

**MINUTES OF THE MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD  
HELD IN JACKSON, MISSISSIPPI, ON TUESDAY, DECEMBER 11, 2018**

The Mississippi Environmental Quality Permit Board held a meeting in the Commission Hearing Room of the Department of Environmental Quality, located at 515 East Amite Street, on December 11, 2018. Vice-Chair Chris McDonald called the meeting to order at 9:00 a.m. with the following members and designated representatives present:

Chris McDonald for Andy Gipson, Vice-Chair (Note the Chair, James Hoffmann, for Kay Whittington, was absent, therefore, Vice-Chair, Chris McDonald presided over the meeting)

Jennifer Wittmann for Joe Spraggins  
Les Herrington  
Jess New  
Dennis Riecke for Dr. Sam Polles  
Chris Hawkins for Kay Whittington  
David Dockery

Roy Furrh, General Counsel for MDEQ, was present as legal counsel. On motion by Dennis Riecke and seconded by Jennifer Wittmann, the minutes of the November 13, 2018, meeting were approved by the Permit Board.

**REPORT OF STAFF PERMIT ACTIONS/CERTIFICATIONS**

Staff reported to the Permit Board that staff had acted on various permits since the November 13, 2018, Permit Board Meeting pursuant to the regulations delegating this authority to the Executive Director of the Mississippi Department of Environmental Quality and the Executive Director's delegation of this authority to the staff in accordance with those regulations. The Permit Board voted to note and record in its minutes the reports of permit actions/certifications by staff since the November 13, 2018, Permit Board Meeting. [Chris Hawkins abstained from voting on all Land and Water Resources permitting matters and David Dockery abstained from voting on all Geology permitting matters].

**REPORT OF PERMIT ACTIONS / CERTIFICATIONS SINCE THE 11/13/18 MEETING  
OFFICE OF POLLUTION CONTROL  
ENVIRONMENTAL PERMITS DIVISION**

<b>Air - Air-Construction Permit Transfer</b>			
<b>ID</b>	<b>Facility</b>	<b>County</b>	<b>Permit No.</b>
54123	Transferred To: Mohegan Renewable Energy MS, LLC Transferred From: BTH Quitman Hickory LLC	Clarke	0440-00063

<b>Air - Construction Permit Issuance</b>			
<b>ID</b>	<b>Facility</b>	<b>County</b>	<b>Permit No.</b>
74367	Dean Memorial Funeral Home LLC	Rankin	2380-00135
3862	Industrial Wood Products of Mississippi Inc.	Warren	2780-00117
74381	Petro Hunt LLC, USA 17-5 Number 1 Tank Battery	Franklin	0820-00030
73424	Serenity Funeral Home Inc.	Lafayette	1420-00031
74033	Sklar Exploration Company LLC, McLeod 30-11 Number 1 Production Facility	Clarke	0440-00067

<b>Air - Construction Permit Modification</b>			
<b>ID</b>	<b>Facility</b>	<b>County</b>	<b>Permit No.</b>
5596	BPI Coatings Solutions LLC	Desoto	0680-00015
67778	Petrodome Operating LLC, Brown 28-2 Number 1 Facility	Jasper	1300-00085
67013	Petrodome Operating LLC, Plum Creek 23-1 Number 1 Production Facility	Smith	2500-00090
66521	Petrodome Operating LLC, Ulmer 28-1 Number 1 Production Facility	Jasper	1300-00084

<b>Air - PSD Construction Permit Modification</b>			
<b>ID</b>	<b>Facility</b>	<b>County</b>	<b>Permit No.</b>
68907	Biewer Sawmill Newton LLC	Newton	1980-00044

Air - Permit Revocation			
ID	Facility	County	Permit No.
9778	Cooperative Energy, Paulding Peaking Station	Jasper	1300-00024

Air - Synthetic Minor Operating Permit Issuance			
ID	Facility	County	Permit No.
66155	Australis TMS Inc., Ash 13H-1 and 13H-2 Production Facility	Amite	0080-00049
65258	Australis TMS Inc., Lewis 7-18H-1 Production Facility	Amite	0080-00045
65733	Australis TMS Inc., Longleaf 29H-1 and 29H-2 Production Facility	Amite	0080-00047

Air - Synthetic Minor Operating Permit Modification			
ID	Facility	County	Permit No.
1837	University of Mississippi Medical Center	Hinds	1080-00102

Air - Synthetic Minor Operating Permit Reissuance			
ID	Facility	County	Permit No.
35370	Southeast Supply Header LLC, Collins Booster Station	Covington	0640-00051

Air - Synthetic Minor Operating Permit Transfer			
ID	Facility	County	Permit No.
8976	Transferred To: Tyson Farms, Inc., dba River Valley Ingredients Transferred From: Tyson Farms, Inc., dba River Valley Animal Foods	Scott	2420-00006

Air - Title V Operating Permit Modification			
ID	Facility	County	Permit No.
1300	Tri-State Brick LLC	Hinds	1080-00099

Air - Title V Operating Permit Reissuance			
ID	Facility	County	Permit No.
1631	Georgia Pacific Monticello LLC	Lawrence	1500-00007

Solid Waste - Processing Issuance			
ID	Facility	County	Permit No.
73434	GreenServ Sterilization LLC	Lafayette	SW0360050585

Surface Water - Commercial - NPDES Permit Issuance			
ID	Facility	County	Permit No.
73749	Agricultural Research Service, Alluvial Aquifer Recharge Project	Leflore	MS0062448

Surface Water - Commercial - NPDES Permit Reissuance			
ID	Facility	County	Permit No.
13886	H and H Estates Inc.	Lauderdale	MS0036919
14295	Lindsay Fish House LLC	Rankin	MS0052744
14395	Lynn Hewlett, Taylor Grocery	Lafayette	MS0055450
13650	MDOT, Interstate 20 West, 59 South Welcome Center	Lauderdale	MS0024520
13651	MDOT, Interstate 55, Welcome Center, Pike	Pike	MS0024538
64775	MDOT, Leake County Maintenance Headquarters	Leake	MS0062103
64774	MDOT, Scott County Maintenance Headquarters	Scott	MS0062081
13686	Monroe County School District, Hamilton High School	Monroe	MS0029246
13849	NTS Utility Association Inc., Tanglewood Subdivision	Lauderdale	MS0035190
14017	Richard Runyon, Lauderdale Mobile Home Park	Lauderdale	MS0042986
14096	Ring Road Utility Company Inc., Holly Ridge Development	Warren	MS0045861
14361	Ring Road Utility Inc., Silver Leaf Development	Warren	MS0054755
13985	Slays Trailer Park	Forrest	MS0041939
23702	Southern Hills Estates Property Owners Association Inc., Southern Hills Estates Subdivision	Lauderdale	MS0060399
15810	Southern Mobile Home RV Park LLC	Lauderdale	MS0044024
13920	Wilco Properties Inc., Roanoke Estates Subdivision	Lowndes	MS0038725

**Surface Water - Commercial NPDES Permit - Revoke**

ID	Facility	County	Permit No.
14295	Lindsay Fish House LLC	Rankin	MS0052744
14395	Lynn Hewlett, Taylor Grocery	Lafayette	MS0055450
13985	Slays Trailer Park	Forrest	MS0041939
13920	Wilco Properties Inc., Roanoke Estates Subdivision	Lowndes	MS0038725

**Surface Water - General Permit Coverage - Issuance**

ID	Facility	County	Permit No.
73672	A1 Development LLC, Jean Lane Subdivision	Jackson	MSR107744
73749	Agricultural Research Service, Alluvial Aquifer Recharge Project	Leflore	MSG130537
73749	Agricultural Research Service, Alluvial Aquifer Recharge Project	Leflore	MSG130537
74358	CDGBRN Properties LLC, Hazlehurst Mine	Copiah	MSR322765
1709	Delta Terminal Inc.	Washington	MSR002358
74379	Excavators Inc, Excavators Highway 6 Mine	Panola	MSR322766
74549	First ANBA, The	Madison	MSR107850
24109	Gardens of Turman Farms	Desoto	MSR107837
23748	H & H Development, Hillcrest Estates Subdivision	Jackson	MSR107791
23748	Hillcrest Estates Subdivision	Jackson	MSR107791
74157	IDI Logistics, Olive Branch Logistics Center	Desoto	MSR107857
73820	Jackson County Board of Supervisors, Old Fort Bayou Road Widening	Jackson	MSR107833
74329	MAC Construction of Oxford LLC, Keystone	Lafayette	MSR107819
74559	MDOT, Covington, 107181 302000	Covington	MSR107852
74603	MDOT, Tate, 103330 301000	Tate	MSR107860
74517	McCarthy Building Companies Inc., Meridian III Solar Facility	Lauderdale	MSR107842
74462	Northeast Mississippi Community College, Ripley Center Site Development	Tippah	MSR107836
74538	R and J Construction, Cook Mine	Rankin	MSR322769
74218	Rankin County Board of Supervisors, Andrew Chapel Road Bridge Replacement	Rankin	MSR107804
73401	River City Recycling of Mississippi Inc., Keyes Recycling Center	Warren	MSR322763
73125	Stone County Perkinston Boulevard	Stone	MSR107620
74664	Talbot Brothers Grading Company Inc., Battle Tunica Mine	Tunica	MSR322772
74663	Talbot Brothers Grading Company Inc., Hobbs Marshall Mine	Marshall	MSR322771
16749	Tyson Foods Inc., Forest Processing Plant Number 2	Scott	MSR107828
13783	Vicksburg Warren School District, Warren Central High School	Warren	MSR107862

**Surface Water - General Permit Coverage - Minor Modification**

ID	Facility	County	Permit No.
54123	Transferred To: Mohegan Renewable Energy MS, LLC Transferred From: BTH Quitman Hickory LLC	Clarke	MSR002034
970	Transferred To: Westlake Compounds LLC Transferred From: Axiall LLC	Copiah	MSR001524

**Surface Water - General Permit Coverage - Modification**

ID	Facility	County	Permit No.
64394	Camp Shelby Sanitary Sewer Replacement	Forrest	MSR107685
16426	Patrick Farms Development, LLC	Rankin	MSR101974

**Surface Water - General Permit Coverage - Reissuance**

ID	Facility	County	Permit No.
52686	Buddy Ayers Construction Inc., Ayers Mine	Alcorn	MSR321983
52685	Buddy Ayers Construction Inc., Johnson Mine	Prentiss	MSR321981
57789	Buddy Ayers Construction Inc., Witham Mine	Tippah	MSR322211
69909	J J Ferguson Sand and Gravel Inc., Wall Mine	Carroll	MSR322588
62916	James Eaton, County Line Mine	Prentiss	MSR322264
17826	Lamar County, MS4 Stormwater Management Program	Lamar	MSRMS4017
20231	Memphis Stone and Gravel Company, Senatobia Mine	Tate	MSR321453
15248	Petes Backhoe Service, Petes Dirt Mine	Hancock	MSR320248
17167	Preston Dobbs Trucking and Gravel Sales LLC, Preston Dobbs Number Two Pit	Monroe	MSR321081

64763	R and J Construction Inc., Wiggins Mine	Stone	MSR322347
14726	Richard Dorris, III, Pit Number 2	Lincoln	MSR320904
14727	Richard Dorris, III, Pit Number 3	Lincoln	MSR320905
14728	Richard Dorris, III, Pit Number 4	Lincoln	MSR320906
848	Richard L Dorris III, Dorris Pit Number One	Lincoln	
71387	River Road Sand and Gravel LLC, Nelson Mine Number 1	Marion	MSR322639
23612	SEB Mining LLC, SEB Pit and SEB Class II Rubbish Site	Jackson	MSR321562
72083	Talbot Brothers Grading Company Inc., Small Foggy Mine	Desoto	MSR322670
70112	Talbot Brothers Grading Company Inc., Talbot Dorris Coldwater Mine	Tate	MSR322566
72804	Talbot Brothers Grading Company Inc., Walters 145 Mine	Prentiss	MSR322697
69302	Thomas Heard, Long Pit	Copiah	MSR322543
72872	Thomas Williams, Williams Mine	Rankin	MSR322704
71417	Tim Carpenter, Carpenter Mine	Rankin	MSR322642
8587	Tronox LLC, Hamilton Facility	Monroe	MSR322474
69851	Turfscape Landscaping and Management LLC, P and G Mine	Madison	MSR322557
56836	Walter Willis, Walter Willis Mine	Neshoba	MSR322170
18717	Wet Mine Assets Holding LLC, North Pit	Hancock	MSR322613
65756	Xcavators Inc, Walnut Mine	Tippah	MSR322390

#### Surface Water - General Permit Coverage - Termination

ID	Facility	County	Permit No.
71001	Atmos Energy Corporation, Atmos Meridian East	Lauderdale	MSG130501
71678	Atmos Energy Corporation, Goodwin Storage Field West	Monroe	MSG130513
64569	Baptist Medical Center, Leake	Leake	MSR106458
18171	Belle Terre	Madison	MSR106402
71201	Chemours Warehouse	Harrison	MSR107366
70261	Entergy Mississippi Inc., Madison Improvements Including the Tinnin to Ray Braswell Line	Madison	MSR107240
70261	Entergy Mississippi Inc., Madison Improvements Including the Tinnin to Ray Braswell Line	Madison	MSR107240
24177	King Farms Development LLC, King Farms Subdivision	Lauderdale	MSR104532
70284	Oddee Smith Construction Inc., Davis Mine	Franklin	MSR322574
70142	Oddee Smith Construction Inc., Murray Mine	Franklin	MSR322575
55594	Oxford School District, Oxford High School	Lafayette	MSR105947
69972	Oxford, City of, Sludge and Liner Removal Project	Lafayette	MSR107197
1157	Scotts Company, The, Pearl Facility	Rankin	MSR001997
6723	South Central Ready Mix, Plant Number 19	Jefferson Davis	MSG110092
66012	US Army COE, Vicksburg District, MS Delta Headwaters Project BS-10-04	Webster	MSR106691
69564	Wal Mart Neighborhood Market, Number 3990-00	Lauderdale	MSR107145
55333	West Madison Mining LLC, Childress Gravel Mine	Yazoo	MSR322098

#### Surface Water - Industrial - NPDES Permit - Minor Modification

ID	Facility	County	Permit No.
8976	Transferred To: Tyson Farms, Inc., dba River Valley Animal Foods Transferred From: Tyson Farms Inc.	Scott	MS0046931

#### Surface Water - Industrial - NPDES Permit Reissuance

ID	Facility	County	Permit No.
23844	Gulf LNG Energy LLC, LNG Clean Energy Project	Jackson	MS0060518
1373	National Aeronautics and Space Administration, Stennis Space Center, Area 9	Hancock	MS0040797
18133	North Lauderdale Water Association Inc.	Lauderdale	MS0058858
7580	Platte Chemical Co dba Loveland Products	Washington	MSS061964
2372	Waste Management of Mississippi Inc., Pine Ridge Sanitary Landfill and Recycling Center	Lauderdale	MSS044393

#### Surface Water - Industrial - Pretreatment Permit - Issuance

ID	Facility	County	Permit No.
70311	Premium Waters Inc.	Hinds	MSP092432

**Surface Water - Industrial - Pretreatment Permit - Revoke**

ID	Facility	County	Permit No.
8997	Ashley Furniture Industries Inc., Ecru Facility	Pontotoc	MSP091999
17987	Howard Industries Inc., Ellisville Manufacturing Facility	Jones	MSP092017
50250	Primetals Technologies USA LLC	Lowndes	MSP092321

**Surface Water - Industrial - Pretreatment Permit - Terminate**

ID	Facility	County	Permit No.
55798	Stion Corporation	Forrest	MSP092291

**Surface Water - Industrial - Pretreatment Permit Reissuance**

ID	Facility	County	Permit No.
8997	Ashley Furniture Industries Inc., Ecru Facility	Pontotoc	MSP091999
11536	Cooper Tire and Rubber Company	Lee	MSP090763
1696	Greenfield Environmental Multistate Trust LLC	Lowndes	MSP090021
17987	Howard Industries Inc., Ellisville Manufacturing Facility	Jones	MSP092017
50250	Primetals Technologies USA LLC	Lowndes	MSP092321
2372	Waste Management of Mississippi Inc., Pine Ridge Sanitary Landfill and Recycling Center	Lauderdale	MSP090562

**Surface Water - Industrial - State Operating Permit - Revoke**

ID	Facility	County	Permit No.
14624	Front Porch Cafe LLC, The	Harrison	MSU097192
14605	Renees Tumble and Cheer LLC	Alcorn	MSU097141

**Surface Water - Industrial - State Operating Permit Reissuance**

ID	Facility	County	Permit No.
14624	Front Porch Cafe LLC, The	Harrison	MSU097192
14605	Renees Tumble and Cheer LLC	Alcorn	MSU097141

**Surface Water - Municipal - NPDES Permit - Revoke**

ID	Facility	County	Permit No.
13019	Batesville POTW	Panola	MS0024627
13324	Pachuta POTW	Clarke	MS0035700

**Surface Water - Municipal - NPDES Permit Reissuance**

ID	Facility	County	Permit No.
13006	Alcorn State University	Claiborne	MS0027855
13019	Batesville POTW	Panola	MS0024627
13177	Hazlehurst POTW, Activated Sludge	Copiah	MS0023922
13226	Liberty POTW	Amite	MS0023752
13260	Mendenhall POTW	Simpson	MS0021539
13324	Pachuta POTW	Clarke	MS0035700
13448	Wesson POTW	Copiah	MS0023779

**Surface Water - Water Quality - Issue 401 Certification**

ID	Facility	County	Permit No.
74157	IDI Logistics, Olive Branch Logistics Center	Desoto	WQC2018038
73820	Jackson County Board of Supervisors, Old Fort Bayou Road Widening	Jackson	WQC20180026
73672	Jean Lane Subdivision	Jackson	WQC20180020

**Surface Water - Water Quality - Issue 401 Certification Modification**

ID	Facility	County	Permit No.
69104	Mississippi Department of Marine Resources, Oyster Reef Restoration	Hancock	WQC2015060

**REPORT OF ACTIONS/ CERTIFICATIONS SINCE THE 11/13/18  
PERMIT BOARD MEETING – OFFICE OF GEOLOGY  
MINING AND RECLAMATION DIVISION**

<b>Permit(s) Reissued</b>			
<b>ID</b>	<b>Facility</b>	<b>County</b>	<b>Permit No.</b>
19267	A L Williams Jr Inc, Williams Pit	Perry	P93-104
64412	Memphis Stone and Gravel Company, DeSoto Plant Mine	Desoto	P13-023

**REPORT OF ACTIONS/ CERTIFICATIONS SINCE THE 11/13/18  
PERMIT BOARD MEETING – OFFICE OF GEOLOGY  
MINING AND RECLAMATION DIVISION**

<b>Permit(s) Reissued</b>			
<b>ID</b>	<b>Facility</b>	<b>County</b>	<b>Permit No.</b>
19267	A L Williams Jr Inc, Williams Pit	Perry	P93-104
64412	Memphis Stone and Gravel Company, DeSoto Plant Mine	Desoto	P13-023

**OFFICE OF LAND AND WATER RESOURCES  
REPORT OF PERMIT ACTIONS/CERTIFICATIONS SINCE THE 11/13/18  
PERMIT BOARD MEETING - GROUND WATER SECTION**

**Groundwater Applications**

WASTE MANAGEMENT OF TUNICA LANDFILL	TUNICA	0.20	224	400	MRVA	MS-GW-17418	DEQ
4 K FARMS LLC	TALLAHATCHIE	0.02	25	1200	MRVA	MS-GW-17421	YMD
MARSHALL COUNTY WATER ASSOCIATION INC	MARSHALL	0.34	381	1500	WLCXL	MS-GW-17422	DEQ
ANDERSON PLANTING COMPANY	SUNFLOWER	0.11	120	2500	MRVA	MS-GW-50598	YMD
ANDERSON PLANTING COMPANY	HUMPHREYS	0.05	60	1200	MRVA	MS-GW-50599	YMD
LEWIS, MICHAEL T	HUMPHREYS	0.04	42	1600	MRVA	MS-GW-50616	YMD
NIPPER FARMS PARTNERSHIP	ISSAQUENA	0.32	360	2500	MRVA	MS-GW-50619	YMD
NIPPER FARMS PARTNERSHIP	ISSAQUENA	0.24	264	2000	MRVA	MS-GW-50620	YMD
NIPPER FARMS PARTNERSHIP	ISSAQUENA	0.07	75	1000	MRVA	MS-GW-50621	YMD
NIPPER FARMS PARTNERSHIP	ISSAQUENA	0.13	150	2000	MRVA	MS-GW-50622	YMD
NIPPER FARMS PARTNERSHIP	ISSAQUENA	0.15	165	2000	MRVA	MS-GW-50623	YMD
ROBERSON, JOHN JR	QUITMAN	0.03	30	1600	MRVA	MS-GW-50625	YMD
PALMETTO FARM INVESTMENTS LLC	WASHINGTON	0.14	155	2500	MRVA	MS-GW-50627	YMD
PALMETTO FARM INVESTMENTS LLC	WASHINGTON	0.23	255	2500	MRVA	MS-GW-50628	YMD
PALMETTO FARM INVESTMENTS LLC	WASHINGTON	0.17	192	2500	MRVA	MS-GW-50629	YMD
GLOBAL AG PROPERTIES USA LLC	TUNICA	0.11	123	2500	MRVA	MS-GW-50631	YMD
GLOBAL AG PROPERTIES USA LLC	TUNICA	0.15	165	2500	MRVA	MS-GW-50632	YMD
GLOBAL AG PROPERTIES USA LLC	TUNICA	0.19	218	2500	MRVA	MS-GW-50633	YMD

GLOBAL AG PROPERTIES USA LLC	TUNICA	0.11	128	2500	MRVA	MS-GW-50634	YMD
FORTNER, PAUL	TALLAHATCHIE	0.19	209	1200	MRVA	MS-GW-50638	YMD
LDRSTN LLC	WASHINGTON	0.10	108	2500	MRVA	MS-GW-50640	YMD
SUARES LAND COMPANY LLC	WASHINGTON	0.03	29	800	MRVA	MS-GW-50641	YMD

**Groundwater Modifications**

LEAF RIVER CELLULOSE LLC	PERRY	0.01	11	240	MOCN	MS-GW-02128	DEQ
LEAF RIVER CELLULOSE LLC	PERRY	0.02	22	269	MOCN	MS-GW-02129	DEQ
GEORGIA PACIFIC WFS LLC	PERRY	0.22	246	200	MOCN	MS-GW-15039	DEQ
GEORGIA PACIFIC WFS LLC	PERRY	0.11	123	100	MOCN	MS-GW-15886	DEQ

**Groundwater Renewals**

BYHALIA, TOWN OF	MARSHALL	0.17	187	384	RPLY	MS-GW-01172	DEQ
BYHALIA, TOWN OF	MARSHALL	0.14	151	312	RPLY	MS-GW-01173	DEQ
YAZOO NATIONAL WILDLIFE REFUGE	HOLMES	0.07	78	300	MUWX	MS-GW-05526	DEQ
ELM LAKE GOLF COURSE INC	LOWNDES	0.18	200	250	MSSV	MS-GW-14987	DEQ
SILVER CREEK, TOWN OF	LAWRENCE	0.09	101	400	CTHL	MS-GW-15349	DEQ
SOUTH MISSISSIPPI PUBLIC WATER AUTHORITY INC	FORREST	0.09	101	350	HBRGU	MS-GW-15398	DEQ
WHISTLER WATER ASSOCIATION INC	WAYNE	0.23	258	311	MOCN	MS-GW-15416	DEQ
RIVERBEND UTILITIES INC	HARRISON	0.39	434	800	GRMFL	MS-GW-15420	DEQ
RIVERBEND UTILITIES INC	HARRISON	0.29	325	600	PCGLU	MS-GW-15421	DEQ
POTTS CAMP, TOWN OF	BENTON	0.08	90	300	RPLY	MS-GW-16262	DEQ

OFFICE OF LAND AND WATER RESOURCES  
REPORT OF PERMIT ACTIONS/CERTIFICATIONS SINCE THE 11/13/18  
PERMIT BOARD MEETING

SURFACE WATER SECTION

**Surface Water Applications**

WOOD, VICKI	TALLAHATCHIE	0.11	120	2000	MURPHREE CREEK	MS-SW-10490	YMD
HURST, MIKE	RANKIN			60	TRIBUTARY OF BAKERS CREEK	MS-SW-10499	DEQ

**Surface Water Renewals**

EDMONDSON, JOE E	CALHOUN		72		TRIBUTARY OF TOPASHAW CREEK	MS-SW-01524	DEQ
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BACKWATER BRAKE TIMBER COMPANY	GRENADA	0.01	10	2500	YALOBUSHA RIVER	MS-SW-01725	DEQ
USDA FOREST SERVICE, HOMOCHITTO	FRANKLIN			31744	PORTER CREEK	MS-SW-02770	DEQ
EDMONDSON, JOE E	CALHOUN	0.54	600	1000	TOPASHAW CREEK CANAL	MS-SW-02774	DEQ
MORTON, KEITH	TIPPAH	0.11	120	500	MUDDY CREEK	MS-SW-10050	DEQ
MORTON, KEITH	TIPPAH	0.21	240	1200	MUDDY CREEK	MS-SW-10051	DEQ
BOZEMAN, SR, CARL	COPIAH			42	TRIBUTARY OF BAHALA CREEK	MS-SW-10075	DEQ
CALICUTT AND SON FARMS	MARSHALL	0.27	300	1200	LITTLE TALLAHATCHIE CANAL	MS-SW-10084	DEQ
CALICUTT AND SON FARMS	MARSHALL	0.27	300	1200	BIG SPRING CREEK	MS-SW-10085	DEQ

**OFFICE OF LAND AND WATER RESOURCES**  
**REPORT OF PERMIT ACTIONS/CERTIFICATIONS SINCE THE 11/13/18**  
**PERMIT BOARD MEETING**

**DAM SAFETY SECTION**

**No Actions to Report**

**THE PERMIT BOARD CONSIDERED THE FOLLOWING  
OFFICE OF GEOLOGY MATTERS:**

## **Mining and Reclamation Division**

## **Surface Mining Bond Releases**

The Permit Board, on motion by Jennifer Wittmann and seconded by Dennis Riecke, voted to accept staff's recommendations on the following bond releases: (David Dockery abstained)

Krystal Gravel, Inc.	Copiah	P09-007	Initial 10%
Krystal Gravel, Inc.	Copiah	P17-004A	Initial 90%
Krystal Gravel, Inc.	Copiah	P17-012	Initial 40%
Krystal Gravel, Inc.	Copiah	P78-023T1	Initial 70%
Krystal Gravel, Inc.	Copiah	P17-018	Initial 10%
Krystal Gravel, Inc.	Copiah	P17-019	Initial 10%
Krystal Gravel, Inc.	Copiah	P87-012	Initial 20%
Krystal Gravel, Inc.	Copiah	P87-040T2	No Release
Krystal Gravel, Inc.	Copiah	P91-029T	Initial 10%
Krystal Gravel, Inc.	Copiah	P93-004T1	Initial 10%
Krystal Gravel, Inc.	Copiah	P99-035A	Initial 20%

**Surface Mining Permit Modification with additional acreage and recoverage and modification of coverage under the mining storm water, dewatering, and no discharge general NPDES permit.**

D & E Construction Co., Inc. P95-071 and MSR320485 Lauderdale

At the Permit Board's November 13, 2018 meeting, staff for the Office of Geology stated that D & E was applying for a modification to its existing Surface Mining Permit (No. P95-071) to allow it to mine an additional 14 acres, and for recoverage and modification of its coverage under the Mining Storm Water, Dewatering and No Discharge General NPDES Permit (No. MSR320485). At the November meeting, the Permit Board voted to allow more time for D & E and Dr. Richard Vise, an adjacent landowner, to work out among themselves a mutual agreement and bring the matter back before the Board for later consideration. At the December meeting, Staff of the Office of Geology noted the parties were unable to work out an agreement. MDEQ's James Matheny reminded the Permit Board that the modification would allow D & E to mine an additional 14 acres to a 25-foot depth for borrow material.

MDEQ's Florance Bass stated that D & E was seeking coverage and modification under the Mining Storm Water, Dewatering and No Discharge General NPDES Permit to allow continued operation including reclamation activities in the authorized mine area. Specifically, MDEQ received D & E's coverage request on June 26, 2018, an updated form on October 3, 2018, its modification request on February 21, 2018, and an updated form on August 17, 2018. Ms. Bass stated that Dr. Vise submitted comments during the public comment period for the Department of Geology's Surface Mining Permit opposing the proposed expansion. MDEQ's Office of Geology originally went to public notice on April 11, 2018, and issued a new public notice in September 2018 to address deficiencies in the previous notice. Dr. Vise submitted additional comments during the new public notice period. Dr. Vise expressed concerns with storm water from the mine draining into a downstream lake located on property in which he holds ownership interest which caused the lake to be muddy.

MDEQ conducted a compliance evaluation inspection of the site in June of 2018. MDEQ noted that work was occurring outside of the permitted area with no storm water controls. D & E ceased all work in the area and updated the permit applications to reflect changes in the overall mining acreage. During this visit, it was noted that Dr. Vise had an interest in property which includes a lake that is located downstream of the mining area. MDEQ again met with D & E in July 2018 and voiced concerns about the controls. As a result, D & E submitted a new storm water pollution prevention plan ("SWPPP") with its modification form in August 2018. After reviewing the SWPPP and modification request, and after an October 2018 site visit, MDEQ requested D & E to implement additional storm water controls. These controls included installation of a drainage riser with skimmer to be incorporated into the plan to allow utilization of the full volume of the sedimentation basin and allow increased residence time of storm water to allow settling of sediments. As of late October 2018, MDEQ staff observed that all of the implemented controls appeared to be in good working order. MDEQ inspected the site again after the Permit Board's November 13, 2018, meeting to evaluate the working condition of the controls. The inspection revealed controls appeared to be in good working order. Because D & E and Dr. Vise were

unable to reach an agreement, D & E requested that the Board consider this matter at its December meeting.

Dr. Vise made a presentation to the Permit Board. As part of his presentation, he submitted photographs of the two lakes on the property which he has interest contending that the lake downstream of the mine site was muddy and the other lake was clear. Dr. Vise stated that D & E offered to clean out the muddy lake and split the costs with Dr. Vise 50/50. Dr. Vise stated he did not want to clean out the lake while mining of the D & E site continues. General Counsel Roy Furrh advised Dr. Vise of the Permit Board's limited jurisdiction and stated that while the Permit Board could consider D & E's compliance history related to the proposed storm water recoverage and modification, the Board did not have jurisdiction to determine the amount of damages to Dr. Vise caused by D & E's operations.

Kevin Thompson, a professional engineer, addressed the Permit Board on behalf of D & E. Mr. Thompson stated that D & E contacted him regarding the proposed expansion in December 2017. He indicated that he proposed installation of an additional sediment pond with the expansion. He stated that any areas not being actively mined would be revegetated. He indicated that the additional sediment pond is larger than what is required. He mentioned that the need to mine the site is project driven and D & E was committed to maintain compliance. Steve Bailey, who is in MDEQ's Environmental Compliance and Enforcement Division, mentioned that the sediment pond exceeds MDEQ requirements; specifically, according to the calculations of D & E's engineer, the pond is double the capacity than what is required. He stated that if additional controls are necessary, MDEQ would require them. Ms. Bass pointed out that the storm water coverage also governs reclamation activities; thus, she recommended issuance of the re-coverage and modification.

Permit Board members asked questions to MDEQ staff, Dr. Vise and representative of D & E and considered the responses.

At the end of the presentation, the Permit Board allowed a brief recess for Dr. Vise and Mr. Etheridge with D & E to further discuss a possible resolution. After the recess, Dr. Vise stated he thought it would be better to delay the Permit Board's vote to give him and D & E additional time to resolve this matter.

MDEQ recommended issuance of the surface mining permit modification and recoverage and modification of the storm water coverage.

Upon motion by Les Herrington and seconded by Dennis Riecke, the Permit Board voted to accept the staff's recommendation to issue the surface mining permit modification and to issue recoverage and modification of the storm water coverage. (David Dockery abstained)

#### **OTHER BUSINESS**

MDEQ's General Counsel, Roy Furrh reminded the Permit Board that an evidentiary hearing has been scheduled for the Le Poultry matter for the Permit Board meeting on April 9, 2019 following the Permit Board agenda.

#### **CONFIRMATION OF THE NEXT REGULAR PERMIT BOARD MEETING**

Vice-Chair Chris McDonald confirmed that the next Regular Meeting will be held on January 8, 2019.

#### **MEETING ADJOURNED**

There being no further business to come before the Permit Board, Vice-Chair Chris McDonald adjourned the meeting.

DATED at Jackson, Mississippi, this the 11<sup>th</sup> day of December, 2018.



GARY C. RIKARD  
EXECUTIVE DIRECTOR



CHRIS McDONALD  
PERMIT BOARD VICE-CHAIR