

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

Thursday, April 24, 2025

9:00 A.M.

Room 104A

515 East Amite Street

Jackson, Mississippi 39201

AGENDA

1. **Call to Order - Chair**
2. **Approval of March 27, 2025, Commission Meeting Minutes**
3. **Commission Approval of Brownfield Agreement Modification**

The staff recommends 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. The staff of the MDEQ has 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. Therefore, the staff recommends that the Commission approve the Brownfield Agreement Modification between the Commission and McIngvale Square, LLC.

4. **Briefing to the Commission on Waters of the State**

Executive Director, Chris Wells, will brief the Commission on the public hearing held to gather comments on the recently published changes to the water regulations under the Mississippi Air and Water Pollution Control Law.

5. **Asbestos Certifications**

Staff has issued 184 asbestos certifications since the last report. This list will be available at the Commission meeting.

6. **Lead Paint Certifications**

Staff has issued 59 lead paint certifications since the last report. This list will be available at the Commission meeting.

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

Staff has issued 4 new certifications and 7 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.

8. Wastewater Operator Certifications

Staff has issued 7 new and 17 renewed wastewater operator certifications since the last report. This list will be available at the Commission meeting.

9. Emergency Clean-Up Expenses

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

10. Administrative Orders

Staff has issued 11 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 2** at the end of this agenda.

11. Other Business

12. Confirmation of May 22, 2025, Commission Meeting

13. Adjournment

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 Environmental
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 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}
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.