

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

**Thursday, May 28, 2015
9:00 A.M.
Room 104A
515 East Amite Street
Jackson, Mississippi 39201**

AGENDA

- 1. Call to Order - Chair**
- 2. Approval of Minutes of April 23, 2015 Meeting**
- 3. Establishment of the Lignite Mining Fee for Liberty Fuels Company, LLC for the Liberty Mine in Kemper County for State Fiscal Year 2016;
Establishment of the Lignite Mining Fee for Mississippi Lignite Mining Company for the Red Hills Mine in Choctaw County for State Fiscal Year 2016**

The staff will recommend that the Liberty Fuels Company, LLC Lignite Mining Fee for the 2016 state fiscal year be set at \$125,000, which is the same as for state fiscal year 2015. The staff will recommend that the Mississippi Lignite Mining Company Lignite Mining Fee for the 2016 state fiscal year be set at \$125,000, which is the same as for state fiscal year 2015. This amount will cover approximately 50% of the anticipated cost of administering the federally-approved coal mining program in Mississippi; the remaining approximately 50% of the cost will be covered by a federal Office of Surface Mining Reclamation and Enforcement grant. These fees will cover 100% of the anticipated cost of administering the program above the amount of the federal OSMRE grant. Staff will provide copies of the draft orders related to these fees to the Commission. Staff will also recommend that the Commission delegate the authority to sign the Orders to the Executive Director.

- 4. Commission Approval of Brownfield Consulting Firms**

The staff has reviewed an application from a consulting firm requesting to be listed as a Brownfield Consulting Firm and has determined it to be complete and acceptable. Therefore, the staff recommends that the Commission approve the following firm as Brownfield Consulting Firms:

**TTL, Inc.
3516 Greensboro Avenue
Tuscaloosa, Alabama 35401-7002**

- 5. Commission Approval of Brownfield Obligation Transfer**

On May 27, 2014, the Commission reached a Brownfield Agreement (#6424-14) with Gulfport Tire & Auto Care, LLC for the remediation of the Gulfport Tire Site in Gulfport, Mississippi. In accordance with Rule 2.1.5.C of Part 3, Chapter 2: Final Regulations Governing Brownfield Voluntary Cleanup and Redevelopment in Mississippi, Gulfport Tire & Auto Care, LLC and Elhamaki Investments, LLC jointly have provided a petition to the MCEQ that Elhamaki Investments, LLC has the financial, managerial, and technical resources to complete performance of the Brownfield Agreement obligations and agrees to complete this performance. The staff of the MDEQ has reviewed the petition, and hereby recommends that the Commission issue an order in accordance with the Brownfield Regulations approving the transfer of those obligations in Brownfield Agreement #6424-14 from Gulfport Tire & Auto Care, LLC to Elhamaki Investments, LLC. Elhamaki Investments, LLC plans to continue to use the facility as a vehicle maintenance and servicing operation.

6. Commission Approval of Environmental Covenant

The staff recommends that the Commission approve the Environmental Covenant between the Commission and Kansas City Southern Railway regarding the remediation of property located on the southeast of the corner of Depot Street and Levee Street in Vicksburg, Mississippi, referred to as the "Kansas City Southern Railway Vicksburg Yard Site." The facility has historically been utilized as a rail-yard for KCS operations that included fueling operations. Leaks from above ground storage tanks (ASTs) and fuel dispensers and fuel distribution lines have each contributed to diesel range petroleum contamination at the site. Therefore, remediation of the site is necessary. The site will continue to be utilized by KCS as a rail-yard but will no longer include fueling operations. The staff of the MCEQ 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 and Federal laws and standards and will be protective of the public health and the environment.

7. Commission Approval of Environmental Covenant

The staff recommends that the Commission approve the Environmental Covenant between the Commission and Quad/ Graphics, Inc. regarding the remediation of property located at 2759 and 2787 South Harper Road in Corinth, Mississippi, referred to as the Quebecor facility. The facility historically operated as a printing press operation. Leaks of toluene from underground storage tanks (USTs) contributed to soil and groundwater contamination on 2.33 acres Quad/ Graphics, Inc. owned property at 2787 South Harper Road and groundwater contamination on 1.59 acres of property on the adjacent parcel owned by Northeast Mississippi Community College. Therefore, remediation of the site is necessary. The restrictions presented in the proposed environmental covenant will allow for redevelopment of the shuttered Quebecor facility and continued remediation of the affected properties. The staff of the MCEQ 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 and Federal laws and standards and will be protective of the public health and the environment.

8. Commission Approval of Environmental Covenant

The staff recommends that the Commission approve the Environmental Covenant between the Commission and Johns Manville regarding the remediation of property located 508 Liberty Road in Natchez, Mississippi. The facility has historically been utilized to manufacture roof insulation products. After closure of the facility, materials remaining in permitted surge and evaporation ponds on the site contained residual diesel range petroleum compounds. Johns Manville filled and capped the ponds on site consistent with their MDEQ approved *Surge and Evaporation Ponds Closure Plan* dated July 25, 2012. Therefore, remediation of the site is necessary. The restrictions presented in the proposed environmental covenant will allow for redevelopment of the former facility and continued remediation of the affected ponds. The staff of the MCEQ 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 and Federal laws and standards and will be protective of the public health and the environment.

9. Asbestos Certifications

We have issued 120 asbestos certifications since the last report. This list will be available at the Commission meeting.

10. Lead Paint Certifications

We have issued 84 lead paint certifications since the last report. This list will be available at the Commission meeting.

11. Underground Storage Tanks (UST) Certifications

We have issued 6 certifications to those who install, alter, or remove underground storage tanks since the last report. This list will be available at the Commission meeting.

12. Emergency Clean-Up Expenses

We have 4 emergency expenditures since the last report. See **Attachment 1** at the end of this agenda.

13. Administrative Orders

We do not have any administrative orders since the last report.

14. Other Business

15. Confirmation of Meeting on Thursday, June 25, 2015

16. Adjournment

EMERGENCY SERVICES CLEAN-UP

To: United States Environmental Services
Amount: \$4,051.30 **Date of Response:** 09/29/14
For: Cost associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Harrison County.

To: United States Environmental Services
Amount: \$3,106.62 **Date of Response:** 12/17/14
For: Cost associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Harrison County.

To: United States Environmental Services
Amount: \$791.20 **Date of Response:** 01/19/15
For: Cost associated with providing supervision, labor, equipment and materials to respond to and clean up a motor oil spill in Hinds County.

To: United States Environmental Services
Amount: \$1,913.98 **Date of Response:** 02/05/15
For: Cost associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Hinds County.