

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY 2585
OFFICIAL MINUTES
JULY 24, 2025

The regular monthly meeting of the Commission on Environmental Quality was held on Thursday, July 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: Jack Norris, Kent Parrish, Jr., Chat Phillips, and Jack Winstead.

Commissioners Patrick Johnson, Jr., Brenda Lathan and Billy VanDevender were not present.

Others present were: Chris Wells, Executive Director, Thomas Wallace, Laura Gibbes, staff of MDEQ; and other staff members and visitors whose names appear elsewhere in these minutes.

The meeting was called to order by Vice-Chair Chat Phillips and after he led the invocation, the following business was transacted:

Welcome of New Commissioner

Mr. Phillips stated that he received a note from former Commissioner John Dane saying how much he enjoyed serving on the Commission and working with MDEQ staff. Mr. Phillips then welcomed Mr. Jack Norris to the Commission on Environmental Quality. Mr. Norris thanked Mr. Phillips and said he was honored to serve on the Commission.

Approval of Minutes

Mr. Parrish noticed a scrivener's error in the draft June Commission Meeting Minutes on page 2575, third paragraph. Mr. Parrish requested the minutes be amended to clarify when Executive Director Chris Wells was in the commission meeting room during executive session. That oversight will be corrected and with that correction, on motion made by Mr. Parrish and seconded by Mr. Norris, the minutes of the June 26, 2025, meeting were approved and adopted by the Commission as the Official Minutes.

Commission Approval of Brownfield Agreement

Mr. Thomas Wallace stated that this proposed Brownfield Agreement is between the Commission and JeffL, Inc. regarding the remediation of brownfield property located at 601 Highway 8, Cleveland, Bolivar County. The administrative record for this environmental response project is referred to as the Agricultural Equipment Sales and Service ("Site"). Construction materials associated with the main building on site have been determined to contain Asbestos Containing Materials ("ACM") in excess of the Environmental Protection Agency 1% ACM threshold. Therefore, remediation of the Site is necessary. The proposed use of the Site after completion of all remediation will remain commercial, most likely commercial retail and/or a food market. Staff of 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 human health and the environment. On behalf of staff, Mr. Wallace recommended that the Commission approve the Brownfield Agreement between the Commission and JEFFL, Inc. regarding remediation of ACM at the Site. On motion made by Mr. Parrish and seconded by Mr. Winstead, the Commission approved the Brownfield Agreement between the Commission and JEFFL, Inc. regarding the remediation of brownfield property located at 601 Highway 8, Cleveland, Bolivar County.

Commission Approval of Brownfield Agreement Completion

Mr. Thomas Wallace stated that the Commission approved Brownfield Agreement 7229 22 on December 12, 2022, between the Commission, In Sync Holdings, LLC, and Pascagoula Ice and Freezer Company, Inc. for the remediation of the former Pascagoula Ice Plant ("Site") located in Pascagoula, Mississippi. The original brownfield agreement required the remediation of petroleum hydrocarbons in the soil and ammonia in groundwater. Remediation consisted of capping contaminated soils and executing an environmental covenant to restrict groundwater use at the Site. The completed remedial activities have met the requirements of the MDEQ-approved Corrective Action Plan dated October 12, 2022. In Sync Holdings,

LLC requested that the Commission make a determination as to the completion of the Brownfield Agreement. On behalf of staff, Mr. Wallace recommended the Commission determine that In Sync Holdings, LLC, and Pascagoula Ice and Freezer Company, Inc. completed the Brownfield Agreement and stated that staff of MDEQ evaluated the Brownfield Agreement completion and believes that the Site is in compliance with applicable State and Federal laws and standards and will be protective of the public health and the environment. Mr. Phillips had a brief question about ammonia which was answered by Mr. Wallace. Following staff presentation and deliberation, on motion made by Mr. Parrish and seconded by Ms. Winstead, the Commission unanimously voted and determined that In Sync Holdings, LLC, and Pascagoula Ice and Freezer Company, Inc. completed the Brownfield Agreement between the Commission, In Sync Holdings, LLC, and Pascagoula Ice and Freezer Company, Inc. for the remediation of the former Pascagoula Ice Plant ("Site") located in Pascagoula, Mississippi.

Other Business – Commission Approval of Brownfield Agreement

After the July agenda for the commission meeting had already been circulated, Mr. Wells stated that another matter had arisen which needed to be brought before the Commission and asked Mr. Thomas Wallace to explain. On behalf of staff, Mr. Wallace stated that this proposed Brownfield Agreement is between the Commission and Noon Trace Town, LLC regarding the remediation of brownfield property located at 55 Sergeant Prentiss Drive, Natchez, Adams County, Mississippi. The administrative record for this environmental response project is referred to as the Tracetown Shopping Center Phase II Redevelopment Area ("Site"). The Site previously operated as a retail center that included a dry cleaner. Construction materials associated with the main building have been determined to contain Asbestos Containing Materials ("ACM") in excess of the Environmental Protection Agency 1% ACM threshold and soil and groundwater assessments have indicated the presence of chlorinated solvents. Therefore, remediation of the Site is necessary. Remediation will include abatement of ACM, soil capping, vapor barrier installation, and an in-situ permeable reactive barrier in groundwater. The proposed reuse of the Site will be mixed commercial use, retail, and parking. Staff of 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 human health and the environment. Mr. Wallace further requested that the Commission approve the Brownfield Agreement and authorize the Executive Director of MDEQ to execute the agreement upon the conclusion of the required public comment period, and the receipt by MDEQ of no opposing comments to the agreement. Mr. Wells stated the Commission has always encouraged redevelopment projects and that this request was to help facilitate this Brownfield project because there was some concern on behalf of the developer that if the Commission did meet in August, a significant delay to their project timeline could result. Mr. Wells also stated that as Executive Director, he has authority to approve several different types of agreements on behalf of the Commission, but Brownfield agreements are not included. MDEQ intends to look at the statutory language and address with legislators the possibility of changing that language to give the Executive Director authority to enter into Brownfield agreements on behalf of the Commission in order to minimize the potential for project delays. Mr. Wallace stated it was rare to receive comments in opposition to a proposed Brownfield agreement, but if such comments were received, they would be brought before the Commission before an agreement was executed. The City of Natchez is working on several Brownfield projects and Mr. Wallace hopes to have a representative from the city do a presentation for the Commission at some point. Mr. Phillips asked that an email be circulated to the Commission with the results of the public comment period. Following staff presentation and deliberation, on motion made by Mr. Parrish and seconded by Mr. Winstead, the Commission unanimously voted to approve the Brownfield Agreement between the Commission and Noon Trace Town, LLC regarding the remediation of brownfield property located at 55 Sergeant Prentiss Drive, Natchez, Adams County, Mississippi, and that the Executive Director of MDEQ execute the Brownfield agreement upon the conclusion of the required public comment period, and the receipt by MDEQ of no opposing comments to the agreement.

Mississippi Commission on Environmental Quality v. Superior Pallet Company, Jackson, Hinds County – Hearing Officer Designation and Evidentiary Hearing

Ms. Laura Gibbes stated that a draft order, prepared by MDEQ legal staff, was previously sent to the Commission for review. The draft order included findings of fact, conclusions of law and penalties for corrective action memorializing the Commission's decision from the June 26, 2025, hearing on Superior Pallet Company. The hearing was related to an enforcement action alleging four (4) categories of violations: 1) The open burning of solid wastes in violation of Miss. Code Ann. §17-17-9 and 11 Miss. Admin. Code Pt. 2, R.1.3 G.; 2) The formation of an unauthorized dump in violation of Miss. Code Ann. §17-17-17; 3)

Refusing Mississippi Department of Environmental Quality (MDEQ) personnel access to the site to perform an inspection in violation of Miss. Code Ann. §49-17-21; and, 4) The unauthorized operation of an industrial facility without the required permit coverage under Mississippi’s Industrial Storm Water General Permit for Industrial Activities in violation of Miss. Code Ann. §49-17-29. After the hearing, the Commission deliberated and found Superior Pallet Company had committed all four categories of violations, including two violations of category 3. The Commission also assessed a \$125,000 civil penalty against Superior Pallet Company, LLC, for multiple violations of state environmental laws including the illegal burning of industrial waste, creating an unauthorized dump, operating without required industrial stormwater permit coverage, and denying access to MDEQ personnel when they attempted to investigate alleged violations. The Commission’s decision also included a directive to the company to perform corrective actions to address the violations and prevent future occurrences. Following staff presentation and deliberation, on motion made by Mr. Parrish and seconded by Mr. Winstead, the Commission unanimously voted to approve the proposed Order memorializing their decision from the June 26, 2025, hearing on Superior Pallet Company, and that the approved Order be executed by the Commission.

Election of Officers for Fiscal Year 2026 (July 2025 – June 2026)

On a motion made by Mr. Winstead and seconded by Mr. Parrish, the Commission voted to elect Chat Phillips, to serve as Chairman and Billy VanDevender to serve as Vice-Chairman of the Commission for Fiscal Year 2026. No other nominations were made.

Solid Waste Assistance, Waste Tire and Solid Waste Planning 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>
Copiah County Board of Supervisors	\$27,972.12

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>
South Central Solid Waste Management Authority	\$25,000.00

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

<u>County/Municipality</u>	<u>Grant Amount</u>
Coahoma County Board of Supervisors	\$31,500.00

Asbestos Certifications

On previous authority delegated to the Head, Office of Pollution Control, the staff reported that 156 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 63 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 5 new and 15 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 11 renewed wastewater operator certificates had been issued since the last report.

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.

MDEQ Business for Reporting Purposes Only

On previous authority delegated to the MDEQ Executive Director, the staff reported 1 business matter for reporting purposes only, requiring no action by the Commission. A list 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 20 Administrative Orders have been issued since the Commission's meeting on June 26, 2025. 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, August 28, 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

MDEQ BUSINESS FOR REPORTING PURPOSES ONLY

1. Environmental Covenant for Dennis Sisung

This Environmental Covenant is for the purpose of establishing land use restrictions for property owned by Mr. Sisung and located in White Apple, Franklin County, MS that were impacted by a petroleum pipeline release. The administrative record for this project is referred to as the Plains Cranfield site, AI# 71970.

EMERGENCY CLEAN-UP EXPENSES

To: E3 Environmental
Amount: \$11,225.43 Date of Response: 06/09/2025
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a tanker transfer in Lincoln County.

To: E3 Environmental
Amount: \$69,553.34 Date of Response: 05/02/2025
For: Costs associated with providing supervision, labor, equipment and materials to respond to and pick up a truck wreck in Forrest County.

ADMINISTRATIVE ORDERS

	<u>Respondent</u>	<u>Order No.</u>	<u>Summary</u>
1	Niteo Products LLC DeSoto Co., MS	Agreed Order: 7512 25 Respondent agrees to pay MDEQ a penalty in the amount of \$22,074.00.	Respondent was in violation of Mississippi Hazardous Waste Management Regulations included in Section II of the Agreed Order. The facility in DeSoto County returned to compliance on August 23, 2023.
2	Halley Construction, LLC Lincoln Co., MS	Agreed Order: 7513 25 Respondent agreed to pay MDEQ a penalty in the amount of \$13,500.00.	Respondent was in violation of Miss. Code Ann. § 49-17-29 (2)(b) for conducting land disturbing activities without coverage under the Large Construction Storm Water General Permit for Land Disturbing Activities of Five (5) or More Acres at its construction project in Lincoln County.
3	Cullum Construction, LLC Lauderdale Co., MS	Agreed Order: 7514 25 Respondent agreed to pay MDEQ a penalty in the amount of \$8,500.00.	Respondent was in violation of the Mining Storm Water, Dewatering, and No Discharge General Permit and Mississippi Code at its sand and clay mine in Lauderdale County. The violations are outlined in Section 1 of the Agreed Order.
4	Ted Doukas, 2 Lisa Corp., Telecor Co., LLC, and Hermes Hialeah Warehouse, LLC-Meridian Lauderdale County	Agreed Order: 7515 25	Respondents have agreed to pay a \$100,000 penalty within 20 days of execution of the Agreed Order for various violations of Commission Orders addressing the contamination, assessment, monitoring and remediation of the Old Mid-Continent Terminal and to transfer the property to an entity approved by MDEQ. An additional \$900,000 penalty shall be held in abeyance until a period of 20 days from the date of the Notice of Transfer elapses pending compliance with the Agreed Order.
5	Mississippi Lignite Mining Company Surface Coal Mining Permit MS-005	Agreed Order: 7516 25	Sets Coal Mining Fees and payment schedule as approved by the Commission at its meeting of June 26, 2025.
6	Liberty Fuels Company, LLC Surface Coal Mining Permit MS-003	Agreed Order: 7517 25	Sets Coal Mining Fees and payment schedule as approved by the Commission at its meeting of June 26, 2025.
7	Products (SE) Pipe Line Corporation Marion Co., MS	Agreed Order: 7518 25 Respondent agrees to join the MDEQ Voluntary Evaluation Program (VEP)	Respondent operates a pipeline in Columbia where repairs were made in December 2024. Respondent applied to enter the VEP after site investigations affirmed hydrocarbon contamination that warrants oversight by MDEQ.

8	Pierce Construction and Contract Hauling, Inc. Rankin Co., MS	Agreed Order: 7519 25 Respondent agreed to pay MDEQ a penalty in the amount of \$15,000.00.	Respondent was in violation of the Large Construction Storm Water General Permit for Land Disturbing Activities of Five (5) or More Acres and Miss. Code Ann. § 49-17-29 (2)(b) at its construction project, the Forrest Property, in Rankin County. Respondent was also in violation of Miss. Code Ann. § 49-17-29 (2)(a) and (b) for failing to obtain coverage under the Mining Storm Water General NPDES Permit and failing to prevent sediment from leaving the site at its sand and dirt mine, the Star Pit, in Rankin County. The violations are listed in Section 1 of the Agreed Order.
9	Oxbow Greenwood, LLC Leflore Co., MS	Agreed Order: 7520 25 Respondent agreed to pay MDEQ a penalty in the amount of \$10,000.00.	Respondent was in violation of Conditions 4.2 and 5.A.4 of Title V Operating Permit No. 1560-00050 for failing to submit a semiannual monitoring report and annual compliance certification by January 31, 2024. Additionally, Respondent failed to monitor and record the pressure drop across the surge bin baghouse emission control system during operation in June 2023 in violation of Section 3.C. of Agreed Order No. 7245-23.
10	Petro Stopping Centers LP (Owner) Travel Centers Of America (Operator) Hinds Co., MS	Agreed Order: 7521 25 Respondent agrees to pay MDEQ a penalty in the amount of \$10,000.	Respondent owns/operates USTs at 970 I-20 West Frontage Road, Jackson, MS. Respondent failed to report a suspected or confirmed release {280.50}. Consecutive inconclusive SIR results from May 2024 through February 2025 was not reported to MDEQ.
11	Shufat Inc De Soto Co., MS	Agreed Order: 7522 25 Respondent agrees to pay MDEQ a penalty in the amount of \$2,000.	Respondent owns/operates USTs at 4032 Stateline Road, Southaven, MS. Respondent failed to provide adequate release detection method / records for a UST system. {280.44 (a)}.
12	Stratos Mandas Harrison Co., MS	Agreed Order: 7523 25 Respondent agrees to pay MDEQ a penalty in the amount of \$500.	Respondent owns/operates USTs at 14272 Lamey Bridge Road, Diberville, MS. Respondent failed to maintain / provide records for inspection by DEQ {280.35}.
13	Batra Raj Kumar De Soto Co., MS	Agreed Order 7524 25 Respondent agrees to pay MDEQ a penalty in the amount of \$1,950.	Respondent owns/operates USTs at 970 Goodman Road, Southaven, 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)}, failed to designate a UST Compliance manager {280.37}, and failed to maintain / provide records for inspection by DEQ {280.35}.
14	Gurpreet Singh (Owner) Sarabjit Singh (Operator) Rankin Co., MS	Agreed Order: 7525 25 Respondent agrees to pay MDEQ a penalty in the amount of \$1,750.	Respondent owns/operates USTs at 1126 Old Fannin Road, Brandon, MS. Respondent failed to maintain / provide records for inspection by DEQ {280.35} and failed to provide adequate release detection method / records for a UST system. {280.44 (a)}. Tank owner / operator did not initiate repair following 2024 monthly records showing water intrusion issues were still present within secondary containment sumps.
15	I & M Properties LLC Yalobusha Co., MS	Agreed Order: 7526 25 Respondent agrees to pay MDEQ a penalty in the amount of \$1,100.	Respondent owns/operates USTs at 700 Highway 7, Water Valley, MS. Respondent failed to test electronic interstitial sensors within the previous twelve (12) months {280.44 (g)}, 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}.
16	Ahmed Musaed Saleh Forrest Co., MS	Agreed Order: 7527 25 Respondent agrees to pay MDEQ a penalty in the amount of \$2,660.	Respondent owns/operates USTs at 1400 Hardy St, Hattiesburg, 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)}, failed to test automatic line leak detectors once every twelve (12) months {280.44 (a)}, and failed to provide adequate release detection method / records for a UST system. {280.44 (a)}.
17	Muhammad Bhamani De Soto Co., MS	Agreed Order: 7528 25 Respondent agrees to pay MDEQ a penalty in the amount of \$4,214.	Respondent owns/operates USTs at 8013 Airways Blvd, Southaven, 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)}, failed to inspect impressed current cathodic protection system once every sixty (60) days. {280.32 (c)}, failed to designate a UST Compliance manager {280.37}, 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)}, failed to perform monthly walk-through inspections once every twelve (12) months {280.38}, failed to provide adequate release detection method / records for a UST system. {280.40 - 45)}, and failed to maintain / provide records for inspection by DEQ {280.35}.
18	Williams-Transcontinental Gas Pipe Line Company, LLC Jasper Co., MS	Agreed Order: 7529 25 Respondent agrees to join the MDEQ Voluntary Evaluation Program (VEP).	Respondent operates a compressor station. Respondent applied to enter the VEP due to LNAPL contamination that warrants oversight by MDEQ.
19	Town of Goodman Holmes Co., MS	Agreed Order: 7530 25 Respondent agreed to pay MDEQ a penalty in the amount of \$1,875.00.	Respondent was in violation of 11 Miss. Admin. Code Pt. 6, R. 1.1.1.B(2)(a) for operating without a valid NPDES Permit.
20	Modification to the Copiah County Solid Waste Management Plan	Agreed Order: 7531 25	Modification to the Copiah County Solid Waste Management Plan for the Expansion of the Central MS Rubbish Class I Rubbish Site.