

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

**Thursday, July 28, 2022
9:00 A.M.
Room 104A
515 East Amite Street
Jackson, Mississippi 39201**

AGENDA

- 1. Call to Order - Chair**
- 2. Approval of the May 26, 2022, Commission Meeting Minutes**
- 3. Commission Approval of Brownfield Agreement Completion**

On August 27, 2020, the Commission reached a Brownfield Agreement (#7064-20) with Castle Starkville, LLC, for remediation of the former Garan Manufacturing property located at 601 Highway 12 Starkville, Oktibbeha County, MS. On June 30, 2021, the Commission approved Agreed Order #7133-21, amending Brownfield Agreement #7064-20, and effectively transferred responsibility of the Brownfield Agreement to Triangle Crossings, LLC. Corrective Actions at the site included abatement of asbestos containing materials and executing an Environmental Covenant due to contamination from an adjacent property. The reuse of the property is a retail center. In accordance with 11 Miss. Admin. Code Pt. 3, R.2.1.7.B (Final Regulations Governing Brownfield Voluntary Cleanup and Redevelopment in Mississippi), Triangle Crossings, LLC, has requested the Commission to make a determination as to the completion of the Brownfield Agreement and to issue a “no further action” letter by the Executive Director. Staff has evaluated the corrective action report, conducted the required inspection of the site, and received confirmation that the Environmental Covenant has been filed on the deed. Therefore, the staff recommends that the Commission issue an Order in accordance with the Brownfield Regulations concluding that Triangle Crossings, LLC, has completed Brownfield Agreement #7064-20. The Environmental Covenant shall remain in effect until the site achieves unrestricted remediation goals and a subsequent determination is proposed and approved by the Commission.

- 4. Commission Approval of Brownfield Agreement Termination**

On February 28, 2014, the Commission reached a Brownfield Agreement (#6394 14) with Cooley Center, LLC, and Mississippi State University for the remediation of the former Cooley Building, The Mill at Mississippi State University in Starkville, Oktibbeha County, MS. Corrective Actions at the site included abatement of asbestos containing materials and lead based paint and removal of an Underground Storage Tank. An Environmental Covenant was not required at this site. The reuse of the property is a conference center, technology hub, and a hotel. In accordance with 11 Miss. Admin. Code, Pt. 3, R.2.1.7.B (Final Regulations Governing Brownfield Voluntary Cleanup and Redevelopment in Mississippi), the Cooley Center, LLC sent a petition to the Commission to make a determination as to the completion and termination of the Brownfield Agreement and as to the issuance of a “no further action” letter by the Executive Director. Staff has reviewed the corrective action report and conducted the required inspection of the Brownfield Agreement Site. Staff recommends that the Commission issue an order in accordance with the Brownfield Regulations concluding that Cooley Center, LLC, and Mississippi State University have completed Brownfield Agreement #6394-14.

- 5. Election of Officers for Fiscal Year 2023 (July 2022-June 2023)**

- 6. Asbestos Certifications**

We have issued 297 asbestos certifications since the last report. This list will be available at the Commission meeting.

- 7. Lead Paint Certifications**

We have issued 91 lead paint certifications since the last report. This list will be available at the Commission meeting.

8. Underground Storage Tanks (UST) Certifications

We have issued 11 certifications to those who install, alter, or remove underground storage tanks since the last report. This list will be available at the Commission meeting.

9. Wastewater Operator Certifications

We have issued 41 wastewater operator certifications since the last report. This list will be available at the Commission meeting.

10. Emergency Clean-Up Expenses

We have 3 emergency expenditures since the last report. See **Attachment 1** at the end of this agenda.

11. Administrative Orders

We have issued 13 Agreed Orders and 2 Amended 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.

12. Other Business

13. Confirmation of the August 25, 2022, Commission Meeting

14. Adjournment

EMERGENCY CLEAN-UP EXPENSES

To: E3
Amount: \$4,158.80 **Date of Response:** 02/12/2022
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Harrison County.

To: E3
Amount: \$385.00 **Date of Response:** 12/27/2021
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up an unknown chemical spill found in a ditch in Greene County. This is for disposal costs only.

To: E3
Amount: \$7,367.83 **Date of Response:** 04/02/2022
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a gasoline spill in Covington County.

ADMINISTRATIVE ORDERS

	<u>Respondent</u>	<u>Order No.</u>	<u>Summary</u>
1	MTD Products Company Lee Co., MS	Order No. 7190 22 Respondent agrees to pay MDEQ a penalty in the amount of \$8,800.00 within forty-five (45) days of this Agreed Order.	Violations are listed under Section #1 of this Agreed Order.
2	Sequa Corporation dba Precoat Metals Hinds Co., MS	Order No. 7191 22 Respondent agrees to pay MDEQ a penalty in the amount of \$48,375.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of Air-Synthetic Minor Operating Permit No. 1080-00080.
3	Hodges Redevelopment GWD, LLC Re: Former Three Rivers Inn Leflore Co., MS	Order No. 7192 22	Respondent has an interest in a tract of land located in Greenwood, MS. The site is contaminated with asbestos containing materials (ACM) in excess of the Environmental Protection Agency threshold of 1% ACM, and therefore, remediation of the Brownfield Agreement Site is necessary.
4	Mr. David King Hinds Co., MS	Order No. 7193 22 Respondent agrees to comply with the requirements/obligations listed under Section #2 of this Agreed Consent Order.	This Agreed Consent Order approves the initiation of the clean-up of an unauthorized waste tire stockpile on property located at 2170 Parsons Road in Raymond, MS through the MDEQ waste tire abatement program.
5	Pineville Properties LLC Harrison Co., MS	Order No. 7194 22 Respondent agrees to pay MDEQ a penalty in the amount of \$4,200.00 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.
6	Modification to the Simpson County Solid Waste Management Plan	Order No. 7195 22	This order approves a modification to the Simpson County Solid Waste Management Plan as requested by the Simpson County Board of Supervisors to include in the plan three new land application sites operated by Maintenance Systems, Inc. for the application of municipal biosolids.
7	Matter of the Adoption of Amendments to Title 11 of the Mississippi Administrative Code, Part 3, Chapter 1, Entitled "Hazardous Waste Management Regulations"	Order No. 7196 22	This order confirms the adoption of the proposed amendments for MDEQ's "Hazardous Waste Management Regulations."
8	Title V State Operating Fee	Order No. 7197 22	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, 2022, to August 31, 2023.

9	Underground Storage Tank Annual Fee	Order No. 7198 22	This Order sets the annual underground storage tank (UST) regulatory fee from July 1, 2022, to June 30, 2023, in the amount of \$150.00 per UST available for use to cover the costs to administer the UST program.
10	Chemours Company FC LLC Harrison Co., MS	Order No. 7199 22 Respondent agrees to pay MDEQ a penalty in the amount of \$33,750.00 within forty-five (45) days of this Agreed Order.	Violations are listed under Section #1 of this Agreed Order. Respondent exceeded the Particulate Matter limitations from Emission Point AC-101 during a stack test on October 28, 2021.
11	Western Gardens Apartment Complex, Meridian Housing Authority Lauderdale Co., MS	Order No. 7200 22 Respondent agrees to pay MDEQ a penalty in the amount of \$20,000.00 within forty-five (45) days of this Agreed Order.	Respondent engaged in unauthorized asbestos and lead-based paint abatement activity. Instances of non-compliance with requirements of asbestos and lead regulations are listed in Section I of this Agreed Order.
12	Producers Rice Mill, Inc. Washington Co., MS	Order No. 7201 22 Respondent agrees to comply with the conditions set for in Synthetic Minor Operating Permit No. 2800-00114 that was issued on August 2, 2017, and was modified on September 26, 2019, until such time as MDEQ's Environmental Permits Division acts on the renewal application dated March 14, 2022.	Respondent failed to make application not less than one-hundred eighty (180) days prior to the expiration date of the permit for the renewal of the permit, in violation of Section 1.C.1 of its Synthetic Minor Operating Permit No. 2800-00114.
13	Dr. Horton, Inc. Harrison Co., MS	Order No. 7202 22 Respondent agrees to pay MDEQ a penalty in the amount of \$18,750.00 within forty-five (45) days of this Agreed Order.	Violations are listed under Section #1 of this Agreed Order.

Amended Orders

1	Coastal Green Space, LLC North Richland Hills, TX	Amended Agreed Order No. 5125-06	Coastal Green Space, LLC is transferring their responsibilities under Agreed Order #5125-06 to the new property owner, Sun Rae Acres.
2	Town of Como Panola Co., MS	4 th Amended Agreed Order No. 6412 14	Respondent agrees to comply with the amended requirements listed in Section #1 of this Agreed Order Amendment.