

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

Thursday, August 24, 2023
9:00 A.M.
Room 104A
515 East Amite Street
Jackson, Mississippi 39201

AGENDA

1. **Call to Order - Chair**
2. **Approval of the July 27, 2023, Commission Meeting Minutes**
3. **Water Pollution Control Revolving Loan Fund (WPCRLF) Program, Adoption of FY-2023 Intended Use Plan**

The staff will recommend adoption by the Commission of the FY-2023 Intended Use Plan. This document identifies the loan funds available to our communities for the construction of wastewater infrastructure, the communities to receive these loan funds, the loan interest rate, program deadlines, and other related information. Public comments on the draft Intended Use Plan have been solicited through a public comment period and a public hearing.

4. **Asbestos Certifications**

Staff has issued 113 asbestos certifications since the last report. This list will be available at the Commission meeting.

5. **Lead Paint Certifications**

Staff has issued 47 lead paint certifications since the last report. This list will be available at the Commission meeting.

6. **Underground Storage Tanks (UST) Certifications**

Staff has issued 4 certifications to those who install, alter, or remove underground storage tanks since the last report. This list will be available at the Commission meeting.

7. **MDEQ Business for Reporting Purposes Only**

We have 2 business matters that are for reporting purposes only, requiring no action by the Commission. See **Attachment 1** at the end of this agenda.

8. **Emergency Clean-Up Expenses**

Staff has 6 emergency expenditures since the last report. See **Attachment 2** at the end of this agenda.

9. **Administrative Orders**

Staff has issued 7 Agreed 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 3** at the end of this agenda.

10. **Other Business**

11. **Confirmation of the September 28, 2023, Commission Meeting**

12. **Adjournment**

MDEQ BUSINESS FOR REPORTING PURPOSES ONLY

1. Environmental Covenant for Comet Street, LLC – 28 Acre Property

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 Comet Street, LLC regarding the remediation of the property known as the Southland Oil – Crupp Facility (AI# 79634) located at 32° 46' 59.96" N and 90° 28' 17.56" in Crupp, Yazoo County, MS. This portion of the Southland Oil – Crupp site lies to the west of Highway 3. Environmental Site Assessments have revealed a release of petroleum impacting soils and groundwater at concentrations in excess of Target Remediation Goals (TRGs). Therefore, remediation of the site is necessary. The staff of the 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 agenda item is for reporting purposes only.

2. Environmental Covenant for Comet Street, LLC – 11.5 Acre Property

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 Comet Street, LLC regarding the remediation of the property known as the Southland Oil – Crupp Facility (AI# 79634) located at 32° 46' 56.16" N and 90° 28' 15.08" in Crupp, Yazoo County, MS. This portion of the Southland Oil – Crupp Facility is located to the east of Highway 3. Environmental Site Assessments have revealed a release of petroleum impacting soils and groundwater at concentrations in excess of Target Remediation Goals (TRGs). Therefore, remediation of the site is necessary. The staff of the 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 agenda item is for reporting purposes only.

EMERGENCY CLEAN-UP EXPENSES

To:	E3 Environmental	
Amount:	\$2,662.69	Date of Response: 02/09/2023
For:	Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a petroleum, oil & lubricant spill in Jackson County.	
To:	E3 Environmental	
Amount:	\$6,611.58	Date of Response: 01/05/2023
For:	Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a sunken vessel in Harrison County.	
To:	E3 Environmental	
Amount:	\$2,917.25	Date of Response: 06/14/2023
For:	Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up leaking petroleum from an overturned flatbed in Jackson County.	
To:	E3 Environmental	
Amount:	\$396.00	Date of Response: 04/05/2023
For:	Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up abandoned sacks of solid sodium fluoride found after the tornado in Sharkey County. This invoice is for the disposal costs.	
To:	E3 Environmental	
Amount:	2,487.99	Date of Response: 04/05/2023
For:	Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up abandoned sacks of solid sodium fluoride found after the tornado in Sharkey County.	
To:	E3 Environmental	
Amount:	\$5,448.84	Date of Response: 12/19/2022
For:	Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a Hydrofluoric Acid spill from a semi involved in a traffic incident in George County.	

ADMINISTRATIVE ORDERS

	<u>Respondent</u>	<u>Order No.</u>	<u>Summary</u>
1	Jack’s Family Restaurant Winston Co., MS	Order No. 7263 23 Brownfield Schedule Order Brownfield Voluntary Cleanup and Redevelopment Program	This Order accepts Jack’s Family Restaurant, LP (Jack’s) as a Brownfield Party applicant, provides a schedule for MDEQ review, and payment requirements for oversight of Jack’s Brownfield Site in Louisville, MS (Former Team Motors Site)
2	Delta Energy Natchez, LLC Adams Co., MS	Order No. 7264 23 Respondent agrees to pay MDEQ a penalty in the amount of \$22,500.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of Condition 5.7(a) of Synthetic Minor Operating Permit No. 0040-00059 for failing to install a device to monitor gas flow to the flare at Emission Point AA-002. Respondent was in violation of Condition A.11 of Synthetic Minor Operating Permit No. 0040-00059 for failing to modify its permit prior to placing two storage tanks into service. Respondent was in violation of Condition 6.2 of Synthetic Minor Operating Permit No. 0040-00059 for failing to submit a certified 2021 Annual Monitoring Report by January 31, 2022.
3	Tchula POTW Holmes Co., MS	Order No. 7265 23 Respondent agrees to pay MDEQ a penalty in the amount of \$3,750.00 within forty-five (45) days of this Agreed Order.	Respondent violated 11 Miss. Admin. Code Pt. 6, R. 1.1.1.B(2)(a) by operating without a valid NPDES Permit.
4	Town of Benoit Bolivar Co., MS	Order No. 7266 23 Respondent agrees to pay MDEQ a penalty in the amount of \$1,875.00 within forty-five (45) days of this Agreed Order.	Respondent violated 11 Miss. Admin. Code Pt 6, R. 1.1.1.B(2)(a) by operating without a valid NPDES Permit.
5	Greenway Environmental Services, LLC Greenway Environmental Services Landfill Jefferson Co., MS	Order No. 7267 23 Respondent agrees to pay MDEQ a penalty in the amount of \$78,200.00 within forty-five (45) days of this Agreed Order and implement corrective actions listed in Section 2 of this Agreed Order.	Respondent was in violation of Solid Waste Management Permit No. SW0320040549 and the Mississippi Nonhazardous Solid Waste Management Regulations.
6	Pilot Travel Centers LLC	Order No. 7268 23 Respondents agrees to pay MDEQ a penalty in the amount of \$8,500.00 within thirty (30) days of this Agreed Order.	Respondent owns/operates several UST’s in Mississippi. Facilities are listed in Section I and violations are listed in Section 2 of this Agreed Order.

7	Modification to Marshall County Solid Waste Management Plan	Order No. 7269 23	This order approves a modification to the Marshall County Solid Waste Management Plan recognizing a proposed expanded disposal area for the Quad County Landfill located near Byhalia, MS. The expansion would allow, if permitted by MDEQ, the development of up to an additional 25 acres for a total municipal solid waste disposal area of up to 135.1 acres.
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