

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

OFFICIAL MINUTES

April 23, 2020

The regular monthly meeting of the Commission on Environmental Quality was held telephonically on Thursday, April 23, 2020, and initiated from Conference Room 604-B at the offices of the Mississippi Department of Environmental Quality, 515 East Amite Street, Jackson, Mississippi, beginning at 9:00 a.m.

Interim Executive Director Chris Wells conducted a roll call. Commissioners who participated telephonically were: John Dane III, Patrick Johnson, Brenda Lathan, Chat Phillips, Billy Van Devender, and Jack Winstead.

Commissioner Jamie Martin was not present.

Others present were: Chris Wells, Interim, Executive Director; Roy Furrh, Lynn Chambers, staff of MDEQ; and other staff members and visitors whose names appear elsewhere in these minutes.

The meeting was called to order by Chairman Dane and, after Mr. Winstead led the invocation, the following business was transacted:

Notice of Meeting

The Commission was informed that the attached legal Notice of Meeting concerning the time, date, place and manner of this meeting had been posted publicly as required by law and also posted on the MDEQ website.

The Notice of Meeting read as follows: "Please take note that the regularly scheduled meeting of the Mississippi Commission on Environmental Quality ("Commission") on Thursday, April 23, 2020, will take place telephonically. The items to be brought before the Commission for action will be the following:

- Approval of the February 27, 2020, Commission Meeting Minutes
- FY 2021 Underground Storage Tank Fee Recommendation
- Environmental Covenant for Southland Oil Yazoo Bulk Plant (reporting purposes only)
- Confirmation of the May 28, 2020 Commission meeting

This meeting will be held through a telephone conference call initiated at 9:00 a.m. on Thursday, April 23rd from Conference Room 604-B at the offices of the Mississippi Department of Environmental Quality at 515 East Amite Street, Jackson, Mississippi.

The public is invited to hear the deliberations of the Commission telephonically by dialing 1-888-822-7517 and entering Participant Code 1649618#. Visitors are requested to place their phones on the mute setting so the Commission can conduct its deliberations without interruption."

This notice was posted on MDEQ's website and on the front door of the MDEQ offices in Jackson on April 16, 2020.

Approval of Minutes

On motion made by Mr. Phillips and seconded by Ms. Lathan, the minutes of the February 27, 2020, meeting were approved and adopted as the Official Minutes.

FY 2021 Underground Storage Tank Fee Recommendation

Ms. Lynn Chambers stated the Commission was briefed at February's meeting about the UST Advisory Board and the UST tank fee recommendation. A public comment period concerning the FY2021 Underground Storage Tank (UST) Fee was held February 12, 2020 through March 12, 2020, with the public notice information published in three newspapers and distributed to the Mississippi Petroleum Marketers and Convenience Store Association. No comments were received. Therefore, staff recommended that the Commission set the fee at the proposed rate of \$150.00 per UST, which is an increase of \$50 from last

year's tank fee. The tank fee has been set at \$100 per UST since 1998. Following staff presentation and after deliberation, on motion made by Mr. Winstead, seconded by Mr. Johnson and carried unanimously by Ms. Lathan, Mr. Phillips and Mr. Van Devender, the Commission voted to set the UST tank fee at the proposed rate of \$150.00 per UST, which is an increase of \$50 from last year's tank fee.

Environmental Covenant for Southland Oil Yazoo Bulk Plant

Pursuant to the Commission's delegation regulations (11 Miss. Admin. Code Pt. 1, R.1.1.Y.), Ms. Lynn Chambers stated that Interim Executive Director of MDEQ, Chris Wells, approved the Environmental Covenant between the Commission and Comet Street, LLC regarding the remediation of a former bulk plant located at 1184 Rialto Road in Yazoo City, Mississippi. The site operated as a bulk storage plant for diesel fuel and gasoline and site assessments revealed release(s) of diesel fuel and gasoline contaminating soils and groundwater at concentrations in excess of Target Remediation Goals. Remedial actions included the installation of a dual phase extraction system in 2006 and soil excavation in 2013. Staff of the MDEQ evaluated the proposed Environmental Covenant, which will prevent water wells or conduits from being placed on the property, 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 briefing was for informational purposes only, requiring no action by the Commission.

Setting of Meeting

It was the decision of the Commission to meet next on Thursday, May 28, 2020, beginning at 9:00 a.m., in the Commission Hearing Room, 515 East Amite Street, Jackson, Mississippi.

Adjournment

There being no further business to come before the Commission, on motion made by Mr. Van Devender and seconded by Ms. Lathan, the meeting was adjourned.


CHAIRMAN

ATTEST:


INTERIM EXECUTIVE DIRECTOR