

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

Thursday, September 25, 2014
9:00 A.M.
Room 104A
515 East Amite Street
Jackson, Mississippi 39201

AGENDA

1. **Call to Order - Chair**
2. **Approval of Minutes of July 24, 2014 Meeting**
3. **Water Pollution Control (Clean Water) Revolving Fund Loan Program, Adoption of FY-2014 Intended Use Plan Amendment 1**

The staff will recommend adoption by the Commission of the FY-2014 Intended Use Plan Amendment 1. This Intended Use Plan amendment includes changes 1) to correct the Priority List expiration date, 2) to add new projects to the Planning List for possible funding during FY-2014, 3) to incorporate the actual 2014 Title VI capitalization grant allotment, 4) to account for the unavailability of the FY-2014 capitalization grant and state match for obligation, due to the lack of adequate state match authorization during the 2014 Regular Legislative Session, and 5) to provide for the obligation of additional repayments (through September, 2016) to replace the currently unavailable FY-2014 capitalization grant and state match funds. Public comments on the draft Intended Use Plan amendment have been solicited through a public comment period and a public hearing.

4. **Briefing on Hydrofracking**

Staff will provide the Commission with an update on Hydrofracking.

5. **Asbestos Certifications**

We have issued 204 asbestos certifications since the last report. This list will be available at the Commission meeting.

6. **Lead Paint Certifications**

We have issued 89 lead paint certifications since the last report. This list will be available at the Commission meeting.

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

We have issued 8 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. **Emergency Clean-Up Expenses**

We have 8 emergency expenditures since the last report. See **Attachment 1** at the end of this agenda.

9. **Administrative Orders**

We have issued 24 administrative 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.

10. **Other Business**

11. **Confirmation of Meeting on Thursday, October 23, 2014**

12. **Adjournment**

EMERGENCY SERVICES CLEAN-UP

To: Complete Environmental & Remediation Co.
Amount: \$29,282.15 **Date of Response:** 05/06/14
For: Costs associated with providing supervision, labor, equipment and materials to provide disposal and transportation of HHW collected in Winston County due to the April tornados.

To: Complete Environmental & Remediation Co.
Amount: \$25,399.58 **Date of Response:** 05/06/14
For: Costs associated with providing supervision, labor, equipment and materials to provide disposal and transportation of HHW collected in Tupelo County due to the April tornados.

To: Complete Environmental & Remediation Co.
Amount: \$1,119.41 **Date of Response:** 05/01/14
For: Costs associated with providing supplies to assist in the clean-up of debris due to the April Tornado.

To: United States Environmental Services
Amount: \$3,388.25 **Date of Response:** 02/12/14
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Sunflower County.

To: United States Environmental Services
Amount: \$3,540.40 **Date of Response:** 05/03/14
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Jackson County.

To: United States Environmental Services
Amount: \$4,969.26 **Date of Response:** 05/13/14
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Copiah County.

To: United States Environmental Services
Amount: \$3,146.28 **Date of Response:** 05/07/14
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Yazoo County.

To: United States Environmental Services
Amount: \$8,300.68 **Date of Response:** 05/13/14
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Jefferson Davis County.

ADMINISTRATIVE ORDERS

	<u>Respondent</u>	<u>Order No.</u>	<u>Summary</u>
1	Pilot Travel Centers, LLC Moss Point, MS	Order No. 6427 14	This is a Scheduling Order issued by the Executive Director to determine a date for the evidentiary hearing requested before the Commission by Petitioner, Pilot Travel Centers, LLC, Moss Point, MS.
2	Pine Belt Regional Solid Waste Management Plan Petal, MS	Order No. 6428 14	This Order approves the proposed amendment to the Pine Belt Solid Waste Management Plan to expand the Randy-Danny, Inc. Rubbish Site.
3	Mechanical Management & Associates Yazoo City, MS	Order No. 6429 14 Respondent agrees to pay MDEQ \$2,500 no later than July 31, 2014.	Respondent commenced renovation activities without an inspection for the presence of asbestos materials and without renovation notification to MDEQ. Respondent was also in violation of asbestos removal regulation procedures.
4	Jones Lumber Co., Inc. and Jones Chip Mill, Inc. and Columbia Chip, L. P. Sandy Hook, MS	Order No. 6430 14 Respondent agrees to pay \$4,000 to MDEQ within forty-five (45) days of this Agreed Order.	Jones Lumber Company, Inc. and Columbia Chip, L. P. failed to submit the required annual report in a timely manner. Jones Chip Mill, Inc. failed to submit the required annual report in a timely manner.
5	Union County Schools Myrtle, MS	Order No. 6431 14 Respondent agrees to comply with the requirements listed in Sections 2, 3 and 4 of this Agreed Order.	Respondent was in violation of NPDES Permit No. MS0032778.
6	Trey, LLC Florence, MS	Order No. 6432 14 Respondent agrees to pay MDEQ \$5,000 within forty-five (45) days of this Agreed Order.	Respondent failed to obtain coverage under Mississippi's Large Construction Storm Water General Permit before commencement of land disturbing activities.
7	Three Rivers Regional Solid Waste Management Plan Lee County, MS	Order No. 6433 14	This Order is an amendment to the Three Rivers Regional Solid Waste Management Plan (Re: Approval of the expansion of TMO Class I Rubbish Site in Lee County and approval of the North Mississippi Recycling Solutions Class I Rubbish Site in Lafayette County, Mississippi.
8	Franklin Lumber Company Brookhaven, MS	Order No. 6434 14 Respondent agrees to pay MDEQ \$2,200 in two equal installments. The first installment of \$1,100 is due on or before August 1, 2014. The second installment of \$1,100	Respondent failed to submit a semi-annual report of required recordkeeping. Respondent failed to submit semi-annual reports post-marked no later than thirty

		is due on or before September 1, 2014.	(30) days following the end of the semi-annual reporting periods ending June 30 and December 31. Respondent failed to timely submit four semi-annual reports. Respondent was in violation of Synthetic Minor Operating Permit No. 0820-00017.
9	Mississippi Rail Car Meridian, MS	Order No. 6435 14 Respondent agrees to pay MDEQ \$17,750 within forty-five (45) days of this Agreed Order. Respondent agrees to develop and implement a Stormwater Pollution Prevention Plan, and submit an application for Baseline Stormwater permit coverage within fourteen (14) days after this Agreed Order has been executed by the MDEQ Executive Director.	Respondent failed to submit a permit application for the required Baseline Stormwater permit for operation Respondent was in violation of discharging process wastewater containing high levels of BOD from the railcar cleaning along with stormwater on numerous occasions without the required discharge permit.
10	Kossen Properties, LLC Richland, MS And Empire Truck Sale of Louisiana, LLC Richland, MS	Order No. 6436 14	This Order confirms that it has been determined by MDEQ that the Respondents have satisfied the remediation requirements of Agreed Order #5683 09 in conjunction with Brownfield Agreement #5625 09.
11	Adoption of Amendments to Title 11	Order No. 6437 14	This Order confirms the adoption of the proposed amendments to Title 11 of the Mississippi Administrative Code, Part 8, Chapter 2, entitled "Regulations Governing Surface Coal Mining."
12	Aluminum Extrusions, Inc. Senatobia, MS	Order No. 6438 14 Respondent agrees to pay MDEQ \$24,640 within forty-five (45) days of this Agreed Order.	Violations are listed in Section 1 of this Agreed Order.
13	City of Crystal Springs Crystal Springs, MS	Order No. 6439 14 Respondent agrees to pay MDEQ \$25,000. Respondent shall pay \$5,000 within forty-five (45) days of this Agreed Order Complainant shall hold \$20,000 in abeyance pending Respondent's compliance with the requirements	Respondent was in violation of NPDES Permit N9o. MS0041974

		<p>set forth in Paragraph 2.C of this Agreed Order.</p> <p>On or before March 31, 2015, respondent agrees to submit a written status report updating the progress on work performed in order to reduce inflow and infiltration problems.</p> <p>On or before March 14, 2016, Respondent shall complete the necessary actions to minimize sanitary sewer overflow occurring at the wastewater treatment plant.</p>	
14	Thomas Wood Preserving, Inc. Grenada, MS	<p>Order No. 6440 14</p> <p>Respondent agrees to pay MDEQ \$15,500 in three monthly installments. \$5,500 shall be due on September 1, 2014. \$5,000 shall be due on October 1, 2014 and \$5,000 shall be due on November 1, 2014.</p>	Respondent was in violation of GP-Wood Treating Permit No. MSR220016.
15	Town of Tutwiler Tutwiler, MS	<p>Order No. 6441 14</p> <p>Respondent agrees to comply with the requirements listed in Section 2 of this Agreed Order which includes a penalty due and payable to MDEQ in the amount of \$12,500 within forty-five (45) days of this Agreed Order.</p>	Respondent was in violation of NPDES Permit No. MS0025054.
16	Yazoo County Solid Waste Management Plan Yazoo, MS	Order No. 6442 14	This Order approves a proposed amendment to the Yazoo County Solid Waste Management Plan to include the addition of eleven new land application sites in Yazoo County to be operated by Terra Renewal West, LLC, for the land spreading of municipal bio solids for soil amendment purposes.
17	City of Nettleton Nettleton, MS	<p>Order No. 6443 14</p> <p>Respondent agrees to pay MDEQ \$4,000. Respondent agrees to pay MDEQ \$2,000 within forty-five (45) days of this Agreed Order. The remaining balance of \$2,000 shall be held in abeyance pending timely submittal of the 2014 calendar year annual report.</p>	Respondent failed to submit the calendar year 2013 annual report for its Class I Rubbish Site.
18	Mississippi 2014 Section 303(d) List of Impaired Water Bodies”	Order No. 6444 14	This Order confirms the acceptance of the staff’s recommendation by the Commission to adopt the State of Mississippi 2014 Section 303(d) List of Impaired Water Bodies.
19	Stonebridge Development Group, LLC Oxford, MS	<p>Order No. 6445 14</p> <p>Respondent agrees to pay MDEQ \$2,500 within forty-five (45) days of this Agreed Order.</p>	Respondent failed to maintain erosion and sediment controls in a timely manner.

20	Superior Fish Products, Inc. Macon, MS	Order No. 6446 14 Respondent agrees to pay MDEQ \$12,500 within forty-five (45) days of this Agreed Order.	Respondent found that the facility's disinfection system was not operating properly causing exceedances in fecal coliform, oil and grease.
21	Forrest County Solid Waste Management Plan Hattiesburg, MS	Order No. 6447 14	This Order approves the County's amendment to include the 98 Waste Class I Rubbish Site.
22	Hammett Gravel Company, Inc. Yazoo, MS	Order No. 6448 14 Respondent agrees to install boundary markers to mark the total coverage/permitted area within thirty (30) days of this Agreed Order. Respondent agrees to pay \$8,100 within forty-five (45) days of this Agreed Order.	Violations are listed in Section 2 of this Agreed Order. Corrective actions by Respondent are listed in Section 3 of this Agreed Order.
23	Structural Steele Services, Inc. Meridian, MS	Order No. 6449 14 Respondent agrees to pay MDEQ \$8,800 within forty-five (45) days of this Agreed Order.	Respondent failed to label a fluorescent light bulb or lamp found in a waste drum. Four containers were found on the west side of the property. Three drums contained hazardous waste and were not dated. Four unlabeled drums were found outside of the facility on the west side of the property. Two drums contained waste paint and the other two drums contained waste solvents. The drums were not labeled "Hazardous Waste".
24	Mississippi Baptist Health System, Inc. Jackson, MS	Order No. 6450 14 Respondent agrees to comply with the terms and conditions of the State of Mississippi Air Pollution Control Title V Permit No. 1080-00069, which was issued September 1, 2009 and expires on August 31, 2014, until the Mississippi Environmental Quality Permit Board or its designee acts on the renewal application for Respondent's permit.	Respondent failed to submit a renewal application in a timely manner.