

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

Telephonic Meeting

Thursday, August 22, 2019

9:00 A.M.

Room 104A

515 East Amite Street

Jackson, Mississippi 39201

AGENDA

1. **Call to Order - Chair**
2. **Approval of Minutes of June 27, 2019 Meeting**
3. **Water Pollution Control (Clean Water) State Revolving Fund Loan Program
Proposed Resolution of Necessity to Issue Bonds**

During the 2019 State legislative session, House Bill 1568 was passed and subsequently signed by the Governor. This bill provided for the issuance of \$7,940,000 in bonds to provide state matching funds required to obtain \$39,700,000 in available federal assistance to this program. The funds are loaned at low interest rates to facilitate the construction or improvement of Wastewater Treatment facilities in the state. In order to initiate this process, the Commission must adopt a Resolution of Necessity for issuance of these bonds. Staff will provide copies of the Resolution to the Commission for consideration. Staff will also recommend that the Commission adopt the Resolution of Necessity to Issue the Bonds.

4. **Water Pollution Control Revolving Loan Fund (WPCRLF) Program
Proposed Adoption of FY-2019 Intended Use Plan**

The staff will recommend adoption by the Commission of the FY-2019 Intended Use Plan. This document identifies the loan funds available to our communities for the construction of wastewater infrastructure, the communities to receive these loan funds, the loan interest rate, program deadlines, and other related information. Public comments on the draft Intended Use Plan have been solicited through a public comment period and a public hearing.

5. **Mississippi Commission on Environmental Quality v. High Cotton Oil Company, Inc.
Proposed Final Order**

Following a presentation by designated Hearing Officer Trey Smith at its meeting on June 27, 2019, the Commission adopted his Findings and Recommended Decision related to the High Cotton Oil Company, Inc. evidentiary hearing previously held on February 27, 2019, and assessed a monetary penalty in the amount of \$50,600 for violations of the Commission's Underground Storage Tank Regulations. A proposed final Order has been provided to the Commission members which memorializes the Commission's decision in this matter. Staff recommends the Commission adopt the final Order.

6. **Environmental Covenant for Richardson Molding Facility**

Pursuant to the Commission's delegation regulations (11 Miss. Admin. Code Pt. 1, R.1.1.Y.), the Executive Director of MDEQ approved the Environmental Covenants between the Commission and ORG Mississippi Holdings, LLC regarding the remediation of property located at 931 Herman Alford Memorial Hwy, in Philadelphia, Neshoba County, Mississippi. ORG Mississippi Holdings, LLC operated the site as the Richardson Molding Facility, a plastic injection molding company. Environmental Site Assessments have revealed a release of trichloroethene (TCE) impacting soils and groundwater at concentrations in excess of Target Remediation Goals (TRGs). Therefore, remediation of the site is necessary. The staff of the MDEQ has evaluated the proposed Environmental Covenant and believes that, with the conditions and restrictions contained within; the site will be in compliance with applicable State laws and standards and will be protective of the public health and the environment. This agenda item is for reporting purposes only.

7. Ex Parte Administrative Order for Owner and Operator of SS Food Market

Under the authority of Miss. Code Ann. § 49-12-13 (Rev. 2003), the Executive Director of MDEQ issued an Ex Parte Administrative Order against the Kawaljit Singh, Sukhdev Singh, and SS Food Market LLC. These respondents own and/or operate an aboveground storage tank (AST) convenience store located at 841 S. Natchez Street, Kosciusko, Attala County, MS. On April 10, 2019, MDEQ investigated a reported release which revealed dead vegetation extending from the ASTs, across a third party property and to a nearby creek emanating a strong petroleum odor. After requests to address the petroleum contamination were not heeded the Executive Director of the MDEQ found it necessary to issue this Ex Parte Administrative Order so that respondents must develop a work plan, submit it for approval, and conduct sampling investigation at this location to adequately delineate the soil contamination. This agenda item is for reporting purposes only.

8. Commission Approval of Brownfield Completion

On August 23, 2018, the Commission reached a Brownfield Agreement (#6879-18) with the City of Vicksburg, Warren County, MS, for the remediation of the former Kuhn Memorial Hospital in Vicksburg, Warren County, MS. On August 2, 2019, and in accordance with Rule 2.1.7.B of Part 3, Chapter 2: Final Regulations Governing Brownfield Voluntary Cleanup and Redevelopment in Mississippi, the City of Vicksburg sent a petition to the Commission to make a determination as to the completion of Brownfield Agreement and as to the issuance of a “no further action” letter by the Executive Director. The staff of the MDEQ has reviewed the petition, has conducted the required inspection of the Brownfield Agreement Site, and hereby recommends that the Commission issue an order in accordance with the Brownfield Regulations concluding that City of Vicksburg has completed Brownfield Agreement #6879-18.

9. Commission Approval of Brownfield Consulting Firms

The staff has reviewed an application from a consulting firm requesting to be listed as a Brownfield Consulting Firm and has determined it to be complete and acceptable. Therefore, the staff recommends that the Commission approve the following firm as Brownfield Consulting Firms:

Bhate Environmental Associates Inc.
1608 13th Ave. South, Ste. 300
Birmingham, AL 35205

10. Confirmation of the September 26, 2019 Commission meeting

11. Adjournment