

# MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

Thursday, April 25, 2024  
9:00 A.M.  
Room 104A  
515 East Amite Street  
Jackson, Mississippi 39201

## AGENDA

1. **Call to Order - Chair**
2. **Approval of the February 22, 2024, Commission Meeting Minutes**
3. **2024 Mississippi 303(d) List of Impaired Water Bodies**

Staff will brief the Commission on the Final 2024 Mississippi Section 303(d) List of Impaired Water Bodies. Staff previously briefed the Commission at the February Commission Meeting on the Draft 2024 Mississippi 303(d) List of Impaired Water Bodies. Public Notice of the Draft List began February 12, 2024, and ended March 18, 2024. A public hearing was held on March 18, 2024. No public comments were received during the public comment period or at the public hearing. EPA issued a letter of no comment on the Draft List. Commission members were provided a document package which includes the Final List, the public notice and proof of publication, and EPA's letter of no comment. Staff requests the Commission adopt the Final 2024 Mississippi Section 303(d) List of Impaired Water Bodies. Staff will then propose the 303(d) List to EPA Region 4 for their final approval and file the list with the Mississippi Secretary of State in compliance with state law.

4. **Asbestos Certifications**

Staff has issued 335 asbestos certifications since the last report. This list will be available at the Commission meeting.

5. **Lead Paint Certifications**

Staff has issued 107 lead paint certifications since the last report. This list will be available at the Commission meeting.

6. **Underground Storage Tanks (UST) Certifications**

Staff has issued 5 new and 34 renewed certifications to those who install, alter, or remove underground storage tanks since the last report. This list will be available at the Commission meeting.

7. **Wastewater Operator Certifications**

Staff has issued 12 new and 38 renewed wastewater operator certifications since the last report. This list will be available at the Commission meeting.

8. **MDEQ Business for Reporting Purposes Only**

We have 1 business matter that is for reporting purposes only, requiring no action by the Commission. See **Attachment 1** at the end of this agenda.

9. **Emergency Clean-Up Expenses**

Staff has 5 emergency expenditures since the last report. See **Attachment 2** at the end of this agenda.

10. **Administrative Orders**

Staff has issued 16 agreed Orders since the last report, and they should be added to the minutes. The staff will highlight any orders that we think are especially noteworthy. See **Attachment 3**

at the end of this agenda.

- 11. Other Business**
- 12. Confirmation of the May 23, 2024, Commission Meeting**
- 13. Adjournment**

**MDEQ BUSINESS FOR REPORTING PURPOSES ONLY**

**1. Environmental Covenant for Yalobusha County Farm Bureau**

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 Yalobusha County Farm Bureau regarding the remediation of property located at 220 Frostland Drive, Water Valley, MS. The Yalobusha County Farm Bureau property is nearby the former Enpro Industrial facility (now Solero), which is undergoing remediation for Trichloroethylene in groundwater. Environmental Site Assessments have revealed the release of chlorinated solvent contamination in groundwater at concentrations in excess of Target Remediation Goals (TRGs) extends beneath the 220 Frostland Drive property. Therefore, restriction of the property 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: \$2,595.03 Date of Response: 10/30/23  
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up abandoned vessel in Jackson County.

To: E3 Environmental  
Amount: \$6,563.54 Date of Response: 11/3/2023  
For: Costs associated providing supervision, labor, equipment and materials to respond to and clean up a diesel fuel/motor oil spill in Wilkinson County.

To: E3 Environmental Date of Response: 12/14/23  
Amount: \$28,875.82  
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a crude oil spill in Wilkinson County.

To: E3  
Amount: \$3,630.00 Date of Response: 12/14/23  
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a crude oil spill in Wilkinson County.

To: E3  
Amount: \$239,872.00 Date of Response: 12/14/23  
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a crude oil spill in Wilkinson County.

ADMINISTRATIVE ORDERS

	<u>Respondent</u>	<u>Order No.</u>	<u>Summary</u>
1	Jedediah Benner Pike Co., MS	<b>Order No. 7305 24</b> .	MDEQ is currently managing the assessment and remediation of contamination at the former Fernwood Industries LLC Facility located at 1047 Fernwood Road, Fernwood, Mississippi (facility). A fence is maintained at the facility to secure the premises so that passersby do not enter the contaminated property. On July 12, 2023, Respondent's vehicle was involved in an accident that caused damage to the fence. Respondent agrees to pay \$205.00 monthly to MDEQ for 12 consecutive months to cover the cost of repairing the fence.
2	Modification to the Tallahatchie County Solid Waste Management Plan	<b>Order No. 7306 24</b>	This order approves a modification to the Tallahatchie County Solid Waste Management Plan recognizing a new location for the Tallahatchie County Municipal Solid Waste Transfer Station.
3	The City of Jackson Hinds Co., MS	<b>Order No. 7307 24</b>	This is an Agreed Order to establish the civil penalty imposed upon the City of Jackson for failure to provide residential garbage curbside collection services to its citizens from April 1-18, 2023. The civil penalty is in the amount of \$900,000.00, with \$375,000.00 due within the next 90 days and \$525,000.00 to be held in abeyance for a period of two years.

4	State Title V Program Fee	<b>Order No. 7308 24</b>	This order sets the federally mandated Title V program fee in an amount sufficient to cover the reasonable costs of administering the Mississippi Title V operating permit program from September 1, 2024, to August 31, 2025.
5	LNJ Services, Inc. Harrison Co., MS	<b>Order No. 7309 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$5,500.00 within forty-five (45) days of this Agreed Order. Additionally, Respondent agreed to not discharge process wastewater from its facility located at 11701 Reichold Road in Gulfport, MS until it obtains a valid Pretreatment Permit allowing such discharge.	Respondent was in violation of 11 Miss. Code Pt. 6, R. 1.1.1.B(2)(a) and (b)(4) for failing to obtain a Pretreatment Permit prior to commencing discharge of process wastewater at its facility located at 11701 Reichold Road, Gulfport, MS.
6	Adoption of Amendments to Title 11 of the Mississippi Administrative Code, Part 2, Chapter 2	<b>Order No. 7310 24</b> In the Matter of the Adoption of amendments to Title 11 of the Mississippi Administrative Code, Part 2, Chapter 2, entitled “Mississippi Commission on Environmental Quality, Permit Regulations for the Construction and/or Operation of Air Emissions Equipment”.	The Commission adopted amendments to Title 11 of the Mississippi Administrative Code, Part 2, Chapter 2, entitled “Mississippi Commission on Environmental Quality, Permit Regulations for the Construction and/or Operation of Air Emissions Equipment”.
7	Adoption of Amendments to Title 11 of the Mississippi Administrative Code, Part 2, Chapter 5	<b>Order No. 7311 24</b> In the Matter of the Adoption of amendments to Title 11 of the Mississippi Administrative Code, Part 2, Chapter 5, entitled “Mississippi Commission on Environmental Quality, Regulations for the Prevention of Significant Deterioration of Air Quality”.	The Commission adopted amendments to Title 11 of the Mississippi Administrative Code, Part 2, Chapter 5, entitled “Mississippi Commission on Environmental Quality, Regulations for the Prevention of Significant Deterioration of Air Quality”.
8	Tiffin Motor Homes, Inc. Red Bay, Alabama	<b>Order No. 7312 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$25,000.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of Mississippi Hazardous Waste Management Regulations listed in Section II of this Agreed Order. The facility in Tishomingo County returned to compliance December 14, 2022.

9	Modification to the Rankin County Solid Waste Management Plan	<b>Order No. 7313 24</b>	This order approves a modification to the Rankin County Solid Waste Management Plan recognizing three new locations for municipal wastewater (“biosolids”) application as a soil amendment.
10	Resinall Corp Forrest County, MS	<b>Order No. 7314 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$33,750.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of Condition 1.A.3 of Synthetic Minor Operating Permit No. 0800-0009 for installing an emergency generator that was not authorized by the permit. Respondent was also in violation of 40 CFR 60.4211(d) for failing to conduct an initial stack test of the emergency generator within 180 days after initial startup.
11	Hood Industries, Inc. Forrest Co., MS	<b>Order No. 7315 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$17,500.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of Condition 3.B.3 of Title V Operating Permit No. 2540-00003 for exceeding the Filterable Particulate Matter (PM) limitation of 0.44 pounds per one million British thermal units (lb/MMBtu) of heat input during a stack test of Emission Point AA-003 on April 3, 2023.
12	Dr. Mayier Kahn South Lake, TX	<b>Order No. 7316 24</b>	Respondent was in violation of both Federal and State regulations pertaining to the overall management of asbestos-containing material in Hinds County. At the execution of this Order, Respondent has failed to respond to the Notice of Violation issued December 18, 2023. This Order requires that Respondent perform specific actions to correct the violations by indicated deadlines.
13	Goodman Road 1990 Center LLC DeSoto Co., MS	<b>Order No. 7317 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$1,500.00 within thirty (30) days of this Agreed Order.	Respondent owns/operates UST’s in Mississippi. Facility is listed in Section I and violations are listed in Section 2 of this Agreed Order.

<b>14</b>	Circle K Stores Inc.	<b>Order No. 7318 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$8,000 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.
<b>15</b>	Circle K Stores Inc.	<b>Order No. 7319 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$22,750 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.
<b>16</b>	APAC-MISSISSIPPI, INC. Adams Co., MS	<b>Order No. 7320 24</b> Respondent agreed to pay MDEQ a penalty in the amount of \$15,000.00. Additionally, Respondent agreed to submit documentation of compliance within thirty (30) days.	Respondent was in violation of Mississippi's Mining Storm Water General NPDES Permit at its Cloverhill Mine in Adams County. The violations are summarized in Section 1 of the Agreed Order.