

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY  
OFFICIAL MINUTES  
AUGUST 26, 2021

The regular monthly meeting of the Commission on Environmental Quality was held telephonically on Thursday, August 26, 2021, 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, Brenda Lathan, Jamie Martin, Chat Phillips, Billy Van Devender and Jack Winstead.

Commissioner Patrick Johnson was not present.

Others present were: Chris Wells, Executive Director; Thomas Wallace, Roy Furrh, 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, August 26, 2021, will take place telephonically. The items to be brought before the Commission for action will be the following:

- Approval of the June 24, 2021, Commission Meeting Minutes
- Commission Approval of Brownfield Agreement Termination - Reda, LLC – Columbus, MS
- Election of Officers for Fiscal Year 2022 (July 2021-June 2022)
- Asbestos Certifications (*reporting purposes only*)
- Lead Paint Certifications (*reporting purposes only*)
- UST Certifications (*reporting purposes only*)
- Wastewater Operator Certifications (*reporting purposes only*)
- MDEQ Business (*reporting purposes only*)
- Emergency Clean-Up Expenses (*reporting purposes only*)
- Administrative Orders (*reporting purposes only*)
- Other Business
- Confirmation of the September 23, 2021 Commission Meeting

This meeting will be held through a telephone conference call initiated at 9:00 a.m. on Thursday, August 26th 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 in the MDEQ offices in Jackson, MS on August 19, 2021.

Approval of Minutes

On motion made by Mr. Winstead and seconded by Ms. Lathan, the minutes of the June 24, 2021, meeting were approved and adopted as the Official Minutes.

## Commission Approval of Brownfield Agreement Termination - Reda, LLC – Columbus, MS

On behalf of MDEQ staff, Mr. Thomas Wallace recommended that the Commission approve the Brownfield Agreement between the Commission and REDA, LLC. The Commission approved Brownfield Agreement Order No. 7131 21 in June 2021 between the Commission and REDA, LLC for remediation of the Supersonic Car Wash located in Columbus, Mississippi. The original brownfield agreement required institutional controls in the form of an Environmental Covenant due to the presence of chlorinated solvents in groundwater at the site. MDEQ believes this contamination is from an adjacent dry-cleaning facility. The filing of the Environmental Covenant met the requirements of the MDEQ-approved Corrective Action Plan, dated April 1, 2021. REDA, LLC requested the Commission make a determination as to the completion of the Brownfield Agreement. Staff of MDEQ evaluated the Brownfield Agreement completion and believes that with the conditions and restrictions contained within the Environmental Covenant required in Brownfield Agreement Order No. 7131 21, the Site will be in compliance with applicable State and Federal laws and standards and will be protective of the public health and the environment. On behalf of MDEQ staff, Mr. Wallace recommended the completion of the Brownfield Agreement and clarified that there were no soil excavation activities undertaken at the site. Following staff presentation and after deliberation, on motion made by Ms. Lathan and seconded by Ms. Martin, the Commission unanimously voted to approve Brownfield Agreement Order No. 7131 21 between the Commission and REDA, LLC for remediation of the Supersonic Car Wash located in Columbus, Mississippi.

## Election of Officers for Fiscal Year 2022 (July 2021 – June 2022)

On a motion made by Mr. Phillips and seconded by Mr. Winstead, the Commission voted to elect Brenda Lathan to serve as Chairman and Patrick Johnson to serve as Vice-Chairman of the Commission for Fiscal Year 2022. No other nominations were made.

## Asbestos Certifications

On previous authority delegated to the Head, Office of Pollution Control, the staff reported that 257 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 87 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 6 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 49 wastewater operator certificates had been issued since the last report.

## MDEQ Business for Reporting Purposes Only

On previous authority delegated to the MDEQ Executive Director, the staff reported 2 business matters for reporting purposes only, requiring no action by the Commission. A list of these items is made a part of these minutes and is filed in the Official Minutes File.

## Emergency Clean-Up Expenses

On previous authority delegated to the MDEQ 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.



### Administrative Orders

On previous authority delegated to the MDEQ Executive Director, the staff reported that 16 Administrative Orders and 1 Amended Order have been issued since the Commission's meeting on June 24, 2021. A list of these orders is made a part of these minutes and is filed in the Official Minutes File.

### Other Business

Executive Director Chris Wells thanked John Dane for his service over the last couple of years as Chairman of the Commission, and Mr. Dane thanked MDEQ staff for their support. Chairman-elect, Brenda Lathan, thanked the Commission for their confidence in selecting her for this leadership role.

Executive Director Chris Wells also pointed out a formatting change to the agenda. Business matters that are for reporting purposes only, requiring no action by the Commission, will appear as a separate attachment to the agenda.

### Setting of Meeting

The Commission decided to meet next on Thursday, September 23, 2021, beginning at 9:00 a.m.

### Adjournment

There being no further business to come before the Commission, on motion made by Mr. Dane and seconded by Mr. Winstead, the meeting was adjourned.

  
CHAIRMAN

ATTEST:

  
EXECUTIVE DIRECTOR

## **MDEQ BUSINESS FOR REPORTING PURPOSES ONLY**

### **1. Environmental Covenant for Haliburton Energy Services, Inc– Claiborne Road**

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 Covenant between the Commission and Haliburton Energy Services, INC. regarding the remediation of property located at 181 Claiborne Road, Sandersville, Jones County, Mississippi. Haliburton Energy Services, INC. operated the site as an oil field services facility. Environmental Site Assessments have revealed presence of petroleum contamination impacting soil and groundwater at concentrations in excess of Target Remediation Goals (TRGs). Therefore, remediation of the site is necessary. The staff of 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 matter was for reporting purposes only, requiring no action by the Commission.

### **2. Environmental Covenants for Comet Street, LLC**

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 Comet Street, LLC regarding the remediation of two contiguous properties associated with the former Southland Oil refinery in Crupp, Yazoo County, Mississippi. These properties are known as the Process Area and the Asphalt Area, the latter due to an asphalt impoundment on site. Environmental Site Assessments having revealed presence of petroleum contamination impacting soil and groundwater at concentrations in excess of Target Remediation Goals (TRGs). Therefore, remediation of the site is necessary. The staff of MDEQ has evaluated the proposed Environmental Covenants and believes that, with the conditions and restrictions contained within; the site and properties will be in compliance with applicable State laws and standards and will be protective of the public health and the environment. This matter was for reporting purposes only, requiring no action by the Commission.

EMERGENCY CLEAN-UP EXPENSES

To: E3  
Amount: \$1,416.33 Date of Response: 06/26/2021  
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up orphan buckets in Stone County.

To: E3  
Amount: \$177,550.09 Date of Response: 04/16/2021  
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help with a failing dam in Stone County.

To: E3  
Amount: \$12,978.19 Date of Response: 06/21/2021  
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up abandoned oil in Warren County.



ADMINISTRATIVE ORDERS

	<u>Respondent</u>	<u>Order No.</u>	<u>Summary</u>
1	Hunt Southland Refining Company, LLC Warren Co., MS	Order No. 7129 21 Respondent agrees to pay MDEQ a penalty in the amount of \$45,000.00 within forty-five (45) days of this Agreed Order.	<i>Respondent was in violation of Title V Permit No. 2780-00059.</i>
2	Matter of the Adoption of Title 11 of the Mississippi Administrative Code, Part 7, Chapter 4, Entitled "Dam Safety Grant Program Regulations"	Order No. 7130 21	This order confirms the adoption of MDEQ's proposed "Dam Safety Grant Program Regulations".
3	REDA, LLC Lowndes Co., MS	Order No. 7131 21	Respondent has interest in a tract of land located in Columbus, MS. The site is contaminated with chlorinated solvents in the soil and water on site, and, therefore, remediation of the Site is necessary.
4	City of Flowood Rankin Co., MS	Order No. 7132 21 Respondent agrees to pay MDEQ a penalty in the amount \$39,030.00. Respondent shall pay \$1,000.00 of this penalty within forty-five (45) days of this Agreed Order. \$38,030.00 of the \$39,030.00 shall be held in abeyance by Complainant pending Respondent's compliance with Section 3 of this Agreed Order.	Respondent was in violation of Mississippi's Small Municipal Separate Storm Sewer System (MS4) Storm Water General NPDES Permit, subject to coverage No. MSRMS4028
5	Garan Industries BFA Site Castle Starkville, LLC Triangle Crossings, LLC Oktibbeha Co., MS	Order No. 7133 21	This order approves the transfer of the ownership of property, including the Site and the financial, managerial, and technical obligations from Castle Starkville, LLC to Triangle Crossings, LLC.
6	Modification to the Three Rivers Regional Solid Waste Management Plan Monroe Co., MS	Order No. 7134 21	This order approves the Authority's modification to recognize an expansion of the class I rubbish site owned and operated by Monroe County (County) in order to meet the continued disposal needs of the County. This expansion will allow the development of an additional 30 acres thereby increasing the total disposal acreage to an area not to exceed 61 acres.
7	Ever-Compounds, LLC Desoto Co., MS	Order No. 7135 21 Respondent agrees to pay MDEQ a penalty in the amount of \$45,000.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of Air-Construction Permit and Air-Synthetic Minor Operating Permit No. 0680-00114.

8	Adoption of the Water Pollution Control Revolving Loan Fund Program Final FY 2021 Intended Use Plan	Order No. 7136 21	This order confirms the Adoption of the Water Pollution Control Revolving Loan Fund Program Final FY 2021 Intended Use Program, which will supersede and replace the previous, and now expired, Final FY 2020 Intended Use Plan, codified at 11 Miss. Admin. Code Part 6, Chapter 8.
9	Matter of the Adoption of Amendments to Title 11 of the Mississippi Administrative Code, Part 6, Chapter 2, Entitled "Surface Water Quality Criteria for Intrastate, Interstate, and Coastal Waters"	Order No. 7137 21	This order confirms the adoption of the proposed amendments for MDEQ's "Surface Water Quality Criteria for Intrastate, Interstate, and Coastal Waters"
10	IDI Logistics Services Group, LLC Marshall Co., MS	Order No. 7138 21 Respondent agrees to pay MDEQ a penalty in the amount of \$35,200.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of Mississippi's Large Construction Storm Water General Permit No. MSR108038.
11	Waste Pro of Mississippi, Inc. Jackson Co., MS	Order No. 7139 21 Respondent agrees to pay MDEQ a penalty in the amount of \$2,500.00 within forty-five (45) days of this Agreed Order.	Respondent failed to obtain re-coverage under the Industrial Storm Water General Permit for Industrial Activities.
12	Prime Developers Inc. Lauderdale Co., MS	Order No. 7140 21 Respondent agrees to pay MDEQ a penalty in the amount of \$2,500.00 within forty-five (45) days of this Agreed Order. Respondent also agrees to comply with all terms and conditions listed under Section #2 of this Agreed Order.	Respondent was in violation of MS. Code Ann. §49-17-29(2b) regarding waters of the state.
13	City of Fulton Itawamba Co., MS	Order No. 7141 21 Respondent agrees to pay MDEQ a penalty in the amount of \$4,000.00 within forty-five (45) days of this Agreed Order.	Respondent failed to submit the 2020 annual report for the City of Fulton Class II Rubbish Landfill in a timely manner.
14	Leaf River Cellulose, LLC Perry Co., MS	Order No. 7142 21 Respondent agrees to pay MDEQ a penalty in the amount of \$200,000.00 within forty-five (45) days of this Agreed Order	Violations to Baseline Storm Water General NPDES Permit Coverage No. MSR110118, NPDES Permit No. MS0031704, Title V Operating Permit No. 2200-00005, Class II Rubbish Site General Permit Certificate No. R2-058, and additional state and federal regulations are listed in Section I of this Agreed Order.

15	Hunt Southland Refining Company LLC Jones Co., MS	Order No. 7143 21 Respondent agrees to pay MDEQ a penalty in the amount of \$52,500.00 within forty-five (45) days of this Agreed Order Respondent also agrees to comply with all terms and conditions listed under Section #2 of this Agreed Order.	Respondent was in violation of NPDES Permit Number MS0001686. Violations are listed under Section #1 of this Agreed Order.
16	City of Meridian Lauderdale Co., MS	Order No. 7144 21 Respondent agrees to pay MDEQ a penalty in the amount of \$5,625.00 within forty-five (45) days of this Agreed Order	Respondent was in violation of NPDES MS0020117. Violations are listed under Section #1 of this Agreed Order. Respondent also agrees to comply with all terms and conditions listed under Section #2 of this Agreed Order.

**Amended Order**

1	City of Waynesboro Wayne Co., MS	Amended Agreed Order No. 6986 19	Respondent agrees to comply with the requirements listed under Section #1 of this Agreed Order Amendment.
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