

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY
OFFICIAL MINUTES
AUGUST 24, 2023

The regular monthly meeting of the Commission on Environmental Quality was held on Thursday, August 24, 2023, in-person in the Commission Hearing Room at the offices of the Mississippi Department of Environmental Quality, 515 East Amite Street, Jackson, Mississippi, beginning at 9:00 a.m.

Commissioners present were: John Dane, III, Brenda Lathan, Chat Phillips, and Jack Winstead.

Commissioners Patrick Johnson, Jr., Jamie Planck Martin McRee and Billy Van Devender were not present.

Others present were: Chris Wells, Executive Director, Brent Jones, 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 Executive Director, Chris Wells and after Mr. Winstead led the invocation, the following business was transacted:

Approval of Minutes

On motion made by Mr. Phillips and seconded by Ms. Lathan, the minutes of the July 27, 2023, meeting were approved and adopted as the Official Minutes. Mr. Dane abstained from voting.

Water Pollution Control Revolving Loan Fund (WPCRLF) Program, Adoption of FY-2023 Intended Use Plan

On behalf of staff, Mr. Brent Jones recommended the Commission adopt the FY-2023 Intended Use Plan, which was previously sent to the Commission for review. 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 were solicited through a public comment period and a public hearing and no comments were received, except from EPA Region 4 which resulted in some text changes and added details. In response to a question by Mr. Dane, Mr. Jones stated that there was no need to go back through a public comment period since the changes requested by EPA were minor. In response to a question by Mr. Phillips, there was some discussion about land application designations. Executive Director, Chris Wells confirmed with Mr. Jones that MDEQ staff actively conducts outreach to ensure that cities and consultants know about this funding opportunity. Following staff presentation and deliberation, on motion made by Mr. Dane and seconded by Mr. Winstead, the Commission unanimously voted to adopt the Water Pollution Control Revolving Loan Fund (WPCRLF) Program FY-2023 Intended Use Plan and that a corresponding Order be executed by the Executive Director.

Solid Waste Assistance Grants and Waste Tire Assistance Grants

On previous authority delegated to the MDEQ Executive Director, the Commission was provided a listing by staff of the following solid waste assistance grants that have been awarded to local governments:

<u>County/Municipality</u>	<u>Grant Amount</u>
Monroe County BOS	\$28,461.69
Perry County BOS	\$16,491.00

On previous authority delegated to the MDEQ Executive Director, the Commission was provided a listing by staff of the following waste tire assistance grants that have been awarded to local governments:

<u>County/Municipality</u>	<u>Grant Amount</u>
Walthall County BOS	\$60,000.00
Warren County BOS	\$54,000.00

Asbestos Certifications

On previous authority delegated to the Head, Office of Pollution Control, the staff reported that 113 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 47

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 4 certifications to those who install, alter, or remove underground storage tanks 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 7 Administrative Orders have been issued since the Commission's meeting on July 27, 2023. A list of these orders is made a part of these minutes and is filed in the Official Minutes File.

Setting of Meeting

The Commission decided to meet next on September 28, 2023, 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. Phillips, the meeting was adjourned.


CHAIRMAN

ATTEST:


EXECUTIVE DIRECTOR

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	Tehula 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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