

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

Thursday, February 22, 2018
9:00 A.M.
Room 104A
515 East Amite Street
Jackson, Mississippi 39201

AGENDA

1. **Call to Order - Chair**
2. **Approval of Minutes of November 17, 2017 Meeting**
3. **Commission Approval of Brownfield Agreement Modification**

On June 23, 2016, the Commission issued a Brownfield Agreement (#6662-16) with Hernando Town Properties, LLC. for the remediation of the Reliable Equipment facility in Hernando, Mississippi. Reliable Equipment facility is contaminated with Total Petroleum Hydrocarbons – Gasoline and Diesel Range Organics in the groundwater and soils at levels in excess of the Target Remediation Goals (TRGs). Therefore, remediation of the Brownfield Agreement Site was determined to be necessary. The initial Brownfield Agreement included the planned demolition and removal of the building. The Brownfield Agreement Modification requests the building remain and be renovated and reused. The staff of the MCEQ has 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.

4. **FY 2019 Title V Fee Recommendation - Approval to Proceed to Public Notice of Hearing**

A copy of the draft report containing the Title V Advisory Council's Title V fee recommendation for the upcoming fee year has been forwarded to the Commission. We are requesting approval to hold a public hearing to receive comments regarding the proposed fee and to proceed with public notice of the hearing. After the public participation process is completed, staff will bring the fee recommendation back before the Commission for final action.

5. **Commission Briefing on Proposed amendments to 11 Miss. Admin. Code, Part 2, Chapter 1 with an associated Revision to the State Implementation Plan for Control of Air Pollution**

MDEQ staff is providing information on a public notice for comment on proposed amendments to the Commission's regulations, 11 Mississippi Administrative Code, Part 2, Chapter 1 and an associated Revision to the State Implementation Plan for Control of Air Pollution (SIP Revision). The proposed amendments and SIP Revision will incorporate amendments of the Mississippi Environmental Quality Permit Board's administrative regulations to directly align requirements of the Permit Board's makeup with requirements of the Federal Clean Air Act. This action will allow EPA to remedy partial-disapprovals of recent state plan submittals to address requirements for the National Ambient Air Quality Standards under the Clean Air Act. The 30-day public comment period began February 2, 2018 and will conclude with a public hearing to be held on March 5, 2018. Following the conclusion of the public participation process, staff intends to bring the proposed amendments and SIP Revision to the Commission for approval at the March 22, 2018 meeting.

6. **Commission Briefing on Oil Spill Restoration**

Staff will brief the Commission on the latest in Oil Spill Restoration.

7. **Asbestos Certifications**

We have issued 277 asbestos certifications since the last report. This list will be available at the Commission meeting.

8. **Lead Paint Certifications**

We have issued 123 lead paint certifications since the last report. This list will be available at the Commission meeting.

9. Underground Storage Tanks (UST) Certifications

We have issued 24 certifications to those who install, alter, or remove underground storage tanks since the last report. This list will be available at the Commission meeting.

10. Emergency Clean-Up Expenses

We have 40 emergency expenditures since the last report. See **Attachment 1** at the end of this agenda.

11. Administrative Orders

We have issued 23 Administrative Orders, and 1 Amended Agreed Order, 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 2** at the end of this agenda.

12. Other Business

13. Confirmation of the March 22, 2018 Commission meeting

14. Adjournment

EMERGENCY SERVICES CLEAN UP

To: CTEH
Amount: \$3,938.55 **Date of Response:** 07/31/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help investigate an unknown odor in Panola County.

To: CTEH
Amount: \$4,361.14 **Date of Response:** 08/03/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help provide vessel transportation for a barge on fire in Harrison County.

To: Enhanced Environmental & Emergency Services
Amount: \$905.00 **Date of Response:** 08/05/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a gasoline spill at a gas station in Jackson County.

To: Enhanced Environmental & Emergency Services
Amount: \$3,743.17 **Date of Response:** 08/03/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help provide vessel transportation for a barge on fire in Harrison County.

To: Enhanced Environmental & Emergency Services
Amount: \$2,478.60 **Date of Response:** 07/18/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Harrison County.

To: Enhanced Environmental & Emergency Services
Amount: \$1,724.54 **Date of Response:** 08/02/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a red dye diesel spill in Simpson County.

To: Enhanced Environmental & Emergency Services
Amount: \$2,446.10 **Date of Response:** 08/04/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a diesel spill in Jackson County.

To: Enhanced Environmental & Emergency Services
Amount: \$1,656.40 **Date of Response:** 07/22/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a hydraulic fluid spill in Harrison County.

To: Enhanced Environmental & Emergency Services
Amount: \$2,443.70 **Date of Response:** 08/02/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a used cooking oil spill in Jackson County.

To: Enhanced Environmental & Emergency Services
Amount: \$1,026.15 **Date of Response:** 07/26/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a paint spill in Noxubee County.

To: Enhanced Environmental & Emergency Services
Amount: \$1,062.60 **Date of Response:** 07/06/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up an unknown spill from an abandoned drum in Jackson County. This invoice includes disposal costs.

To: Enhanced Environmental & Emergency Services
Amount: \$1,609.52 **Date of Response:** 08/05/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a diesel spill in Rankin County.

To: Enhanced Environmental & Emergency Services
Amount: \$2,473.98 **Date of Response:** 08/17/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a diesel spill in Jackson County.

To: Enhanced Environmental & Emergency Services
Amount: \$4,986.00 **Date of Response:** 09/20/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a petroleum product spill in Jackson County.

To: Enhanced Environmental & Emergency Services
Amount: \$852.24 **Date of Response:** 10/12/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a propane spill in Jackson County.

To: Enhanced Environmental & Emergency Services
Amount: \$3,960.77 **Date of Response:** 08/22/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help investigate an anhydrous ammonia discharge from a leaking rail tank car in Jackson County.

To: Complete Environmental
Amount: \$4,432.25 **Date of Response:** 09/18/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a diesel/hydraulic spill in Jackson County.

To: Complete Environmental
Amount: \$3,545.63 **Date of Response:** 09/11/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a diesel spill in Rankin County.

To: Complete Environmental
Amount: \$3,090.06 **Date of Response:** 10/13/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a diesel spill in Lauderdale County.

To: Enhanced Environmental & Emergency Services
Amount: \$1,719.00 **Date of Response:** 09/19/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a unknown spill in Harrison County. This invoice is for disposal costs.

To: Enhanced Environmental & Emergency Services
Amount: \$4,499.84 **Date of Response:** 09/18/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a hydraulic oil spill in Harrison County.

To: Enhanced Environmental & Emergency Services
Amount: \$1,643.70 **Date of Response:** 08/25/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a unknown spill in Harrison County.

To: Enhanced Environmental & Emergency Services
Amount: \$768.65 **Date of Response:** 11/19/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a chicken parts spill in Hinds County.

To: Enhanced Environmental & Emergency Services
Amount: \$2,588.38 **Date of Response:** 08/17/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a diesel spill in Desoto County.

To: Enhanced Environmental & Emergency Services
Amount: \$2,556.25 **Date of Response:** 06/16/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a gasoline spill from a leaking UST in Desoto County.

To: Enhanced Environmental & Emergency Services
Amount: \$804.90 **Date of Response:** 10/23/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a gasoline spill in Simpson County.

To: Enhanced Environmental & Emergency Services
Amount: \$16,891.26 **Date of Response:** 08/30/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a petroleum spill from a sunken vessel in Harrison County.

To: Enhanced Environmental & Emergency Services
Amount: \$103,768.76 **Date of Response:** 08/16/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a pesticide/jet fuel spill in Tallahatchie County.

To: Enhanced Environmental & Emergency Services
Amount: \$5,112.25 **Date of Response:** 10/04/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a diesel spill in Hinds County.

To: Enhanced Environmental & Emergency Services
Amount: \$1,442.50 **Date of Response:** 10/30/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help remove an abandoned drum with product in Jackson County.

To: Enhanced Environmental & Emergency Services
Amount: \$3,885.96 **Date of Response:** 11/21/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a diesel spill in Jackson County.

To: Enhanced Environmental & Emergency Services
Amount: \$565.96 **Date of Response:** 11/16/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help remove abandoned bags with unknown product in Harrison County.

To: Enhanced Environmental & Emergency Services
Amount: \$1,634.90 **Date of Response:** 10/11/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help with an abandoned building fire in Hinds County.

To: Enhanced Environmental & Emergency Services
Amount: \$1,217.08 **Date of Response:** 11/06/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a diesel spill in Harrison County.

To: Enhanced Environmental & Emergency Services
Amount: \$713.90 **Date of Response:** 06/16/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a gasoline spill from a leaking UST in Desoto County.

To: Enhanced Environmental & Emergency Services
Amount: \$1,735.84 **Date of Response:** 10/26/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up an abandoned used oil spill in a parking lot in Jackson County.

To: Enhanced Environmental & Emergency Services
Amount: \$2,770.80 **Date of Response:** 10/04/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up a diesel spill in Copiah County.

To: Enhanced Environmental & Emergency Services
Amount: \$6,077.66 **Date of Response:** 10/18/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Harrison County.

To: Enhanced Environmental & Emergency Services
Amount: \$3,051.42 **Date of Response:** 10/08/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and pick an abandoned drum washed ashore in Jackson County.

To: Enhanced Environmental & Emergency Services
Amount: \$2,038.22 **Date of Response:** 10/12/17
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up an abandoned used oil spill on the side of Hwy 90 in Jackson County.

ADMINISTRATIVE ORDERS

	<u>Respondent</u>	<u>Order No.</u>	<u>Summary</u>
1	Gavilon Fertilizer, LLC Washington Co., MS	Order No. 6809 17 Gavilon Fertilizer, LLC agrees to the terms and conditions of participation in the program in Section 3 of this Agreed Order.	Gavilon Fertilizer, LLC desires to submit and MDEQ accepts the Site for participation in the Uncontrolled Site Voluntary Evaluation Program.
2	Magnolia Marine Transport Warren Co., MS	Order No. 6810 17 Respondent agrees to pay MDEQ a penalty in the amount of \$8,000.00 within forty-five (45) days of this Agreed Order.	Respondent caused a release in excess of 5 barrels of crude oil to be placed in a location likely to cause pollution of waters of the State.
3	Crestfield Water Association, Crestfield Subdivision Tate Co., MS	Order No. 6811 17 Respondent agrees to pay MDEQ a penalty in the amount of \$937.50 within forty-five (45) days of this Agreed Order.	Respondent was in violation of exceeding effluent fecal coliform limitations in 2015 and 2016.
4	H. E. Long Partnership Bolivar Co., MS	Order No. 6812 17 Respondent agrees to implement the acceptable agricultural water efficiency practices listed in Section 1, A and B of this Agreed Order on or before October 25, 2020 and agrees to sign and submit Attachment 1 (Verification of Compliance) to MDEQ on or before October 25, 2020.	Respondent failed to comply with special terms and conditions of Groundwater Withdrawal Permit/Certificate of Coverage MS-GW-45932 and MS-GW-45933.
5	ExxonMobil Environmental Services Company Jefferson Davis Co., MS	Order No. 6813 17 Respondent agrees to comply with the terms and conditions listed under #3 of this Agreed Order.	ExxonMobil Environmental Services Company desires to submit and MDEQ accepts the Site for participation in the Uncontrolled Site Voluntary Evaluation Program.
6	ExxonMobil Environmental Services Company Jasper Co., MS	Order No. 6814 17 Respondent agrees to comply with the terms and conditions listed under #3 of this Agreed Order.	ExxonMobil Environmental Services Company desires to submit and MDEQ accepts the Site for participation in the Uncontrolled Site Voluntary Evaluation Program.
7	Matter of the Adoption of Amendments to Title 11 of the Mississippi Administrative Code, Part 3, Chapter 1, Entitled "Hazardous Waste Management Regulations"	Order No. 6815 17	This order confirms the adoption of the proposed amendments for MDEQ'S "Hazardous Waste Management Regulations".
8	Japhlet, L.P. Sunflower Co., MS	Order No. 6816 17 Respondent agrees to comply with special terms and conditions of permit/certificate listed in Section 1-A&B of this Agreed Order.	Respondent failed to comply with special terms and conditions of Groundwater Withdrawal Permit/Certificate of Coverage MS-GW-13676.
9	Simpson County Board of Supervisors Simpson Co., MS	Order No. 6817 17 Respondent agrees to comply with the requirements listed in Section 4 of this Order. This Order also includes a summary table of the reporting dates to MDEQ for the plan. This table should be added to the Implementation Schedule section of the Plan.	This order describes the primary components of the County's Plan and addresses the schedule for implementation by the County, the participating municipalities of Braxton, D'Lo, Magee, Mendenhall and the South Central Regional Solid Waste Management Authority and includes a summary table of the reporting dates to MDEQ for the plan.
10	Shuqualak Lumber Company Inc., Planer Mill Division Noxubee Co., MS	Order No. 6818 17 Respondent agrees to comply with the terms and conditions listed under Section #2.	Violation of MS Air Pollution Control Title V Permit No. 2000-00013
11	Matter of Lewis Tire Shop NSKL Corporation Rankin Co., MS	Order No. 6819 17 NSKL agrees to the terms and conditions of participation in program listed in Section 3 of this Agreed Order.	NSKL Corporation desires to submit and MDEQ accepts the Site for participation in the Uncontrolled Site Voluntary Evaluation Program.

12	Chevron USA Inc., Chevron Products Company, Pascagoula Refinery Jackson Co., MS	Order No. 6820 17 Respondent agrees to pay MDEQ a penalty in the amount of \$70,200.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of Title V Permit No. 1280-00058.
13	Cooperative Energy, Moselle Generating Plant Jones Co., MS	Order No. 6821 17 Respondent agrees to pay MDEQ a penalty in the amount of \$45,000.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of Air Construction Permit 1360-00035.
14	Nautic Star LLC Monroe Co., MS	Order No. 6822 17 Respondent agrees to pay MDEQ a penalty in the amount of \$25,000.00 within forty-five (45) days of this Agreed Order.	Violations are listed in Section 1 of this Agreed Order.
15	High Cotton Oil Company Various Counties in MS	Order No. 6823 17 Respondent agrees to pay MDEQ a penalty in the amount of \$5,000.00 within forty-five (45) days of this Agreed Order.	Respondent owns/or operates several UST's in Mississippi. Facilities are listed in Section I and violations are listed in Section 2 of this Agreed Order.
16	Applewhite Recycling Systems LLC Jackson Co., MS	Order No. 6824 17 Respondent agrees to pay MDEQ a penalty in the amount of \$45,000.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of the administratively-continued Land Disposal Storm Water General Permit No. MSR500028 at the Applewhite Recycling Systems LLC Class I rubbish site.
17	Pillow Academy Leflore Co., MS	Order No. 6825 17 Respondent agrees to comply with the requirements/obligations listed under #3 of this Agreed Order.	Respondent caused wastes to be placed in a location likely to cause pollution waters of the State. Responded also failed to obtain a NPDES permit for operating a wastewater system.
18	Kemira Chemicals, Inc. Monroe Co., MS	Order No. 6826 17 Respondent agrees to pay MDEQ a penalty in the amount of \$70,000.00 within forty-five (45) days of this Agreed Order	Violations are listed in Section 1 of this Agreed Order. Respondent was operating without a required wet scrubber.
19	Waring Oil Company Harrison Co., MS	Order No. 6827 18 Respondent agrees to pay MDEQ a penalty in the amount of \$8,000.00 within forty-five (45) days of this Agreed Order	The respondent experienced a petroleum release event that discharged approximately 250 gallons of petroleum product that impacted waters of the state.
20	Joyce Pitts Bolivar Co., MS	Order No. 6828 18 Respondent agrees to comply with special terms and conditions of permit/certificate listed in Section 1-A&B of this Agreed Order.	Respondent failed to comply with special terms and conditions of Groundwater Withdrawal Permits/Certificates of Coverage MS-GW-46388 & MS-GW-46389.
21	Billy Pegram Tunica Co., MS	Order No. 6829 18 Respondent agrees to comply with special terms and conditions of permit/certificate listed in Section 1-A&B of this Agreed Order.	Respondent failed to comply with special terms and conditions of Groundwater Withdrawal Permits/Certificates of Coverage MS-GW-46545.
22	Howard Industries Jones Co., MS	Order No. 6830 18 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 NPDES Pretreatment Permit No. MSP090204.
23	Three Rivers Regional Solid Waste Management Plan Monroe Co., MS	Order No. 6831 18	This order approves a modification for an expansion of the Monroe County class 1 rubbish site at the request of the Monroe County Board of Supervisors.

Amended Orders

1	Georgia Pacific Wood Products, LLC Smith Co., MS	Amended Agreed Order No. 6718 17	Respondent agrees to comply with the amended requirements listed in Section I of this Agreed Order Amendment.
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