

# MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

Thursday, April 22, 2021  
9:00 A.M.  
Room 104A  
515 East Amite Street  
Jackson, Mississippi 39201

## Telephonic Meeting

### AGENDA

1. **Call to Order - Chair**
2. **Approval of the March 25, 2021 Telephonic Commission Meeting Minutes**
3. **FY 2022 Title V Fee Recommendation**

A virtual public hearing concerning the FY2022 Title V Permit Fee was held on March 18, 2021. No comments were received. Therefore, the staff recommends that the Commission set the fee at the proposed rate of \$46.00 per ton of regulated air pollutants, which is \$1 less than the previous year's fee.

4. **Establishment of the Lignite Mining Fees for Liberty Fuels Company, LLC for the Liberty Mine (MS-003, Renewal 1) in Kemper County for State Fiscal Years 2020 and 2021;**  
**Establishment of the Lignite Fees for the Mississippi Lignite Mining Company for the Red Hills Mine (MS-002, Renewal 3) in Choctaw County for State Fiscal Years 2020 and 2021;**  
**Establishment of the Lignite Fees for the Mississippi Lignite Mining Company for the Red Hills Mine Area 3 (MS-004) in Choctaw County for State Fiscal Years 2020 and 2021**

The staff will recommend that the Liberty Fuels Company, LLC Lignite Mining Fee for the 2020 and 2021 state fiscal years be set at \$125,000 each year, which is the same as for state fiscal year 2019. The staff will recommend that the Mississippi Lignite Mining Company, Red Hills Mine Lignite Mining Fee for the 2020 and 2021 state fiscal years be set at \$125,000 each year, which is a decrease of \$50,000 from the fee for state fiscal year 2019. The staff will recommend a Lignite Mining Fee of \$50,000 for the Mississippi Lignite Mining Company, Red Hills Mine Area 3 in 2020 and 2021. This fee is necessary to cover the additional staff resources/costs associated with a new surface coal mining permit. These amounts will cover approximately 50% of the anticipated costs 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.

5. **Environmental Covenant for Pine Belt Wood Preserving Inc. (For Reporting Purposes only)**

The Executive Director of MDEQ approved an Environmental Covenant between the Commission, the Environmental Protection Agency (EPA), and Pine Belt Wood Preserving Inc. (Pine Belt) to implement land use restrictions on the company's former wood preserving property located on Highway 15, just south of Interstate 59 in Laurel, Jones County, Mississippi, pursuant to the Commission's delegation regulations (11 Miss. Admin. Code Pt. 1, R.1.1.Y.). Prior to the approval, the MDEQ Hazardous Waste program staff evaluated the terms of the Environmental Covenant and believes that, with the conditions and restrictions contained within; the site will remain secure and will continue to be in compliance with applicable State laws and standards and will be protective of the public health and the environment. Pine Belt had previously conducted wood preserving activities at the site utilizing both pentachlorophenol and chromated copper arsenate at the site. MDEQ's Hazardous Waste Program has regulated the site remediation and long-term care for the closed surface impoundment through a RCRA post-closure permit. This environmental covenant has been placed on the property to ensure the long-term integrity of the closed, surface impoundment and imparts requirements on the existing and future landowners to ensure the site is secure. With the placement of this environmental covenant, Pine Belt has complied with all terms and conditions of the RCRA Post-Closure Permit, and MDEQ has begun the process to terminate the MDEQ RCRA Permit. Pine Belt continues to be subject to the RCRA Corrective Action Permitting Program that is managed by EPA in Mississippi and is a party to the EPA RCRA Corrective Action permit issued on December 4, 2020. This agenda item is for reporting purposes only.

**6. Asbestos Certifications**

We have issued 273 asbestos certifications since the last report. This list will be available at the Commission meeting.

**7. Lead Paint Certifications**

We have issued 100 lead paint certifications since the last report. This list will be available at the Commission meeting.

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

We have issued 4 certifications to those who install, alter, or remove underground storage tanks since the last report. This list will be available at the Commission meeting.

**9. Wastewater Operator Certifications**

We have issued 35 wastewater operator certifications since the last report. This list will be available at the Commission meeting.

**10. Emergency Clean-Up Expenses**

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

**11. Administrative Orders**

We have 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.

**12. Confirmation of the May 27, 2021 Commission Meeting**

**13. Adjournment**

*(Attachment 1)*  
4/22/2021

**Emergency Services Clean-Up**

**To:** E3 Environmental  
**Amount:** \$3,395.80 **Date of Response:** 11/18/2020  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and help clean up abandoned drums in Harrison County.

**ADMINISTRATIVE ORDERS**

	<b><u>Respondent</u></b>	<b><u>Order No.</u></b>	<b><u>Summary</u></b>
<b>1</b>	Gulfsouth Pipeline Company, LLC Rankin Co., MS	Order No. 7097 21 Respondent agrees to pay MDEQ a penalty in the amount of \$55,125.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of Title V Permit No. 2380-00096.
<b>2</b>	Boykin Coleman Dirt, Noxubee Co., MS	Order No. 7098 21 Respondent agrees to pay MDEQ a penalty in the amount of \$3,750.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of MS. Code Ann. § 49-17-29(2b) regarding waters of the state.
<b>3</b>	Lamed Associates, LLC c/o Kevin Revich With regards to the Richardson Molding Site Neshoba Co., MS	Order No. 7099 21	Lamed Associates of Newark, New Jersey has purchased the former Richardson Molding Site in Neshoba Co., MS, from ORG Holdings, LLC. In 2019, ORG Holdings, LLC entered into Agreed Order No. 6961-19 with the MCEQ and placed an Environmental Covenant on the property. In accordance with Agreed Order No. 6961-19, Lamed Associates has entered into Agreed Order No. 7099-21 and acknowledges the restrictions on the use of the Former Richardson Molding site. These restrictions include the annual reporting requirements and other restrictions that are included in Agreed Order No. 7099- 21 and the Environmental Covenant that was executed on this property in 2019.
<b>4</b>	Ronald Clark Noxubee Co., MS	Order No. 7100 21 Respondent agrees to pay MDEQ a penalty in the amount of \$6,000.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of MS. Code Ann. § 49-17-29(2b) regarding waters of the state.
<b>5</b>	Sayle Oil Company Desoto Co., MS	Order No. 7101 21	Sayle Oil Company desires to submit and MDEQ accepts the Site for participation in the Mississippi Brownfield Program.
<b>6</b>	3-D Construction MS, Inc. Rankin Co., MS	Order No. 7102 21 Respondent agrees to pay MDEQ a penalty in the amount of \$9,325.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of Mining Storm Water Permit No. MSR322559.
<b>7</b>	Murphy Oil USA, Inc. El Dorado, AR	Order No. 7103 21 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/operates several UST's in Mississippi. Facilities are listed in Section I and violations are listed in Section 2 of this Agreed Order.
<b>8</b>	Premier Plastics, Inc. Pontotoc Co., MS	Order No. 7104 21 Respondent agrees to pay MDEQ a penalty in the amount of \$5,170.00 within sixty (60) days of this Agreed Order.	Respondent was in violation of Title V Permit No. 2300-00024.

<b>9</b>	Pine Bluff Investments, LLC Lafayette Co., MS	Order No. 7105 21 Respondent agrees to pay MDEQ a penalty in the amount of \$22,250.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of Mississippi's Large Construction Storm Water General Permit No. MSR107474.
<b>10</b>	Gene Stock Construction Harrison Co., MS	Order No. 7106 21 Respondent agrees to pay MDEQ a penalty in the amount of \$7,350.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of MS. Code Ann. § 49-17-29(2b) regarding waters of the state.
<b>11</b>	Bryant Parrish Holmes Co., MS	Order No. 7107 21 Respondent agrees to comply with special terms and conditions of permit/certificate listed in Section I-A & B of this Agreed Order.	Respondent failed to comply with special terms and conditions of Groundwater Withdrawal Permits/Certificates of Coverage MS-GW-50240, MS-GW-50241, and MS-GW-50242.