

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY
OFFICIAL MINUTES
FEBRUARY 22, 2024

The regular monthly meeting of the Commission on Environmental Quality was held on Thursday, February 22, 2024, 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: Patrick Johnson, Jr., Jamie Planck Martin McRee, Billy Van Devender, and Jack Winstead.

Commissioners John Dane, III, Brenda Lathan, and Chat Phillips were not present.

Others present were: Chris Wells, Executive Director, Laura James, Jaricus Whitlock, 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 Johnson and after Mr. Van Devender led the invocation, the following business was transacted:

Approval of Minutes

On motion made by Mr. Winstead and seconded by Mr. Johnson, the minutes of the January 25, 2024, meeting were approved and adopted as the Official Minutes.

FY2025 Title V Fee Recommendation – Approval to Finalize Fee Recommendation

Ms. Laura James stated that MDEQ staff previously provided the Commission with the report and recommendations of the Title V Advisory Council at their meeting on December 13, 2023. MDEQ staff reported to the Commission that the fee recommendations would adequately fund the Title V program for FY2025. The Commission accepted the recommendations of the Advisory Council and directed staff to proceed with a public hearing. After a 30-day comment period, the public hearing was held on January 29, 2024, and no comments were received. On behalf of MDEQ staff, Ms. James recommended that the Commission set the fees as outlined in the Advisory Council's recommendations which were \$32.00 per ton of regulated air pollutants, with no individual pollutant emissions cap, and a tiered minimum fee applied for the emissions portion of the fee, along with a tiered maintenance fee based on the number of applicable standards for the complexity portion of the fee. Following staff presentation and after deliberation, on motion made by Ms. McRee and seconded by Mr. Van Devender, the Commission unanimously voted to set the FY2025 Title V permit fee at \$32.00 per ton of regulated air pollutants, with no individual pollutant emissions cap, and a tiered minimum fee applied for the emissions portion of the fee, along with a tiered maintenance fee based on the number of applicable standards for the complexity portion of the fee. The Commission further authorized that an Order setting these fees be executed by the Executive Director.

MDEQ Air Regulations (Chapters 2 and 5) – Approval to Finalize Revisions

Mr. Jaricus Whitlock stated that proposed revisions to the Commission's air regulations, specifically Chapter 2 and Chapter 5 (11 Miss. Admin. Code Pt. 2, Ch. 2 and Ch. 5), were previously sent to the Commission for review. In accordance with the Clean Air Act, the proposed revisions are to address various Federal rules that impact the Commission's air regulations pertaining to permits associated with the construction and/or operation of air emissions equipment. A public comment period was held, along with a public hearing, and no comments were received. On behalf of MDEQ staff, Mr. Whitlock requested approval to finalize proposed revisions to the Commission's air regulations, specifically Chapter 2 and Chapter 5. Following staff presentation and after deliberation, on motion made by Mr. Van Devender and seconded by Mr. Winstead, the Commission unanimously voted to approve the proposed revisions to the Commission's air regulations, specifically Chapter 2 and Chapter 5.

Mississippi Commission on Environmental Quality v. City of Jackson Evidentiary Hearing

Executive Director, Chris Wells, informed the Commission that MDEQ staff and representatives of the City of Jackson had agreed to principal terms for settlement of the enforcement action.

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>
Lawrence County BOS	\$22,390.00
Newton County BOS	\$26,913.00
Pike County BOS	\$39,390.70
Wilkinson County BOS	\$18,998.00

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>
Pike County BOS	\$97,000.00
Quitman County BOS	\$15,000.00

Asbestos Certifications

On previous authority delegated to the Head, Office of Pollution Control, the staff reported that 96 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 60 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 2 new and 7 renewed certifications to those who install, alter, or remove underground storage tanks had been issued since the last report.

Administrative Orders

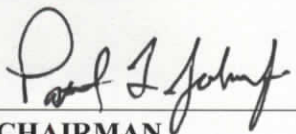
On previous authority delegated to the MDEQ Executive Director, the staff reported that 2 Agreed Orders have been issued since the Commission's meeting on January 25, 2024. A list of these orders is made a part of these minutes and is filed in the Official Minutes File.

Setting of Meeting

The Commission decided to meet next on Thursday, March 28, 2024, beginning at 9:00 a.m.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned.



CHAIRMAN

ATTEST:



EXECUTIVE DIRECTOR

ADMINISTRATIVE ORDERS

	<u>Respondent</u>	<u>Order No.</u>	<u>Summary</u>
1	Conditional Approval of the Lauderdale County Solid Waste Management Plan	Order No. 7303 24 .	This order conditionally approves a comprehensively updated version of the Lauderdale County Solid Waste Management Plan as proposed by the Lauderdale County Board of Supervisors and the municipalities of Meridian and Marion. The updated version of the plan describes the provisions and services for managing solid wastes in the County for the 20 year planning period as required by State Law. The Order additionally provides the County 120 days to address certain deficiencies pertaining to the proposed inclusion of 4 new/expanding solid waste management facilities.
2	Hinds County	Order No. 7304 24 Respondent agreed to submit an interim Storm Water Management Program (SWMP) to MDEQ and comply with this SWMP and the General Permit issued on March 18, 2016 until MDEQ issues a new General Permit.	Respondent was in violation of Miss. Code Ann. § 49-17-29(2)(b) for failing to obtain coverage under the Small Municipal Separate Storm Sewer System (MS4) Storm Water General NPDES Permit that was issued on March 18, 2016.