

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY
OFFICIAL MINUTES
APRIL 24, 2025

The regular monthly meeting of the Commission on Environmental Quality was held on Thursday, April 24, 2025, 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., Brenda Lathan, Kent Parrish, Jr., Chat Phillips, Billy VanDevender and Jack Winstead .

Commissioner John Dane, III, was 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, Mr. Phillips led the invocation, and the following business was transacted:

Approval of Minutes

On motion made by Ms. Lathan and seconded by Mr. Parrish, the minutes of the March 27, 2025, meeting were approved and adopted by the Commission as the Official Minutes.

Commission Approval of Brownfield Agreement Modification

Mr. Thomas Wallace recommended that the Commission approve the Brownfield Agreement Modification between the Commission and McIngvale Square, LLC regarding the remediation of the 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, proposes to excavate and dispose of contaminated soil at the site prior to the construction of a new 8,000 square foot structure on the property. Previously, McIngvale Square, LLC, proposed installing a vapor barrier during the construction of the new structure. This was approved by the Commission via a Brownfield Agreement at its meeting on October 24, 2024; however, due to construction timelines, remedial, and economic considerations, McIngvale, LLC, is requesting to modify the method of remediation in the Corrective Action Plan to excavation. The proposed future land use of the site will be mixed-use, single-story structures, and parking. Staff of MDEQ evaluated the Brownfield Agreement Modification 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. Following staff presentation and deliberation, on motion made by Mr. Winstead and seconded by Mr. Phillips, the Commission unanimously voted to approve the Brownfield Agreement Modification between the Commission and McIngvale Square, LLC regarding the remediation of brownfield property located at 820 McIngvale Road, Hernando, Desoto County, Mississippi.

Mr. Wallace also informed the Commission that the City of Natchez submitted a Brownfield Revolving Loan Application for \$500,000 as part of the cleanup project at the Fry Building Brownfield Site. The City of Natchez has several Brownfield projects in motion including the Tracetown Brownfield site that the Commission approved for a Brownfield Agreement last month.

Briefing to the Commission on Waters of the State

Executive Director, Chris Wells, reminded the Commission that proposed water regulations under the Mississippi Air and Water Pollution Control Law were released for an extended public comment period on January 3, 2025, which culminated with a public hearing on Thursday, April 17, 2025. In addition to the public hearing, a question-and-answer session was also held. Based on the verbal and written comments received, MDEQ staff has decided not to bring the regulations before the Commission for finalization at this

time. Staff will take the feedback and comments received during the public comment period and continue their efforts to clarify the proposed water regulations, bringing them back for public comment later in the year. There was some discussion between Mr. Wells and the Commission about these regulations. This briefing was for informational purposes only and did not require any action by the Commission.

Solid Waste Assistance and Waste Tire 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>
Calhoun County BOS	\$20,317.52
Clarke County BOS	\$19,939.00
Jefferson County BOS	\$13,989.22
Leflore County BOS	\$18,991.23
Lowndes County BOS	\$24,296.40
Rankin County BOS	\$33,125.71
Tippah County BOS	\$18,258.61

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

<u>County/Municipality</u>	<u>Grant Amount</u>
Clarke County BOS	\$18,000.00
Jackson County BOS	\$88,000.00

Asbestos Certifications

On previous authority delegated to the Head, Office of Pollution Control, the staff reported that 184 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 59 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 new and 7 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 7 new and 17 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 11 Administrative Orders have been issued since the Commission's meeting on March 27, 2025. A list of these orders is made a part of these minutes and is filed in the Official Minutes File.

Approval to Enter into Executive Session

After a brief discussion led by Executive Director Chris Wells, Mr. Winstead moved to close the meeting to discuss whether to go into executive session to discuss pending litigation. Mr. Phillips seconded the motion. The Commission voted unanimously to close the meeting. Mr. Wells requested the public clear the Commission hearing room other than the Commission members, and Chief of Staff, Chris Sanders. The

Commission, on motion by Mr. Winstead and second by Ms. Lathan voted unanimously to go into executive session to discuss the matter and Mr. Sanders, announced the Commission's decision to the public that had left the Commission hearing room and gathered outside in the lobby. After discussion, Mr. Winstead moved to end executive session and return to open session and Mr. Parrish seconded the motion. The Commission unanimously voted in favor of the motion. Mr. Sanders invited the public to return to the Commission hearing room as the Commission returned to open session. Mr. Wells announced the Commission took no action during executive session.

Setting of Meeting

The Commission decided to meet next on Thursday, May 22, 2025, beginning at 9:00 a.m.

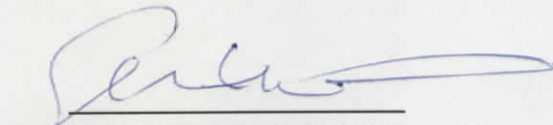
Adjournment

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



CHAIR

ATTEST:



EXECUTIVE DIRECTOR

EMERGENCY CLEAN-UP EXPENSES

To: E3 Environmental
Amount: \$4,080.84 Date of Response: 12/06/2024
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a gasoline issue in Neshoba County.

To: E3 Enivronmental
Amount: \$1,829.67 Date of Response: 02/06/2025
For: Costs associated with providing supervision, labor, equipment and materials to respond to and pick up two abandoned drums in Harrison County.

To: E3 Environmental
Amount: \$3,991.63 Date of Response: 12/30/2024
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up an abandoned diesel spill in Jackson County.

To: E3 Environmental
Amount: \$5,748.39 Date of Response: 12/05/2024
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a paint spill in Jackson County.

ADMINISTRATIVE ORDERS

	<u>Respondent</u>	<u>Order No.</u>	<u>Summary</u>
1	Jeffrey Hall Pontotoc Co., MS	Order No. 7467 25 Respondent is ordered to conduct cleanup of the waste tire dump identified in the Order, ensure proper transportation of collected tires to an authorized waste tire management facility, and conduct recordkeeping and reporting requirements all as outlined in Sections 6.A. through 6.C. of the Order; Respondent shall complete cleanup activities within 30 days of the Order and complete reporting requirements within 5 days of cleanup completion.	Respondent has created an unauthorized waste tire dump in violation of Miss. Code Ann. §17-17-17 (Rev. 2012).
2	CPJ, LLC Madison Co., MS	Order No. 7468 25 Respondent agreed to pay MDEQ a penalty in the amount of \$8,400.00.	Respondent was in violation of Miss. Code Ann. § 49-17-29 (2)(a) and (b) for conducting land disturbing activities and discharging waste without coverage under the Large Construction Storm Water General Permit for Land Disturbing Activities of Five (5) or More Acres at its Porsche Ridgeland construction project in Madison County.
3	Tracetown Redevelopment, LLC Adams Co., MS	Order No. 7469 25	This Brownfield Agreement is for the purpose of addressing environmental concerns at the property. With the restrictions and conditions of the Agreement, the site will be in compliance with all applicable state and federal regulations and will be protective of human health and the environment.
4	Title V Program Fee	Order No. 7470 25	This order approves the Title V Program Fee Schedule for SFY2026 as recommended by staff. This decision will become final unless, pursuant to Miss. Code Ann. § 49-17-41 (Rev. 2012), an interested party files a sworn petition with the Commission within thirty (30) days from the date of this Order requesting an evidentiary hearing before the Commission or its hearing officer.
5	Almaisari Tawfiq Harrison Co., MS	Order No. 7471 25 Respondent agrees to pay MDEQ a penalty in the amount of \$750.	Respondent owns/operates USTs at 20009 Highway 35, Gulfport, MS. Respondent failed to repair and retest spill prevention bucket within 90 days of annual testing failure. {280.30 (c)}
6	KS Petroleum, Inc. Pearl River Co., MS	Order No. 7472 25 Respondent agrees to pay MDEQ a penalty in the amount of \$2,500.	Respondent owns/operates USTs at 1101 Memorial Boulevard, Picayune, MS. Respondent failed to inspect overfill devices once every

			<p>twelve (12) months. {280.30 (d)} and failed to test automatic line leak detectors once every twelve (12) months. {280.44 (a)}, and failed to designate a UST Compliance Manger. {280.37}</p>
7	Amarjit Singh Kemper Co., MS	Order No. 7473 25 Respondent agrees to pay MDEQ a penalty in the amount of \$1,500.	Respondent owns/operates USTs at 244 Main Avenue, DeKalb, MS and Highway 16 west, DeKalb, MS. Respondent failed to maintain / provide records for inspection by DEQ {280.35} and failed to designate a UST Compliance Manger. {280.37}.
8	Ahmed Ata Harrison Co., MS	Order No. 7474 25 Respondent agrees to pay MDEQ a penalty in the amount of \$1,700.	Respondent owns/operates USTs at 19191 Commission Road, Long Beach, MS. Respondent failed to test pressurized piping shear valves within the previous twelve (12) months {280.35}, failed to test spill prevention integrity once every twelve (12) months {280.30 (c)}, failed to inspect overfill devices once every twelve (12) months. {280.30 (d)} and failed to test the automatic tank gauging system once every twelve (12) months {280.43 (d)}, and failed to maintain / provide records for inspection by DEQ {280.35}
9	Baljinder Singh (Owner) Sukhjinder Singh (Operator) Jefferson Co., MS	Order No. 7475 25 Respondent agrees to pay MDEQ a penalty in the amount of \$500.	Respondent owns/operates USTs at 1385 Main Street, Fayette, MS. Respondent failed to test cathodic protection system within six (6) months of installation / repair and /or once every three (3) years thereafter {280.32 (b)(1)}
10	Doel Property LLC (Owner) Hafiz Akm Parvez (Operator) DeSoto Co., MS	Order No. 7476 25 Respondent agrees to pay MDEQ a penalty in the amount of \$500.	Respondent owns/operates USTs at 8995 Highway 304 West, Hernando, MS. Respondent failed to maintain / provide records for inspection by DEQ {280.35}.
11	Mr. Kelly Greenwood Tallahatchie Co., MS	Order No. 7477 25	Respondent owns a High-Hazard Dam in Tallahatchie County. Respondent Agreed to make the necessary repairs to the dam, after approval by MDEQ of the dam repair or, in the alternative, breach the dam.