

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY  
OFFICIAL MINUTES  
June 25, 2020

The regular monthly meeting of the Commission on Environmental Quality was held telephonically on Thursday, June 25, 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.

Commissioners who participated telephonically were: John Dane III, Patrick Johnson, Brenda Lathan, Jamie Martin, Billy Van Devender, and Jack Winstead.

Commissioner Chat Phillips was not present.

Others present were: Chris Wells, Interim, Executive Director; Roy Furrh, Mike Freiman, Tony Caldwell, 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, June 25, 2020, will take place telephonically. The items to be brought before the Commission for action will be the following:

- Approval of the May 28, 2020 Telephonic Commission Meeting Minutes
- Water Pollution Control Revolving Loan Fund (WPCRLF) Program – Loan Interest Rate Reduction and Subsidy Eligibility Threshold Adjustment (reporting purposes only)
- Asbestos Certifications (reporting purposes only)
- Lead Paint Certifications (reporting purposes only)
- Administrative Orders (reporting purposes only)
- Other Business
- Confirmation of the July 23, 2020 Commission meeting

This meeting will be held through a telephone conference call initiated at 9:00 a.m. on Thursday, June 25th 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 June 18, 2020.

Approval of Minutes

On motion made by Mr. Winstead and seconded by Mr. Van Devender, the minutes of the May 28, 2020, telephonic meeting were approved and adopted as the Official Minutes.

Water Pollution Control Revolving Loan Fund (WPCRLF) Program – Loan Interest Rate Reduction and Subsidy Eligibility Threshold Adjustment

On behalf of MDEQ staff, Mr. Tony Caldwell informed the Commission about a planned reduction of interest rates and adjustment of subsidy eligibility thresholds in the Water Pollution Control Revolving Loan

Fund (WPCRLF), for projects awarded in fiscal years FY-19, FY-20, and FY-21. These adjustments are intended 1) to help ease the economic impacts of the COVID-19 pandemic on communities needing to proceed with wastewater infrastructure projects, 2) to stimulate demand for WPCRLF loans due to current significant funds available, and 3) to ensure that WPCRLF interest rates stay "below market rate" as required by federal and state law. The proposed changes involve lowering interest rates from 1.75% to 0.8% for a 20 year loan, and from 2.75% to 1.8% for a 30 year loan. In addition, subsidy eligibility thresholds would change from a population requirement of 3,000 or less, to 4,000 or less, and a median household income requirement of \$30,000 or less, to \$40,000 or less. Staff intends to incorporate these changes into the Clean Water State Revolving Fund Intended Use Plan and proceed to public notice. After the public notice period, staff will come back before the Commission for final approval. Interim Executive Director Chris Wells stated that the State Revolving Loan program is one of MDEQ's most popular and most successful programs and that the proposed changes will help ensure that the program remains successful. There was no discussion or questions raised regarding these changes by the Commission. This briefing was for informational purposes only, requiring no action by the Commission.

#### Asbestos Certifications

On previous authority delegated to the Head, Office of Pollution Control, the staff reported that 102 asbestos certifications had been issued since the last report.

#### Lead Paint Certifications

On previous authority delegated to the Head, Office of Pollution Control, the staff reported that 31 lead paint certifications had been issued since the last report.

#### Administrative Orders

On previous authority delegated to the Executive Director, DEQ, the staff reported that 24 Administrative Orders and 1 Amended Agreed Order had been issued since the Commission's meeting on February 27, 2020. A list of these orders is made a part of these minutes and is filed in the Official Minutes File.

#### Other Business

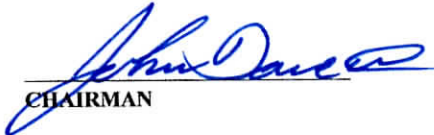
There was no other business brought before the Commission.

#### Setting of Meeting

It was the decision of the Commission to meet next on Thursday, July 23, 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 Ms. Martin and seconded by Mr. Johnson, the meeting was adjourned.

  
CHAIRMAN

ATTEST:

  
INTERIM EXECUTIVE DIRECTOR



ADMINISTRATIVE ORDERS

	<u>Respondent</u>	<u>Order No.</u>	<u>Summary</u>
1	Canton Municipal Utilities Madison Co., MS	Order No. 7024 20 Respondent agrees to pay MDEQ a penalty in the amount of \$7,875.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of NPDES Permit Number MS0057517. Violations are listed under Section #1 of this Agreed Order.
2	Griffin, Inc. Marshall Co., MS	Order No. 7025 20 Respondent agrees to pay MDEQ a penalty in the amount of \$22,960.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of Baseline Storm Water General Permit No. MSR000337.
3	Military Lee, LLC. Lowndes Co., MS	Order No. 7026 20 Respondent has completed remediation obligations in accordance with Brownfield Agreement Order No. 6957-19 and requests completion of Brownfield Agreement.	Respondent and the MCEQ Agree, through this Brownfield Agreement, that the contaminated Site has been remediated, and appears to be in compliance with all applicable State and Federal laws and standards.
4	In the Matter of: Issuance of Commission Order No. 6772-17 which Approved the Modification of the Hinds County Solid Waste Management Plan to Allow for the Expansion of the Faircloth class I Rubbish Site	Order No. 7027 20	Affirmed the previously issued Commission Administrative Order No. 6772-17 dated July 26, 2017, which approves the modification of the Hinds County Solid Waste Management Plan allowing for the expansion of the Faircloth Class I Rubbish site by an additional 26.55 acres.
5	Precision Packaging, Inc. Hinds Co., MS	Order No. 7028 20 Respondent agrees to pay MDEQ a penalty in the amount of \$52,500.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of Air-Synthetic Minor Operating Permit No. 1080-00205. Violations are listed under Section #1 of this Agreed Order.
6	Adoption of Amendments to Title 11 of the Mississippi Administrative Code, Part 9, Chapter 1.	Order No. 7029 20	Adoption of "Pollution Emergency Response Regulations" to be codified at 11 Miss. Admin. Code Pt. 9, Ch. 1
7	Mississippi Silicon, LLC Tishomingo Co., MS	Order No. 7030 20 Respondent agrees to pay MDEQ a penalty in the amount of \$60,000.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of Baseline Storm Water General Permit No. MSR002216.
8	Delmar Plaza Holdings, LLC Harrison Co., MS	Order No. 7031 20	Delmar Plaza Holdings, LLC desires to submit and MDEQ accepts the site for participation in the Brownfields Voluntary Cleanup and Redevelopment Program.
9	Savage Inland Marine, LLC Tishomingo Co., MS	Order No. 7032 20 Respondent agrees to pay MDEQ a penalty in the amount of \$30,000.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of MS Code Section 49-17-29 (2) (a) regarding waters of the state.

10	Modification to the Panola County Solid Waste Management Plan	Order No. 7033 20	This order approves a modification to the Panola County Solid Waste Management Plan as requested by the Panola County Board of Supervisors to include a medical waste processing facility owned and operated by GreenServ, Inc. in Batesville, MS. The approval of the modification to the plan allows Greenserv to apply for environmental permits to operate the proposed facility.
11	Approval of the Tallahatchie County Solid Waste Management Plan	Order No. 7034 20	This order approves a comprehensive updated version of the Tallahatchie County Solid Waste Management Plan as proposed by the Tallahatchie County Board of Supervisors and the municipalities of Charleston, Glendora Sumner, Tutwiler and Webb. The updated version of the plan describes the provisions and services for managing solid wastes in the County for the 20 year planning period as required by State Law.
12	Modification to the Rankin County Solid Waste Management Plan	Order No. 7035 20	This order approves a modification to the Rankin County Solid Waste Management Plan as requested by the Rankin County Board of Supervisors to include a proposed expanded disposal area for the Mt Helm Road Class I Rubbish Site owned by Southern Environmental Group, Inc and located near Brandon, MS. This expansion modifies the current 49.5 acre permitted disposal area by an additional 18 acres increasing the total allowable permitted disposal area to 67.5 acres.
13	Vandelay Development Company, LLC Desoto Co., MS	Order No. 7036 20 Respondent agrees to pay MDEQ a penalty in the amount of \$5,775.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of MS Code Section 49-17-29 (2b) Regarding waters of the state.
14	Little Bluff, LLC Jackson Co., MS	Order No. 7037 20 Respondent agrees to pay MDEQ a penalty in the amount of \$8,250.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of MS Code Section 49-17-29 (2b) Regarding waters of the state.
15	Entergy Mississippi, LLC Bolivar Co., MS	Order No. 7038 20 Respondent agrees to the requirements listed in this Agreed Order.	Respondent was in violation of NPDES Permit Number MS0000817. Violations are listed under Section #1 of this Agreed Order.



16	Castle Starkville, LLC Oktibbeha Co., MS	Order No. 7039 20 Respondent agrees to comply with the terms and conditions in the Schedule Order for participation in the Brownfield Program.	Respondent has submitted an application to participate in the Brownfield Program. Respondent has an interest in a tract of land, referred to as the Team Motors ("Site") in Louisville, Mississippi, with plans to redevelop the property. This Agreed Order sets the terms and conditions for participating in the Brownfield Program.
17	Fairley Construction Co., Inc. Forrest Co., MS	Order No. 7040 20 Respondent agrees to pay MDEQ a penalty in the amount of \$15,520.00 within ninety (90) days of this Agreed Order.	Respondent was in violation of Mississippi's Large Construction Storm Water General Permit No. MSR107629.
18	Underground Storage Tank Annual Fee	Order No. 7041 20	This Order sets the annual underground storage tank (UST) regulatory fee from July 1, 2020, to June 30, 2021, in the amount of \$150.00 per UST available for use to cover the costs to administer the UST program.
19	Williams Jones Co., MS	Order No. 7042 20 Respondent agrees to comply with the requirements/obligations listed under #3 of this Agreed Order.	Williams desires to submit and MDEQ accepts the Site for participation in the Uncontrolled Site Voluntary Evaluation Program.
20	Colle Towing Company Site (Former) Jackson Co., MS	Order No. 7043 20	Order No. 7043-20 states the requirements set forth within Brownfield Agreement Order No. 6181-12 have been satisfied and that No Further Action is required for this site at this time
21	McGraw Rental & Supply Co. Rankin Co., MS	Order No. 7044 20 Respondent agrees to comply with the requirements/obligations listed under #6 of this Agreed Order.	McGraw Rental & Supply Co. desires to submit and MDEQ accepts the site for participation in the Brownfields Voluntary Cleanup and Redevelopment Program.
22	Stark Alan, LLC Oktibbeha Co., MS	Order No. 7045 20	Completion of Order No. 6624-16 Brownfield Agreement and Issuance of No Further Action for Stark Alan brownfield cleanup.
23	City of Winona Montgomery Co., MS	Order No. 7046 20 Respondent agrees to pay MDEQ a penalty in the amount of \$1,000.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of NPDES Permit Number MS0021024.
24	Title V State Operating Fee	Order No. 7047 20	This order sets the federally mandated Title V operating permit fee in an amount sufficient to cover the reasonable costs of administering the Mississippi Title V operating permit program from September 1, 2020 to August 31, 2021.

**Amended Orders**

1	Transcontinental Gas Pipeline Company, LLC	Amended Agreed Order No. 6033-11	Respondent agrees to comply with the amended requirements listed in Sections 2 and 3 of this Fifth Amendment to this Agreed Order.
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