

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY2540  
OFFICIAL MINUTES  
OCTOBER 24, 2024

The regular monthly meeting of the Commission on Environmental Quality was held on Thursday, October 24, 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: John Dane, III, Patrick Johnson, Jr., Kent Parrish, Jr., Billy VanDevender and Jack Winstead.

Commissioners Brenda Lathan and Chat Phillips were 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.

After the meeting was called to order by Chair Patrick Johnson and after Mr. Van Devender led the invocation, the following business was transacted:

Approval of Minutes

On motion made by Mr. Dane and seconded by Mr. Winstead, the minutes of the September 26, 2024, meeting were approved and adopted by the Commission as the Official Minutes.

Commission Approval of Brownfield Agreement

On behalf of staff, Mr. Thomas Wallace recommended that the Commission approve the Brownfield Agreement between the Commission and McIngvale Square, LLC regarding the remediation of brownfield property located at 820 McIngvale Road, Hernando, Desoto County, Mississippi. The administrative record for this environmental response project is referred to as the McIngvale Square site. The proposed site currently operates as a golf course maintenance facility. Soil-vapor sampling indicated the presence of volatile organic compounds (VOCs) in soils. Contaminants 1,2-dichloroethane and 1,4-dioxane were detected at concentrations greater than the Environmental Protection Agency Vapor Intrusion Screening Levels, which is a potential risk for vapor intrusion. Therefore, remediation of the Brownfield Agreement Site is necessary. McIngvale Square, LLC, proposed installing a vapor intrusion barrier and passive sub-slab vapor venting system during construction of a new 8,000 square foot structure on the property. The proposed future land use of the site will be mixed-use, single-story structures, and parking. Staff of the MDEQ evaluated the Brownfield Agreement and believes that, with the conditions and restrictions contained within the Brownfield Agreement, 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. Therefore, staff recommended that the Commission approve the Brownfield Agreement between the Commission and McIngvale Square, LLC. Following staff presentation and deliberation, on motion made by Mr. Dane and seconded by Mr. Winstead, the Commission unanimously voted to approve the Brownfield Agreement between the Commission and McIngvale Square, LLC regarding the remediation of brownfield property located at 820 McIngvale Road, Hernando, Desoto County, Mississippi.

Waste Tire Assistance Grant

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

<u>County/Municipality</u>	<u>Grant Amount</u>
Smith County Board of Supervisors	\$25,000.00

Asbestos Certifications

On previous authority delegated to the Head, Office of Pollution Control, the staff reported that 92 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 61 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 13 new and 11 renewed 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 23 new and 26 renewed wastewater operator certificates had been issued since the last report.

Administrative Orders

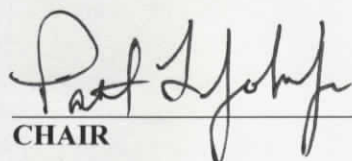
On previous authority delegated to the MDEQ Executive Director, the staff reported that 9 Administrative Orders have been issued since the Commission's meeting on September 26, 2024. A list of these orders is made a part of these minutes and is filed in the Official Minutes File.

Setting of Meeting

Executive Director Chris Wells informed the Commission that November's and December's regularly scheduled meeting dates fall on Thanksgiving Day and the day after Christmas, so those Commission meetings would be cancelled. If any matters come up before the end of the year that require Commission action, a specially called meeting of the Commission would be scheduled.

Adjournment

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

  
CHAIR

ATTEST:

  
EXECUTIVE DIRECTOR

ADMINISTRATIVE ORDERS

	<u>Respondent</u>	<u>Order No.</u>	<u>Summary</u>
1	Sunilpuri Goswami (Owner) Vikas Sharma (Operator) Warren Co., MS	<b>Order No. 7356 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$500 within thirty (30) days of this Agreed Order.	Respondent owns/operates USTs at 20 Freetown Road, Vicksburg, MS. Respondent failed to maintain / provide records for inspection by DEQ {280.35}.
2	Lauderdale County Solid Waste Management Plan	<b>Order No. 7357 24</b>	Modification to the Lauderdale County Solid Waste Management Plan for the Expansion of the Lauderdale County Class I Rubbish Site and inclusion of the Lauderdale County Landfill waste tire processing facility.
3	Elliott Homes, LLC Harrison Co., MS Jackson, Co., MS	<b>Order No. 7358 24</b> Respondent agreed to pay MDEQ a penalty in the amount of \$47,500.00.	Respondent was in violation of the Large Construction General Permit for Land Disturbing Activities of Five (5) or More Acres at its construction projects located at The Greens at Gulf Hills Subdivision, The Preserve at Parker Creek, Audubon Lake Subdivision, and Savannah Commons. The violations are outlined in Section 1 of the Agreed Order.
4	Elliott Land Developments, LLC Hancock Co., MS Harrison Co., MS	<b>Order No. 7359 24</b> Respondent agreed to pay MDEQ a penalty in the amount of \$22,500.00.	Respondent was in violation of the Large Construction General Permit for Land Disturbing Activities of Five (5) or More Acres at its construction projects located at Sanctuary Trails and the Diamondhead Subdivision. The violations are outlined in Section 1 of the Agreed Order.
5	H & G Food Retail LLC Claiborne Co., MS	<b>Order No. 7360 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$500.	Respondent owns/operates USTs at 1018 Highway 18 Port Gibson, MS. Respondent failed to maintain cathodic protection and make needed repairs following February 8, 2024, failure {280.32}
6	Watco Transloading, LLC Monroe Co., MS	<b>Order No. 7361 24</b> Respondent agreed to comply with the terms and conditions of Synthetic Minor Operating Permit No. 1840-00080 that was issued on October 1, 2019, and modified February 25, 2020, until the Permit Board acts on the renewal application received on September 16, 2024.	Respondent was in violation of Condition 1.C.6 of Synthetic Minor Operating Permit No. 1840-00080 for failing to submit a timely renewal application to the Mississippi Environmental Quality Permit Board.
7	Adoption of the Water Pollution Control Revolving Loan Fund Program Final FY 2024 Intended Use Plan	<b>Order No. 7362 24</b>	This Order confirms the Adoption of the Water Pollution Control Revolving Loan Fund Program Final FY 2024 Intended Use Program, which will supersede and replace the previous, and now expired, Final FY 2023 Intended Use Plan, codified at 11 Miss. Admin. Code Part 6, Chapter 8.

8	PTM Rental Stores (Owner) Mohammad Said (Operator) Tishomingo Co., MS	<b>Order No. 7363 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$1,500 within thirty (30) days of this Agreed Order.	Respondent owns/operates USTs at 1379 Highway 25 Tishomingo, MS. Respondent failed to maintain / provide records for inspection by DEQ {280.35} Respondent failed to submit notification form for USTs at an otherwise registered facility within thirty (30) days of bringing into use. {280.22 (a)}.
9	WIS-PAK of Hattiesburg, LLC Forrest Co., MS	<b>Order No. 7364 24</b> Respondent agreed to pay MDEQ a penalty in the amount of \$22,500.00.	Respondent was in violation of the Effluent Limitations and Monitoring Requirements and Condition Nos. S-3, S-6, and T-30 of Pretreatment Permit No. MSP092288. The violations are further described in Section 1 of the Agreed Order.