

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY  
OFFICIAL MINUTES  
May 28, 2020

The regular monthly meeting of the Commission on Environmental Quality was held telephonically on Thursday, May 28, 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, Jamie Martin, Chat Phillips, Billy Van Devender, and Jack Winstead.

Others present were: Chris Wells, Interim, Executive Director; Roy Furrh, Lynn Chambers, Chad Lafontaine, 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 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, May 28, 2020, will take place telephonically. The items to be brought before the Commission for action will be the following:

- Approval of the April 23, 2020, Telephonic Commission Meeting Minutes
- FY2021 Title V Fee Recommendation
- Commission Approval of Brownfield Agreement Completion
- Commission Approval of Brownfield Agreement Completion
- Commission Approval of Brownfield Consulting Firm
- Asbestos Certifications (reporting purposes only)
- Lead Paint Certifications (reporting purposes only)
- Underground Storage Tanks (UST) Certifications (reporting purposes only)
- Wastewater Operator Certifications (reporting purposes only)
- Emergency Clean-Up Expenses (reporting purposes only)
- Administrative Orders (reporting purposes only)
- Other Business
- Confirmation of the June 25, 2020 Commission meeting

This meeting will be held through a telephone conference call initiated at 9:00 a.m. on Thursday, May 28th 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, MS on May 21, 2020.

Approval of Minutes

On motion made by Mr. Winstead and seconded by Mr. Van Devender, the minutes of the April 23, 2020, telephonic meeting were approved and adopted as the Official Minutes.

*JAD3*

FY2021 Title V Fee Recommendation

On behalf of MDEQ staff, Mr. Chad Lafontaine stated a virtual public hearing concerning the FY2021 Title V Permit Fee was held on April 9, 2020, and that no comments were received. Staff recommended the Commission set the Title V fee at the proposed rate of \$47.00 per ton of regulated air pollutants, with a minimum fee of \$250.00, which is the same as the previous year's fee. Following staff presentation and after deliberation, on motion made by Ms. Martin and seconded by Mr. Johnson, the Commission unanimously voted to set the FY2021 Title V permit fee at \$47.00 per ton of regulated air pollutants, with a minimum fee of \$250.00. The Commission further authorized that an Order setting this fee be executed by the Interim Executive Director.

Commission Approval of Brownfield Agreement Completion

Ms. Lynn Chambers stated on February 26, 2016, the Commission reached a Brownfield Agreement (#6624-16) with Stark Alan, LLC for the remediation of the Sunations property located at 335 Hwy 12 in Starkville, MS. A dry cleaning company previously operated adjacent to the property and the contaminants involved cleaning solvents. On April 14, 2020, and in accordance with Rule 2.1.7.B of Part 3, Chapter 2: Final Regulations Governing Brownfield Voluntary Cleanup and Redevelopment in Mississippi (11 Miss. Admin. Code Pt. 3, R. 2.1.7.B.), Stark Alan, LLC 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 Interim Executive Director. The staff of the MDEQ reviewed the petition, conducted the required inspection of the Brownfield Agreement Site, and recommended that the Commission issue an order in accordance with the Brownfield Regulations concluding that Stark Alan, LLC has completed Brownfield Agreement #6624-16. Following staff presentation and after deliberation, on motion made by Mr. Winstead and seconded by Mr. Van Devender, the Commission unanimously voted to issue an order concluding that Stark Alan, LLC completed Brownfield Agreement #6624-16 and that a "no further action" letter be issued by the Interim Executive Director.

Commission Approval of Brownfield Agreement Completion

Ms. Lynn Chambers stated on October 1, 2012, the Commission reached a Brownfield Agreement (#6181-12) with The Colle Company for the remediation of the Former Colle Towing Company property located at 3802 Port River Road in Pascagoula, Jackson County, Mississippi. This Brownfield Agreement required the adherence to the MDEQ approved *Correction Action Plan*, dated April 4, 2012. With the recording of an Environmental Covenant on this property on April 21, 2020, and after reviewing the *Corrective Action Plan-Construction Report*, it was determined that all requirements set forth within the Brownfield Agreement (#6181-12) had been completed. Therefore, staff of the MDEQ recommended that the Commission issue an order in accordance with the Brownfield Regulations concluding that Brownfield Agreement (#6181-12) had been completed and that a "no further action" letter be issued by the Interim Executive Director. Following staff presentation and after deliberation, on motion made by Mr. Phillips and seconded by Ms. Lathan, the Commission unanimously voted to issue an order concluding that Brownfield Agreement (#6181-12) had been completed and that a "no further action" letter be issued by the Interim Executive Director.

Commission Approval of Brownfield Consulting Firm

Ms. Lynn Chambers stated that MDEQ staff reviewed an application from a consulting firm requesting to be listed as a Brownfield Consulting Firm and determined it to be complete and acceptable. Therefore, staff recommended that the Commission approve the following firm as a Brownfield Consulting Firm:

Leeaf Environmental, LLC  
2301 Whitney Ave  
Gretna, LA 70056

Following staff presentation and after deliberation, on motion made by Mr. Van Devender and seconded by Mr. Johnson, the Commission unanimously voted to approve Leeaf Environmental, LLC from Gretna, LA, as a Brownfield Consulting Firm.

JD3

Asbestos Certifications

On previous authority delegated to the Head, Office of Pollution Control, the staff reported that 457 asbestos certifications had been issued since the last report.

Emergency Clean-Up Expenses

On previous authority delegated to the Executive Director, the staff reported the Emergency Clean-Up Expenses incurred since the Commission's last meeting. A list of these expenses is made a part of these minutes and is filed in the Official Minutes File.

Lead Paint Certifications

On previous authority delegated to the Head, Office of Pollution Control, the staff reported that 160 lead paint certifications had been issued since the last report.

Underground Storage Tank (UST) Certifications

On previous authority delegated to the Head, Office of Pollution Control, the staff reported that 9 certifications to those who install, alter, or remove underground storage tanks had been issued since the last report.

Wastewater Operator Certifications

On previous authority delegated to the Head, Office of Pollution Control, the staff reported that 10 wastewater operator certificates had been issued since the last report.

Administrative Orders

Administrative Orders will be reflected on next month's Commission meeting agenda.

Other Business

Interim Executive Director Chris Wells informed the Commission that in conjunction with Governor Reeves' Executive Orders, MDEQ is making plans to re-open their offices. Guidelines will be in place to protect staff and visitors. In addition, Mr. Wells informed the Commission that MDEQ staff is monitoring any bills that would impact the agency now that the legislature is back in session.

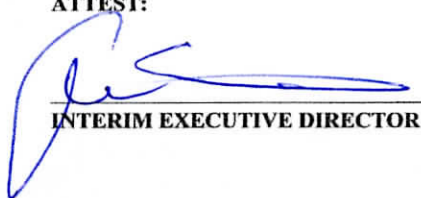
Setting of Meeting

It was the decision of the Commission to meet next on Thursday, June 25, 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, the meeting was adjourned.

  
CHAIRMAN

ATTEST:  
  
INTERIM EXECUTIVE DIRECTOR

**Emergency Services Clean-Up**

**To:** E3  
**Amount:** \$26,228.32  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up an oil/saltwater spill in Madison County. **Date of Response: 10/11/2019**

**To:** E3  
**Amount:** \$5,203.52  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel/oil spill in Marion County. **Date of Response: 02/14/2020**

**To:** E3  
**Amount:** \$3,363.60  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Covich County. **Date of Response: 02/10/2020**

**To:** E3  
**Amount:** \$771.70  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a petroleum oil lubricant spill in Pearl River County. **Date of Response: 01/23/2020**

**To:** E3  
**Amount:** \$4,814.78  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a diesel spill in Greene County. **Date of Response: 12/12/2019**

**To:** E3  
**Amount:** \$2,055.89  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Pike County. **Date of Response: 02/28/2020**

JDS