

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

**Thursday, July 24, 2014
9:00 A.M.
Room 104A
515 East Amite Street
Jackson, Mississippi 39201**

AGENDA

- 1. Call to Order - Chair**
- 2. Election of Officers for Fiscal Year 2015 (July 2014-June 2015)**
- 3. Approval of Minutes of May 22, 2014 Meeting**
- 4. Commission Approval of Brownfield Completion**

On December 17, 2009, the Commission reached a Brownfield Agreement (#5683-09) with Kossen Properties, LLC for the remediation of the former Pilot Travel Center Site in Richland, Mississippi. On April 16, 2014, and in accordance with Rule 2.1.7.B of Part 3, Chapter 2: Final Regulations Governing Brownfield Voluntary Cleanup and Redevelopment in Mississippi, Kossen Properties, LLC sent a petition to the Commission to make a determination as to the completion of Brownfield Agreement and as to the issuance of a “no further action” letter by the Executive Director. The staff of the MDEQ has reviewed the petition, has conducted the required inspection of the Brownfield Agreement Site, and hereby recommends that the Commission issue an order in accordance with the Brownfield Regulations concluding that Kossen Properties, LLC has completed Brownfield Agreement #5683-09.

- 5. 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:

Covington Civil & Environmental, LLC
2510 14th Street, Suite 1010
Gulfport, MS 39501

- 6. Briefing on the 2014 Mississippi Section 303(d) List of Impaired Water Bodies**

The staff will brief the Commission on the 2014 Mississippi Section 303(d) List of Impaired Water Bodies. Staff briefed the Commission at the March meeting on the public notice and hearing scheduled for April 10, 2014. Public comments were received and the responsiveness summary was prepared. EPA issued no further comment on the draft list. Staff will provide the Commission with the hearing transcript, the draft list for public review, public notice and proof of publication, MDEQ CALM document including the water quality standards, and comments from MWF&P. Additionally, the Commission will be provided with the responsiveness summary and the final 303(d) list. Staff requests the Commission adopt the 2014 list and propose the list to EPA Region 4 for their final approval with an accompanying Order.

- 7. Briefing on Coal Mining Regulations Changes**

The Office of Geology Coal Mining Division will present federally required changes to the Regulations Governing Surface Coal Mining in Mississippi, 11 Miss. Admin. Code Pt. 8, Ch. 2, Subch.2.1 through 2.5.

- 8. Briefing on the EnHance Program**

Staff will brief the Commission on the enHance Program.

- 9. Briefing on the Voluntary Metering Program**

Staff will update the Commission on the Voluntary Metering Program.

10. Asbestos Certifications

We have issued 214 asbestos certifications since the last report. This list will be available at the Commission meeting.

11. Lead Paint Certifications

We have issued 99 lead paint certifications since the last report. This list will be available at the Commission meeting.

12. Underground Storage Tanks (UST) Certifications

We have issued 3 certifications to those who install, alter, or remove underground storage tanks since the last report. This list will be available at the Commission meeting.

13. Wastewater Operator Certifications

We have issued 51 wastewater operator certifications since the last report. This list will be available at the Commission meeting.

14. Emergency Clean-Up Expenses

We have 11 emergency expenditures since the last report. See **Attachment 1** at the end of this agenda.

15. Administrative Orders

We have issued 23 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.

16. Other Business

17. Confirmation of Meeting on Thursday, August 28, 2014

18. Adjournment

EMERGENCY SERVICES CLEAN-UP

To: Complete Environmental Services
Amount: \$1,119.41 **Date of Response:** 03/10/14
For: Costs associated with providing supervision, labor, equipment and materials to respond to and put lime on a sewage spill in Hancock County.

To: United States Environmental Services
Amount: \$41,543.38 **Date of Response:** 03/30/14
For: Costs associated with providing supervision, labor, equipment and materials to respond to and pick up an abandoned drum in Hancock County.

To: United States Environmental Services
Amount: \$2,249.36 **Date of Response:** 04/14/14
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a motor oil/diesel spill in Copiah County.

To: United States Environmental Services
Amount: \$3,274.81 **Date of Response:** 01/09/14
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up an unknown powder substance in Forrest County.

To: United States Environmental Services
Amount: \$2,866.89 **Date of Response:** 03/14/14
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Warren County.

To: United States Environmental Services
Amount: \$4,791.16 **Date of Response:** 03/03/14
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a hydraulic spill in Madison County.

To: United States Environmental Services
Amount: \$33,302.98 **Date of Response:** 07/05/13
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill from a overflowing AST in Carroll County.

To: United States Environmental Services
Amount: \$3,063.03 **Date of Response:** 01//03/14
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill from an 18 wheeler accident in Pontotoc County.

To: United States Environmental Services
Amount: \$681.36 **Date of Response:** 02/07/14
For: Costs associated with providing supervision, labor, equipment and materials to respond to and access a diesel spill in Tunica County.

To: United States Environmental Services
Amount: \$8,313.75 **Date of Response:** 03/20/14
For: Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Hinds County.

To: W.T. Drilling Company
Amount: \$709.50 **Date of Response:** 04/10/14
For: Costs associated with providing supervision, labor, equipment and materials to respond to and supervise the cleaning of an oil based drilling mud spill in Wilkinson County.

ADMINISTRATIVE ORDERS

	<u>Respondent</u>	<u>Order No.</u>	<u>Summary</u>
1	Former Sims Grocery (The Store) Laurel, MS	Order No. 6405 14	This facility has Two (2) closed USTs. The prospective purchasers of the property agree to pay \$10,000 in reimbursement costs associated with the ongoing remediation and further agree to permanently close the USTs.
2	Lamar County Board of Supervisors Lamar County, MS	Order No. 6406 14	This order specifically approves the amendment to include a new solid waste processing facility.
3	Jones Lumber Company, Inc. Sandy Hook, MS	Order No. 6407 14 Respondent agrees to operate under the conditions of the existing Air – Synthetic Minor Operating Permit until such time as the Mississippi Environmental Quality Permit Board, or its Designee, acts on the renewal application.	Respondent failed to submit an application for renewal of the Air – Synthetic Minor Operating Permit at least 180 prior to the expiration date of the previous permit.
4	Swisher Hygiene International Gulfport, MS	Order No. 6408 14 Respondent agrees to comply with the terms and conditions of State of Mississippi Water Pollution Control Permit Number MSP091520.	Violations are listed in Section 1, A – C of this Agreed Order.
5	PSL North America, LLC Bay St. Louis, MS	Order No. 6409 14 Respondent agrees to pay MDEQ \$7,000 within Forty-Five (45) days of this Agreed Order.	Respondent was in violation of Synthetic Minor Operating Permit No.1000-00052 and Baseline Stormwater Permit No. MSR002129.
6	Delta Rain, Inc. Tate County, MS	Order No. 6410 14 Respondent agrees to pay MDEQ \$500 within Forty-Five (45) days of this Agreed Order.	Respondent failed to perform the monitoring and reporting of the effluent parameters during 2012, as required by the permit.
7	Delta Rain, Inc. Lafayette County, MS	Order No. 6411 14 Respondent agrees to pay MDEQ \$500 within Forty-Five (45) days of this Agreed Order.	Respondent failed to perform the monitoring and reporting of the effluent parameters during 2012, as required by the permit.
8	Town of Como Como, MS	Order No. 6412 14 Respondent agrees to comply with the requirements listed in Section 2, A – E of this Agreed Order which includes a penalty in the amount of \$1,750 due and payable to MDEQ within Forty-Five (45) days of this Agreed Order.	Respondent was in violation of NPDES Permit No. MS0030104.

9	Severstal Columbus, LLC Columbus, MS	Order No. 6413 14 Respondent has agreed to comply with the requirements listed in Section 4 of this Agreed Order which includes a penalty due and payable to MDEQ in the amount of \$135,000 within Forty-Five (45) days of this Agreed Order.	Respondent was in violation of Title V Operating Permit No. 1680-00064.
10	Barry Jackson, and Lakeland Terrace LLC, and Madison/Lakeland Diversified Investment Properties, LLC	Order No. 6414 14 Respondent agrees to comply with the requirements listed in Section 3 of this Agreed Order which includes a penalty due and payable to MDEQ in the amount of \$12,500 within Forty-Five (45) days.	Respondent was in violation of operating a surface mine without the required storm water and surface mining permits.
11	GPCH-GP, Inc. d/b/a Garden Park Medical Center Gulfport, MS	Order No. 6415 14 Respondent agrees to pay MDEQ \$87,180 within Forty-Five (45) days of this Agreed Order.	Violations are listed in Section 1 of this Agreed Order.
12	Title V State Air Permit Fee	Order No. 6416 14	This Order authorizes the Commission to set annually the federally mandated Title V air permit fee in an amount sufficient to cover the reasonable costs of the development and administration of the Mississippi Title V air operating permit program.
13	Adoption of Water Pollution Control Revolving Loan Fund Program Final FY 2014 Intended Use Plan	Order No. 6417 14	This Intended Use Plan will supersede and replace the previous Intended Use Plan.
14	Adoption of Amendments to Hazardous Waste Management Regulations	Order No. 6418 14	This Order states the amendments of the Hazardous Waste Management Regulations adopted by the Commission.
15	Pennzoil – Quaker State Company d/b/a SOPUS Products Houston, TX And CAM2 International, LLC Vicksburg, MS	Order No. 6419 14 Respondent agrees to comply with the requirements listed in Section 3 of this Agreed Order.	This Order approves the transfer of financial, managerial and technical obligations to CAM2 International, LLC.
16	The District Land Development Company, LLC Jackson, MS	Order No. 6420 14	This Order is confirmation that the Respondent has completed Brownfield Agreement Order #6340 13 and no further action is required.
17	Uniek, Inc. Greenwood, MS	Order No. 6421 14	This Order is confirmation that Respondent has completed Brownfield Agreement Order #4670 03 and no further action is required.

18	Surface Coal Mining Fee Mississippi Lignite Company Choctaw County, MS	Order No. 6422 14	This Order authorizes the Commission to set a permit fee to be charged for the review of the surface coal mining permit application and for the administration and enforcement of an issued surface coal mining permit.
19	Surface Coal Mining Fee Liberty Fuels Company, LLC Kemper County, MS	Order No. 6423 14	This Order authorizes the Commission to set a permit fee to be charged for the review of the surface coal mining permit application and for the administration and enforcement of an issued surface coal mining permit.
20	Gulfport Tire & Auto Care, LLC Gulfport, MS	Order No. 6424 14 Respondent agrees to the remediation requirements and/or continuing obligations to be conducted for this Brownfield Agreement Site.	Pursuant to the Mississippi Brownfield Voluntary Cleanup and Redevelopment Act, the Respondent and the MCEQ agree that the Site is in need of remediation in order for the Site to be in compliance with all applicable State and Federal laws and standards.
21	Mississippi Baptist Health Systems, Inc. Jackson, MS	Order No. 6425 14 Respondent agrees to the terms and conditions of participation in the Voluntary Evaluation Program.	The Respondent agrees to submit and MDEQ agrees to accept this Site for participation in the VEP Program.
22	H E Mosley, Inc. Marion, MS	Order No. 6426 14 Respondent agrees to pay MDEQ \$4,000. Respondent agrees to pay \$2,000 within Forty-Five (45) days of this Agreed Order and the remaining \$2,000 within Ninety (90) days of this Agreed Order.	Respondent failed to timely submit the calendar year 2013 annual report for its Class I rubbish site.
23	US Technology Corporation Yazoo City, MS	<u>Third Agreed Order Amendment</u> Respondent agrees to comply with the requirements listed in Section 5 of this Third Agreed Order Amendment which includes a penalty in the amount of \$45,000. Respondent agrees to pay \$22,500 within Forty-Five (45) days of this Third Agreed Order Amendment and the remaining \$22,500 within Ninety (90) days of this Third Agreed Order Amendment	Respondent shipped via truck approximately 9,075,722 pounds of waste from the Site to Missouri Green Materials without obtaining the required approval from MDEQ.