industrial Park, so I guess it was 1980 the house was built. And they -- and the industrial park came along in 1985.

Let me begin reading your department's mission statement. So I know Meg did read that, but it's very short.

"The mission of the Mississippi Department of Environmental Quality is to safeguard the health, safety, and welfare of present and future generations of Mississippians by conserving and improving

our environment and fostering wise economic growth through focused research and responsible regulation."

I am deeply concerned about the immediate health and environmental threats this industrial operation poses to my family, my neighbors, and our local ecosystem.

My 90 year-old mother lives with me. At her advanced age she is highly vulnerable to air pollution and her respiratory system is already compromised from past COVID infections.

This plant will produce, as taken from your letter -- so I will just try to go quickly through it -- 300 tons of asphalt per hour and 500,000 tons per year. The resulting emissions from the natural gas-fired drum dryer, liquid asphalt cement storage, and heavy truck loadout operations present a direct risk to her health and all the neighbors.

Even with a baghouse filter, the fine particulate matter, volatile organic compounds, and toxic air pollutants will severely compromise the air quality in our

neighborhood, aggravating respiratory and cardiovascular risks for elderly residents, those with respiratory illnesses, and young children alike.

In my immediate neighborhood alone there are at least 1,000 living within a mile of the proposed site. Placing a high-capacity stationary asphalt plant in such close proximity to densely populated neighborhoods is a clear environmental justice and safety issue.

The continuous truck traffic, heavy loadouts, and unavoidable fugitive dust from raw aggregates, reclaimed asphalt pavement, and lime silo storage will disrupt the community and lower the quality of life for thousands of Lafayette County citizens.

The environmental footprint on the local ecosystem is too severe. The project plans to disturb -- well, I've got 13 acres, but then I just recently heard 33 -- within the sensitive Berry Branch watershed. While the proposal outlines temporary sediment basins and silt fencing, clearing this much land and adding massive impervious surfaces creates a

long-term risk of stormwater runoff pollution.

Any failure in the stormwater management system could leak petroleum products, chemical additives, and heavy metals into our local waterways.

As for fostering wise economic growth, as is in your mission, I'm sure the MDEQ is aware that the developer of this project has continuously violated state environmental regulations, pays fines, and then moves on to the next violation.

I'm curious as to how your department reviews the various violations and considers that if the developer cannot follow regulations for moving dirt and building subdivisions, how can he be trusted to carefully handle toxic materials and honestly self-report to the department?

The Lafayette County Board of Supervisors and the Planning Commission have passed this project along with little concern for the impact it will have on the county citizens. Even though we have repeatedly shown opposition to the asphalt plant in

every meeting that they have held about it, they show more favor to the developer and his economic concerns.

When it comes to wise economic growth, the only one economically benefiting will be the developer and a handful of employees at the plant.

We, the citizens of Lafayette County, look to MDEQ to act as the shield for Mississippi -- for our Mississippi communities. Your mission statement pledges to protect the health, the safety, and welfare of present and future generations of Mississippians. Allowing a heavy industrial asphalt plant to be built near thousands of residents, local schools, and vital waterways violates this core commitment.

Responsible regulation must prioritize human life and ecological stability over high-risk industrial placement. True conservation and improvement of the environment require preventing pollution at its source rather than attempting to mitigate it after a community has been compromised.

Improving the environment after taking

the risk of damaging it does not reflect wise economic growth. It actually creates economic imbalance as it depreciates local property values and shifts massive health care and environmental cleanup costs onto the community.

An industrial facility of this scale does not belong near thousands of residential homes and fragile watersheds. I urge the MDEQ to deny the permitting of a proposed hot asphalt mix plant, as its operation directly contradicts your mission to safeguard public health and conserve our shared environment.

Please uphold your agency's mission. Protect our children and vulnerable adults. Safeguard our air and water. Foster wise economic growth with responsible regulation and deny this permit.

Thank you for your time.

MR. WHITLOCK: Mr. David Johnston.

MR. JOHNSTON: My name is David Johnston. I have a list of a few questions to submit, but I edited out quite a bit of mine because they've already been asked. So I'm going to avoid that duplication.

But my concerns are about the wastewater management, runoff -- stormwater runoff associated with both the construction and during plant operations.

Let's see. The first question concerns bitumen, which basically is the heavy bottoms from crude oil used for asphalt, but yet has no other -- no other usage.

Is this bitumen in concentrated quantities not considered to be combustible as well as toxic and carcinogenic?

My next question: The permit application refers to no allowable dispensing of gasoline, but there's no mention in the application of restricting dispensing of diesel fuel. Will the spillage of diesel fuel not accumulate in this sediment basin that's been described contributing to the combustibility of the bitumen?

With reference to diesel fuel, who will take the responsibility for monitoring leakage from either an underground storage tank or that may be above ground?

The next question: With natural gas ignition sources utilized nearby in the

hot-mix process, would accumulation of bitumen and diesel sludge in a sediment basin create the risk of a fire, endangering employees, nearby residences, and a nearby gunpowder factory, as well as the nearby wildlife?

All right. Let's see. I marked out a few here.

What proof has the MDEQ Environmental Compliance and Enforcement Division received from this applicant that the overarching EPA Title 40 CFR Part 262 General Duty Clause has been satisfied that this applicant can effectively contain and management this sediment -- manage this sediment basin?

Question: Has this applicant provided any training programs in place, any operational procedures in place, or any remediation equipment on site to prevent the discharge of hazardous toxic and combustible bitumen and diesel sludge into a public creek that satisfies the General Duty Clause?

Last question: If overflow of the drainage and sediment basins occur, carrying sludge particles with it, how will this

operation be capable of accurately measuring the amount of sludge that's been produced by the processes meeting the General Duty Clause?

I respectfully request that the MDEQ foresee the potential environmental damage by this applicant that cannot be undone and deny any Construction or General Hot-Mix Permit for the construction of the said greenfield hot asphalt plant. Thank you.

MR. WHITLOCK: Mr. Walter Davis?

MR. DAVIS: I've already spoken.

MR. WHITLOCK: Oh, okay. Mr. Ronnie McGuinness?

MR. McGUINNESS: Some of my questions have already been asked. My name is Ronnie McGuinness. I live in the Tara subdivision.

But two things I want to ask. There -- we will now have two asphalt plants within one mile and a quarter. I'm curious if that affects the air quality of Oxford. If there's a designation, such as ecological dump, that we might gain with having two asphalt plants within one mile and a quarter.

And my other question is: That site

location is right next to the Good Day Farms cannabis facility that makes edible products -- I believe they make edible products. Does the Mississippi Department of Environmental Quality, do they regulate this toxic plant next to a facility that's making consumable products?

That might be an FDA question, right? But because that facility makes products, I'm curious if that affects the Mississippi Department of Quality's decision to put an asphalt plant next to it, right?

And that's all the comments I wanted to add. Thank you.

MR. WHITLOCK: Thank you. Alex, maybe Carter? I'm sorry for the last -- I can't make out the last name.

MR. CORTEZ: I'm sorry. I've got bad handwriting.

MR. WHITLOCK: That's okay. Alex. Okay.

MR. CORTEZ: I also didn't know what it was going to be used for. It's Cortez.

MR. WHITLOCK: Cortez. Okay.

MR. CORTEZ: Thank you guys for your

time today. I'm a resident of Oxmoor. I'm going to try to keep my comments mostly related to your guys's issues.

But I do want to say quickly about the supervisors, I think this process has been completely mishandled. The fact that they had the hearing on December 22nd of the planning commission during the holiday when I was already scheduled to be out of town. A lot of people were.

The January hearing, the fact that they kicked 50 residents out of the room is completely unacceptable. There was a larger court hearing -- or room there that they could have easily moved to and they refused to.

I mean, this just should not be how we're acting as citizens. Frankly, I hope the developer would be just as upset. This is not how fellow Oxonians should be, you know, treating each other.

And then there was almost no environmental questions asked at that hearing by the supervisors, too. So there was no public comment period there. No questions

from the public at the supervisor's meeting.

And then Supervisor Gordon, who is here today -- I believe he's probably the only supervisor here. But he's actually the only one who asked a substantive question at all at that hearing, which is also completely unacceptable.

I mean, as I stated at all these different hearings, I don't even have the strongest position out of the people in this room on the actual issue. I'm more concerned with all the transparency issues and process issues.

And to have something like any kind of industrial park, I mean, right next to the residents and have no interrogation of the environmental issues by this town is completely reprehensible. And this needs to change.

And even, you know, frankly I voted for the developer to, you know, speak to the DuChaines directly, you know, about this too, just as citizens. We need to treat each other as good human beings.

I mean, they should have to respond

about these kind of things. This is not how we should be going about life in America. And that's why we have so many of these problems if we're just going to do these back-door deals and treat each other this way.

On the environmental matters, I mean, I don't know if it's going to happen at this hearing. I don't know the full nature of it. But there really should be some kind a public interrogation of all the environmental issues.

We have experts before citizens being asked questions. Same thing with the supervisors. I mean, I don't know why there hasn't been a hearing like that at all in this process.

The developer said that the industrial park was inappropriate due to residential properties when he was originally trying to get it in Taylor. Nothing's been changed since he lost that battle in Taylor. And it still would be inappropriate being right next to residential properties.

And then NIH did a study on the openings

and closings of 1,600 industrial plants, and they found that toxic air emissions affects within one-mile of a plant. And that it affects housing values within .5 miles of the plant.

So we just need interrogation of all these issues. We've not gotten it as citizens of Oxford. And I think any decent human being, any government body should want to have this kind of transparency for the public.

Thank you for your time.

MR. WHITLOCK: So that was all of the individuals that said that they definitely wanted to speak. We will now do those that denoted "undecided" on their registration cards. And just give them an opportunity, I guess another opportunity, to see if they want to speak or not. So give me one minute.

Okay. So as I call your name feel free to say, "No, I'm okay. I don't want to speak," or, you know, come to the mic.

Or just put your -- you know, ask for us to bring a mic to you. So you have options.

Ms. Ann Whitaker?

MS. WHITAKER: Okay. My name is Ann Whitaker, and I live in Quail Creek subdivision. I'm one of the newcomers. I've been there about 11 years. And I'm grateful to be living in such a wonderful neighborhood.

I am one of the neighbors whose husband has advanced COPD. My husband worked in the environmental industry for over 30 years, as well as in some chemical industry along the way.

I am gravely concerned about, as we speak about the environmental aspects, of really the human toll and what can happen to people with severe chronic, particularly lung-type problems and other medical problems in a plant that seems to be extremely -- by all research, extremely toxic.

It is my hope that there would be much more vetting before this plant is anywhere near operational. There is some statistics that -- and unfortunately I don't have them with me -- but where many asphalt plants run for few years, they get into trouble, and then they abandon the property in the

process.

And the surrounding people, the county and whatnot are then responsible for whatever cleanup is to be done. We really don't need that in our area.

It troubles me that there is one asphalt plant here. And I would really would like more concrete answers as to why we need a second asphalt plant in the Oxford area.

Thank you.

MR. WHITLOCK: Arliss Swindoll?

MR. SWINDOLL: No.

MR. WHITLOCK: Okay. Ms. Debbie Swindoll?

Conrad Miller?

MR. MILLER: Right. Okay. I'll put it back.

Hey, I'm Conrad Miller. I'm in Tara subdivision. I'm a pretty basic person, so it's great hearing everything. So I won't repeat everything with the environmental.

My main concern is I've actually been overseas deployed. They had a lot of this type of situation where the smokestacks and the -- and the particulates that actually

leave the area.

You can't control the wind. I'm just going to tell you. So the wind's going to blow one way; the wind's going to blow another way. And it's actually going to blow, and you're going to have the smell and you're going to have other issues that we're going to -- that we're going to face in the neighborhood as close as we are.

It's common sense. Basically when you look at it, it's common sense. It doesn't need to go there. It needs to be moved. It needs to be at a different location.

And to me it's common sense. I'm so glad we have lawyers and others that are doing it. But, again, no one wants this in their backyard. They would -- it needs to go to an appropriate location that supports it.

I'm all about economic development. I'm all about the mission. But at the same time, there's also got to be common sense added to this whole processes.

So we need to move it. It needs to be denied. It needs to be moved somewhere else that's capable to hold this and allow for the

residents in this area, just like we said, neighborhoods, to be comfortable where they're living and not have to worry about all the environmental issues and also the smell.

And if you're smelling it, you're probably getting some of the particulate. So common sense should prevail on this. It needs to move.

That's all I have.

MR. WHITLOCK: Sheldon Morris?

MR. SHELDON: Hello, my name is Sheldon Morris and, first of all, thank you for coming here and hearing from us.

For everyone out here, I am not from Mississippi. I am from Florida. I was introduced to Mississippi through Itawamba and football. And football brought me to Ole Miss, and I played here for three years. All right. I also was here on a military scholarship, ROTC, when I walked on.

After playing football here for three years, I went into the military and served for 22 years, retiring as a colonel. Throughout that time I deployed to the Middle

East six times. All right. Three to Iraq, three to Afghanistan.

My last deployment was in Kabul where I was the senior advisor to the senior military person there. And I'll read something to you that I had to depart the country with. This is a memorandum for record.

"Exposure to hazardous environmental air conditions in Kabul, Afghanistan. Periodic Operational and Environmental Monitoring Summary (POEMS), Kabul and vicinity, Afghanistan, 2003-2015 report to United States Central Command."

I was a lieutenant colonel at this time.

"Lieutenant Colonel Sheldon A. Morris served in support Operation FREEDOM'S SENTINEL and NATO RESOLUTE SUPPORT within the city limits of Kabul, Afghanistan at Resolute Support Headquarters, New Kabul Compound, Hamid Karzai International Airport," which is also called HKIA, "and other camps from 9 July '19 to 15 July '20.

"The air quality in Kabul, Afghanistan has been sampled and noted from 2003-2015 POEMS." Approval date was 15 September 2016.

"Results showed high levels of particulate matter less than 2.5 micrometers in diameter, which can cause long-term health effects. Factors contributing to high PM levels in Kabul are dusty roads, operations of diesel power generators, exposure to raw sewage, burning lead gasoline in vehicles, and garbage."

That was 19 years into my career. That was 15 years while being deployed while having forces deployed in the Middle East in Afghanistan. That was the military finally identifying that we had an issue.

I have lost seven of my peers due to cancerous stuff at 2.5. I am also registered in the Burn Pit Registry for the military, and I get checked every year.

So I understand numbers, and I understand reactive measures, too. And so when we throw out the 2.5, I got that. It was so important that they had to give this to us so we can document it going forward in the event that something occurs as far as cancer and we can connect it back to service-related operations.

I am grateful for this opportunity to allow people to actually provide feedback, but I also understand what happens when we find out later and it's trying to fix what's already happened.

All right. I'm grateful for you guys' time. I wish you guys all the best.

And I will give you the copy of this if you want it as well.

MR. WHITLOCK: Ms. Linda Spargo? Ms. Jane Josey?

MS. JOSEY: Most of my comments have already been addressed multiple times. I appreciate it.

MR. WHITLOCK: Okay. No problem. Ms. Cynthia Johnson?

MS. JOHNSON: Already addressed.

MR. WHITLOCK: Ms. Elizabeth Johnston?

MS. JOHNSTON: My name is Elizabeth Johnston. I live in Quail Creek within one mile of the proposed site.

I want to address the issues of self-monitoring versus MDEQ monitoring. In January 2026 when this subject came up, I sent MDEQ concerns about a Mississippi Today

article that documented both significant budget cuts and reduction in force for the Mississippi DEQ that has occurred over the past 10 years. These reductions have accelerated in the last few years.

I also sent some documentation that EPA and specifically Mississippi are both loosening emissions restrictions. It is well documented that the EPA is also experiencing some budget cuts. This was a concern to me.

I think that you are doing great work, but if you're losing money and workforce there is concern about whether you will be able to monitor a new start-up company that has not built something like this before.

In my documentation to MDEQ around early January, I indicated the concerns I had about how close the proposed site is to people who live, go to school, work, and drive in this area. The MDEQ website gives a certain number of feet required between an asphalt plant and residential, but it does not address the release of emissions and brown pollution past that boundary.

Because pollution does not stop. It has

no boundaries. As one of the other gentlemen said, the wind takes it wherever.

My concern grew when I researched the number of air monitoring systems in the state. This came from the 2025 MDEQ report against the number asphalt plants or areas of the state that emit pollution.

Although there are over 60 plants throughout the state, including one currently operating in Lafayette County, there are only 8 that I could find on your website in air monitoring systems.

Our air quality is good here now, and we are not interested in dealing with poor air quality or dealing with having to monitor it.

My concern has increased as MDEQ responds to the issues of groundwater contamination in Byhalia and noise and emission problems in the Southaven area. The issues of what's happening in the environment are significant.

The asphalt plant, because of where the proposed site is, should not be issued any permits. Why?

1. Because MDEQ budgets and force

reductions put monitoring at risk. And it is a concern that a new start-up company asphalt plant that has not been built by this company before will have satisfactory self monitoring.

2. Lafayette County is currently in legal proceedings regarding these boundaries.

3. It's not necessary because we already have an asphalt plant here that does need to be monitored.

4. Magnolia Materials has not made any efforts to allay the concerns around health, safety, and welfare of our community.

I do not recommend that MDEQ issue any permits at this time for this proposed site.

Thank you for allowing me to speak.

MR. WHITLOCK: Mr. JW McCurdy?

MR. McCURDY: No, thank you.

MR. WHITLOCK: Mr. -- I'm so sorry. Ms. Janet Schove?

MS. SCHOVE: Hi, I'm Janet Schove. I live on County Road 101 about a mile from the proposed site, a little bit north of the industrial park. I'm not in a subdivision.

My home was built in 1918. And it's not

been in my family all at that time, but the home has been there. There many homes in my area that will be disastrously affected by the developer's proposed plans.

I echo everything that has been said by those who oppose this asphalt plant. They are my concerns. The air quality is my concern. The integrity of the developer -- excuse me -- the lack of the integrity of the developer is my concern.

I've witnessed that firsthand through recent dirt mining -- which is a different story -- that he began which has had devastating impact on my personal property, on my health.

Please deny this request. You've heard from so many and there are so many more who couldn't be here tonight. Please, MDEQ, we beg you. And we thank you.

MR. WHITLOCK: Mr. Andrew Martin?

Mr. Jonathan Vinson?

Ms. Katherine Shoalmire?

MS. SHOALMIRE: I'm good.

MR. WHITLOCK: Okay. Ley, maybe? L-E-Y?

And then Reed Faulkner?

MR. FAULKNER: I don't have anything.

MR. WHITLOCK: Okay. Oh, one more. I'm sorry. Lyn Price?

MS. PRICE: (Indiscernible).

COURT REPORTER: I can't hear you. Sorry.

MR. WHITLOCK: We can -- we have an individual who can bring a mic to you.

MS. PRICE: I just hope Mississippi will start looking ahead and not behind in everything. We have seen over our lifetime so many things that we perhaps started off thinking, "Oh, this is going to be wonderful."

And then you find out the reality of it, and it can't be fixed. I mean, all we have to do is get out old newspapers and see how water has been polluted in different areas through train wrecks, through industry.

And I, too, just want to urge you all to do everything you can to be sure this is a good idea. It seems to me to be a lot of warning signs up and nobody has even mentioned the traffic.

We live in Northpointe. And I think they're doing another round about. But the traffic has picked up. Now, I don't know how it's going to be if they put something down there and trucks are running around. Because they are no lights.

It's -- what is that road? 1032. There are no stoplights or anything. Thank goodness there is a fire station. And I thought well, that will mean they won't put any heavy-duty traffic on here. That's probably not true either.

So with these -- if that plant is built, the truck traffic will be increased, I'm sure. Think of those things. Those big trucks loaded with asphalt roaring up and down there. It's terrifying.

So please, please look ahead. And thank you all for coming.

MR. WHITLOCK: At this time we would like to just kind of give an open invitation just to kind of open the floor. Anybody I have not just explicitly named, you are free to put your hand up or approach the podium and just have an opportunity to speak if you

so desire.

I'll give a brief moment to see if anybody wants to do that.

MR. McGUINNESS: Can I add something?

MR. WHITLOCK: Sure. Sure. That's fine. By all means, come back up.

COURT REPORTER: Tell me your name again?

MR. McGUINNESS: My name is Ronnie McGuinness. And I just want to add that this is not a free market capitalistic result. There was not an auction for this piece of land and the most profitable use for it is an asphalt plant, right?

This site was chosen because the Board of Supervisors did not have the heart, all right, to put the asphalt plant in Taylor. So instead of a town with 300 people, they decided to put an asphalt plant sandwiched with two of the four clusters -- population clusters in Lafayette County, right?

And what do we call it when the government determines the means of production? Socialism.

And so they're paying $5,000 a year for

22 acres. If you can find me 22 acres just outside the Oxford school district for $470 a month I will gladly lease it from you.

That's how we came about this meeting today. Thank you.

MR. WHITLOCK: You're welcome.

If you could, ma'am, just state your name, again.

MS. JOHNSTON: I just had a couple more questions. Is that okay?

COURT REPORTER: What was your name again?

MS. JOHNSTON: Elizabeth Johnston, Quail Creek Subdivision. Is -- can I ask my question?

Is Ms. Glenn here?

MS. GLENN: Yes, I'm here.

MS. JOHNSTON: Okay. Good. I just want to make sure that when we sent in documentation from the letter that it got to the people that it needed to.

MS. GLENN: Yes, ma'am.

MS. JOHNSTON: Is a representative from Wildlife and Fisheries and Parks here tonight?

MR. WHITLOCK: No, ma'am.

MS. JOHNSTON: Will the people that you've listed on the letter that you sent us at the bottom who represent MDEQ, all the different departments, do they look at all of what has been said tonight?

MR. WHITLOCK: Yes, ma'am. This will all -- all comments received during this overall period, everything that has been conveyed during this hearing, will be packaged to the Permit Board I believe you're making reference to.

They will receive everything in addition to MDEQ's response to all comments for their evaluation and to assess in their process of making a final decision on this matter.

MS. JOHNSTON: And how long does that take to put the information together, disseminate it, and have people make the decision?

MR. WHITLOCK: So the preparation of the response to comments and everything is MDEQ staff's part. We have started that process.

And I think we're jumping the gun on probably the last part of my script, but we

plan to give timely notice of when we would present that all to the Permit Board.

The next -- or the earliest moment that would be would be the July 14 Permit Board meeting. They meet every second Tuesday of the month.

As we have begun that process, it is probable. However, we have to evaluate everything that's been presented tonight, so that is not concrete.

If we do prepare everything and provide you all with timely notice of all of that, including the packet, then we would proceed forward to the July Permit Board.

MS. JOHNSTON: Okay. Did MDEQ contact Olin Winchester in regards to the proposed site being near an ammunition plant?

MR. WHITLOCK: No, ma'am.

MS. JOHNSTON: Will it?

MR. WHITLOCK: There -- I believe there is no plan to, no, ma'am. We are not obligated to contact another industrial facility regarding their neighbors -- regarding another industrial neighbor.

MS. JOHNSTON: Okay. That's it for now.

MR. WHITLOCK: Okay.
MS. JOHNSTON: Well, in regard to what we sent to you, you will write to us individually?
MR. WHITLOCK: We will provide the overall response to comments. We will provide a notice of it.
I cannot say that -- we might not be able to provide it to you in an email because it might be too big as far as an attachment.
So in the event that I cannot individually send it to every recipient or every commenter, we will provide a common place to present all of that on our website. And I will make notice of where to find it. So you can then download it there.
MS. JOHNSTON: Okay. And in your closing are you discussing the issues of appeal if that has to happen?
MR. WHITLOCK: I am not. I'm sorry. That will be discussed at the Permit Board.
MS. JOHNSTON: Okay. Thank you.
MR. WHITLOCK: You're welcome.
Anybody else?
Okay. If there are no other individuals

who wish to speak on the record, let me offer our thanks to you all for your time and your comments. Public review and commenting on these proposed permitting actions are important elements of this overall process.

Upon careful review, MDEQ staff will develop responses to the comments received during the overall public comment period, which includes this public hearing. As previously mentioned a complete record of the proceedings associated with these proposed permitting actions will be presented to the Permit Board.

Accordingly, the Permit Board will be provided with a copy of the transcript, MDEQ's Response to Comments Document, and all the information relevant to the actions for review and consideration prior to their rendering of a final decision on these actions.

The Permit Board -- excuse me -- meets on the second Tuesday of each month. Therefore, the earliest that the proposed permitting actions can be presented to the Permit Board is July 14, 2026, which is

contingent upon the resolution of public comments and any remaining issues by individual staff.

As MDEQ staff have commenced the development of a Response to Comments Document based on prior comments that have been received, please note that it is probable that these permitting actions may be presented before the Permit Board in July for their consideration.

However, a notice on this matter will be shared with the public in a timely manner along with the Response to Comments Document.

At this time I will officially close this public hearing. I sincerely thank you all for your participation and have a great night.

(Time Noted: 7:36 p.m.)

(Exhibit 1 marked for identification.)

(Exhibit 2 marked for identification.)

(Exhibit 3 marked for identification.)

ORIGINAL: JARICUS WHITLOCK, P.E.

COPY: CHAD WINTER, ESQ.

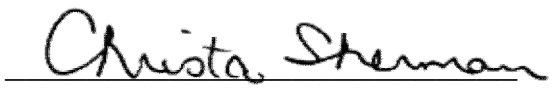
COPY: TOBY HILL, ESQ.

CERTIFICATE OF COURT REPORTER

I, Christa Sherman, Court Reporter and Notary Public, in and for the State of Mississippi, hereby certify that the foregoing contains a true and correct transcript of the Magnolia Materials, LLC Public Hearing, as taken by me in the aforementioned matter at the time and place heretofore stated.

I further certify that, to the best of my knowledge, I am not in the employ of or related to any party in this matter and have no interest, monetary or otherwise, in the final outcome of this matter.

Witness my signature and seal this the 12th day of June, 2026.



CHRISTA SHERMAN, CCR #1964

My Commission Expires: October 19, 2027

THOMSON REUTERS
WESTLAW Mississippi Attorney General Opinions

EXHIBIT 1
Deponent MDEQ
Date 6/10 Rptr CS
WWW.DEPOBOOKPRODUCTS.COM

Azande W. Williams, Esquire

Office of the Attorney General

December 23, 2004

2004 WL 3128024 (Miss.A.G.)

Office of the Attorney General

State of Mississippi
*1
Opinion No. 2004-0491
*1 December 23, 2004

_Re_: Lease of County's Surplus Property

*1 Azande W. Williams, Esquire
*1 Attorney, Hinds County Board of Supervisors
*1 Post Office Box 686
*1 Jackson, Mississippi 39205-0686

Dear Ms. Williams:
*1 Attorney General Jim Hood has received your recent letter on behalf of the Hinds County Board of Supervisors and has assigned it to me for research and reply. Your request for an official opinion from this office presents these pertinent facts and asks the following questions which we answer *seriatim*.

*1 The Department of Public Safety ("DPS") has approached Hinds County about the potential lease of county property for the relocation of the headquarters and inspection station for the Mississippi Highway Patrol Troop C. The county has identified county property and passed a resolution pursuant to Section **19 - 7 - 3** designating the property as surplus.

*1 The proposed lease would be for a term of at least 50 years at the nominal fee of $10 per year. In consideration the DPS would construct a multi-million dollar facility on the location which would be retained by the county at the end of the lease term. Before approving these terms the Board wishes to obtain your opinion on this proposal. I have reviewed an Attorney General opinion which provides that the supervisors have broad discretion in the lease of property pursuant to Section **19 - 7 - 3** , however, there must be "good and valuable consideration" given in exchange for the lease of the property. MS AG Op. Shannon (June 20, 1997). Therefore, on behalf of the Board I ask the following.

1. Does the construction of a multi-million dollar facility on the property constitute substantial public improvement to satisfy the good and valuable consideration requirements of Section **19 - 7 - 3** ??

*1 In response and as you noted, Section **19 - 7 - 3** of the Mississippi Code of 1972, as amended, sets forth the process for counties to follow in disposing of real property. The statute requires counties to sell property by advertising for bids on the purchase price, except when the following statutory conditions are satisfied.

*1 However, whenever the board of supervisors shall find and determine, by resolution duly and lawfully adopted and spread upon its minutes (a) that any county-owned property is no longer needed for county or related purposes and is not to be used in the operation of the county, (b) that the sale of the property in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the county, and (c)) that the use of the county property for the purpose for which it is to be sold, conveyed or leased will promote and foster the development and improvement of the community in which it is located and the civic, social, educational, cultural, moral, economic, or industrial welfare thereof, the board of supervisors of such county shall be authorized and empowered, in its discretion, to sell, convey, lease, or otherwise dispose of same for any of the purposes set forth herein.

*2 Clearly, Section **19 - 7 - 3** offers the board wide discretion and flexibility with respect to terms of any lease effected. However, as this office has stated on previous occasions, we are of the opinion that the statute contemplates and requires that agreements entered pursuant thereto be in exchange for good and valuable consideration. An agreement to lease the land in exchange for less than good and valuable consideration would constitute an improper donation. MS AG Op., *Creekmore* (December 5, 2003).

*2 A determination of what suffices for "good and valuable consideration" is within the province of the board of supervisors. However, the consideration must be such that the lease does not constitute a donation to an ineligible entity pursuant to Section 95 of the Mississippi Constitution of 1890. We also note that the findings of a board of supervisors on this issue are subject to review by a court of competent jurisdiction.

2. Can the Board enter into a 50 year lease under the provisions of Section **19 - 7 - 3** ?

*2 In addition to Section **19 - 7 - 3** , counties and municipalities are authorized to convey lands *to the State of Mississippi* pursuant to Section 29-1-15, which provides as follows.

*2 The governing authorities of any county or municipality of the State of Mississippi are hereby authorized and empowered, in their discretion, to convey lands to the State of Mississippi for hospitals and other public purposes.

*2 Section 29-1-15 requires a finding, spread upon its minutes, by the governing authorities that the conveyance is for a public purpose.

*2 Further, we have previously opined that the authority to convey title to property carries with it the power to lease property. MS AG Op., *Pearson* (August 30, 2002). Thus, the governing authorities of a county, the board of supervisors, may lease property to the State of Mississippi for any public purpose. Finally, any lease executed pursuant to Section 29-1-15 may contain a reverter clause providing that the State may hold title to such lands only so long as they are continued to be used for the public purpose for which the State entered into the lease and that title shall revert to the county at the end of the lease period.

*2 However, our office has consistently opined that, absent specific authority, governing authorities may not bind their successors in office to contracts which take away rights and powers conferred by law. MS AG Op., *Belk* (October 3, 2003); MS AG Op., *McWilliams* (April 26, 2002); MS AG Op., *Webb* (October 5, 1995). Any such agreement would be **voidable** at the will of the successors in office.

*2 We are unable to find any specific authority which would permit the county to bind its successors to an extended lease pursuant to Section **19 - 7 - 3** or Section 29-1-15.

*2 If we may be of further service, please let us know.
Very truly yours,

*2 Jim Hood
*2 Attorney General
*2 By: Charlene R. Pierce
*2 Special Assistant Attorney General

2004 WL 3128024 (Miss.A.G.)

END OF DOCUMENT

THOMSON REUTERS
WESTLAW Mississippi Attorney General Opinions

Thomas M. Matthews, Jr., Esq.

Office of the Attorney General

February 27, 2009

2009 WL 572457 (Miss.A.G.)

Office of the Attorney General

State of Mississippi
*1
Opinion No. 2009-00049
*1 February 27, 2009

Re: Lease of real property

*1 Thomas M. Matthews, Jr., Esq.
*1 Board Attorney
*1 Stone County Board of Supervisors
*1 P. O. Box 477
*1 Leakesville MS 39451-0477

Dear Mr. Matthews:
*1 Attorney General Hood has received your request for an official opinion and it has been assigned to me for research and reply.

Questions Presented

*1 Does the county have the authority to lease real property owned by the county to a local VFW post, and if so, what is the maximum term, what consideration is required, what restrictions must be placed on the property, and what reversion requirements are necessary in case the VFW abandons the use of the property as their meeting house?

Background

*1 Your letter reads as follows:

*1 I am the attorney for the Stone County Board or Supervisors. I have been directed to request an official opinion from you concerning the authority of the Board of Supervisors to lease real property to the (Bobby E. Griffin Veterans of Foreign Wars Post Number 2706) Veterans organization which we understand qualifies as such under Section 35-5-5 of the Mississippi Code of 1972. The above mentioned local VFW chapter has asked the county to lease to them an unimproved on acre parcel presently owned by the county. Their intentions are to build a new meeting hall on that one acre.

*1 Our question is: Does the county have the authority to lease the real property in question to the VFW chapter and if permissible what is the maximum term, what consideration, if any must be paid, what restrictions must be placed on the use of the property and what reversion requirements, if any, are necessary in the event the VFW abandons the use of the property as their meeting house.

Applicable law

*1 Miss. Code Ann. Section 35-3-5 (1972) reads in pertinent part as follows:

*1 (1) The governing authorities of any municipality, town or county in the state may, in its discretion, rent, lease, purchase or construct a building or buildings to house the units of the various congressionally chartered veteran's organizations and the auxiliaries of such organizations, and the records of such organizations and their auxiliaries, and may, where necessary, acquire land by purchase, lease or otherwise for the purpose of constructing such building or buildings.

*1 (2) The expenses authorized by subsection (1) of this section may be paid by such municipality, town or county out of any available funds.

*1 (3) For the purpose of securing funds to carry out subsection (1) of this section, the governing authorities of such municipality, town or county are hereby authorized and empowered in their discretion to issue bonds or negotiable notes for the purpose of acquiring by purchase, gift or lease real estate for the purposes herein authorized, and also for owning, erecting, building, establishing, and maintaining such buildings herein authorized, and to remodel or repair any such building. Such bonds or notes shall be issued in an amount not to exceed the limitation now or hereafter imposed by law on municipalities or counties or towns, and shall be issued in all respects including interest rate, maturities and other details as is now or may hereafter be provided by general law regulating the issuance of bond or notes by the corporate authorities of such municipality or town, and the board of supervisors of such county.

*2 Miss. Code Ann. Section **19 - 7 - 3** (1972) reads in pertinent part as follows:

*2 (2)(a) Before any lease, deed or conveyance is executed, the board shall publish at least once each week for three (3) consecutive weeks, in a public newspaper of the county in which the land is located, or if no newspaper be published in said county then in a newspaper having general circulation therein, the intention to lease or sell, as the case may be, the county-owned land and to accept sealed competitive bids for the leasing or sale. The board shall thereafter accept bids for the lease or sale and shall award the lease to the highest bidder in the manner provided by law.

*2 (b) The board of supervisors of any county may contract for the professional services of a Mississippi-licensed real estate broker to assist in the marketing and sale or lease of the property for a reasonable commission, consistent with or lower than the market rate, for services rendered to be paid from the sale or lease proceeds.

*2 (3) Whenever the board of supervisors shall find and determine, by resolution duly and lawfully adopted and spread upon its minutes (a) that any county-owned property is no longer needed for county or related purposes and is not to be used in the operation of the county, (b) that the sale of the property in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the county, and (c) that the use of the county property for the purpose for which it is to be sold, conveyed or leased will promote and foster the development and improvement of the community in which it is located and the civic, social, educational, cultural, moral, economic or industrial welfare thereof, the board of supervisors of such county shall be authorized and empowered, in its discretion, to sell, convey, lease, or otherwise dispose of same for any of the purposes set forth herein.

Analysis and Conclusion

*2 The provisions of Section 35-3-5 authorize a county to rent, lease, purchase or construct a building or buildings for designated veteran's organizations, and to provide the land therefor. However, the facts in your letter indicate that the VFW post plans to build a new meeting hall and is seeking to lease a one acre tract of land owned by the county on which to build the meeting hall.

*2 Accordingly, it is our opinion that the provisions of Section **19 - 7 - 3** also apply and the two statutes must be read together. The county may lease the land in accordance with **19 - 7 - 3** (2), or, if it makes the factual findings as described in Section **19 - 7 - 3** (3), the county may lease the tract without the necessity of complying with the requirements of Section **19 - 7 - 3** (2).

*2 Since Section 35-3-5 authorizes the veteran's organization's free use of the property and assuming that the county proceeds under Section **19 - 7 - 3** (3), the rental amount in the lease need not be for cash consideration.

*2 With regard to the term of the lease, it is a long-settled principle that governing authorities may not bind their successors in office. *Humble Oil and Refining v. State*, 41 So.2d 765 (Miss.1949); *Edwards Hotel & City St. R. Co. v. City of Jackson*, 51 So.2d 802 (Miss.1910). Thus, unless there is specific statutory authority to do so, leases which attempt to extend beyond the term of office of the current members are not void but are **voidable** by succeeding boards.

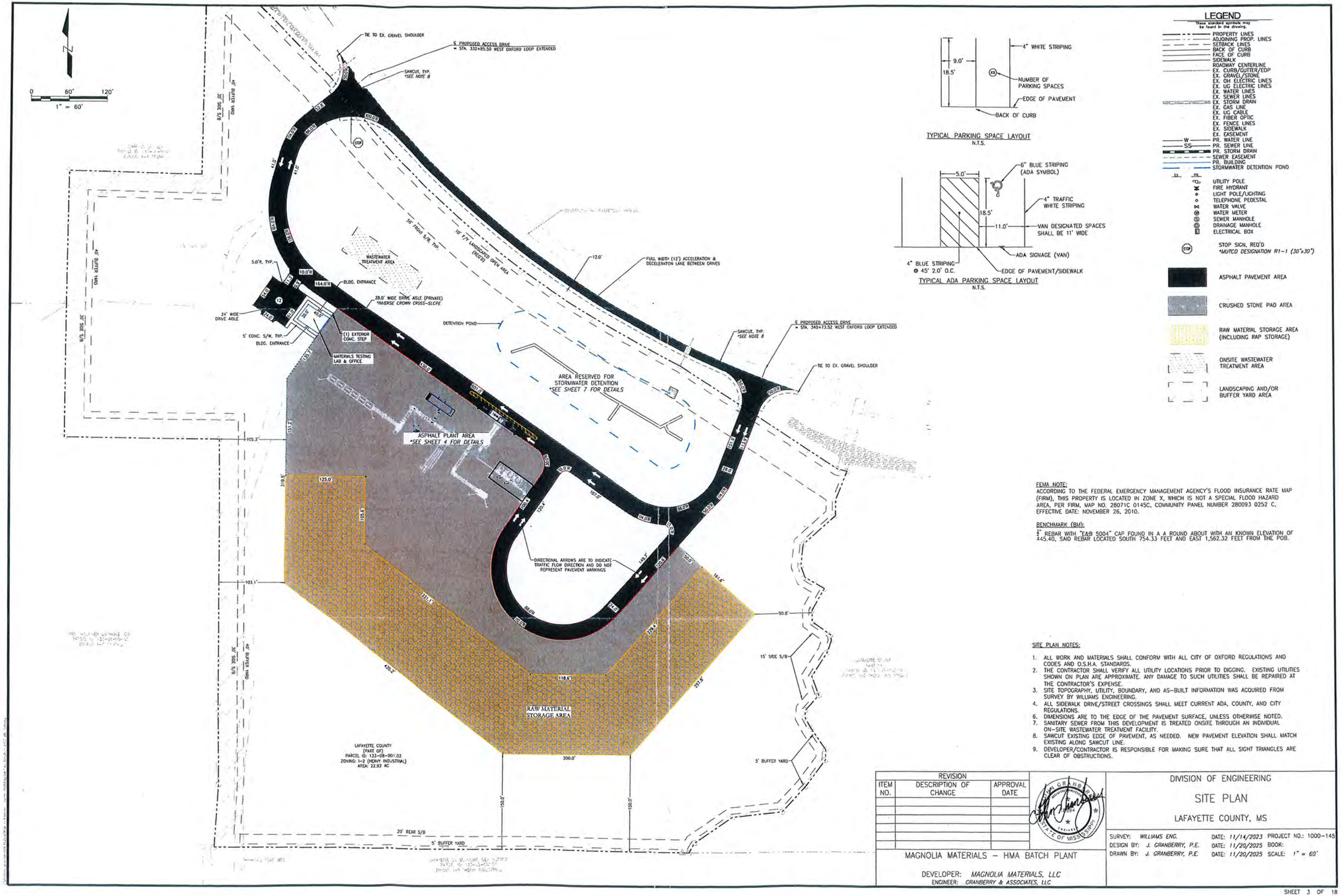
*3 Since a lease granted under the provisions of Section 19-3-7 (3) may be made only when granting the lease will "promote and foster the development and improvement of the community in which it is located and the civic, social, educational, cultural, moral, economic or industrial welfare thereof", the county should include appropriate provisions to ensure that when such objectives are no longer being met that the lease shall be terminated.

*3 Please let me know if you would like to discuss this matter or if I can be of further assistance.
Sincerely yours,

*3 Jim Hood
*3 Attorney General
*3 By: Reese Partridge
*3 Assistant Attorney General

2009 WL 572457 (Miss.A.G.)

END OF DOCUMENT



FEMA NOTE:
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM), THIS PROPERTY IS LOCATED IN ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, PER FIRM, MAP NO. 28071C 0145C, COMMUNITY PANEL NUMBER 280093 0252 C, EFFECTIVE DATE: NOVEMBER 26, 2010.

BENCHMARK (BM):
½" REBAR WITH "E&B 5004" CAP FOUND IN A A ROUND ABOUT WITH AN KNOWN ELEVATION OF 445.40, SAID REBAR LOCATED SOUTH 754.33 FEET AND EAST 1,562.32 FEET FROM THE POB.

SITE PLAN NOTES:

1. ALL WORK AND MATERIALS SHALL CONFORM WITH ALL CITY OF OXFORD REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
2. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO DIGGING. EXISTING UTILITIES SHOWN ON PLAN ARE APPROXIMATE. ANY DAMAGE TO SUCH UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
3. SITE TOPOGRAPHY, UTILITY, BOUNDARY, AND AS-BUILT INFORMATION WAS ACQUIRED FROM SURVEY BY WILLIAMS ENGINEERING.
4. ALL SIDEWALK DRIVE/STREET CROSSINGS SHALL MEET CURRENT ADA, COUNTY, AND CITY REGULATIONS.
6. DIMENSIONS ARE TO THE EDGE OF THE PAVEMENT SURFACE, UNLESS OTHERWISE NOTED.
7. SANITARY SEWER FROM THIS DEVELOPMENT IS TREATED ONSITE THROUGH AN INDIVIDUAL ON-SITE WASTEWATER TREATMENT FACILITY.
8. SAWCUT EXISTING EDGE OF PAVEMENT, AS NEEDED. NEW PAVEMENT ELEVATION SHALL MATCH EXISTING ALONG SAWCUT LINE.
9. DEVELOPER/CONTRACTOR IS RESPONSIBLE FOR MAKING SURE THAT ALL SIGHT TRIANGLES ARE CLEAR OF OBSTRUCTIONS.

REVISION		
ITEM NO.	DESCRIPTION OF CHANGE	APPROVAL DATE

JOHN GRANBERRY — 25354 — REGISTERED PROFESSIONAL ENGINEER — STATE OF MISSISSIPPI

MAGNOLIA MATERIALS – HMA BATCH PLANT

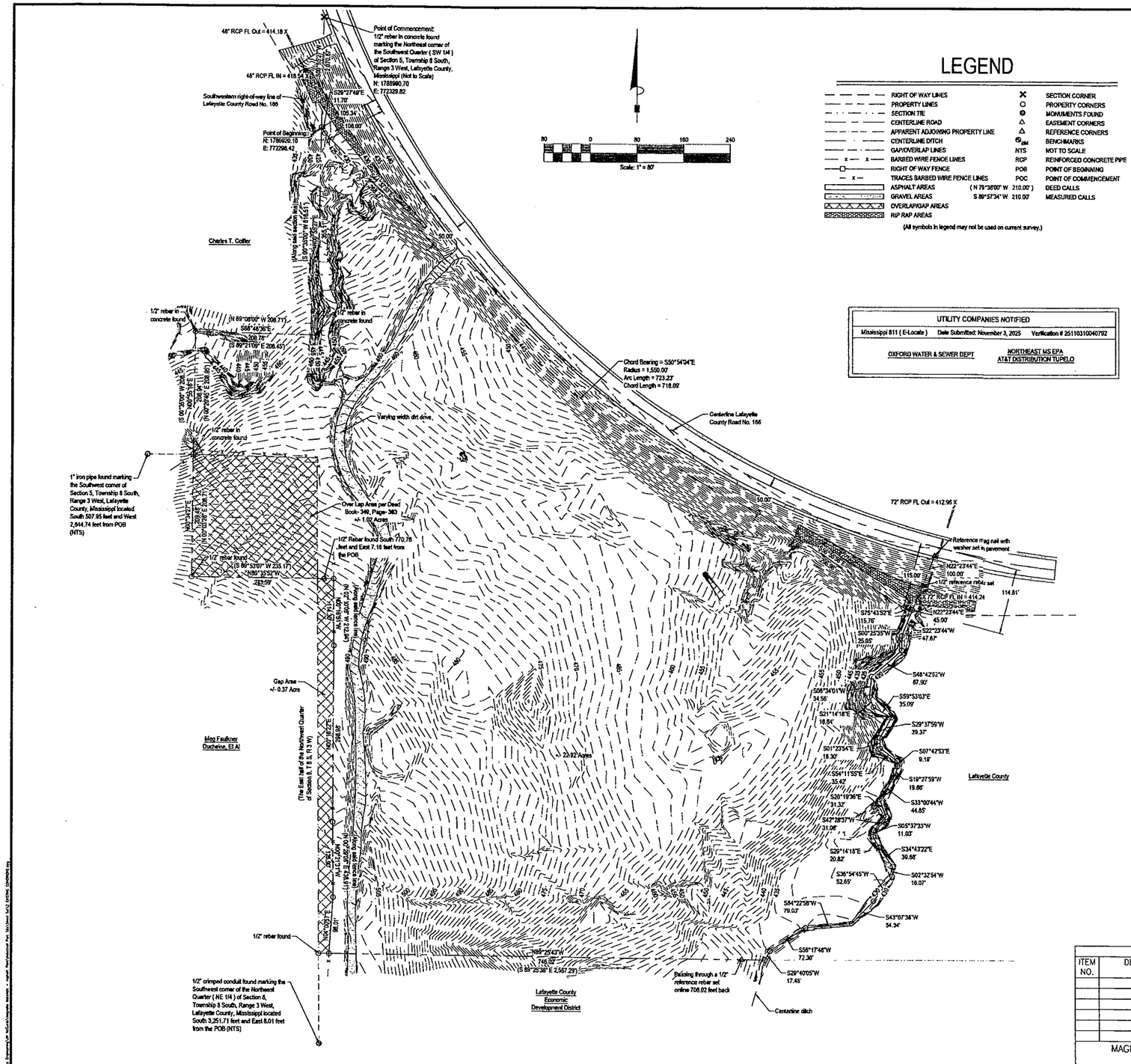
DEVELOPER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

DIVISION OF ENGINEERING

SITE PLAN

LAFAYETTE COUNTY, MS

SURVEY: *WILLIAMS ENG.* DATE: *11/14/2023* PROJECT NO.: 1000-145
DESIGN BY: *J. GRANBERRY, P.E.* DATE: *11/20/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *11/20/2025* SCALE: *1" = 60'*



LEGEND

RIGHT OF WAY LINES		SECTION CORNER	
PROPERTY LINES		PROPERTY CORNERS	
SECTION TIE		MONUMENTS FOUND	
CENTERLINE ROAD		EASEMENT CORNERS	
APPARENT ADJOINING PROPERTY LINE		REFERENCE CORNERS	
CENTERLINE DITCH	$\odot_{BM}$	BENCHMARKS	
GAP/OVERLAP LINES	NTS	NOT TO SCALE	
BARBED WIRE FENCE LINES	RCP	REINFORCED CONCRETE PIPE	
RIGHT OF WAY FENCE	POB	POINT OF BEGINNING	
TRACES BARBED WIRE FENCE LINES	POC	POINT OF COMMENCEMENT	
ASPHALT AREAS	(N 79°38'00" W 210.00')	DEED CALLS	
GRAVEL AREAS	S 89°57'34" W 210.00'	MEASURED CALLS	
OVERLAP/GAP AREAS			
RIP RAP AREAS			

(All symbols in legend may not be used on current survey.)

UTILITY COMPANIES NOTIFIED		
Mississippi 811 (E-Locate)	Date Submitted: November 3, 2025	Verification # 25110310040792
OXFORD WATER & SEWER DEPT	NORTHEAST MS EPA AT&T DISTRIBUTION TUPELO	

Notes:
1. This is a Class "B" Survey as set forth in Appendix "A" of the Standards of Practice for Land Surveying in the State of Mississippi.
2. Global Positioning System (GPS) was used to locate or establish Boundary Survey Points on subject survey and points were derived by GCGC Real Time Network, NAD83(2011) CORS epoch 2010.00.
3. Field survey completed November 17, 2025.
4. All bearings are based on Mississippi East State Plane Coordinate System Grid North as determined by GPS Observations with a Convergence of (-0°23'50") and a scale factor of 1.00000141 calculated at The Point of Commencement.
5. Horizontal Datum based on NAD 83(2011) and Vertical Datum based on NAVD 88 as posted on below station:
   GCGC Real Time Network
   CORS- This is a GPS Continuously Operating Reference Station
   Designation- Oxford CORS ARP
   CORS ID- MSOX
   PID- DK8714
   Lat- 34° 21' 50.93055"
   Long- 89° 31' 56.51634"
6. Subject survey is Zoned I-2 "Heavy Industrial" as per Lafayette County Zoning Map Dated January 18, 2018 and is subject to the regulations, setbacks, and easements found in the Lafayette County Zoning Ordinance latest addition.
7. This property is subject to any right-of-way or easements recorded or unrecorded shown or not shown on plat of survey.
8. All property corners set are 1/2" rebar with survey cap (WEC - COA 158), unless otherwise stated. No rebar set along centerline ditch.
9. Underground utilities shown on this survey represent surface markings of the utilities on site by various utility owners. Underground utilities may exist which were not marked by various utility owners. Williams Engineering Consultants, Inc. is not responsible for utilities not shown that were not located by utility owners. Utility parameters are shown as provided by owners.
10. The deed overlap area shown is due to the deed of record found in Deed Book- 349, Page- 383 calls for the East half of the Northwest Quarter of Section 8, T 8 S, R 3 W.
11. BM: 1/2" rebar with "ESS 5006" cap found in a a round about with an known elevation of 445.40, said rebar located South 754.33 feet and East 1,562.32 feet from the POB.
12. Deed References:
    A. Deed Book-W811, Page-536 B. Deed Book-349, Page-383 C. Deed Book-204, Page-508
    D. Deed Book-328, Page-344 E. Deed Book-374, Page-626 F. Deed Book-416, Page-021
    G. Deed Book-352, Page-153 H. Deed Book-452, Page-39 I. Deed Book-318, Page-284
    J. Deed Book-452, Page-403 K. Instrument No. 201103395 L. Instrument No. 20142641
    M. Instrument No. 200903823
    N. State Earmark Project No. SEMP-36(2)

1" iron pipe found marking the Southeast corner of Section 5, Township 8 South, Range 3 West, Lafayette County, Mississippi located South 868.03 feet and East 2,635.05 feet from POB (NTS)

$\odot_{BM}$

Description: A tract of land being a fraction of the North Half (N 1/2) of Section 8, and South Half (S 1/2) of Section 5, Township 8 South, Range 3 West, Lafayette County, Mississippi; being described in more detail as follows:

Commencing at a 1/2" rebar in concrete found marking the Northeast corner of the Southwest Quarter (SW 1/4) of Section 5, Township 8 South, Range 3 West, Lafayette County, Mississippi, said rebar being further defined by Mississippi East State Plane Coordinates of N: 1788990.70 and E: 772329.82; run thence S 00°55'27" W for a distance of 2,070.87 feet to a 1/2" rebar set on the Southwestern right-of-way line of Lafayette County Road No. 166 (105.34 feet from centerline), said rebar being further defined by Mississippi East State Plane Coordinates of N: 1786920.10 and E: 772298.42, said rebar also being the Point of Beginning of this description; run thence along said right-of-way line as follows: S 29° 27' 49" E for a distance of 11.70 feet to a 1/2" rebar set (106.00 feet from centerline); run thence S 44° 32' 53" E for a distance of 288.27 feet to a 1/2" rebar set (50.00 feet from centerline) at the beginning of a circular curve to the left; run thence along said curve having an arc length of 723.23 feet, a chord bearing of S 50° 54' 04" E, a chord length of 716.69 feet, and a radius of 1,550.00 feet to a 1/2" rebar set (50.00 feet from centerline); run thence S 56° 55' 56" E for a distance of 298.96 feet to a 1/2" rebar set (115.00 feet from centerline); run thence S 75° 43' 52" E for a distance of 15.76 feet to a point in the centerline of a ditch (114.81 feet from centerline), said point being referenced by a 1/2" rebar located N 22°23'44" E for 45.00 feet and a reference mag nail with washer located N 22°23'44" E for 100.00 feet from said point; run thence leaving said right-of-way line and along said centerline of ditch as follows: S 22° 23' 44" W for a distance of 47.67 feet to a point; run thence S 00° 25' 35" W for a distance of 25.85 feet to a point; run thence S 48° 42' 52" W for a distance of 67.90 feet to a point; run thence S 08° 34' 01" W for a distance of 34.56 feet to a point; run thence S 21° 14' 18" E for a distance of 18.54 feet to a point; run thence S 59° 53' 03" E for a distance of 35.09 feet to a point; run thence S 29° 37' 59" W for a distance of 39.37 feet to a point; run thence S 01° 23' 54" E for a distance of 18.30 feet to a point; run thence S 54° 11' 55" E for a distance of 35.42 feet to a point; run thence S 07° 42' 53" E for a distance of 9.19 feet to a point; run thence S 19° 27' 59" W for a distance of 19.66 feet to a point; run thence S 33° 00' 44" W for a distance of 44.65 feet to a point; run thence S 20° 19' 36" E for a distance of 31.32 feet to a point; run thence S 42° 28' 37" W for a distance of 31.06 feet to a point; run thence S 05° 37' 33" W for a distance of 11.03 feet to a point; run thence S 29° 14' 18" E for a distance of 20.82 feet to a point; run thence S 34° 43' 22" E for a distance of 39.68 feet to a point; run thence S 02° 32' 54" W for a distance of 18.07 feet to a point; run thence S 36° 54' 45" W for a distance of 52.65 feet to a point; run thence S 43° 07' 38" W for a distance of 34.34 feet to a point; run thence S 84° 22' 58" W for a distance of 79.03 feet to a point; run thence S 56° 17' 48" W for a distance of 72.30 feet to a point; run thence S 29° 40' 05" W for a distance of 17.48 feet to a point; run thence N 89° 25' 43" W leaving said ditch for a distance of 748.02 feet to a 1/2" rebar set near traces of a barbed wire fence line, passing through a 1/2" reference rebar set online 706.02 feet back; run thence along said traces as follows: N 04° 00' 57" E for a distance of 98.01 feet to a 1/2" rebar set; run thence N 00° 21' 31" W for a distance of 128.90 feet to a 1/2" rebar set; run thence N 00° 16' 22" E for a distance of 298.98 feet to a 1/2" rebar set; run thence N 00° 16' 51" W for a distance of 114.20 feet to a 1/2" rebar set; run thence N 89° 35' 52" W leaving said traces of wire for a distance of 243.59 feet to a 1/2" rebar found; run thence N 00° 34' 27" E for a distance of 209.48 feet to a 1/2" rebar in concrete found; run thence N 00° 55' 18" E for a distance of 208.94 feet to a 1/2" rebar in concrete found; run thence S 88° 46' 36" E for a distance of 208.76 feet to a 1/2" rebar in concrete found on the East line of the of the Southwest Quarter (SW 1/4) of Section 5; run thence N 00° 55' 27" E along said East line for a distance of 355.11 feet to the Point of Beginning of the herein described tract of land. Said tract contains 22.92 acres, more or less.

The above description is based on Mississippi East State Plane Coordinate System Grid North as determined by GPS Observations with a Convergence of (-0°23'50") and a scale factor of 1.00000141 calculated at The Point of Commencement. Horizontal Datum based on NAD 83(2011) and Vertical Datum based on NAVD 88 as posted on station: GCGC Real Time Network, CORS- This is a GPS Continuously Operating Reference Station, Designation- Oxford CORS ARP, MSOX, PID - DK8714, Lat- 34° 21' 50.93055", Long- 89° 31' 56.51634". All property corners set are 1/2" rebar with survey cap (WEC - COA 158) This Description was prepared by Williams Engineering Consultants, Inc. (662-236-0875)

REVISION		
ITEM NO.	DESCRIPTION OF CHANGE	APPROVAL DATE

JOHN GRANBERRY — 18684 — REGISTERED — STATE OF MISSISSIPPI

MAGNOLIA MATERIALS – HMA BATCH PLANT

DEVELOPER: *MAGNOLIA MATERIALS, LLC*
ENGINEER: *GRANBERRY & ASSOCIATES, LLC*

DIVISION OF ENGINEERING

EXISTING CONDITIONS

LAFAYETTE COUNTY, MS

SURVEY: *WILLIAMS ENG.* DATE: *11/20/2025* PROJECT NO.: 1000-145
DESIGN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* BOOK:
DRAWN BY: *J. GRANBERRY, P.E.* DATE: *12/15/2025* SCALE: *1" = 80'*

Lafayette County MS



10/2026, 8:16:06 AM

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EXHIBIT 2
WIT: MDEQ
DATE: 6-10-26
Brooks Court Reporting

1:18,056

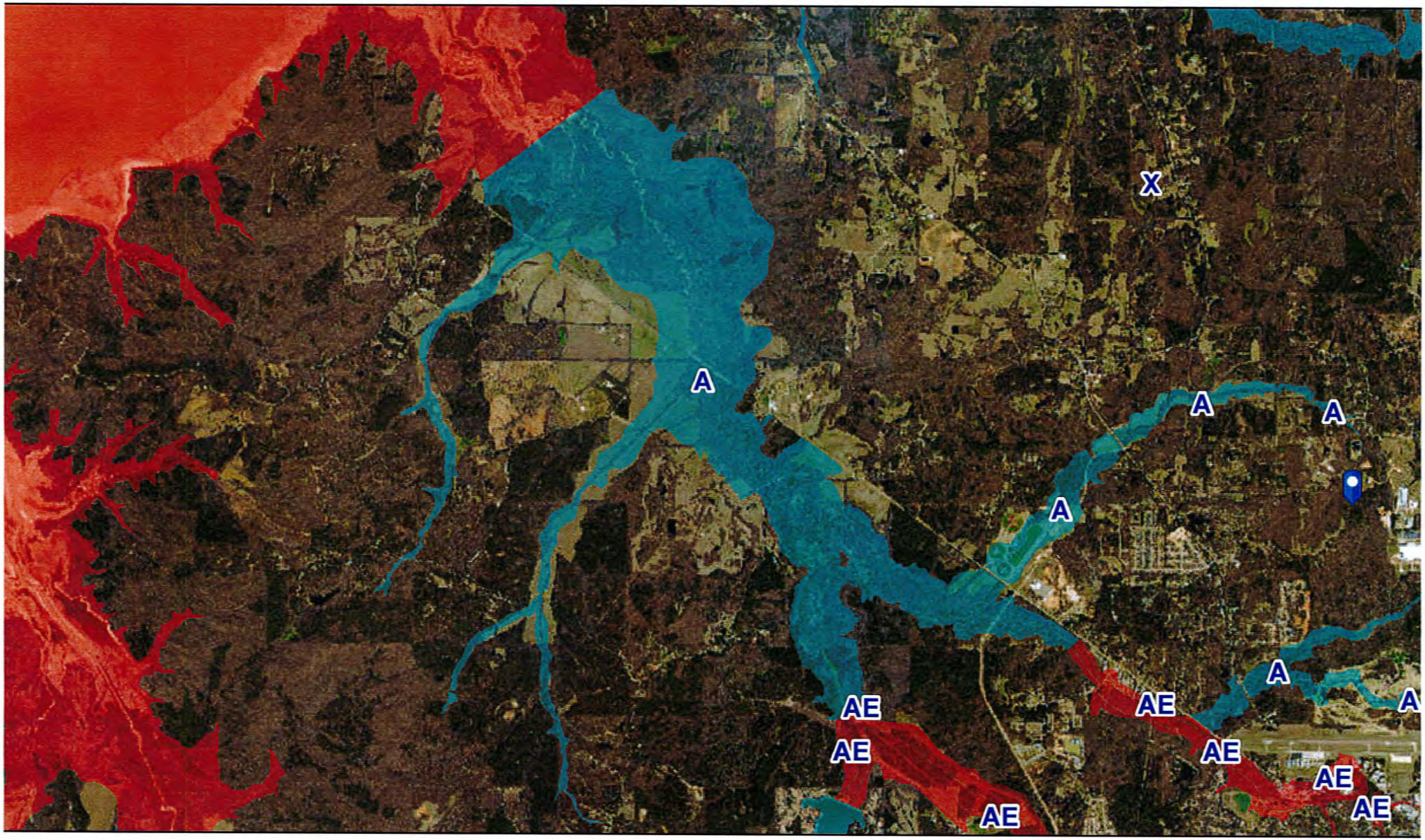
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Garmin, GeoTechnologies, Inc., USGS, EPA

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Lafayette County MS



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Lafayette County MS



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WATER_LN

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HEADQUARTERS
Resolute Support
Kabul, Afghanistan
APO AE 09356

Date: 28 June 20

MEMORANDUM FOR RECORD

SUBJECT: Exposure to Hazardous Environmental Air Conditions Kabul, Afghanistan.

1) (NATO/UNCLASSIFIED) **References**.

a. National Ambient Air Quality Standards https://www.epa.gov/environmental-topics/air-topics

b. Periodic Occupational and Environmental Monitoring Summary (POEMS): Kabul and Vicinity, Afghanistan, 2003-2015 report (United States Central Command approval date 15 September 2016).

2) LTC SHERWOOD A. MORRIS served in support of Operation FREEDOM'S SENTINEL and NATO RESOLUTE SUPPORT within the city limits of Kabul, Afghanistan at Resolute Support (RS) Headquarters, New Kabul Compound, Hamid Karzai International Airport (HKIA), or other camps within the city limits during the period of: 09 JULY 19 - 15 JULY 20

3) The air quality in Kabul, Afganistan has been sampled as noted n the 2003-2015 POEMS (United States central Command approval date 15 September 2016). Results showed high levels of particulate matter (PM) less than 2.5 micrometers in diameter, which can cause long term health effects. Factors contributing to high PM levels in Kabul are dusty roads, operations of diesel power generators, exposed raw sewage, burnng lead gasoline in vehicles and burning of garbage (plastic, tires and wood) as fuel sources to heat homes and to cook.

* NOTE: Leaded Gasoline used in Kabul contains lead tetra ethylene as an additive
* POEMS website for current information:
https://phc.amedd.army.mil/topics/envirohealth/hrasm/Pages/POEMS.aspx

4) All US military who served in Kabul area for more than two weeks are directed to annotate this exposure on their DD Form 2796, Post Deployment Health Assessment (PDHA) and DD Form 2900 Post Deployment Health Re-Assessment (PDHRA). Additionally, members who experience symptoms should consult with their healthcare provider and specifically mention exposure to elevated levels of particulate matter noted above during their deployment.

* PHDA: Face-to-face appointment with healthcare provider during in-theater medical out processing or within 30 days after returning home.
* PDHRA: Required between 90-180 days after return to home station from deployment.

5) NATO forces, civilian, and contractor personnel who were possibly exposed to airborne pollutants should contact their medical provider when they return home as well as their agency or company that employed them and specifically mention exposure to elevated levels of particulate matter during their deployment.

6) Point of contact for this memorandum is the Headquarters Resolute Support Operations RS MEDAD/CJMED Branch head who can reached at 318-449-4203, NU(cjmedhead@hq.rs.nato.int) or Preventive Medicine Officer.

JOHNSON.NANC Digitally signed by JOHNSON.NANCY.J.1012443478
Y.J.1012443478 Date: 2020.02.06 16:28:16 +04'30'

Nancy J. JOHNSON
Colonel (OF-5), USAF
RS MEDAD/CJMED Branch head
HQ RS Kabul, Afganistan

Date Verification
Supervisor/SNR:_____

Signature:_____

A
a.m 5:5
abandon 55:25
ability 22:17
able 62:14 72:9
absent 17:16
absorbed 23:6 26:4
abuts 34:25
accelerated 62:5
accomplishme... 37:23
accumulate 47:17
accumulation 48:1
accurate 13:17 37:19
accurately 49:1
acknowledges 18:22
acquiring 18:15
acre 19:1,1 31:7 39:8
acres 7:3,17,18 23:8,9,11 24:3 24:12,13 35:24 39:8 43:20 69:1,1
act 6:24 9:5,9 45:9
acted 30:11
acting 51:18
action 6:14 9:19
actionable 11:19
actions 5:7 73:4 73:12,17,20,24 74:8
activities 7:4,13 7:20 9:14,17 10:13,19,25
actual 52:11
add 50:14 68:4 68:10
added 57:21
adding 27:2 43:25
addition 11:12 36:12 70:13
additional 27:2 27:11
Additionally 38:20
additives 10:9 44:5
address 10:21 21:7 61:22 62:23
addressed 61:13 61:17
adjacent 30:12 30:15 36:2,16
adjoining 16:2
adjust 41:4
adopted 6:22 9:6
adults 46:15
advanced 31:22 42:9 55:8
adverse 37:7
advisor 59:4
Aerial 30:17
aerospace 27:8
afforded 29:6
Afghanistan 59:2,9,12,18 59:23 60:12
aforementioned 75:7
afternoon 15:8
age 28:5 42:9
agencies 6:8,10 27:12
Agency 9:5
agency's 46:14
aggravating 43:1
aggregates 10:7 43:14
agreement 16:17 17:3,5,20
agricultural 16:6 35:25
ahead 66:11 67:18
air 4:10 6:3,20 9:1,5,14 11:3 11:14 20:3,25 21:18 24:19 25:24 26:12 27:15,16 31:14 31:21,25 32:7 33:5 35:1 36:8 37:1,2,4,6 40:10,22 42:10 42:24,25 46:16 49:21 54:2 59:8,23 63:4 63:11,13,14 65:7
aircraft 27:5
airport 27:6,14 32:22 59:20
Alex 50:15,20
alike 43:4
allay 64:12
alleged 27:25
allow 12:23 14:19 57:25 61:2
allowable 47:13
allowed 7:1
allowing 45:14 64:16
America 53:2
ammunition 71:17
amount 32:6 38:3 49:2
and/or 5:11
Andrew 65:20
animals 36:14 37:8
Ann 54:25 55:1
Annotated 17:14
answer 16:13 19:14 33:15
answered 29:20
answers 56:8
anticipate 19:3
anticipated 23:22
anybody 67:22 68:3 72:24
app 34:22
appeal 16:10 72:19
Appearances 2:1 3:3
applause 12:17
applicable 9:20
applicant 16:16 48:11,13,16 49:7
application 19:5 22:1 24:17 29:1 47:13,15
apply 19:6 34:15
appreciate 14:4 20:21 29:9 61:14
approach 67:24
appropriate 35:9 57:18
approval 28:25 59:25
approved 9:4
approximately 7:18
approximation 34:21
aquatic 25:7
archived 13:10 13:13 14:3
area 7:2,15,17 8:1 20:10,15 22:15 23:2 24:6,8 25:3,12 26:20 28:20,24 38:4,8,13 56:5 56:9 57:1 58:1 62:20 63:19 65:3
areas 8:6 10:23 16:5 21:4 22:21,22 24:5 26:18 63:6 66:19
Arliss 56:11
Army 27:21
article 62:1
articles 34:12 40:5
aside 20:21
asked 33:21 46:24 49:16 51:23 52:5 53:14
aspects 55:13
asphalt 4:20,22 7:14,23 8:21 8:24 9:10,16 10:2,3,8,10,11 10:15 11:5,6 15:12 20:6 21:8,11 25:17 28:19 29:24 30:9 33:9 34:13,19 35:10 35:25 37:5 42:15,18 43:8 43:14 44:25 45:15 46:11 47:7 49:10,19 49:24 50:12 55:23 56:6,9 62:21 63:6,22 64:2,9 65:6 67:16 68:14,17 68:19
assertions 21:25
assess 70:15
assigned 6:7,11
associated 5:2

7:10 9:15,17 9:24 32:3 37:5 47:3 73:11
assumed 39:9
assuming 33:14
atmosphere 24:21
atmospheric 27:16
attached 17:8 26:16 27:10,25
attachment 72:10
attachments 29:13
attempted 24:14 24:15
attempting 45:23
attend 34:6
attention 19:13
attenuation 8:15
attesting 28:2
attorney 15:9 17:7,9
auction 68:12
auditorium 13:25
authorities 17:17
authority 6:23 9:7 17:16,23
authorized 7:1 9:13
available 14:1
avoid 46:25
aware 15:18 16:16 19:25 27:13 44:9

B

back 24:18 28:3 36:20 56:17 60:24 68:6
back-door 53:5
backyard 57:17
bad 50:18
baghouse 11:9 42:22
Barefoot 2:3 4:14 29:4
based 11:7,20 25:14 74:6
basic 56:19
basically 47:6 57:10
basin 8:2,9,13 8:13 47:17 48:2,15
basins 43:23 48:24
basis 11:8,21
battle 53:22
beast 16:21
beg 65:19
began 5:3 65:13
beginning 1:15
begins 28:10
begun 28:9 71:7
behalf 15:19
beings 52:24
believe 16:15 24:11 27:18 35:12 37:19 39:7 50:3 52:3 70:11 71:20
belong 46:8
benefiting 45:5
Berry 7:16 22:12,23 24:22 32:13 43:22
best 8:4 61:7 75:9
big 67:15 72:10
biggest 36:6
bind 16:22 17:17,24
bit 46:23 64:23
bitumen 22:25 47:6,9,19 48:2 48:21
black 23:10
blow 57:4,4,6
blue 24:25
BMPs 8:4 10:20 10:24
board 5:21,21 5:23 6:5 16:9 16:21,22,24 17:13 18:2 19:13 21:3 28:25 44:20 68:15 70:11 71:2,4,14 72:21 73:13,14 73:21,25 74:9
boards 19:9
body 54:9
booing 12:15
border 30:6,10 30:19
bordering 38:5
borders 33:23
bottom 70:4
bottoms 47:6
Boulevard 1:14
boundaries 63:1 64:7
boundary 30:22 32:13 62:24
box 2:4 23:10
Branch 7:16 22:12,23 24:22 32:13 43:22
breathing 31:25
bred 37:21
brief 6:13 68:2
briefly 19:11
bring 13:6 19:12 19:21,24 54:24 66:9
brokering 23:13
brought 18:4 26:9 58:18
brown 62:23
budget 62:2,10
budgets 63:25
buffer 30:11 34:12 35:1 39:2,9
building 7:25 44:16
buildings 32:23
built 18:13 41:13,16 45:15 62:15 64:3,25 67:13
bulldozers 24:14
Burn 60:16
burning 60:7
Byhalia 63:18
byproduct 22:25

C

calendar 20:19
call 14:8 54:20 68:22
called 59:21
calls 29:8
camp 22:14
camps 59:21
campus 32:24
cancer 26:10 60:24
cancerous 60:15
cannabis 50:2
capable 49:1 57:25
capitalistic 68:11
carbon 11:17
carcinogenic 47:11
cardiovascular 43:2
cards 14:1,10 54:17
care 32:11 46:5
career 60:9
careful 73:6
carefully 44:18
Carrie 2:3 4:14
carrying 48:24
Carter 50:16
case 17:13 18:1
catastrophic 33:3
cause 60:3
cbarefoot@m... 2:6
CCR 1:24 75:18
cedar 36:18
cement 10:10 42:18
Center 1:13
Central 59:13
certain 62:20
Certificate 3:5 75:1
certificates 6:25 9:12
certify 75:4,9
cetera 26:7
CFR 48:12
CHAD 74:23
Champion 37:22,22
championship 37:21
Chandler 33:19 34:4 35:11
change 31:21 52:19
changed 53:21
checked 60:17
cheering 12:15
chemical 44:5 55:10
chemicals 25:21 33:1
Chief 4:10,14
children 20:17 31:17 43:4 46:15
chocolate 37:17
choice 35:9
choose 17:2

chosen 68:15
Christa 1:24 75:2,18
chronic 55:15
circled 22:7
Circuit 16:10
circumference 20:10
citing 17:12
citizens 29:1 43:17 44:24 45:8 51:18 52:23 53:13 54:8
city 26:13 59:18
clarification 10:23
Clause 48:12,22 49:4
clean 9:5 40:22
cleanup 46:5 56:4
clear 43:10
clearing 8:19 43:24
clearly 13:11 37:6
client's 18:14,25
clients 15:19 18:18
close 28:17 33:11 34:8 35:21 40:4 43:8 57:9 62:18 74:14
closed 28:8
closely 21:8 28:11
closest 30:18 33:20
closing 72:18
closings 54:1
clusters 68:20 68:21
Code 17:14
Collier 34:24
colonel 58:24 59:14,15
combustibility 47:19
combustible 47:10 48:20
come 13:3 14:20 15:6 21:3 23:24 54:22 68:6
comes 45:4
comfortable 58:2
coming 58:14 67:19
Command 59:13
commenced 74:4
comment 5:2,14 12:3,6 13:4,15 13:18,21 14:1 14:2,8,14 15:16 51:25 73:8
commenter 12:16,22,24 13:2 72:13
commenters 12:21 14:17
commenting 73:3
comments 5:15 12:25 13:12,23 50:13 51:2 61:12 70:8,14 70:22 72:6 73:3,7,16 74:2 74:5,6,13
commercial 16:5
commission 23:21 35:8 44:21 51:8 75:19
commitment 45:17
committed 12:12
common 57:10 57:11,14,21 58:8 72:13
communities 45:11
community 30:4 30:16 31:14 43:16 45:24 46:6 64:13
companies 21:12
company 62:14 64:2,3
complete 6:10 73:10
completed 8:16 11:25 21:13 26:15
completely 26:24 51:6,13 52:6,18
completing 14:2
completion 13:16
complex 20:16 22:13
Compliance 48:10
composition 6:5
Compound 59:19
compounds 11:18 42:24
comprehensive 11:22
comprised 23:16
compromise 42:25
compromised 42:11 45:24
computer 14:21
concentrated 47:9
concern 26:2 30:1 36:6,8,25 44:22 56:22 62:10,13 63:3 63:16 64:2 65:8,10
concerned 35:1 35:14 36:21 42:4 52:11 55:12
concerns 5:15 12:1 20:4,22 20:24 21:6 28:15 39:19,24 41:10 45:3 47:1,5 61:25 62:17 64:12 65:7
concise 12:23
conclude 5:4
concrete 56:8 71:10
conditions 6:1 27:16 59:9
conduct 7:12
conducted 10:13
Conference 1:13
conferred 17:19
connect 60:24
Conrad 56:15 56:18
conservation 45:21
conserve 40:14 46:13
conserving 41:25
consider 28:25
consideration 5:16 6:15 11:22 35:11 40:24 41:10 73:18 74:10
considered 5:10 12:3 47:10
considers 44:14
consist 10:4
consistently 17:15
consists 6:6 7:21
Construct 9:14
constructed 15:13
construction 4:18,19 6:16 6:18 7:4,9,12 7:14,19,21,23 7:23,24,25 8:17,18 10:2 20:25 24:16 28:9,10 47:3 49:8,9
consumable 50:7
consumed 26:8
contact 71:15,22
contain 48:14
contains 75:5
contaminants 23:5,5 25:5
contaminate 36:7
contaminated 23:18
contamination 37:6 63:18
contingent 74:1
continuous 43:12
continuously 44:10
contracts 17:18 21:11
contractually 16:22
contradicts 46:12
contributing

47:18 60:4
control 6:3,21 6:24 8:3 9:2,9 27:23 28:2 38:12 57:2
controls 10:24
convey 12:24
conveyance 10:6
conveyed 5:9 10:12 70:10
cooperation 14:4
COPD 31:23 55:8
copy 27:24 29:14 61:8 73:15 74:23,24
core 45:17
Corps 27:21 28:1
correct 75:5
corresponding 6:11
Cortez 50:18,22 50:23,24,25
costs 46:5
counter-flow 10:5
counties 28:18
country 33:21 59:6
county 4:24 16:7 16:11,17 17:23 18:2 23:12 24:9 26:14 28:2 29:25 31:11 34:10,17 37:14 38:24 39:1,4,9,13 41:15 43:17 44:20,23 45:8 56:2 63:10 64:6,22 68:21
county's 16:3
couple 17:8,9
69:9
course 22:23 26:3 31:12
court 3:5 13:9 16:10 19:19 34:1 51:14 66:6 68:7 69:11 75:1,2
coverage 7:1,11 8:16 9:12 10:1 11:5,25
coverages 4:17 5:3,17,19 6:3
COVID 42:11
crappies 26:8
create 48:3
created 5:23
creates 43:25 46:2
creating 27:3,4 36:9
creek 22:12 24:22 31:1 48:21 55:2 61:20 69:14
creeks 24:25
criteria 35:9
critical 20:20
crude 47:7
crushing 10:14
crustaceans 26:7
culmination 5:1
curious 44:13 49:20 50:10
currently 16:10 63:9 64:6
cut 23:22 38:3,8 38:13
cuts 62:2,10
cutting 18:12
Cynthia 61:16

D

daily 20:18
damage 49:6
damaging 46:1
dams 8:7
dangers 28:16
date 59:25
dated 17:10
David 46:20,21
Davis 3:7 15:3,4 15:8,9,23,25 18:9 49:11,12
day 50:1 75:15
days 24:10
deal 23:13
dealing 63:14,15
deals 53:5
Dear 34:5
Debbie 56:13
decade 31:8
decades 30:13
December 17:11 51:7
decent 54:8
deceptive 30:17
decided 68:19
decision 5:18 29:2 50:11 70:16,20 73:19
deed 18:15,24
deeply 42:4
definitely 54:14
demonstrations 12:18
denied 16:8 57:24
denoted 54:16
densely 28:24 43:9
density 20:7
deny 33:10 46:10,18 49:7 65:16
denying 5:25
depart 59:6
department 1:9 2:4 4:11 16:15 19:8 40:7,8 41:22 44:13,19 50:4,11
department's 41:18
departments 70:5
deployed 56:23 58:25 60:10,11
deployment 59:3
depreciates 46:3
DEQ 62:3
described 37:15 47:18
description 6:13 18:23
designated 30:9
designation 49:22
designed 8:13 37:2,10
designees 6:7,12
desire 14:11 68:1
destabilization 20:3
destroy 24:15
detention 8:15
determines 68:23
detriment 27:5
detrimental 25:17
devastating 65:14
develop 73:7
developer 20:14 44:9,15 45:2,6 51:19 52:21 53:18 65:8,10
developer's 65:4
development 8:16 23:12 30:6,15 31:7 33:1 37:16 38:25 57:19
74:5
developments 20:14
diameter 11:15 11:16 60:3
diesel 47:16,16 47:20 48:2,21 60:6
difference 21:14 34:2
different 52:9 57:13 65:12 66:19 70:5
dinner 26:9
dioxide 11:18
direct 21:17 23:17 42:20
direction 30:25
directions 26:14
directly 20:5 22:19 36:2,16 46:11 52:22
director 37:16 38:25
directors 6:7,11
dirt 23:24 32:10 38:14 44:16 65:12
disastrously 65:3
discharge 7:3 9:16 48:20
discharges 11:1 25:25
discussed 72:21
discussing 72:18
diseases 26:10
dispatch 10:11
dispensing 47:13,15
disposal 10:22
disrupt 43:15
disruption 12:14
disruptors 25:18
disseminate

70:19
district 69:2
disturb 7:2 24:12 43:20
disturbance 4:15 38:11
disturbed 7:19 8:6,10 23:8
disturbing 7:12 28:12
Division 4:11,15 48:10
document 18:5 60:22 73:16 74:6,13
documentation 62:6,16 69:20
documented 20:4 28:22 37:7 62:1,9
documents 26:17 29:12
dogwoods 36:23
doing 57:16 62:11 67:2
door 34:23 39:20,23
doubled 37:12
download 72:16
downstream 25:8,13
Dr 22:3 27:8,18 29:15,16 34:3
dragging 23:4,4
drainage 8:1,8 10:22 48:24
drains 8:7
drinks 31:20
drive 62:19
drum 10:5 11:9 42:18
dryer 10:5 11:9 42:18
DuChaine 15:10 34:24 35:19,21 35:23,23 38:24
DuChaines 52:22
due 21:12 27:14 28:5 34:7 38:11 53:19 60:14
dump 49:23
duplication 46:25
duration 8:18
dust 43:13
Dustin 15:13
dusty 60:5
Duty 48:12,22 49:3
dying 38:10

E

earliest 71:3 73:23
early 24:6 62:16
easily 51:15
east 30:8 36:1,17 59:1 60:11
eastern 32:13
eaten 26:5
echo 65:5
ecological 21:17 45:19 49:22
economic 40:16 42:1 44:7 45:3 45:4 46:2,3,17 57:19
economically 45:5
ecosystem 42:7 43:19
ecosystems 40:20
ecotoxicological 25:16
Ed 1:14
edible 50:2,3
edited 46:23
effect 8:18 16:23 26:13 37:7
effective 6:17 8:23
effectively 48:14
effects 35:15 60:4
effort 29:20
efforts 64:12
either 10:25 47:22 67:12
elderly 31:15 43:2
election 16:25
elements 73:5
elephant 21:7
eliminate 26:24
Elizabeth 61:18 61:19 69:13
email 72:9
emailed 31:4 34:8
embedded 25:22
emergency 10:16
emission 63:19
emissions 9:15 11:3 20:3,25 21:18 24:20 26:22,24 36:8 37:1,2,9,15 42:17 54:2 62:8,23
emit 63:7
employ 75:10
employees 45:6 48:4
encompasses 7:16
endangering 48:3
endocrine 25:18
enforceable 7:6 9:21
Enforcement 48:10
engineer 18:22
engineering 27:9
engineers 18:11 23:21 27:22 28:1
engines 10:16
ensure 12:4,9 13:17 32:11
ensures 14:6
Ensuring 40:21
enter 13:23
entire 20:9,10 26:13 32:25 39:17
entirety 30:25
entity 7:1 9:12
entrance 13:24
environment 12:11 25:15 40:15 42:1 45:22,25 46:13 63:20
environmental 1:9 2:4 4:12 5:20 6:2,9 9:4 19:8 20:2,22 20:24 28:15 40:7,9,19,21 41:22 42:5 43:10,18 44:10 46:5 48:9 49:6 50:5 51:23 52:17 53:7,11 55:9,13 56:21 58:4 59:8,10
EPA 33:6 48:11 62:6,9
equipment 9:15 48:19
erosion 8:3 38:13
especially 36:13
ESQ 74:23,24
established 6:6 6:19 8:25 30:4 31:11
establishment 39:12
et 26:7
evaluate 71:8
evaluated 32:3
evaluation 70:15
evening 4:1,6,13 12:2 41:8
event 33:3 60:23 72:11
events 25:5
eventually 25:7 25:25
exact 18:1
exactly 26:17 33:10
examined 12:5
exceeding 27:3
excuse 26:17 65:9 73:21
Exhibit 3:7,8,9,9 74:19,20,21
Exhibits 3:6,7,8
existed 31:7
existing 18:12
expansion 21:12
experiencing 62:9
expertise 21:4
experts 53:13
Expires 75:19
explain 19:22
explanation 25:21
explicitly 67:23
exposure 22:24 59:8 60:6
express 12:13
extend 30:24
extended 17:24
extension 30:14
extensive 33:9
extent 18:25

extremely 34:8 55:17,18

F

FAA 27:14
face 57:8
facility 4:23 7:15 7:20 10:1,3,4 10:12 11:4 20:1 21:14,20 22:10 23:25 24:2,4 25:1 28:16 33:11 46:7 50:2,6,9 71:23
facility's 11:13
fact 51:6,11
Factors 60:4
factory 48:5
facts 20:20 40:3
factual 25:14
failure 16:3 44:3
fair 14:6
false 21:25 23:7
falsely 21:24 22:4
families 31:17 31:24
family 26:9 35:24 39:23 41:13 42:6 65:1
far 20:1 30:10 60:23 72:10
farm 35:24 36:14,24 37:8 39:12,16
farms 31:2,5,6 33:2 50:1
father 18:14
Faulkner 35:19 38:24 66:1,2
favor 45:2
FDA 50:8
feature 8:14
February 6:17 7:8 9:23
federal 6:24 9:8 27:11
federally 7:5 9:20
feed 36:3
feedback 61:2
feeder 24:7
feel 35:7 54:20
feet 23:22,23 27:2,4 31:19 31:20 34:14,18 37:10,13 38:1 38:5 62:21
fellow 51:20
fence 18:12,13 18:18
fencing 8:6 43:24
Fieldstone 31:2 31:5,6
filed 15:19,25 19:2
fill 23:24
filter 8:7 42:22
final 5:18 8:19 70:16 73:19 75:12
finally 18:3 60:12
find 17:22 24:21 25:23 61:4 63:11 66:16 69:1 72:15
fine 42:22 68:6
fines 44:11
finished 10:11
fire 48:3 67:9
first 6:16 14:9 14:19,24 15:1 21:7,21 47:5 58:13
firsthand 65:11
fish 26:8
Fisheries 69:24
five 7:2
fix 61:4
fixed 66:17
floating 25:22
flood 24:1 27:23
floodway 38:17 38:21
floor 14:13,15 67:22
Florida 58:16
flows 32:13 38:22
flux 17:5
focus 20:23
focused 40:15 42:2
follow 44:15
following 9:13 10:13 14:9 16:24 28:12 39:3 40:6
football 58:18 58:18,22
footprint 43:18
force 62:2 63:25
forces 60:11
foregoing 75:4
foresee 49:6
formally 4:8 5:4
formation 41:14
forth 7:7 9:22
forward 5:22 60:22 71:14
Foster 46:16
fostering 42:1 44:7
found 6:12 33:5 54:2
four 28:19 68:20
fragile 46:9
frankly 51:18 52:20
free 54:20 67:23 68:11
FREEDOM'S 59:16
front 32:14
fuel 47:16,17,20
fugitive 43:13
full 8:18 23:15 53:9
fully 12:24 20:16
functional 22:8
Furr 41:2,3,5,7 41:8
further 4:3 75:9
future 40:12 41:24 45:13

G

gain 49:23
games 22:15
garbage 60:8
garnered 5:8
gas 47:24
gas-fired 10:5 42:18
gasoline 47:14 60:7
general 4:18,20 5:17 7:7 11:24 12:2 14:14 17:7,9 28:19 48:12,22 49:3 49:8
generally 15:16
generations 40:12 41:24 45:13
generators 60:6
gentlemen 4:2 63:1
getting 58:7
give 13:1 54:17 54:19 60:21 61:8 67:21 68:2 71:1
given 5:6 21:3 31:5
gives 62:20
glad 57:15
gladly 69:3
Glenn 29:4 69:16,17,22
Glynna 3:8 14:24 19:17
go 14:19 15:1,2 19:16 25:2 29:21 42:14 57:12,17 62:19
goal 40:6,8
going 5:21 14:25 19:21 38:7,15 46:25 50:23 51:2 53:2,4,8 57:3,3,4,5,6,7 57:8,8 60:22 66:14 67:4
golf 31:12
good 4:1 15:8 41:8 50:1 52:24 63:13 65:23 66:23 69:18
goodness 67:9
Gordon 52:2
gotten 54:7
governing 17:17
government 54:9 68:23
GP 4:19,21 6:16 6:18 7:12 8:17 8:21,24 9:10 9:22 10:2 11:5
grading 7:22
Grand 37:22
grandparents 20:18
granted 6:23 9:7
grasses 37:1
grateful 55:4 61:1,6
gravely 55:12
great 30:1 32:6 32:11 56:20 62:11 74:16

greater 7:2
greenfield 4:22 49:9
grew 63:3
ground 25:6,24 38:11 47:23
groundwater 23:19 63:17
grown 18:17
grows 30:23
growth 40:17 42:2 44:7 45:4 46:2,17
guess 14:16 41:15 54:18
guidelines 12:8 14:6
gullies 23:15
gun 70:24
gunpowder 48:5
guys 50:25 61:7
guys' 61:6
guys's 51:3

H

half 27:6 29:23 30:21
Hamid 59:20
hand 67:24
handful 45:6
handle 44:18
handwriting 50:19
happen 38:16 53:8 55:14 72:19
happened 61:5
happening 63:20
happens 61:3
happy 16:12 19:13
harm 25:7 40:19
hate 29:21
hazardous 48:20 59:8
hazards 40:19
Headquarters 59:19
health 20:4 31:22 33:7 36:6 37:24 40:11,18 41:23 42:5,20 45:12 46:4,13 60:3 64:12 65:15
healthy 40:22
hear 4:2 12:9 66:6
heard 38:15 43:21 65:16
hearing 1:10 4:9 4:16 5:1,9,14 12:7 13:8 14:7 29:10 34:6 40:2 41:9 51:7 51:11,14,23 52:6 53:9,16 56:20 58:14 70:10 73:9 74:15 75:6
hearings 52:9
heart 68:16
heavily 30:20
heavy 16:5 22:24,25 23:18 24:19 25:4,16 26:4 30:12 39:2,5,10 42:19 43:12 44:5 45:14 47:6
heavy-duty 67:11
height 27:3 37:12
held 45:1
Hello 58:12
help 26:23
heretofore 75:8
Hey 56:18
Hi 64:21
hickories 36:22
high 60:1,4
high-capacity 43:7
high-risk 45:20
highly 42:9
Highway 21:12 30:8
Hill 29:16 74:24
hillside 38:3
history 30:7 36:20
HKIA 59:21
hold 23:18 57:25
holding 21:11 41:9
holds 23:17
holiday 51:8
home 31:25 32:6 39:16 41:14 64:25 65:2
homes 30:20,23 31:11,16 35:5 46:9 65:2
honestly 44:18
hook 22:17
hope 29:19 51:18 55:19 66:10
hormones 25:19
horses 36:3,10 37:21
hot 20:6 37:5 46:10 49:10
hot-mix 4:20,21 4:22 7:14 8:21 8:24 9:10,15 9:22 10:2,3 11:5 29:24 48:1 49:8
hour 24:8 42:16
house 34:18 41:16
housing 54:4
How's 41:5
human 33:7,12 45:19 52:24 54:9 55:14
humans 25:20
hundred 31:6
hundreds 30:23
husband 55:7,8

I

I-2 39:2,5
i.e 11:14
idea 66:23
identification 74:19,20,21
identified 24:3 24:13
identifying 60:13
ignition 47:25
illnesses 26:11 43:3
illumination 36:13
imbalance 46:3
immediate 25:12 26:2 42:5 43:5
immediately 15:11 37:4
impact 20:2,9,24 21:17 25:11,18 27:15 30:3 32:16 33:7 36:5,14,25 44:23 65:14
impacted 20:8 26:18 31:14
impacting 27:16
impaired 13:5
impervious 43:25
Implementation 9:3
implemented 10:25
important 12:8 18:21 20:20 37:24 60:21 73:5
improve 40:14
improvement 45:21
improving 41:25 45:25
inaccessible 30:11
inappropriate 53:19,23
incident 21:15
include 8:5
includes 20:12 21:11 73:9
including 17:10 30:25 63:9 71:13
inconceivable 24:11
increased 63:16 67:14
incur 22:23
Index 3:1,4
indicated 14:10 14:12 62:17
indicates 26:17
Indiscernible 66:5
individual 66:9 74:3
individually 6:25 9:11 72:4 72:12
individuals 14:8 14:9,12 54:14 72:25
industrial 9:17 16:4 27:24 28:7 30:5,7,12 30:19 32:19,25 39:2,10,13 41:15,17 42:6

45:14,20 46:7 52:15 53:18 54:1 64:24 71:22,24
industry 55:9,10 66:20
infections 42:12
information 5:15 11:23 21:22 24:5 35:13 70:18 73:17
initial 8:19
Initially 8:22
inlet 8:6
insects 26:6
installation 7:22
instructions 12:8
integrity 65:8,9
intends 24:12
intent 7:9 9:24 28:6
interest 5:6 6:8 75:11
interested 63:14
intermittent 12:21
International 59:20
interrogation 52:16 53:11 54:6
interrupting 12:16
introduced 58:17
invertebrates 26:6
investigation 28:8
invitation 67:21
involving 15:17
Iraq 59:1
issuance 4:17
issue 18:4 43:11 52:11 60:13 64:14
issued 6:17,25 8:22 9:12 63:23
issues 12:1,4 19:12 20:4 36:10 51:3 52:12,13,17 53:12 54:7 57:7 58:4 61:22 63:17,20 72:18 74:2
issuing 5:24
Itawamba 58:17

J

Jackson 2:5
Jane 61:11
Janet 64:20,21
January 6:18 24:18 51:11 61:24 62:17
Jaricus 2:3 4:10 74:22
John 15:10 35:18,23
Johnson 61:16 61:17
Johnston 46:20 46:21,22 61:18 61:19,20 69:9 69:13,13,18,23 70:2,17 71:15 71:19,25 72:2 72:17,22
Jonathan 65:21
Josey 61:11,12
July 59:22,22 71:4,14 73:25 74:9
jumping 70:24
June 1:14 34:7 75:15
jurisdictional 27:22 28:6
justice 43:10
justification 29:2
JW 64:17
jwhitlock@m... 2:5

K

Kabul 59:3,9,11 59:18,19,23 60:5
Karzai 59:20
Katherine 65:22
keep 38:9 51:2
kicked 51:12
Kids 23:2
kind 52:14 53:1 53:10 54:10 67:21,22
knocking 24:16
know 5:18 13:6 34:2,14 35:14 41:19 50:22 51:21 52:20,21 52:22 53:8,9 53:15 54:22,23 67:3
knowledge 75:10
known 25:19

L

L-E-Y 65:25
lack 65:9
ladies 4:1
Lafayette 16:11 16:17 18:2 28:2 29:25 34:9 41:15 43:17 44:20 45:8 63:10 64:6 68:21
laid 24:5
Lake 22:22 26:3 38:20,23
lakes 26:1
land 4:14 7:2,12 8:19 23:7,11 23:15,20 24:15 35:25 39:1,6,8 40:10,22 43:24 68:13
LandGlide 34:21
landing 27:17 31:1
lands 24:14
lanes 24:7
large 4:18,19 6:16,18 7:9,11 8:17 38:2
larger 51:13
lastly 14:13 29:3
law 5:24 6:6,21 9:2 17:19 27:13
lawyers 57:15
lead 60:7
leading 25:6
leak 44:4
leakage 47:22
leaks 10:21
lease 16:16,17 16:18 17:3,4 17:24 69:3
leave 57:1
left 38:10
legal 15:17 64:7
Lehman 21:9
Let's 47:5 48:7
letter 27:20 28:1 28:5 34:16 42:14 69:20 70:3
level 23:24 38:2 38:4,9
levels 33:6 60:1 60:5
Ley 65:24
lies 7:15
lieu 13:21
lieutenant 59:14 59:15
life 25:7,19,20 26:6 35:4 39:17 43:16 45:19 53:2
lifetime 66:12
light 16:3,4 18:4
lights 67:6
likelihood 33:3
lime 10:8 11:9 43:15
limitations 6:1 7:6 9:21
limits 59:18
Linda 61:10
line 18:10,12,13 18:18 25:1 36:1,17,19
lines 24:25
linked 20:5
liquid 10:9 42:18
Lisa 33:19 34:3 35:11
list 29:18 33:13 46:22
listed 70:3
listen 40:3
listing 6:10
literally 20:16
litigation 19:3
little 19:1 44:22 64:23
live 15:14 29:23 32:17 39:18 41:12 49:17 55:2 61:20 62:19 64:22 67:1
lived 31:15 39:16 41:13
lives 30:2 31:19 33:12,23 39:19

42:8
livestock 31:18 36:5,12
living 31:13 32:2 32:5 43:6 55:5 58:3
LLC 1:10 4:23 75:6
loaded 67:16
loadout 10:10 42:19
loadouts 43:13
loam 23:16
local 16:7 42:7 43:18 44:6 45:16 46:3
located 4:24 8:1 13:24 21:8 30:18,21 31:18
locating 32:25
location 20:11 23:9 27:7 29:25 30:10,22 35:9 36:1 38:1 50:1 57:13,18
long 25:10 70:17
long-term 44:1 60:3
look 45:9 57:11 67:18 70:5
looking 66:11
loosening 62:8
losing 62:12
lost 53:22 60:14
lot 30:9 32:9,14 51:10 56:23 66:23
loud 36:13
low-lying 22:22
lower 33:6 43:16
lung-type 55:16
Lyn 66:4

M

ma'am 69:7,22 70:1,7 71:18 71:21
Magnolia 1:10 4:23 10:19 11:23 18:6,11 18:21,24 19:7 21:19,23,24 23:14,20 27:1 28:10 29:24 34:20 64:11 75:6
main 56:22
maintain 12:10
maintained 18:16,19
maintenance 10:25
major 8:1
making 32:6 50:6 70:12,16
manage 10:20 48:15
management 8:1,4 44:3 47:2 48:14
manner 74:12
map 19:22 21:21 21:21 31:5
maps 29:14 30:17
marine 25:19 26:6
marked 48:7 74:19,20,21
market 68:11
Martin 65:20
massive 38:13 43:25 46:4
material 10:23
Material's 18:22 23:20
materials 1:10 4:23 10:7,19 11:24 18:6,11 18:24 19:7 21:19,23,24 23:14 27:1 28:11 29:24 34:20 44:18 64:11 75:6
matter 11:14,16 16:9,12,14 25:8,9 41:11 42:23 60:2 70:16 74:11 75:7,11,13
matters 6:9 53:7
maximizes 41:4
McCurdy 64:17 64:18
McGinnis 15:14
McGuinness 49:14,15,17 68:4,9,10
McKendree 3:8 14:24,25 19:15 19:17,18,21 22:4 33:18
MDEQ 4:12,15 7:8 9:23 11:25 12:4,12 14:3 20:22 29:19 32:4 33:8 35:13 40:5,14 44:8 45:9 46:10 48:9 49:5 61:23,25 62:16,20 63:5 63:16,25 64:14 65:18 70:4,22 71:15 73:6 74:4
MDEQ's 6:12 28:22 70:14 73:16
mean 51:17 52:8 52:15,25 53:7 53:15 66:17 67:10
means 40:17 68:6,23
measurement 34:20
measures 60:19
measuring 49:1
medical 55:16
meet 71:5
meeting 23:22 37:11 39:1 45:1 49:3 52:1 69:4 71:5
meets 73:21
Meg 15:10 35:19 41:19
mega-sports 20:15
melting 37:17
memorandum 59:7
memory 32:20
mention 47:14
mentioned 66:25 73:10
met 29:4
metal 23:18
metals 22:24 24:19 25:11,16 26:4 44:5
mic 41:4 54:22 54:24 66:9
micrometers 60:2
microns 11:15 11:16
microphone 13:7,12,22 14:21 15:7,22
mid-sixties 18:14
Middle 58:25 60:11
mile 22:6,9 27:7 29:23 30:21,24 31:9 32:2 41:12 43:6 49:20,24 61:21 64:22
miles 25:13 32:23,24 54:4
military 58:20 58:23 59:4 60:12,16
Miller 56:15,16 56:18
mine 46:24
minimized 19:23
mining 65:12
minute 54:19
mishandled 51:6
misleading 21:24,25 22:11
mission 41:19,21 44:8 45:11 46:12,14 57:20
Mississippi 1:9 1:14 2:5 4:11 4:18,20,25 5:20,24 6:4,20 9:1,3 17:7,14 19:8 26:16 27:9 28:18 29:25 32:24 33:5 34:15 40:6,8 41:21 45:10,10 50:4 50:10 58:16,17 61:25 62:3,7 66:10 75:4
Mississippians 40:13 41:25 45:14
mitigate 45:23
mix 10:11 46:11
modified 8:22
modifying 5:25
moment 68:2 71:3
monetary 75:12
money 62:12
monitor 62:14 63:15

monitored 28:11 64:10
monitoring 47:21 59:10 61:23 63:4,12 64:1,5
monoxide 11:17
month 69:3 71:6 73:22
Morris 3:9 58:11,13 59:15
mother 42:8
move 24:1 39:14 39:17 57:23 58:9
moved 39:15 51:15 57:12,24
moves 44:11
moving 44:16
mowed 18:19
mTrade 22:12 22:20 32:15 38:22
muck 23:3
mud 23:3
multi-media 9:10
multi-parts 33:14
multiple 29:22 36:7 61:13

N

name 4:9 13:18 13:20 14:22 15:9 29:16 34:1 35:20,23 41:7 46:21 49:16 50:17 54:20 55:1 58:12 61:19 68:7,9 69:8,11
named 4:23 67:23
native 36:18,22
NATO 59:17
natural 10:5 42:17 47:24
nature 16:20 53:9
near 30:8 32:17 45:15 46:8 55:21 71:17
nearby 15:14,14 22:18 47:25 48:4,4,5
nearly 20:13
necessary 32:11 64:8
need 28:23 37:12 52:23 54:6 56:4,8 57:12,23 64:10
needed 69:21
needs 52:18 57:12,13,17,23 57:24 58:9
negatively 33:7
neighbor 71:24
neighbor's 34:23
neighborhood 15:15 43:1,5 55:6 57:9
neighborhoods 30:18 43:9 58:2
neighbors 30:13 31:18,22 42:7 42:21 55:7 71:23
net 16:23
new 16:25 17:1 18:3 26:23 59:19 62:14 64:2
newcomers 55:3
newspapers 66:18
night 74:17
night-time 36:12
NIH 53:25
nitrogen 11:17
Nods 33:17
noise 35:3 36:14 63:18
north 38:21 64:23
Northpointe 31:10 67:1
notable 19:12
Notary 75:3
note 26:20 31:3 35:12 74:7
noted 23:8 39:25 59:24 74:18
Nothing's 53:21
notice 7:9 9:24 21:1 71:1,12 72:7,15 74:11
notified 27:12
number 30:2,23 32:1 62:21 63:4,6
numbers 60:18
numerous 35:2

O

oaks 36:22
obligated 71:22
obviously 39:14
occupied 20:16
occur 25:10 48:24
occurred 62:3
occurs 60:23
October 8:22 75:19
odor 26:25
offer 73:1
office 7:24 17:15 17:18,21 24:4
officially 74:14
oh 4:6 15:2 49:13 66:3,14
oil 47:7
okay 4:4,5,6,7 15:2,23 19:17 19:20 22:3 33:18 34:3 41:6 49:13 50:20,21,24 54:20,21 55:1 56:13,16 61:15 65:24 66:3 69:10,18 71:15 71:25 72:1,17 72:22,25
old 30:8 36:23 66:18
older 36:24
Ole 58:18
Olin 71:16
on-site 10:6,14 10:18
once 25:23 28:10
one-and-a-half 32:22
one-half 22:6,9
one-mile 54:3
one-quarter 22:9
onset 5:8
open 14:13,15 67:21,22
opened 30:14
openings 53:25
operate 9:14
operated 21:15
operates 21:10
operating 28:21 63:10
operation 10:3 10:15 11:4 28:17 42:6 46:11 49:1 59:16
operational 11:11 36:13 48:18 55:21 59:10
operations 24:10 42:19 47:4 60:5,25
opined 17:16
opinion 17:10 17:11
opinions 17:10
opportunity 12:24 20:21 54:17,18 61:1 67:25
oppose 65:6
opposition 12:19 19:25 44:25
options 54:24
order 14:9
orderly 14:6
ordinance 16:7 39:4
organic 11:18 42:23
organization 13:19 14:23
ORIGINAL 74:22
originally 53:20
outcome 75:12
outfall 8:2
outlines 43:23
outside 31:9 69:2
overall 5:10,13 70:9 72:6 73:5 73:8
overarching 48:11
overflow 48:23
overlap 18:23
overseas 56:23
owners 33:20
ownership 19:3
owns 35:24
Oxford 1:13,14 4:24 15:10 26:14 27:5

40:3 49:21 54:8 56:9 69:2
oxides 11:17
Oxmoor 31:10 51:1
Oxonians 51:20

P

P.E 2:3,3 74:22
p.m 1:15 74:18
P.O 2:4
packaged 70:11
packet 27:10,20 29:11 71:13
parcel 16:1
parcels 16:2
parents 20:17
park 22:12,18 22:20,21 26:21 27:24 28:7 30:5,7,19 32:15,19 38:23 39:13 41:15,17 52:15 53:19 64:24
parking 24:4
parks 24:4 69:24
Parkway 30:14
part 7:19 18:6 18:11 24:15 48:12 70:23,25
participants 12:13
participation 74:16
particles 48:25
particularly 55:15
particulate 11:14,15 42:23 58:7 60:2
particulates 56:25
parts 29:22
party 75:11
pass 22:19
passed 44:22
pasture 37:1
Pat 30:13
path 22:22
pathologist 35:14
patient 29:7
patterns 27:17
Patterson 30:14
pavement 10:8 10:15 43:14
paying 68:25
pays 44:11
peers 60:14
pending 16:11
pens 14:1
people 12:9 28:14 31:13,15 32:2,5,17 40:19 51:10 52:10 55:15 56:2 61:2 62:18 68:18 69:21 70:2,19
percent 20:18 21:10 28:21
Perfect 4:4
perform 9:13
performed 9:19
period 5:2,14 12:3 51:25 70:9 73:8
Periodic 59:9
periods 12:21
permanent 8:14 20:14
permit 4:19,21 5:17,21,21,23 6:5 7:7 9:11 11:24 17:23 24:17 28:12,25 33:11 46:18 47:12 49:8 70:11 71:2,4 71:14 72:21 73:13,14,21,25 74:9
permits 6:2 22:1 63:24 64:15
permitted 33:6 33:22
permitting 5:7 6:14 33:8 46:10 73:4,12 73:24 74:8
Perry 1:14
person 56:19 59:5
personal 36:5 65:14
perspective 35:15
pertains 4:16
petition 15:19 16:1
petroleum 44:4
physically 13:5
pick 39:15
picked 67:3
picture 24:1,24
piece 16:2 68:12
Pit 60:16
place 16:4 28:23 48:17,18 72:14 75:8
placement 45:20
Placing 43:7
plan 7:11 9:3,25 19:5 23:25 24:2 37:10 71:1,21
planned 20:13
planning 23:21 35:8 44:21 51:8
plans 43:19 65:4
plant 7:24 9:16 15:12 21:9,9 25:19 29:24 30:2,9 32:3 33:9,24 34:13 34:19 35:10 36:1,9 42:13 43:8 44:25 45:7,15 46:11 47:4 49:10 50:6,12 54:3,5 55:17,20 56:7 56:9 62:22 63:22 64:3,9 65:6 67:13 68:14,17,19 71:17
planted 36:19
plants 28:19,20 49:19,24 54:1 55:23 63:6,8
play 22:14
played 58:19
playing 58:22
please 5:18 12:22 13:3,6 13:11,15,18,19 14:2,21 24:1 26:20 29:1 39:21 46:14 65:16,18 67:18 67:18 74:7
pledges 45:11
PM 60:4
podium 13:3,6 13:22 67:24
POEMS 59:11 59:25
point 16:14 18:3 18:10
pollutant 11:1 11:14
pollutants 32:12 42:24
polluted 66:19
pollution 6:21 6:24 7:10 9:2,8 9:25 10:17 25:7 32:8 33:5 42:10 44:2 45:22 62:24,25 63:7
ponds 22:5,6 26:3 31:18 36:7,11
poor 63:14
populated 28:24 43:9
population 20:8 68:20
portion 12:6 38:19
poses 42:6
position 16:20 52:10
possible 12:10 12:23 30:16
possibly 37:11
posts 18:18
potential 30:2 32:16 33:9 36:6 49:6
potential-to-e... 11:13
potentially 19:4
power 60:6
powers 17:19
Practices 8:4
pre-prepared 13:14
predates 39:12
predating 30:5
preparation 7:13 70:21
prepare 71:11
prescribe 6:2
present 20:22 28:7 40:12 41:24 42:20 45:13 71:2 72:14
presentation 13:16 14:18,19 24:6

presented 12:1 71:9 73:12,24 74:9
presenting 13:4 13:14,21 15:6
pretty 56:19
prevail 58:8
prevailing 26:19
prevent 10:20 11:1 48:19
preventing 45:22
prevention 7:10 9:25 10:18
previous 37:11
previously 23:11 24:13 73:10
Price 66:4,5,10
primary 8:3
prior 23:13 73:18 74:6
prioritize 45:18
private 22:5,8 31:12 39:3,5 39:10
probable 71:8 74:8
probably 52:3 58:7 67:12 70:25
problem 61:15
problems 39:25 53:4 55:16,16 63:19
procedures 10:24 48:18
proceed 4:2 71:13
proceeding 5:10
proceedings 13:9 15:17 64:7 73:11
process 29:6 33:8,15 48:1 51:5 52:12 53:17 56:1 70:15,23 71:7 73:5
processes 49:3 57:22
produce 42:13
produced 49:2
production 4:22 7:14 10:18 11:6 20:5 23:25 24:2,4 25:4 37:6 68:24
productions 25:17
productive 14:6
products 44:4 50:3,4,7,9
professionalism 14:5
profitable 68:13
profound 26:13
programs 48:17
project 7:15 8:5 12:20 15:18 43:19 44:9,22
proof 48:9
properly 12:5 13:13 14:3
properties 53:20 53:24
property 15:11 16:1,3,18 18:10,13,15,19 18:25 19:4 20:2 33:20,23 34:16,25 36:1 36:4,19 37:4 38:6,19 46:4 55:25 65:14
proposal 43:23
proposed 4:17 5:3,7,16,19 6:14 7:13,18 7:21 8:5,8 10:4 11:4 12:19 15:12,18 20:1 21:19 22:9 25:1 28:16 29:23 30:22 31:19 32:2,9 32:17 34:19,25 35:25 36:4,16 37:9 38:18 41:12 43:7 46:10 61:21 62:18 63:23 64:15,23 65:4 71:16 73:4,11 73:23
proposing 10:19
protect 33:2 40:9 45:12 46:15
protection 8:7 9:5 40:21
proven 25:17
provide 6:13 14:17 29:1 61:2 71:11 72:5,7,9,13
provided 11:23 21:23,25 48:16 73:15
providing 12:12
provisions 6:20 9:1
proximity 27:14 34:9 43:9
public 1:10 4:9 4:16 5:1,2,10 5:13 12:3 13:10,24 14:7 22:5 29:9 40:18 46:12 48:21 51:25 52:1 53:10 54:11 73:3,8,9 74:1,12,15 75:3,6
pulmonary 36:9
purpose 5:13,24
purposes 24:7
pursuant 6:23 9:7 17:25
put 31:4 39:21 50:11 54:23 56:16 64:1 67:4,10,24 68:17,19 70:18

Q

Quail 31:1 55:2 61:20 69:13
quality 1:9 2:4 4:12 5:20 19:9 27:15 31:15,21 35:2,4 40:7,9 41:22 42:25 43:16 49:21 50:5 59:23 63:13,15 65:7
Quality's 50:11
quantities 47:10
quarter 49:20 49:24
question 20:11 47:5,12,24 48:16,23 49:25 50:8 52:5 69:15
questionable 21:22,22
questions 16:13 19:14 29:9,18 33:13,16 46:22 49:15 51:23,25 53:14 69:10
quick 31:3
quickly 42:15 51:4
quite 46:23
quoted 5:11

R

radius 30:21,24 31:9
rainfall 25:4
rains 22:25
raised 23:23
raw 10:7,22 43:14 60:6
reach 38:4
reactions 12:17
reactive 60:19
read 29:17 33:21 34:11 40:5 41:19 59:5
reading 41:18
reality 66:16
really 53:10 55:14 56:4,7
reason 32:25 33:8,10
receive 5:14 70:13
received 7:8 9:24 27:1 48:10 70:8 73:7 74:7
recipient 72:12
reclaimed 10:8 43:14
recommend 64:14
reconfiguring 24:3
record 5:11 13:10,24 21:5 21:5 59:7 73:1 73:10
recorded 5:11
records 28:22
recreational 22:11 38:22
recycled 10:14
red 25:1
reduce 11:1
Reducing 40:18
reduction 62:2
reductions 62:4

64:1
Reed 66:1
reference 47:20 70:12
referenced 29:13
references 34:11
referred 8:12
referring 34:12
refers 47:13
reflect 46:1
refrain 12:15
refused 51:15
regard 72:2
regarding 5:19 21:8 28:15 34:8 64:7 71:23,24
regards 71:16
Regent 22:20
Regents 32:14
registered 60:15
registration 13:25 14:10 54:16
Registry 60:16
regulate 50:5
regulated 7:4 11:13
regulation 40:16 42:3 45:18 46:17
regulations 6:22 9:6 44:11,16
regulatory 11:19
related 51:3 75:10
relates 10:17 11:3
release 24:9 37:3 62:23
released 26:12 26:25 33:4
releases 6:4
relevant 12:4
73:17
remain 8:17 11:19
remaining 74:2
remains 16:11
remarks 12:17
remediation 48:19
rendering 73:19
repeat 56:21
repeatedly 44:24
report 59:12 63:5
reported 1:23 5:12 38:1
reporter 3:5 13:9 19:19 34:1 66:6 68:7 69:11 75:1,2
reprehensible 52:18
represent 13:19 14:23 15:10 70:4
representative 69:23
request 16:8 39:24 49:5 65:16
requested 11:24 21:5
requesting 7:11 10:1
require 32:10 37:13 45:22
required 11:8 16:6 19:9 27:12 62:21
requirements 7:6 9:21 11:12 19:6 28:13
requires 39:4
research 25:9,14 40:15 42:2 55:18
researched 63:3
researching 40:5
residence 34:9 34:23,24
residences 34:13 35:3 48:4
resident 51:1
residential 16:6 39:11 46:8 53:19,24 62:22
residents 20:12 33:2 40:23 43:2 45:16 51:12 52:16 58:1
Resolute 59:17 59:18
resolution 74:1
resources 40:10
respect 14:5
respectful 12:10
respectfully 39:24 49:5
respective 9:1
respectively 5:16
respiratory 26:11 42:10 43:1,3
respond 52:25
responds 63:17
response 21:6 70:14,22 72:6 73:16 74:5,13
responses 73:7
responsibility 47:21
responsible 40:16 42:3 45:18 46:17 56:3
responsibly 21:15
responsive 29:7
rest 39:18
restricting 47:15
restrictions 11:11 62:8
restricts 11:5
result 23:18 68:11
resulting 42:17
results 26:10 60:1
Retirees 31:24
retiring 58:24
review 11:22 73:3,6,18
reviews 44:14
revised 28:4
revisited 28:4
rezone 15:20 16:1
ridge 32:21
right 14:25 15:25 18:5 23:10 39:20 48:7 50:1,8,12 52:15 53:23 56:16 58:20 59:1 61:6 68:14,17,21
rights 17:19
risk 25:16 42:20 44:1 46:1 48:3 64:1
risks 28:23 32:3 43:2
rivers 26:1
road 4:24 7:22 23:23 24:9 31:11 34:17 64:22 67:7
roads 60:5
roam 36:3
roaring 67:16
Roberts 21:9
rock 8:7 10:14
rolling 11:7,21 32:9
Ronnie 15:13 49:13,16 68:9
room 21:8 51:12 51:14 52:11
root 38:11
ROTC 58:21
round 67:2
routinely 21:10
row 36:19
run 21:9 25:11 55:23
running 23:2 67:5
runoff 10:20 22:19 23:1 24:20 25:3 38:12,17 44:1 47:2,2
runs 22:12 34:18
RV 22:18

S

safe 40:22
safeguard 41:23 46:12,16
safeguards 40:11
safety 40:11,18 41:23 43:10 45:12 64:13
sampled 59:24
sandwiched 68:19
sandy 23:16
Sardis 22:22 26:3 32:15 38:20,23
satisfactory 64:4
satisfied 48:13
satisfies 48:22
saving 29:20
says 34:5 35:6
scale 46:7
scheduled 34:6,7 51:9
scheduling 40:2

scholarship 58:21
school 22:20 26:21 32:14 38:22 62:19 69:2
schools 20:15 31:12 45:16
Schove 64:20,21 64:21
Science 25:14
script 70:25
seal 75:14
seasonal 26:19
seat 13:7,22
seats 17:1
second 14:11 16:12,14 27:21 56:9 71:5 73:22
section 6:23 9:8 17:25 18:1
sediment 8:3,9 43:23 47:17 48:2,15,15,24
see 22:7 23:9 24:24 25:2 32:22 47:5 48:7 54:18 66:18 68:2
seen 66:12
seep 23:19
self 64:4
self-monitoring 61:23
self-report 44:19
send 72:12
senior 59:4,4
sense 57:10,11 57:14,21 58:8
sensitive 32:7 43:22
sent 28:1 35:12 61:25 62:6 69:19 70:3 72:3
SENTINEL 59:17
September 8:23 8:24 59:25
serious 41:9
serve 8:14
served 58:24 59:16
service-related 60:25
set 7:6 9:21
setbacks 19:5
settle 25:5
seven 24:10 60:14
severe 43:19 55:15
severely 42:25
sewage 60:7
share 5:8 12:7 13:19
shared 46:13 74:12
sharing 13:18
Sheldon 3:9 58:11,12,12 59:15
Sherman 1:24 75:2,18
shield 45:9
shifts 46:4
Shoalmire 65:22 65:23
short 4:12,19,21 5:21 8:4 41:20
show 45:2
showed 60:1
shown 44:25
shows 18:12 24:25 25:9 28:5
side 14:16 30:8 31:8
signature 75:14
significant 5:6 62:1 63:21
signs 66:24
silo 11:10 43:15
silt 8:6 43:24
simple 25:21
simply 17:5
sincerely 74:15
single 26:20
site 10:20 15:11 19:5 23:25 24:2 31:19 32:12,12,18 34:19 36:4,16 38:1,5,9,18,21 41:13 43:7 48:19 49:25 61:21 62:18 63:23 64:15,23 68:15 71:17
sits 32:21
situated 34:17
situation 39:22 56:24
six 22:7 33:13 59:1
skin 23:6
sludge 10:21 48:2,21,25 49:2
small 7:24 26:8
smell 57:6 58:5
smelling 58:6
smokestacks 56:24
Socialism 68:24
soil 20:3 23:16 25:22
soils 8:11
solid 10:7
somebody 33:15
Soon 22:16
sorry 14:18 35:19,22 50:16 50:18 64:19 66:4,7 72:20
source 36:11 45:23
sources 25:12 47:25
Southaven 63:19
southern 31:8 38:19
southwest 38:18
space 12:12
spared 26:21
Spargo 61:10
speak 13:11 14:11,21 15:21 27:19 52:21 54:15,19,22 55:13 64:16 67:25 73:1
speaking 14:22
specific 6:8,10 17:16,22 20:23
specifically 17:12 62:7
spelled 18:10
spend 19:10 31:24 32:5
spillage 47:16
spills 10:21
splash 23:3
spoken 49:12
Sports 22:13
spring 35:13
stability 45:19
stabilization 8:10,20
stabilize 38:7
stacks 27:1 36:9 37:3,9
staff 14:3 73:6 74:3,4
staff's 70:23
stage 4:13
staged 24:9
staging 24:8
standards 6:22 9:6
start 24:16 66:11
start-up 62:14 64:2
started 66:13 70:23
state 6:4,6,8,9 7:4 9:3,18 11:2 13:18 17:15 33:25 44:10 63:5,7,9 69:7 75:3
state's 40:10
stated 20:25 21:4 22:4 23:11 34:16 38:25 39:20 52:8 75:8
statement 23:7 27:8 28:17 29:12,17 33:19 33:22 37:20 41:19 45:11
statements 23:21
States 9:4 59:13
station 67:9
stationary 43:8
statistics 55:21
status 15:17
statute 17:12
stay 32:12
steam 37:18
stop 62:25
stoplights 67:8
storage 10:6,9 10:23 11:10 42:19 43:15 47:22
storm 8:7
stormwater 7:3 7:10,25 8:15 9:16,25 10:17

22:19 23:1 24:20 44:1,3 47:2
story 65:13
stove 37:17
stream 22:11
streams 25:25 26:2 27:23
street 38:2
strongest 52:10
struck 32:19
study 26:15 33:4 53:25
stuff 60:15
Style 3:2
subdivision 49:17 55:3 56:19 64:24 69:14
subdivisions 31:2,10 44:17
subject 61:24
submission 31:4
submissions 18:7
submit 13:15,23 14:2 46:23
submitted 17:8 18:6 24:18 29:19
substantial 16:19 32:10
substantive 52:5
successor 16:22
successors 17:18 17:21,24
suit 19:2
sulfur 11:18
Summary 59:11
summer 19:21 29:16 30:15
supervisor 52:2 52:4
supervisor's 52:1
supervisors 16:9 16:21,23,24 17:1,2,13 18:2 35:7 44:21 51:5,24 53:15 68:16
support 12:19 59:16,17,19
supports 57:18
supposed 38:10
sure 15:8 34:3 44:8 66:22 67:15 68:5,5 69:19
surfaces 43:25
surplus 23:13
surprise 21:3
surround 22:21
surrounding 35:2 56:2
survival 36:21
Susannah 41:1,7
swales 8:8
Swindoll 56:11 56:12,14
system 32:16 42:10 44:4
systems 21:17 22:17 38:12 63:4,12

T

table 13:25 26:10
take 17:6,6,18 25:10 47:21 70:18
taken 1:13 34:21 42:13 75:6
takeoff 27:17
takes 63:2
tangent 14:16
tank 47:23
Tara 31:1 49:17 56:18
Taylor 53:21,22 68:17
technology 26:23
tell 19:23 57:3 68:7
temporary 8:9 8:12 43:23
term 16:18 17:4
terrifying 67:17
thank 4:5 29:3 35:10,17 40:1 40:24 41:1,6,8 46:19 49:10 50:14,15,25 54:12 56:10 58:13 64:16,18 65:19 67:8,18 69:5 72:22 74:15
thanks 73:2
thing 40:4 53:14
things 49:18 53:1 66:13 67:15
think 19:12 39:22 51:5 54:8 62:11 67:1,15 70:24
thinking 66:14
thought 67:10
thousands 20:17 22:14 43:17 45:15 46:8
threats 42:5
three 19:11 21:13 31:22 58:19,23 59:1 59:2
threshold 11:20
throw 60:20
time 13:1 14:15 19:10 29:5,20 31:25 32:6 35:17 36:20 40:25 46:19 51:1 54:12 57:20 58:25 59:14 61:7 64:15 65:1 67:20 73:2 74:14,18 75:7
time-limit 13:1
timely 8:9 71:1 71:12 74:12
times 59:1 61:13
Title 48:12
TOBY 74:24
today 51:1 52:3 61:25 69:5
toll 55:14
ton 19:10
tonight 5:4 20:23 27:18 28:14 29:5 65:18 69:25 70:6 71:9
tons 11:7,20 42:15,16
topography 32:10
tornadoes 32:20
total 7:17 24:12 25:15
tournaments 22:13,16
towers 27:3
town 51:9 52:17 68:18
toxic 26:22 33:1 33:10 42:24 44:18 47:11 48:20 50:6 54:2 55:18
toxins 26:12,25 37:3,5
traffic 20:4 21:18 27:16 32:4 35:3 43:12 66:25 67:3,11,14
train 66:20
training 48:17
transcribed 13:8
transcript 13:17 73:15 75:5
transitional 16:4 39:4
transparency 52:12 54:10
transportation 20:6
travel 34:7 38:17
traveling 40:2
treat 52:23 53:5
treating 51:21
trees 18:17 24:16 36:18,21 38:9,14
trenches 23:15
trouble 55:24
troubles 56:6
truck 10:10 24:7 42:19 43:12 67:14
trucks 24:8 67:5 67:16
true 45:20 67:12 75:5
trusted 44:17
try 42:14 51:2
trying 53:20 61:4
Tuesday 71:5 73:22
turn 14:21 15:6
two 20:15 25:13 27:11 30:18 31:11 32:20 49:18,19,23 68:20
two-and-a-half 32:24
two-mile 20:9
type 32:4 56:24

U
ultimately 8:14 16:8 24:21
unable 17:22 34:6
unacceptable 51:13 52:7
unavoidable 43:13
undecided 14:12 54:16
underground 47:22
understand 60:18,19 61:3
undone 49:7
unfortunately 55:22
United 9:4 59:12
university 26:15 27:6,9 32:22 32:23 33:4
unstable 23:17
unsuitable 23:12 24:13
uphold 46:14
Upper 32:14
upset 51:19
urge 46:9 66:21
usage 47:8
use 8:5 10:9 11:8 24:19 30:12 39:1,5,10 68:13
uses 39:3
utility 7:22
utilized 47:25
utmost 36:8

V
valid 28:15
valuable 37:23
values 20:2 46:4 54:4
variance 27:2 37:13
variety 37:3
various 10:6 26:19 40:5 44:14
vast 20:8
vegetative 8:10
vehicles 60:7
versus 61:23
vetting 55:20
vicinity 28:20 32:5 59:11
views 12:14
Vinson 22:3 29:15,16,17 34:3 65:21
violated 44:10
violates 45:17
violation 27:25 44:12
violations 44:14
visitors 22:14
visual 14:17,18
vital 45:16
vocal 12:17
void 17:2
voidable 17:20
volatile 11:17 42:23
volume 41:4
voted 52:20
vulnerable 42:9 46:15

W
walk 13:5
walked 58:21
Walt 14:25 15:3 15:9
Walter 3:7 49:11
want 12:7 19:10 39:7,18,22 49:18 51:4 54:9,19,21 61:9,22 66:21 68:10 69:18
wanted 15:16 50:13 54:15
wants 57:16 68:3
warning 66:24
washing 38:8
waste 10:22
wastewater 6:3 47:1
water 6:20,24 9:2,8 22:8,17 23:17,19 25:2 25:6,6,11,23 25:24 26:5 31:15,20 32:7 32:15 36:11 40:10,22 46:16 66:19
waters 7:5 9:18 11:2 27:22 28:6
watershed 7:16 43:22
watersheds 46:9
waterways 21:18 44:6 45:16
wattles 8:8
way 24:21 25:23 26:1 34:2 40:11 53:6 55:11 57:4,5
we'll 15:2
we're 51:18 53:4 57:7,8 70:24
We've 38:15 54:7
website 6:12 62:20 63:11 72:14
Wednesday 1:14
week 24:10
weekend 22:15
welcome 35:18 69:6 72:23
welfare 40:12 41:23 45:13 64:13
well-being 37:24
wells 22:8 25:24
went 58:23
west 15:11
western 30:6,10 30:19,22
wetlands 22:20 27:24
whatnot 56:3
Whitaker 54:25 55:1,2
Whitetail 31:1
Whitlock 2:3 4:1 4:10 15:2,5,21 15:24 18:8 19:15,20 29:3 29:15 33:17,25 34:5 35:18,22 41:1,6 46:20 49:11,13 50:15 50:20,24 54:13 56:11,13 58:11 61:10,15,18 64:17,19 65:20 65:24 66:3,8 67:20 68:5 69:6 70:1,7,21 71:18,20 72:1 72:5,20,23 74:22
wildlife 48:6 69:24
Winchester 71:16
wind 57:2 63:2
wind's 57:3,4
winds 26:19
WINTER 74:23
wise 40:16 42:1 44:7 45:4 46:1 46:16
wish 14:17 61:7 73:1
wishes 14:14
Witness 75:14
witnessed 65:11
wonderful 55:5 66:15
wooded 30:20 32:9
word 17:6,7
work 25:25 32:11 62:11,19
worked 55:8
workforce 62:12
working 22:8 26:2
works 40:14
World 37:22,22
worms 26:7
worries 39:19
worry 58:3
worsen 31:21
wrecks 66:20
write 72:3
writing 30:1
written 13:23 14:2
wrong 35:20
Wu 27:8,18

X

Y
Yeah 15:24 18:8
year 11:7,20 20:19 42:16 60:17 68:25
year-old 42:8
years 21:13,16 31:16 35:5,6 39:13 55:4,9 55:24 58:19,23 58:24 60:9,10 62:4,5
young 31:17,24 43:3

Z
zone 24:1 34:12 35:1
zones 27:23
zoning 16:4 39:5
zooplankton 26:5

0

1
1 3:2,7 39:8 40:18 63:25 74:19
1-acre 19:4
1,000 31:18 34:13,18 39:8 43:6
1,500 31:20 34:14
1,600 54:1
10 1:14 11:15 62:4
100 11:20
100-year-old-... 36:18
101 64:22
102 1:14
1032 67:7
104 31:11
105 38:5
10th 34:7
11 22:6 55:4
12-month 11:8 11:21
12:00 5:5
12th 75:15
13 24:12 43:20
13.71 7:18 23:8
14 71:4 73:25
15 24:8 59:22,25 60:10
166 4:24 24:9 34:17
17 7:8 9:23
19 59:22 60:9 75:19
19-7-3 17:14,25
1918 64:25
1964 1:24 18:15 75:18
1980 41:16
1985 41:17

2
2 3:3,8 40:21 64:6 74:20
2.5 11:16 60:2 60:15,20
20 23:23 24:8 31:16 35:5,6 38:1 59:22
2000 20:13
2003-2015 59:12 59:24
2004-0491 17:11
2010 28:3
2016 59:25
2022 6:17 8:22
2023 8:23
2024 17:11
2025 30:15 63:5
2026 1:14 5:4 7:8 9:23 61:24 73:25 75:15
2027 6:18 8:24 75:19
22 58:24 69:1,1
22.92 7:17
225 35:24
2261 2:4
22nd 51:7
23 17:11
24 8:22
25 36:17
262 48:12
27 8:23

3
3 3:4,9 64:8 74:21
30 8:24 39:13 55:9
300 42:15 68:18
3000 20:12
31 6:18
33 23:9,11 24:3 24:12 43:21
35 37:10
36 37:10
36-foot 37:2
39225 2:5

4
4 6:17 64:11
40 31:16 48:12
402(b) 6:23 9:8
41 27:2
470 69:2

5
5 54:4
5,000 68:25
50 21:10 23:22 28:21 30:20 51:12
500,000 11:7 42:16

6
6 4:6
6:05 1:15
6:06 4:8
60 21:16 63:8

7
7 21:12 30:8
7:36 74:18
70 27:3 37:13
74 3:7,8,9
75 3:5 28:18

8
8 5:3 63:11
82 28:18
85 20:18
87 4:24

9
9 59:21
90 42:8

APPENDIX E

Notice of Appeal

IN THE CIRCUIT COURT
OF LAFAYETTE COUNTY, MISSISSIPPI

MEG DUCHAINE, JOHN DUCHAINE AND RONNIE MCGINNESS **APPELLANTS**

VS. **CIVIL ACTION NO.** L26-236

THE BOARD OF SUPERVISORS OF LAFAYETTE COUNTY, MISSISSIPPI **APPELLEE**

NOTICE OF APPEAL

COME NOW, Appellants, Meg DuChaine, John DuChaine and Ronnie McGinness, and file their Notice of Appeal pursuant to Miss. Code Ann. § 11-51-75 challenging the denial of members of the Lafayette County Board of Supervisors to recuse themselves from presiding over requests to rezone County-owned property, as well as the Board's decision to deny rezoning of of Lafayette County Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00 from Heavy Industrial (I-2) to Light Industrial (I-1).

I. STATEMENT OF THE REASONS FOR APPEAL

A. Appellants Meg Duchaine and John Duchaine are the owners of real property located in Lafayette County, Mississippi, namely Lafayette County Parcels 133-08-004.00 and 133-08-005.00. Those parcels of real property are adjacent to or immediately proximate to parcels of land contained within and along the western edge of the Lafayette County Industrial Park, namely Lafayette County Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00;

B. Ronnie McGinness is the owner of real property located in Lafayette County, Mississippi, namely Lafayette County Parcel 133Y-07-136.00. That parcel is proximately located to parcels of land contained within and along the western edge of the Lafayette County Industrial Park, namely Lafayette County Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00;

LAFAYETTE COUNTY
FILED
MAY 14 2026
JEFF BUSBY, CIRCUIT CLERK
BY _____ DC

C. Appellee Lafayette County is the owner of record of Lafayette County Parcels 133-05-024.00 and 133-08-001.02, which are located within and along the western edge of the Lafayette County Industrial Park. The Lafayette County Economic Development District, partially funded by Lafayette County, Mississippi and in which Lafayette County, Mississippi has substantial interest and involvement, is the owner of record of Lafayette County Parcel 133-08-001.01. Lafayette County Parcel 133-08-001.01 is also located within and along the western edge of the Lafayette County Industrial Park;

D. On January 18, 2018, Lafayette County, Mississippi adopted its first Zoning Ordinance. One provision of that ordinance established a "Heavy Industrial" or "I-2" zoning district. With respect to this type of district, the ordinance requires "insofar as possible" that I-2 districts be located "adjacent only to C-3 or I-1 districts, which shall serve as transitional zones between I-2 districts and residential uses and lower intensity commercial uses";

E. At the same time Lafayette County adopted the Zoning Ordinance on January 18, 2018, it also adopted an Official Zoning Map. Contrary to and inconsistent with the terms of the Zoning Ordinance, that map designated the entirety of Lafayette County Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00 as "Heavy Industrial" without locating those parcels "adjacent only to C-3 or I-1 districts, which shall serve as transitional zones between I-2 districts and residential uses and lower intensity commercial uses." Instead, the "Heavy Industrial" designation of those parcels placed them immediately adjacent to parcels designated Rural ("A-1"), in which low intensity uses – such as single-family residences; the raising, care and feeding of livestock; and the farming of row crops – are expressly permitted as a matter of right;

F. With respect to Lafayette County Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00, the creation of a "transitional zone" between Heavy Industrial designations in the

Lafayette County Industrial Park and the A-1 Rural properties to the west of the Industrial Park was mandated by the Zoning Ordinance "insofar as possible." The placement of a C-3 or I-1 "transitional zone" within and along the western edge of the Lafayette County Industrial Park, including all (or part) of Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00 was undeniably "possible" at the time of the adoption of the Zoning Ordinance;

G. Evidence in the record from Lafayette County regarding why it failed to place "transitional zones" of C-3 or I-1 districts between I-2 designations and the Appellants' property comes from Lafayette County Planning Director Joel Holliwell. Holliwell merely stated that Lafayette County's Planning Consultant "did the best job he could" and county officials did "the best that we could do." The end result is that the western edge of this Heavy Industrial (I-2) district violated the terms of the Zoning Ordinance and directly adjoined A-1 districts, the default category for the vast majority of the County's Zoning Map. At the time of adoption of the Zoning Ordinance and for years thereafter, a substantial portion of Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00 along the western border of the Industrial Park remained inaccessible and unusable for any purpose, industrial or otherwise (and was in fact unused for any purpose). This only changed with the opening of the Pat Patterson Parkway in August of 2025. Other portions which were actually previously used – such as for storage of gravel, sand and other such materials – were consistent with I-1 usage. The record reflects absolutely no factual reason why, in 2018, I-1 designations could not have been utilized *within* the park to comply with the requirements of the County's own Zoning Ordinance;

H. The failure to create a "transitional zone," as required by the Zoning Ordinance, was the result of an administrative mistake, including a mistake of fact regarding whether it was "possible" to place a transitional zone of either C-3 or I-1 zoning between the Appellants'

property and Heavy Industrial zones within the Industrial Park itself. In adopting the Heavy Industrial zones at issue in this case, the Board of Supervisors relied upon factual premise(s) that were demonstrably invalid at the time. Alternatively, because of administrative mistake, the Board of Supervisors failed to take into account then-existing facts, including the fact that the placement of a transitional zone as required by its own ordinance was "possible;"

I. In 2022, Lafayette County adopted a Master Plan for development of the Industrial Park. That Master Plan recognized the inaccessibility of a substantial portion of the western edge of the park, which was anticipated to become accessible and usable with the opening of the new Pat Patterson Parkway, then slated to open and provide a thoroughfare through the Industrial Park that would send substantial amounts of new traffic through the park. The new Parkway was, in fact, specifically intended to help address traffic congestion in the larger surrounding area;

J. The Master Plan proposed multiple "under roof" industrial uses throughout the Industrial Park and other improvements, so that it would not be a place "located on the outskirts of town" and seen as a place of "unsightly industry" but instead a park-like "technology campus" complete with walking and biking trails and other beautification improvements. The Lafayette County Board of Supervisors approved this Master Plan and in light of that approval, helped secure substantial grants to create this transformation of the Industrial Park to the desired park-like technology campus;

K. The Pat Patterson Parkway section that bisects the Industrial Park and now drives substantial additional traffic through the industrial park opened in August 2025, in no small part "to alleviate traffic congestion" in the area, as stated by Lafayette County officials. Lafayette

County has since cited and relied upon the construction of this parkway as justification for finding a "change in the neighborhood" in the rezoning of other nearby parcels;

L. Additionally, since the establishment of the Zoning Ordinance and Zoning Map in 2018, residential growth in the area surrounding the Industrial Park has mushroomed, with Lafayette County citing this growth of residential development as justification for finding a "change in the neighborhood" in the rezoning of other, nearby parcels. Further, additional residential growth in the area has been specifically approved by the Lafayette County Board of Supervisors, including the rezoning of two specific parcels with the anticipated future addition of at least 1,200 new homes as a result of that separate re-zoning;

M. On December 15, 2025, the Lafayette County Board of Supervisors declared Lafayette County Parcel 133-08-001.02 to be "surplus property" and approved the lease of that property to Magnolia Materials, LLC exclusively for the construction and operation of an asphalt plant (a Heavy Industrial, I-2 use). That lease agreement provided for an initial thirty-five (35) year term, subject to perpetual five (5) year renewals and further provided Magnolia Materials, LLC an option to purchase the property for fair-market value. Lafayette County and Magnolia Materials, LLC executed that lease on December 18, 2025;

N. Consideration and approval of this lease agreement was done without any public input or discussion. Moreover, when a public records request to Lafayette County, Mississippi asked for all written communications between anyone acting on behalf of Lafayette County and anyone acting on behalf of Magnolia Materials, LLC related to this lease agreement, Lafayette County failed to produce any such communications and affirmatively stated that there were no responsive documents. As such, according to Lafayette County itself, it negotiated, approved and executed this lease without using any letters, emails, text messages or other correspondence;

O. On January 5, 2026, Appellant Ronnie McGinness submitted to Lafayette County a request to rezone Parcels 133-08-001.01, 133-08.001-02 and 133-05-024.00 from Heavy Industrial (I-2) to Light Industrial (I-2). On March 5, 2026, that request was amended and updated to include Appellants Meg and John Duchaine as additional applicants;

P. On March 23, 2026, the Appellants' request for rezoning came before the Lafayette County Planning Commission ("Planning Commission"). During the hearing, the Planning Commission Chair predicted the ultimate future denial of the rezoning petition by the Board of Supervisors as well as highlighted the institutional conflict of interest in this matter, specifically referencing the lease agreement by stating, "Do you honestly think that the Board of Supervisors is going to undo . . . [what] they've already done?" The Planning Commission then voted to recommend denial of the rezoning application;

Q. On May 4, 2026, the rezoning application came before the Lafayette County Board of Supervisors for consideration. Before proceeding to the merits of the request, the undersigned counsel requested that the individual supervisors recuse themselves from hearing this matter because of an institutional conflict of interest. More specifically, the Board of Supervisors was called to sit as an adjudicative body on a rezoning request on property that the County itself owned and which was subject to a lease agreement and purchase option that potentially meant millions of dollars of funds deposited to the County coffers that they themselves also controlled. This rezoning request threatened that contractual agreement made by Lafayette County. The Supervisors were requested to recuse themselves because any objective observer would determine that there was a probability of actual bias in making their decision. Stated in another way, the circumstance would offer an average man the possible temptation to ignore the appropriate governing standard and instead protect separate interests. Despite this

request, none of the individual supervisors recused themselves from hearing this matter and instead voted to deny the rezoning request;

R. This appeal now follows. The decisions of the Supervisor(s) below were arbitrary, capricious, discriminatory, beyond their legal authority or unsupported by substantial evidence. The Supervisors' failure to recuse themselves from hearing this matter justifies reversal and remand for that reason alone. Alternatively, the decision to deny the rezoning request on the basis of mistake is reversible as that decision was not "fairly debatable" and the record is clear that an administrative mistake occurred, including a factual mistake regarding whether it was "possible" to place I-1 transitional zoning within the Industrial Park along its western border. In the alternative, the decision to deny the request to rezone based upon a clearly established change in the neighborhood and public need should also be reversed, as that decision and related decisions are in direct conflict with other, prior findings of the Board of Supervisors when rezoning other nearby parcels and the decision was otherwise arbitrary, capricious, discriminatory, beyond their legal authority or unsupported by substantial evidence;

S. In light of the foregoing, this Court should:

1) Due to the failure to the individual Supervisors to recuse themselves from hearing this matter, reverse the decision of the Board of Supervisors denying rezoning and order reconsideration before a separate disinterested person or person(s) appointed by the Court for that purpose;

2) Alternatively, reverse and render a decision in favor of the Appellants for rezoning of the requested parcels based upon mistake; or

3) Alternatively, reverse and render a decision in favor of the Appellants for rezoning on the basis of an established change in the neighborhood and public need.

II. DESIGNATION OF THE APPEAL RECORD

The Appellants desire to make the following documents part of the record in this matter:

A. The original request for rezoning filed by Appellant Ronnie McGinness, dated January 5, 2026;

B. The supplemental request for rezoning filed by all Appellants, dated March 5, 2026, along with all submitted attachments and exhibits;

C. All correspondence between Lafayette County, Mississippi and the Appellants and any third party related to the Appellants' re-zoning request;

D. The agenda and attachments for the meetings of the Lafayette County Planning Commission dated March 23, 2026, and the Lafayette County Board of Supervisors dated May 4, 2026, as well as all documents and materials presented to those bodies[1] related to the aforementioned rezoning requests and the request to recuse made to the Lafayette County Board of Supervisors;

E. Any and all audio, video and stenographic records or recordings of the proceedings before the Lafayette County Planning Commission and the Lafayette County Board of Supervisors related to the aforementioned rezoning requests and related request to recuse made to the Lafayette County Board of Supervisors;

[1] While the Appellants designate all submissions to the Board of Supervisors as part of the record, the Appellants reserve the right to object to the use or consideration of the substantial submissions of Magnolia Materials, LLC at the May 4, 2026 hearing itself. Those materials were never considered by the Board of Supervisors and the undersigned counsel had no fair opportunity to review those submissions prior to the decision of the Board of Supervisors below.

F. All administrative and other documents connected with the rezoning requests, including but not limited to published notices, notices provided to adjoining landowners and all communications with any Lafayette County officials related to the rezoning requests.

Pursuant to Miss. Code Ann. § 11-51-75(a)(iv), the Appellants state that they have in their possession a copy of the materials identified in Exhibit "A" to this Notice of Appeal.

III. PRAYER FOR RELIEF

Appellants Meg DuChaine, John DuChaine and Ronnie McGinness request that this Court reverse and remand the Lafayette County Board of Supervisors' decision to deny rezoning based on their failure to recuse themselves from hearing the matter below, with directions to have independent hearing officer(s) hear this matter anew. Alternatively, the Appellants request that this Court reverse and render the Lafayette County Board of Supervisors' decision to deny rezoning on the basis of mistake. Alternatively, the Appellants request that this Court reverse and render the Lafayette County Board of Supervisors' decision to deny rezoning on the basis of a change in the neighborhood coupled with a public need for rezoning. Appellants Meg DuChaine, John DuChaine and Ronnie McGinness further request that they be granted any additional relief to which they may be entitled, including but not limited to an award of all costs associated with this appeal.

RESPECTFULLY SUBMITTED, this the 14th day of May 2026.

MEG DUCHAINE, JOHN DUCHAINE
AND RONNIE MCGINNESS

BY: _____
WALTER ALAN DAVIS, MSB #9875
REID K. POSEY, MSB #105975

Of Counsel:

Dunbar Davis, PLLC
324 Jackson Avenue East
Oxford, MS 38655
(662) 281-0001

CERTIFICATE OF SERVICE

I hereby certify that I have this date mailed by United States Mail, postage prepaid, and/or electronically submitted via email, a true and correct copy of the above and foregoing to:

Brent Larson
Board of Supervisors District 1
300 N. Lamar Boulevard
Oxford, MS 38655
blarson@lafayettecoms.com

Kate Victor
County Administrator
300 N. Lamar Boulevard
Oxford, MS 38655
kvictor@lafayettecoms.com

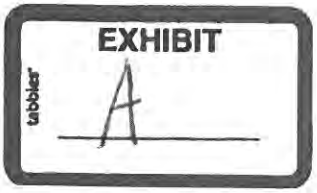
David O'Donnell
Clayton O'Donnell
1403 Van Buren Avenue, Suite 103
Oxford, MS 38655
dodonnell@claytonodonnell.com

THIS this 14th day of May 2026.

WALTER ALAN ~~DAVIS~~

Exhibit "A" List of Record Documents and Transcripts in Appellants' Possession

1. Application for Rezoning, Dated January 5, 2026;
2. Supplemental Applications for Rezoning, with related correspondence and Exhibits (1-15) Dated March 5, 2026;
3. Notices to Surrounding Owners of Pending Application for Rezoning, along with certified mail receipts;
4. Video Recordings of Planning Commission Meeting Dated March 23, 2026;
5. Agenda for Meeting of Planning Commission Dated March 23, 2026;
6. Agenda Item Packet for Rezoning Requests, for meeting of Planning Commission Dated March 23, 2026;
7. Proofs of Publication for Hearing before Board of Supervisors;
8. Agenda for Meeting of Board of Supervisors Dated May 4, 2026;
9. Agenda Item Packet for Rezoning Requests, for Meeting of Board of Supervisors Dated May 4, 2026;
10. Applicants' Supplemental Exhibits Presented to Board of Supervisors at hearing Dated May 4, 2026;
11. Brief and Exhibits (1-17) Submitted by Magnolia Materials to Board of Supervisors at hearing dated May 4, 2026 (objections to use on appeal reserved by Appellants);
12. Transcript of Proceedings before Board of Supervisors at hearing Dated May 4, 2026.



APPENDIX F

Lafayette County Board of Supervisors Lease Agreement

RESOLUTION AND ORDER: APPROVE LEASE AGREEMENT BETWEEN LAFAYETTE COUNTY AND MAGNOLIA MATERIALS LLC

The Board of Supervisors, acting for and on behalf of Lafayette County, Mississippi (the "County"), took up for consideration the matter of the lease of certain undeveloped land located in the Lafayette County Industrial Park to Magnolia Materials, LLC. Having fully considered the terms of the proposed lease, the following occurred:

Thereupon Supervisor Scott Allen offered and moved the adoption of the following resolution:

RESOLUTION OF THE BOARD OF SUPERVISORS OF LAFAYETTE COUNTY APPROVING THE LEASE OF CERTAIN PROPERTY TO MAGNOLIA MATERIALS, LLC

WHEREAS, the Board of Supervisors of Lafayette County, Mississippi (the "Governing Body" of the "County"), does hereby find, determine, adjudicate and declare as follows:

1. In promotion of the economic welfare of the citizens of the County, the County is authorized to lease its property located within the Lafayette County Industrial Park pursuant to Miss. Code Ann. § 19-7-3

2. The County is authorized to lease said property, provided the Board of Supervisors finds and determines that the property is no longer needed for County or related purposes and is not to be used in the operation of the County, that the sale of the property in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the County, and that the use of the County property for the purpose for which it is to be leased will promote and foster the development and improvement of the Lafayette County community and the educational, economic and industrial welfare of the Lafayette County community.

3. The Industrial Park undeveloped property identified and described in the attached Exhibit A is no longer needed for County purposes and operations and is thereby deemed to be surplus property within the meaning of Section 19-7-3, that the sale of the said property in the

manner otherwise provided by law, including Section 19-7-3 (2), is not necessary or desirable for the financial welfare of the County.

4. The lease of the said property under the terms and conditions of the proposed lease attached as Exhibit B is for fair and valuable consideration and will promote and foster the development and improvement of the Lafayette County community and the educational, economic and industrial welfare of the Lafayette County community because the lease provides, inter alia, that Magnolia Materials, LLC will (1) fully develop the subject undeveloped property at its sole cost which thereby will substantially increase the assessed and taxable value of the heretofore untaxable property, yielding increased tax revenues for school and other purposes, (2) invest substantial monies in the development, construction and operation of an asphalt plant on said property for the economic benefit of the construction industry in a fast growing community with the consequence of increased competition and competitive pricing, (3) commit to certain annual employment levels for the life of the lease, and (4) forego all tax exemptions and abatements otherwise available to industrial, manufacturing and commercial businesses under Mississippi law for the life of the lease.

5. The Board of Supervisors therefore desires to lease the subject property to Magnolia Materials, LLC in accordance with and under such terms as set forth in the attached Lease Agreement.

NOW, THEREFORE, THE GOVERNING BODY OF THE COUNTY DOES HEREBY RESOLVE, FIND, DETERMINE AND ADJUDICATE AS FOLLOWS:

Section 1. The Governing Body of the County does hereby approve the lease in the form attached as Exhibit B.

Section 2. The President and Clerk of the Governing Body of the County are hereby authorized to execute and deliver the Lease Agreement, and any and all other documents necessary to effectuate the lease of the subject property.

Section 3. This Resolution may be amended through further proceedings of the Governing Body.

Supervisor Greg Bynum seconded the motion to adopt the foregoing Resolution, and the vote thereupon was as follows:

Supervisor Larson	voted: Yes
Supervisor Bynum	voted: Yes
Supervisor Morgan	voted: Yes
Supervisor Allen	voted: Yes
Supervisor Gordon	voted: Yes

The motion having received the foregoing vote of the Governing Body, the President declared the motion carried and the Resolution adopted, on this the 15 day of December, 2025.

PRESIDENT, BOARD OF SUPERVISORS,
LAFAYETTE COUNTY, MISSISSIPPI

CLERK

CLERK OF THE BOARD
LAFAYETTE COUNTY, MS

Brent Larson, President
Board of Supervisors

Mike Roberts, Chancery Clerk

LEASE AGREEMENT

This Lease Agreement ("Lease") is made and entered into as of this the 16th day of December 2025, by and between the **Board of Supervisors of Lafayette County, Mississippi**, a political subdivision of the State of Mississippi ("Landlord"), and **Magnolia Materials, LLC**, a Mississippi limited liability company organized and existing under the laws of the State of Mississippi ("Tenant").

RECITALS:

WHEREAS, Landlord is the owner of certain real property located in Lafayette County, Mississippi, as more particularly described in **Exhibit A** attached hereto and incorporated herein by reference (the "Premises");

WHEREAS, Tenant desires to lease the Premises from Landlord for the purpose of constructing and operating an asphalt plant thereon subject to the terms and obligations of this Lease;

WHEREAS, Landlord affirms and has determined that the Lease and Tenant's obligations and operations thereunder will promote industrial and economic development in Lafayette County and provide substantial and tangible benefits to Lafayette County and its residents, including: (a) creation of employment opportunities; (b) development of trade beneficial to Lafayette County; (c) furtherance of the use of the natural and human resources of Lafayette County in a manner beneficial to Lafayette County; (d) generation of substantial tax revenues for the benefit of Lafayette County; and (e) provision otherwise of substantial economic and other benefits to Lafayette County and its residents.

WHEREAS, Landlord is willing to lease the Premises to Tenant on the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the foregoing Recitals, the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, Landlord and Tenant agree as follows:

ARTICLE I. GRANT OF LEASE; TERM

1.1 Lease of Premises

Landlord hereby leases, grants and conveys a leasehold interest in the Premises to Tenant, and Tenant hereby leases from Landlord, the Premises, together with all improvements, fixtures, and appurtenances thereto, for the Term (as defined in Section 1.2 below), subject to the terms, obligations, covenants, and conditions set forth in this Lease. This Lease shall not include any grant of any interest in mineral rights existing with respect to the Premises.

1.2 Term

The term of this Lease (the "Term") shall be thirty-five (35) years, commencing on the first day of the month following site plan approval by the both the Planning Commission and the Board of Supervisors of Lafayette County (the "Commencement Date") and ending on the date that falls thirty-five years after the Commencement Date (the "Expiration Date"), unless sooner terminated or extended pursuant to the terms hereof and as provided herein.

1.3 Option to Extend

Provided that Tenant is not in default under any of the terms, covenants, or conditions of this Lease, Landlord hereby grants Tenant the right and option, in Tenant's sole discretion, to extend the Term of this Lease for an unlimited number of successive five (5) year terms (each, an "Extension Term"). Tenant may exercise each option to extend the Term by providing Landlord with written notice of its intent to extend at least six (6) months prior to the expiration of the then-current Term or Extension Term, as applicable.

1.4 Option to Purchase

Landlord hereby grants Tenant the option to purchase the Premises (the "Option") at any time following commencement of the Lease, subject to the terms set forth herein. This Option shall remain in effect during the entire Term of this Lease and any Extension Term(s). To exercise the option, Tenant shall deliver notice to Landlord (the "Notice of Exercise") in accordance with the notice provisions of this Lease of Tenant's intent to purchase the Premises pursuant to this Option Upon receipt of the Notice from the Tenant, the Landlord shall obtain an appraisal of the fair market value based on generally accepted accounting practices as of the date of the Notice. The Landlord shall send a Reply Notice to the Tenant within 15 (fifteen) days of receipt of the appraisal which shall include the proposed purchase price. If the terms of purchase are acceptable to the Tenant, the closing of the purchase and sale shall be consummated and shall occur within sixty (60) days after Landlord's delivery of the Reply Notice. Landlord shall convey title to the Premises by warranty deed, subject to all real estate taxes and assessments not yet due and payable, and easements, restrictions and covenants that do not materially interfere with Tenant's intended use of the Premises. Upon closing the purchase of the Premises pursuant to this Option, the Lease shall terminate and neither party shall have any further obligations hereunder, except for those that survive termination of the Lease as expressly set forth herein.

1.5 Landlord's Termination Rights

Landlord shall have the right to terminate this Lease upon the occurrence of any of the following events:

1. Tenant's default under the terms of this Lease if such default exists and remains uncured after the applicable cure period; and Tenant's abandonment of the Premises for a period of twelve (12) consecutive months.

1.6 Tenant's Termination Rights

Tenant shall have the right is its sole discretion to terminate this Lease upon the occurrence of any of the following events:

1. Any "taking" as provided in Sections 8.2.2, 8.2.3 and 8.2.4 below;

2. Destruction of all or part of the Premises or improvements thereon that materially affect Tenant's operations at the Premises that are determined, in Tenant's sole discretion, to prevent continuation of Tenant's operations at the Premises in a manner at least equal to the level of such operations prior to the destruction of all or part of the Premises or improvements thereon.

ARTICLE II. REPRESENTATIONS AND OBLIGATIONS

2.1 Representations and Obligations of Landlord

2.1.1 Ownership and Quiet Enjoyment

Landlord represents, covenants and warrants that it is the sole and exclusive owner of the Premises and that it has the sole power to lease and demise the Premises pursuant to the Lease, and that the Lease does not conflict with any restriction or encumbrance relating to the ownership, alienability, or use of the Premises pursuant to the Lease or any grant of Lessor's authority. Landlord further covenants that Lessee shall be entitled to the peaceful enjoyment of and undisturbed possession of the Premises during the term of the Lease.

2.1.2 Uses Approved

Landlord has properly determined that the use of the Premises by Tenant as provided in the Lease will promote and foster the development and improvement of Lafayette County and its residents, including without limitation the civic, social, educational, cultural, moral, economic and industrial welfare thereof; and that some use other than provided in and resulting from the Lease is not necessary or desirable for the financial welfare of Lafayette County. Lessor has determined that the Premises is not needed by Lafayette County for any use other than as contemplated by the terms of this Lease.

2.1.3 Authority to Grant Leasehold Interest

Landlord represents, covenants and warrants that Landlord has authority to enter the Lease, has obtained necessary approvals and affirmative votes for same, and has authorized execution and delivery of this Lease by order or resolution spread upon the minutes of its meeting authorizing same, pursuant to and in accord with the requirements of applicable law, including without limitation Miss. Code Ann. §19-7-3 and §59-9-19 and any other applicable law. Landlord has determined, as reflected in said resolution and minutes, that the Premises is not needed by Lafayette County for any use or purpose other than as permitted under this Lease and that this Lease and the use for which the Premises is leased will promote and foster the economic and industrial development and improvement of Lafayette County by: creating employment opportunities (providing full-time employment for at least 5 employees during the entire term of the Lease and any extensions thereof); providing asphalt needed for local road construction at competitive prices; and generating tax revenues for Lafayette County, among other benefits. Landlord has considered and confirmed the adequacy of consideration given by

Tenant for the Lease in the form of payments of Rent, provision of employment opportunities as provided herein, anticipated industrial and economic development, and the substantial cost to Tenant of constructing the improvements to the Premises that Tenant is obligated to construct thereon for the operation of an asphalt plant and related activities. Landlord represents and has confirmed that the Lease, when executed and delivered, will constitute legal, valid and binding obligations of Landlord that are enforceable in accordance with the terms of the Lease and Mississippi law.

2.1.4 Landlord's Required Resolution

By resolution duly and lawfully adopted and spread upon its official minutes, Landlord shall find and determine that (a) the Premises is real property owned and acquired by Landlord; (b) the Premises is not needed for governmental or related purposes and is not dedicated or intended for any use in the operation of Lafayette County, other than as permitted in this Lease; (c) the sale of the Premises, in lieu of this Lease, is not necessary or desirable for the financial welfare of Lafayette County; (d) the use of the Premises for the purpose for which it is conveyed as provided in this Lease will promote and foster the development and improvement of the community in which it is located or the civic, social, educational, cultural, moral, economic or industrial welfare thereof. Landlord shall provide any other resolutions and do any other things required by law to make this Lease effective and in compliance with applicable law.

2.2 Representations and Obligations of Tenant

2.2.1 Tenant represents, covenants and warrants that the execution and delivery of this Lease and compliance with the terms hereof are within the corporate power of Tenant and have been duly authorized by all necessary action on the part of Tenant.

2.2.2 Tenant represents that it will, within two (2) years of the effective date of this Lease, use its best efforts to complete construction, solely at Tenant's cost, of an asphalt plant on the Premises for the local production of asphalt and, in connection therewith, employ at least five (5) employees (full-time) for the entire term of the Lease at the Premises (and any extensions thereof) in the construction, maintenance and operation of the asphalt plant on the Premises. Such employment obligation of Tenant shall exist only during the term of this Lease and shall cease in the event of termination of this Lease or in the event operations at the Premises cease or are limited through no fault of Tenant or due to events beyond Tenant's control. Should Tenant fail to substantially complete construction of an asphalt plant on the Premises withing two (2) years from the effective date hereof, then Landlord shall have the right to terminate the Lease in which case Tenant shall have no further obligations hereunder.

ARTICLE III. RENT AND TAXES

3.1 Rent

Tenant shall pay to Landlord annual rent in the amount of FIVE THOUSAND AND NO/100 DOLLARS ($5,000.00) (the "Rent") per year, payable on the Commencement Date and then on the first day of each year during the Term or Extended Term and until termination of the Lease as provided herein.

3.2 Taxes

Tenant shall pay to the taxing authorities all real property taxes, personal property taxes and special assessments, if any, levied and assessed against the Premises and any improvements thereon and Tenant shall not seek any exemption or abatement of any tax obligations otherwise existing with respect to the Premises. For the calendar years in which this Lease commences and terminates, Tenant's ad valorem tax obligations shall be pro rata based on the number of days this Lease is in effect during the calendar year as applicable. Tenant reserves its right to contest any assessments which, in its sole discretion, appear improper or excessive.

ARTICLE IV. USE OF PREMISES

4.1 Permitted Use

Tenant shall use and occupy the Premises solely for the purpose of constructing, operating, and maintaining an asphalt plant and any other lawful uses ancillary or related or comparable thereto including without limitation the sale of aggregate and other by-products of the operation (the "Permitted Use"). Tenant shall not use or permit the use of the Premises for any purpose other than the Permitted Use without the prior written consent of Landlord, which consent shall not be unreasonably withheld. Lessee's use of the Premises, including for construction of an asphalt plant, shall be subject to Landlord's standard site plan and review process regarding use of the Premises

4.2 Compliance with Laws

Tenant shall, at its sole cost and expense, obtain all necessary licenses and permits needed or required to conduct its business on the Premises. Tenant shall use its best efforts to comply with all applicable federal, state, and local laws, ordinances, rules, and regulations, including, without limitation, those related to environmental protection, health, safety, and the use, storage, and disposal of Hazardous Substances (as defined in Section 7.1 below), in connection with Tenant's use and occupancy of the Premises.

4.3 Utilities

Tenant shall be responsible for the cost of installation and maintenance of needed utilities (gas, power, telephone, heating, lighting, air conditioning and other) used in constructing, operating, repairing and maintaining the Premises for the use by Tenant as contemplated and provided herein.

4.4 Prohibited Activities

Tenant shall not use or occupy the Premises, or permit the Premises to be used or occupied, in any manner that would violate any applicable law, ordinance, rule or regulation.

ARTICLE V. IMPROVEMENTS; MAINTENANCE AND REPAIRS

5.1 Tenant's Improvements

5.1.1 Initial Improvements

Tenant shall have the right, at its sole cost and expense, to construct, install, and maintain any buildings, structures, or other improvements on the Premises as may be necessary or desirable for Tenant's Permitted Use, subject to Landlord's prior written approval of the plans and specifications for such improvements, which approval shall not be unreasonably withheld, conditioned, or delayed.

5.1.2 Approval Process for Improvements

The Lease is subject to Lafayette County's standard site plan review and approval process.

5.1.3 Subsequent Alterations

After completion of the initial improvements, Tenant shall not make any material alterations, additions, or improvements to the Premises without Landlord's prior written approval, which approval shall not be unreasonably withheld, conditioned, or delayed. For purposes of this Section 5.1.3, "material alterations" shall mean any alterations, additions, or improvements that: (a) affect the structural components of any building or improvement on the Premises; (b) affect the exterior appearance of any building or improvement on the Premises; (c) affect any building system, including HVAC, electrical, plumbing, or fire protection systems; or (d) cost in excess of $100,000 to complete.

5.1.4 Ownership of Improvements

All improvements constructed or installed by Tenant on the Premises shall be the property of Tenant during the Term of this Lease. Upon the expiration or earlier termination of this Lease, Tenant shall be entitled, but not obligated, to remove at Tenant's cost all such improvements.

5.2 Maintenance and Repairs

Tenant shall, at its sole cost and expense, keep and maintain the Premises, including all improvements, fixtures, and appurtenances thereto, in good condition and repair throughout the Term. Tenant shall be responsible for all routine maintenance, repairs, and replacements on the Premises, as well as any capital improvements necessary to Tenant's operations at the Premises. Landlord shall have no obligation to make any repairs or improvements to the Premises during the Term.

5.3 Mechanic's Liens

Tenant shall not allow any mechanic's or materialmen's liens to be filed against the Premises. If any such lien is filed, Tenant shall, within thirty (30) days after receiving notice of the filing of such lien, either pay the amount of the lien and cause the lien to be released of record or contest such lien in accordance with applicable law.

ARTICLE VI. INSURANCE AND INDEMNIFICATION

6.1 Tenant's Insurance

Tenant shall, at its sole cost and expense, maintain the following insurance coverages throughout the Term:

1. Commercial general liability insurance with limits of not less than $1,000,000 per occurrence and $5,000,000 in the aggregate, naming Landlord as an additional insured;

2. Property insurance covering the full replacement cost of all improvements and personal property located on the Premises;

3. Workers' compensation insurance as required by applicable law;

4. Environmental pollution liability insurance with limits of not less than $1,000,000 per occurrence and $5,000,000 in the aggregate;

Tenant shall provide Landlord with certificates of insurance evidencing the required coverages initially and upon each renewal of such policies.

6.2 Indemnification

6.2.1 Tenant's Indemnification of Landlord

Tenant shall indemnify, defend, and hold Landlord harmless from and against any and all claims, damages, losses, liabilities, costs, and expenses, including reasonable attorneys' fees, arising from or related to: (a) Tenant's use or occupancy of the Premises; (b) any act, omission, or negligence of Tenant or its agents, contractors, employees, or invitees; (c) any breach or default by Tenant in the performance of its obligations under this Lease; or (d) any environmental contamination or release of Hazardous Substances caused or permitted by Tenant.

6.2.2 Limitations on Tenant's Indemnification

Notwithstanding the foregoing, Tenant's indemnification obligations shall not extend to claims, damages, losses, liabilities, costs, or expenses arising from: (a) the negligence or willful misconduct of Landlord or its agents, contractors, employees, or invitees; (b) Hazardous Substances that migrate onto the Premises from adjacent properties, unless such migration is caused or exacerbated by Tenant, in which case Tenant's indemnification obligations shall be limited to addressing the loss caused or exacerbated by Tenant's conduct.

ARTICLE VII. ENVIRONMENTAL PROVISIONS

7.1 Environmental Definitions

1. "Environmental Laws" means all federal, state, and local laws, ordinances, rules, regulations, orders, and directives pertaining to Hazardous Substances or to the protection of human health or the environment.
2. "Environmental Permits" means all permits, licenses, approvals, authorizations, consents, or registrations required by any Environmental Laws for the operation of Tenant's business at the Premises.
3. "Hazardous Substances" means any hazardous, toxic, or dangerous substance, material, waste, pollutant, or contaminant, as defined, listed, or regulated under any Environmental Laws.
4. "Permitted Hazardous Substances" are those identified in **Exhibit B** hereto.

7.2 Environmental Compliance

7.2.1 Tenant's Obligations

Tenant shall:

1. Comply with all Environmental Laws applicable to Tenant's use and occupancy of the Premises;
2. Obtain and maintain all Environmental Permits required for Tenant's operations at the Premises;
3. Not cause or permit any Hazardous Substances to be used, stored, generated, or disposed of on or about the Premises, except for those Hazardous Substances that are: (i) reasonably necessary in Tenant's discretion for Tenant's Permitted Use; (ii) listed in **Exhibit B** attached hereto; (iii) used, stored, and disposed of in compliance with all Environmental Laws; and (iv) used, stored, and disposed of in quantities reasonable for Tenant's Permitted Use;
4. Promptly notify Landlord of any release or threatened release of Hazardous Substances on or about the Premises;
5. Promptly provide Landlord with copies of all communications, reports, notices, or other documents relating to any release or threatened release of Hazardous Substances on or about the Premises or any violation or alleged violation of Environmental Laws at the Premises; and
6. Permit Landlord and its agents to enter the Premises at reasonable times to conduct environmental inspections or testing.

7.2.2 Environmental Assessments

1. Baseline Assessment: Prior to the Commencement Date, Tenant shall, at its sole cost and expense, cause a qualified environmental consultant to conduct a Phase I Environmental Site Assessment of the Premises in accordance with ASTM Standard E1527-13 (or the then-current ASTM standard). If the Phase I Environmental Site Assessment

recommends a Phase II Environmental Site Assessment, Tenant shall cause such assessment to be performed. The results of all environmental assessments shall be provided to Landlord and shall serve as a baseline for determining Tenant's responsibility for environmental conditions at the Premises. If the environmental assessments result in any findings that Tenant deems unsatisfactory for any reason regarding the environmental condition of the Premises, then Tenant shall have the option, in its sole discretion, to terminate the Lease based on such information; and if Tenant terminates the Lease pursuant to this provision, then it shall not be responsible for and shall have no obligation regarding remediation or clean-up of any environmental conditions at the Premises.

2. Periodic Assessments: Tenant shall, at its sole cost and expense, cause a qualified environmental consultant to conduct a Phase I Environmental Site Assessment of the Premises every five (5) years during the Term, with the first such assessment to be conducted on the fifth (5th) anniversary of the Commencement Date. If any such assessment recommends a Phase II Environmental Site Assessment, Tenant shall cause such assessment to be performed. The results of all environmental assessments shall be provided to Landlord.
3. Exit Assessment: At least six (6) months prior to the expiration of the Term or within thirty (30) days after the earlier termination of this Lease, Tenant shall, at its sole cost and expense, cause a qualified environmental consultant to conduct a Phase I Environmental Site Assessment of the Premises. If such assessment recommends a Phase II Environmental Site Assessment, Tenant shall cause such assessment to be performed. The results of all environmental assessments shall be provided to Landlord.

7.3 Environmental Remediation

7.3.1 Tenant's Remediation Obligations

If any Hazardous Substances are released or discharged on or about the Premises during the Term as a result of Tenant's use or occupancy of the Premises, Tenant shall, at its sole cost and expense:

1. Immediately notify Landlord and all applicable governmental authorities of such release or discharge;

2. Promptly undertake all necessary remediation and cleanup activities in accordance with Environmental Laws;

3. Restore the Premises to the condition existing prior to such release or discharge; and

4. Indemnify, defend, and hold Landlord harmless from and against any and all claims, damages, losses, liabilities, costs, and expenses, including reasonable attorneys' fees, arising from or related to such release or discharge.

7.3.2 Pre-Existing Environmental Conditions

Subject to the Tenant's rights to terminate the Lease set forth in Section 7.2.2.1, and if Tenant does not terminate the Lease pursuant to Section 7.2.2. 1., the Tenant shall be deemed to have accepted the Premises "as is" and Tenant shall be obligated to remediate or clean up any Hazardous Substances that were present on or about the Premises prior to the Commencement Date.

ARTICLE VIII. DAMAGE OR DESTRUCTION; CONDEMNATION

8.1 Damage or Destruction

If the Premises are damaged or destroyed by fire, flood, or other casualty, Tenant shall promptly notify Landlord. Tenant may, in its sole discretion and at its sole cost and expense, repair and restore the Premises to substantially the same condition as existed prior to such damage or destruction, unless this Lease is terminated as provided below.

8.1.1 Tenant's Right to Terminate

If the Premises are damaged or destroyed to the extent that it cannot be repaired or restored within one (1) year from the date of such damage or destruction, as reasonably determined by Tenant, Tenant may terminate this Lease by providing written notice to Landlord within sixty (60) days after the date of such damage or destruction.

8.1.2 Rent Abatement

If this Lease is not terminated following damage or destruction of the Premises, Rent shall be equitably abated based on the portion of the Premises that is unusable by Tenant during the period of repair and restoration.

8.2 Condemnation

8.2.1 Taking Prohibited

Neither Landlord nor any affiliated or related governmental entity shall initiate any taking by eminent domain of the Premises, in whole or part, during the term of the Lease.

8.2.2 Complete Taking

If all of the Premises are taken by eminent domain or other governmental action by some non-affiliated or unrelated entity, this Lease shall terminate as of the date of such taking, and the entire award or compensation paid in connection with such taking shall be allocated as follows:

1. Tenant shall be entitled to receive compensation for: (i) the value of Tenant's leasehold interest in the Premises for the remainder of the Term; (ii) the unamortized value of Tenant's improvements to the Premises, calculated on a straight-line basis over the Term;

(iii) Tenant's relocation expenses; and (iv) Tenant's business interruption losses as reasonably determined by Tenant.

2. Landlord shall be entitled to receive the remainder of the award.

8.2.3 Partial Taking

If only a portion of the Premises is taken by eminent domain or other governmental action by some non-affiliated or unrelated entity, and the remaining portion is still suitable for Tenant's Permitted Use without materially affecting Tenant's operations under the Lease at the Premises, this Lease shall continue in full force and effect as to the remaining portion, and Rent shall be equitably reduced based on the portion of the Premises taken. The award or compensation paid in connection with such partial taking shall be allocated as provided in Section 8.2.2.

8.2.4 Temporary Taking

If all or any portion of the Premises is temporarily taken by eminent domain or other governmental action by some non-affiliated or unrelated entity for a temporary period, this Lease shall remain in full force and effect, and Tenant shall be entitled to receive the entire award or compensation paid in connection with such temporary taking.

ARTICLE IX. DEFAULT AND REMEDIES

9.1 Tenant's Default

The occurrence of any of the following events shall constitute a default by Tenant under this Lease:

1. Failure to pay any installment of Rent when due, and the continuation of such failure for a period of forty-five (45) days after written notice from Landlord;
2. Failure to comply with any other term, covenant, obligation or condition of this Lease, and the continuation of such failure for a period of sixty (60) days after written notice from Landlord; provided, however, that if such failure cannot reasonably be cured within such sixty (60) day period, Tenant shall not be in default if Tenant commences to cure such failure within such sixty (60) day period and diligently pursues such cure to completion;
3. The filing of a petition by or against Tenant under any bankruptcy or insolvency law, which petition is not dismissed within sixty (60) days after filing;
4. The appointment of a receiver or trustee for all or substantially all of Tenant's assets, which appointment is not vacated within sixty (60) days;
5. The making by Tenant of a general assignment for the benefit of creditors; or
6. The abandonment of the Premises by Tenant for a period of twelve (12) months.

9.2 Landlord's Remedies

Upon the occurrence of any event of default by Tenant that is not cured as provided herein, Landlord shall have the right to pursue any one or more of the following remedies:

1. Terminate this Lease and Tenant's right of possession, in which case Tenant shall immediately surrender possession of the Premises to Landlord;
2. Re-enter and take possession of the Premises, with or without terminating this Lease, and relet the Premises or any part thereof for such term and upon such conditions as Landlord may deem appropriate;
3. Perform any obligation of Tenant under this Lease and charge the cost thereof to Tenant as Additional Rent;
4. Pursue any other remedy available at law or in equity.

9.3 Landlord's Default

Landlord shall be in default under this Lease if Landlord fails to comply with any term, covenant, or condition of this Lease, and such failure continues for a period of sixty (60) days after written notice from Tenant; provided, however, that if such failure cannot reasonably be cured within such sixty (60) day period, Landlord shall not be in default if Landlord commences to cure such failure within such sixty (60) day period and diligently pursues such cure to completion.

9.4 Tenant's Remedies

Upon the occurrence of any event of default by Landlord, Tenant shall have the right, in its sole discretion, to pursue any one or more of the following remedies:

1. Perform any obligation of Landlord under this Lease and deduct the cost thereof from the next installment(s) of Rent due under this Lease;

2. Terminate this Lease if Landlord's default substantially interferes with Tenant's use and enjoyment of the Premises and continues for a period of ninety (90) days after written notice from Tenant;

3. Pursue any other remedy available at law or in equity.

ARTICLE X. TENANT FINANCING AND LEASEHOLD MORTGAGES

10.1 Tenant's Right to Finance

Tenant shall have the right to finance or refinance its leasehold interest in the Premises and any improvements thereon, subject to the terms and conditions of this Article X.

10.2 Leasehold Mortgages

10.2.1 Tenant's Right to Grant Leasehold Mortgages

Tenant shall have the right to grant one or more mortgages, deeds of trust, or other security interests (each, a "Leasehold Mortgage") encumbering Tenant's leasehold interest in the Premises and any improvements thereon, subject to Landlord's prior written consent, which consent shall not be unreasonably withheld, conditioned, or delayed. Any Leasehold Mortgage shall be subject and subordinate to Landlord's fee interest in the Premises.

10.2.2 Notice to Landlord

Tenant shall provide Landlord with written notice of any proposed Leasehold Mortgage at least thirty (30) days prior to the execution thereof, which notice shall include the name and address of the proposed mortgagee (the "Leasehold Mortgagee") and a copy of the proposed leasehold Mortgage documents.

10.2.3 Leasehold Mortgagee's Rights

If Tenant grants a Leasehold Mortgage in accordance with this Article X, the Leasehold Mortgagee shall have the following rights:

1. The right to receive copies of all notices of default given to Tenant under this Lease, provided that the Leasehold Mortgagee has given Landlord written notice of its name and address;
2. The right to cure any default by Tenant under this Lease within the same time period provided to Tenant, plus an additional thirty (30) days;
3. The right to enter the Premises to inspect, maintain, or protect its security interest;
4. The right to foreclose on the Leasehold Mortgage and succeed to Tenant's interest under this Lease, provided that the successor Tenant cures all existing defaults and agrees in writing to be bound by all of the terms and conditions of this Lease; and
5. The right to assign the leasehold interest to a qualified assignee, subject to Landlord's approval, which approval shall not be unreasonably withheld, conditioned, or delayed.

ARTICLE XI. DISPUTE RESOLUTION

11.1 Negotiation

In the event of any dispute, claim, or controversy arising out of or relating to this Lease or the breach, termination, enforcement, interpretation, or validity thereof (a "Dispute"), the parties shall first attempt in good faith to resolve such Dispute through direct negotiation between representatives of each party who have authority to settle the Dispute. Either party may initiate such negotiations by providing written notice to the other party setting forth the subject of the Dispute. The parties shall meet within ten (10) business days after delivery of such notice at a mutually acceptable time and place, and thereafter as often as they reasonably deem necessary, to exchange relevant information and to attempt to resolve the Dispute.

11.2 Mediation

If the parties are unable to resolve the Dispute through direct negotiation within thirty (30) days after delivery of the initial notice, either party may initiate mediation by providing written notice to the other party. The mediation shall be conducted in Lafayette County, Mississippi by a mediator mutually agreed upon by the parties or, if the parties cannot agree on a mediator within ten (10) days after delivery of the mediation notice, by a mediator selected by the American Arbitration Association. The parties shall share equally the costs of the mediator and the mediation. Any such mediation shall be non-binding.

11.3 Judicial Proceedings

Notwithstanding the foregoing, either party may seek injunctive or other equitable relief in a court of competent jurisdiction in Lafayette County, Mississippi, without first complying with the dispute resolution procedures set forth in this Article XI if such party believes that such relief is necessary to prevent irreparable harm. Nothing herein shall limit the legal or equitable remedies available to either Landlord or Tenant.

ARTICLE XII. MISCELLANEOUS PROVISIONS

12.1 Notices

All notices, demands, or other communications required or permitted to be given under this Lease shall be in writing and shall be deemed sufficiently given if delivered personally, sent by U.S. Mail, sent by nationally recognized overnight courier service, or sent by United States certified or registered mail, return receipt requested, postage prepaid, and addressed as follows:

If to Landlord:

Board of Supervisors of Lafayette County, Mississippi
300 North Lamar Blvd.
Oxford, MS 38655

With a copy to:

David D. O'Donnell
Board Attorney
Clayton O'Donnell, PLLC
1403 Van Buren Ave.
Oxford, MS 38655

If to Tenant:

Magnolia Materials, LLC
31 Hwy 328

Oxford, MS 38655

With a copy to:

Laura Jones, Registered Agent for Magnolia Materials, LLC
31 Hwy 328
Oxford, MS 38655

and

Roy H. Liddell
Wells Marble & Hurst, PLLC
P.O. Box 131
Jackson, MS 39205-0131
Attorney for Magnolia Materials, LLC

Either party may change its address for notices by providing written notice to the other party in accordance with this Section 12.1.

12.2 Governing Law; Venue

This Lease shall be governed by and construed in accordance with the laws of the State of Mississippi. Any legal action or proceeding arising out of or related to this Lease shall be brought in any court of competent jurisdiction in Lafayette County, Mississippi.

12.3 Entire Agreement; Amendments

This Lease constitutes the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior and contemporaneous agreements and understandings, oral or written. This Lease may be amended or modified only by a written instrument signed by both Landlord and Tenant.

12.4 Severability

If any provision of this Lease is held to be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

12.5 Waiver

No waiver of any provision of this Lease shall be effective unless in writing and signed by the party against whom enforcement is sought. No waiver of any provision of this Lease shall be construed as a waiver of any other provision of this Lease. No waiver of any breach of this Lease shall be construed as a waiver of any subsequent breach.

12.6 Relationship of Parties

Nothing contained in this Lease shall be deemed or construed to create a partnership, joint venture, principal-agent, or employer-employee relationship between Landlord and Tenant.

12.7 Successors and Assigns

This Lease shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. This Lease shall be assignable by Tenant to a third-party subject to the terms hereof and Permitted Use provided herein.

12.8 Counterparts

This Lease may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

12.9 Time of Essence

Time is of the essence with respect to the performance of all obligations under this Lease.

12.10 Force Majeure

Neither party shall be liable for any failure or delay in performing its obligations under this Lease (other than the payment of money) if such failure or delay is due to causes beyond its reasonable control, including, without limitation, acts of God, fire, flood, earthquake, strike, war, riot, terrorism, civil commotion, or governmental regulation or restriction.

12.11 Recordation

Tenant may record a memorandum of this Lease in the public records of Lafayette County, Mississippi, provided that such memorandum shall not disclose the rent or other financial terms of this Lease. The form and content of any such memorandum shall be subject to Landlord's prior written approval, which approval shall not be unreasonably withheld, conditioned, or delayed.

12.12 Attorneys' Fees

In the event of any litigation or arbitration between the parties arising out of or related to this Lease, the prevailing party shall be entitled to recover from the non-prevailing party all reasonable attorneys' fees, costs, and expenses incurred by the prevailing party in connection with such litigation or arbitration.

12.13 Brokers

Each party represents and warrants to the other that it has not dealt with any broker, agent, or finder in connection with this Lease. Each party shall indemnify, defend, and hold the other harmless from and against any and all claims, damages, losses, liabilities, costs, and

expenses, including reasonable attorneys' fees, arising from or related to any breach of the foregoing representation and warranty.

12.14 Binding Effect

This Lease has been entered into by Landlord and Tenant, and no other person other than the Landlord and Tenant and their respective successors and assigns shall acquire or have any rights under or by virtue of this Lease, except as otherwise expressly provided herein.

12.15 Survival

Any provision of this Lease that, by its nature, would survive the expiration or termination of this Lease shall survive such expiration or termination, including, without limitation, the parties' indemnification obligations, the environmental provisions, and the dispute resolution provisions.

12.16 Interpretation

This Lease shall be construed without regard to any presumption or rule requiring construction or interpretation against the party drafting or causing this Lease to be drafted. The headings in this Lease are for reference only and shall not affect the interpretation of this Lease.

12.17 Authority

Each party represents and warrants to the other that: (a) it has full power and authority to enter into and perform its obligations under this Lease; (b) the execution, delivery, and performance of this Lease have been duly authorized by all necessary action; and (c) this Lease constitutes its legal, valid, and binding obligation, enforceable against it in accordance with its terms.

12.18 Assignment

Tenant agrees it will not assign its interest in the Lease without first obtaining written consent of Landlord, which consent shall not unreasonably be withheld. There shall be no renegotiation of the terms of this Lease in the event of any assignment by Tenant of this Lease, and the terms hereof shall be binding on both the Landlord and any assignee of Tenant in the event of any such assignment of this Lease.

12.19 Additional Acts to Accomplish Purposes

The parties to this Lease agree that they shall, from time to time or as reasonably necessary to accomplish the purposes and intent of this Lease, request that the other party execute, acknowledge, and deliver, or cause to be executed, acknowledged and delivered, any such further acts, documents, resolutions or assurances that may reasonably required to accomplish the purposes and intent of this Lease, and they shall cooperate in good faith with each other in connection with any such requests.

12.20 Effective Date

This Lease shall become effective upon its execution by all parties hereto.

12.21 Lease of Premises in "As Is" Condition

Tenant acknowledges that the Lease of the Premises is in the "as is" condition of the Premises and that Landlord has no obligation to improve the Premises or to change its condition in connection with this Lease.

IN WITNESS WHEREOF, the parties have executed this Industrial Park Lease Agreement as of the date first written above.

LANDLORD:

LAFAYETTE COUNTY BOARD OF SUPERVISORS

By: _____

Name:

Title: President, Board of Supervisors of Lafayette County

TENANT:

MAGNOLIA MATERIALS, LLC

By: _____

Name: John W. McCurdy, II
Title: Managing Member

EXHIBIT A - DESCRIPTION OF THE PREMISES

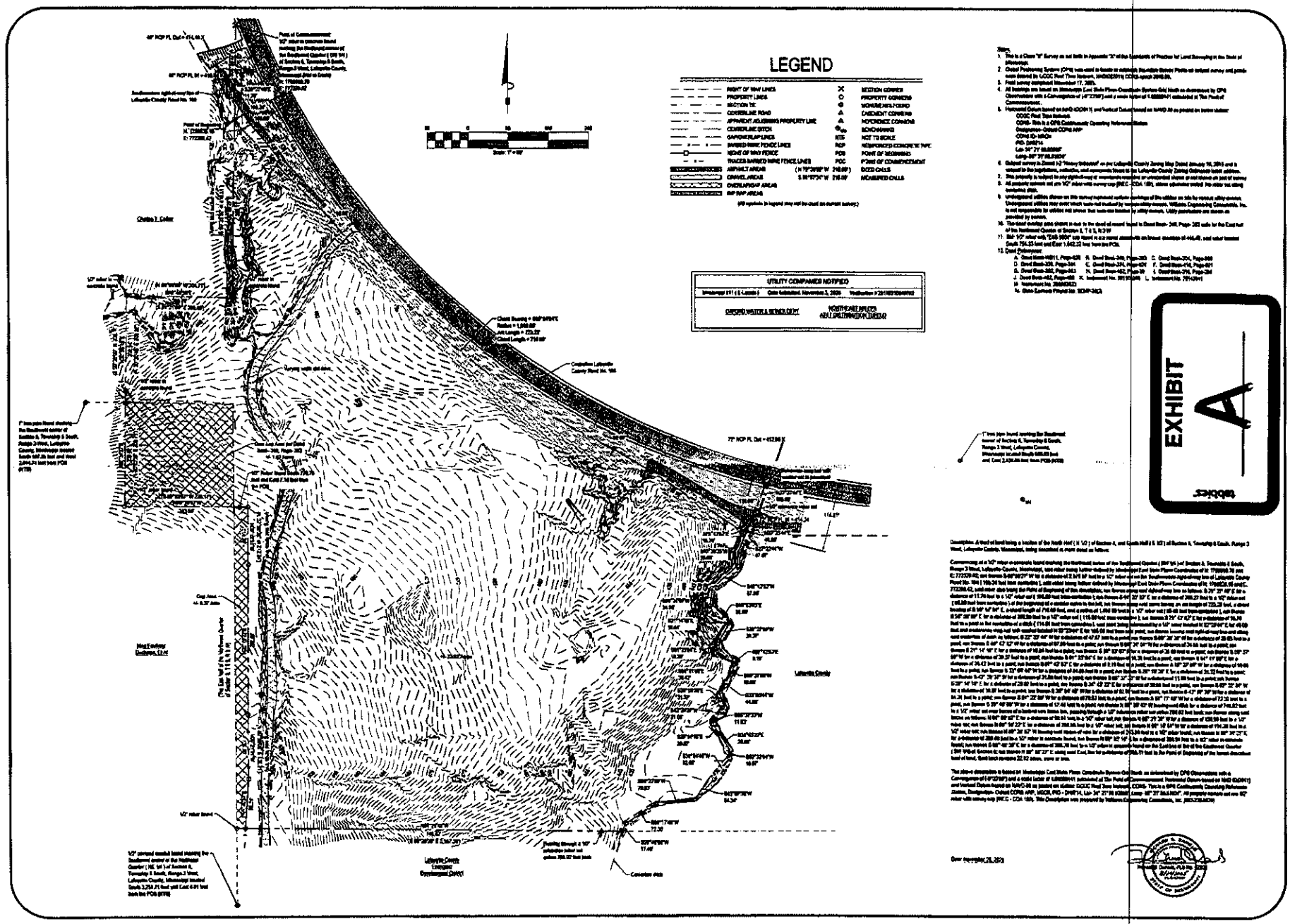
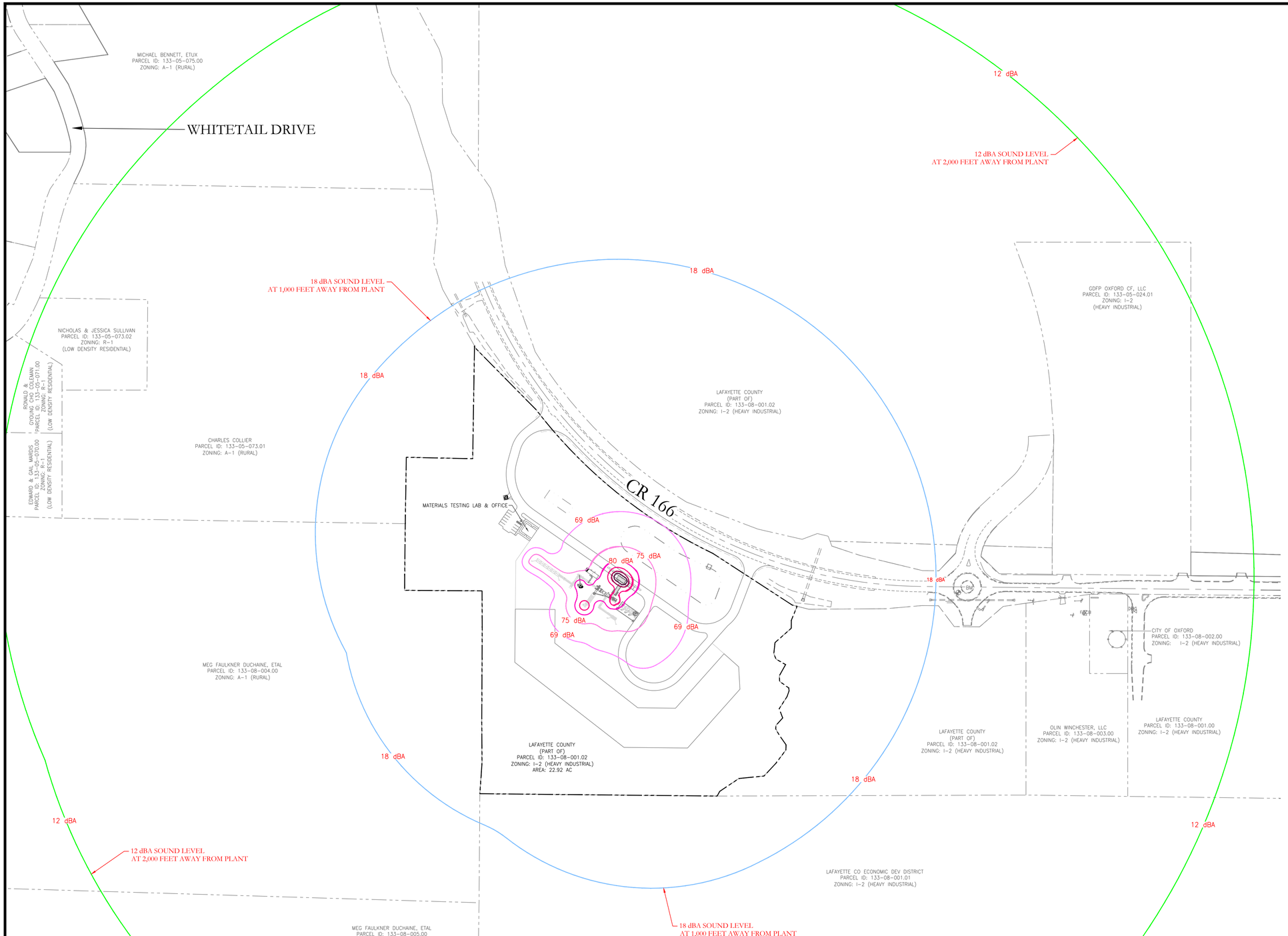

LEGEND
RIGHT OF WAY LINES
PROPERTY LINES
SECTION TIE
CENTERLINE ROAD
APPARENT ADJOINING PROPERTY LINE
CENTERLINE DITCH
GAP/OVERLAP LINES
BARBED WIRE FENCE LINES
WIRE OR MISC FENCE
TRACES BARBED WIRE FENCE LINES
ASPHALT AREAS
GRAVEL AREAS
OVERLAP/GAP AREAS
SHP RAMP AREAS
SECTION CORNER
PROPERTY CORNERS
MONUMENTS FOUND
EASEMENT CORNERS
INDEPENDENT CORNERS
BENCHMARKS
NOT TO SCALE
INDEPENDENT CORNER 'IC' TYP.
POINT OF BEGINNING
POINT OF COMMENCEMENT
SIZED CALLS
MEASURED CALLS
UTILITY COMPANIES NOTIFIED
EXHIBIT
A
Boundary & Topographical Survey for
JVM Development, LLC
A tract of land lying in a portion of the North Half (N 1/2) of Section 4, and South Half (S 1/2) of Section 5, Township 6 South, Range 3 West, Lafayette County, Mississippi
WILLIAMS ENGINEERING CONSULTANTS, INC.
Professional Engineers| Professional Land Surveyors
Boundary & Topographical Survey
1 of 1

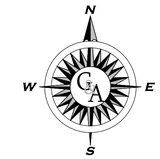
EXHIBIT B - PERMITTED HAZARDOUS SUBSTANCES

1. Asphalt cement
2. Aggregate materials
3. Diesel fuel
4. Gasoline
5. Motor oil and lubricants
6. Hydraulic fluid
7. Antifreeze
8. Cleaning solvents
9. Paints and coatings
10. Any other materials commonly used in the operation and maintenance of an asphalt plant, provided that such materials are used, stored, and disposed of in compliance with all Environmental Laws and in quantities reasonable for Tenant's Permitted Use.

APPENDIX G

Acoustic Impact Exhibit





150 0 150 300 450

SCALE: 1" = 150'

LEGEND

THESE STANDARD SYMBOLS MAY BE FOUND IN THE DRAWING

- PROPERTY BOUNDARY LINE
- ADJACENT PROPERTY LINE
- EXISTING ASPHALT
- EXISTING ROAD CENTERLINE

SOUND LEVEL CONTOURS LEGEND

- 12 DECIBAL
- 18 DECIBAL
- 69 DECIBAL
- 75 DECIBAL
- 80 DECIBAL
- 85 DECIBAL
- 90 DECIBAL
- 95 DECIBAL

PREDICTED SOUND LEVELS (dBA):

APPROXIMATE MAXIMUM UNOBSTRUCTED SOUND PRESSURE @ 1,000' = 18 dBA
APPROXIMATE MAXIMUM UNOBSTRUCTED SOUND PRESSURE @ 2,000' = 12 dBA

ACOUSTIC MODELING DISCLAIMER:

THE SOUND LEVEL CONTOURS SHOWN HEREIN ARE BASED ON CONSERVATIVE ASSUMPTIONS OF UNOBSTRUCTED SOUND PROPAGATION AND DO NOT INCORPORATE ATTENUATION EFFECTS FROM TERRAIN, VEGETATION, STRUCTURES, OR OTHER ENVIRONMENTAL CONDITIONS. ACCORDINGLY, ACTUAL SOUND LEVELS ARE EXPECTED TO BE LESS THAN THOSE INDICATED ON THIS EXHIBIT.

FEMA NOTE:
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM), THIS PROPERTY IS LOCATED IN ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, PER FIRM, MAP NO. 28071C 0145C, COMMUNITY PANEL NUMBER 280093 0252 C, EFFECTIVE DATE: NOVEMBER 26, 2010.

BENCHMARK (BM):
1" REBAR WITH "E&B 5004" CAP FOUND IN A A ROUND ABOUT WITH AN KNOWN ELEVATION OF 445.40, SAID REBAR LOCATED SOUTH 754.33 FEET AND EAST 1,562.32 FEET FROM THE POB.

ACOUSTIC IMPACT EXHIBIT NOTE:
ALL SOUND LEVEL READINGS AND EQUIPMENT SOURCE DATA PRESENTED HEREIN WERE OBTAINED DIRECTLY FROM THE ASPHALT PLANT MANUFACTURER. THE MODELED SOUND LEVELS ARE THEORETICAL ESTIMATES BASED ON TYPICAL OPERATING PARAMETERS AND STANDARD ACOUSTICAL ATTENUATION OF 6 DBA PER DISTANCE DOUBLING. THESE VALUES ARE PROVIDED SOLELY FOR USE IN EVALUATING POTENTIAL RELATIVE SOUND IMPACTS FOR PLANNING PURPOSES AND DO NOT CONSTITUTE A CERTIFIED ACOUSTICAL ANALYSIS OR FIELD-MEASURED DATA.

ACOUSTIC IMPACT EXHIBIT

FOR

MAGNOLIA MATERAILS ASPHALT PLANT

LAFAYETTE COUNTY, MISSISSIPPI

APRIL 2026
SCALE: 1" = 150'
ZONING: I-2 (HEAVY INDUSTRIAL)
PROPERTY AREA: 22.92 ACRES

DEVELOPER:

MAGNOLIA MATERIALS
31 HWY 328
OXFORD, MS 38655

APPENDIX H

Determination of No Hazard to Air Navigation

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2026-ASO-6735-OE

Issued Date: 06/15/2026

MAGNOLIA MATERIALS
JW MCCURDY
31 Hwy 328
Oxford, MS 38655

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Asphalt Plant Conveyor and Silo
County, State: Lafayette, Mississippi

Collected Point(s):

Label	Latitude	Longitude	SE	DET AGL	AMSL
Conveyor/Silo	34-24-28.90N	89-32-04.10W	465 Ft	72 Ft	537 Ft

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.
Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M Change 1.

This determination expires on 12/15/2027 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.
(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at 1-817-222-5928, or chris.smith@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2026-ASO-6735-OE.

Signature Control No: 698548420-709731101 (DNE)
Chris Smith
Specialist

Attachment(s)
Additional Information
Map(s)

Additional information for ASN 2026-ASO-6735-OE

The following consideration should be given to the stacks being built: In accordance with AC 150/5190-4, Flight Standards recommends the proponent utilize the MITRE Exhaust-Plume-Analyzer Tool to assess the impact exhaust plumes may impose on flight operations at the existing or proposed site and provide the results of the analysis if the stacks/plumes are to be permanent structures. The tool is available on the MITRE Corporation website: https://www.mitre.org/our-impact/intellectual-property/exhaust-plume-analyzer

TOPO Map for ASN 2026-ASO-6735-OE



Sectional Map for ASN 2026-ASO-6735-OE

