

# MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

## Telephonic Meeting

Thursday, October 22, 2020

9:00 A.M.

Room 104A

515 East Amite Street

Jackson, Mississippi 39201

### AGENDA

1. **Call to Order - Chair**
2. **Approval of the September 24, 2020 Telephonic Commission Meeting Minutes**
3. **Mississippi Dam Safety Fund (MDSF) Program, Resolution of Necessity to Issue Bonds**

During the 2020 State legislative session, House Bill 1730 was passed into law. This bill provided for the issuance of up to \$1,000,000 in bonds to make grants to owners of high hazard dams to provide funds to be used for the purposes of draining, repairing, rehabilitating, breaching, or removing high hazard dams in this state as necessary to protect downstream lives and property. The funds are subject to a grantee cost-sharing requirement of not less than 35% and will be distributed utilizing a risk-based prioritization approach. 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 which would allow the proceeds of the bonds to be deposited in the Mississippi Dam Safety Fund, which was also created by House Bill 1730.

4. **2020 Mississippi 303(d) List of Impaired Water Bodies**

Staff will brief the Commission on the 2020 Mississippi Section 303(d) List of Impaired Water Bodies. Public notice of the draft 303(d) list began August 28<sup>th</sup> and ended September 28<sup>th</sup>. A public hearing was held on September 28<sup>th</sup>. Public comments were received, and a responsiveness summary was prepared. EPA issued a letter of no comment on the draft list. Commission members were provided a document package which includes the final list, the transcript of the public hearing, the public notice and proof of publication, EPA's letter of no comment, the public comments, and the responsiveness summary. Staff requests the Commission adopt the 2020 list and propose the list to EPA Region 4 for their final approval with an accompanying Order.

5. **Asbestos Certifications**

We have issued 138 asbestos certifications since the last report. This list will be available at the Commission meeting.

6. **Lead Paint Certifications**

We have issued 46 lead paint certifications since the last report. This list will be available at the Commission meeting.

7. **Wastewater Operator Certifications**

We have issued 30 wastewater operator certifications since the last report. This list will be available at the Commission meeting.

8. **Emergency Clean-Up Expenses**

We have 5 emergency expenditures since the last report. See **Attachment 1** at the end of this agenda.

**9. Administrative Orders**

We have issued 7 Administrative Orders since the last report and they should be added to the minutes. The staff will highlight any orders that we think are especially noteworthy. See **Attachment 2** at the end of this agenda.

**10. Other Business**

**11. Confirmation of the next Commission meeting**

**12. Adjournment**

**EMERGENCY SERVICES CLEAN-UP**

**To:** CTEH  
**Amount:** \$20,363.05 **Date of Response:** 08/04/2020  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a gasoline spill from a leaking AST in Marshall County.

**To:** E3  
**Amount:** \$68,729.83 **Date of Response:** 07/07/2020  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a motor oil spill from a burning 18 wheeler in Lincoln County.

**To:** E3  
**Amount:** \$3,662.52 **Date of Response:** 07/15/2020  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a grease spill in Grenada County.

**To:** E3  
**Amount:** \$2,281.51 **Date of Response:** 09/03/2020  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Warren County.

**To:** E3  
**Amount:** \$682.00 **Date of Response:** 07/29/2020  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and pick up a mercury container for disposal in Harrison County.

ADMINISTRATIVE ORDERS

	<u>Respondent</u>	<u>Order No.</u>	<u>Summary</u>
1	Gold Coast Commodities, Inc. Rankin Co., MS	Order No. 7069 20	Under the authority of Miss. Code Ann. § 49-2-13, the Interim Executive Director of MDEQ issued an Ex Parte Administrative Order against Gold Coast Commodities, Inc. This respondent was in violation of MS Code Section 49-17-29(2)(a) among other violations listed in Section 3 of this Ex Parte Order.
2	McCarthy Building Companies, Inc. Lauderdale Co., MS	Order No. 7070 20 Respondent agrees to pay MDEQ a penalty in the amount of \$55,000.00 within forty-five (45) days of this Agreed Order.	Violations are listed in Section I of this Agreed Order.
3	WALM Properties, LLP Clay Co., MS	Order No. 7071 20	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	Jack's Family Restaurants, LP Winston Co., MS	Order No. 7072 20	Respondent has an interest in a tract of land located in Louisville, MS. The site is contaminated with asbestos containing materials in the buildings on site and petroleum hydrocarbons and chlorinated solvents in the groundwater and soils at levels in excess of the Target Remediation Goals (TRG's); and therefore, remediation of the Brownfield Agreement Site is necessary.
5	Taylor Power Systems, Inc. Richland, MS	Order No. 7073 20 Respondent agrees to pay MDEQ a penalty in the amount of \$7,950.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of NPDES Pretreatment Permit No. MSP092372.
6	Gold Coast Commodities, Inc. Rankin Co., MS	Order No. 7074 20	Under the authority of Miss. Code Ann. § 49-2-13, the Interim Executive Director of MDEQ issued its second Ex Parte Administrative Order against Gold Coast Commodities, Inc. Respondent was in violation of MS Code Section 49-17-29(2)(a) listed in Section 3 of this Ex Parte Order. The Interim Executive Director found Respondent has demonstrated an apparent inability or lack of willingness to comply with its Permit, as well as applicable laws and regulations, and the inability or lack of willingness to operate properly the permitted facility and therefore, ordered, under the authority of MS Code Ann. §49-2-13, that Respondent comply with all terms and conditions listed in Section 3 of this Ex Parte Administrative order and that nothing contained in this Order shall limit the rights of MDEQ or the Commission to take enforcement or other actions or to levy fines, penalties, or other sanctions for

			violations addressed in this Order, for violations not addressed in this Order, or for future violations of environmental laws, rules, and regulations.
7	Mark Twain Redi-Mix Desoto Co., MS	Order No. 7075 20 Respondent agrees to pay MDEQ a penalty in the amount of \$11,250.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of MS Code Section 49-17-29(2)(b) regarding waters of the state.