

# MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

## Telephonic Meeting

Thursday, September 24, 2020

9:00 A.M.

Room 104A

515 East Amite Street

Jackson, Mississippi 39201

### AGENDA

1. **Call to Order - Chair**
2. **Approval of the August 27, 2020 Telephonic Commission Meeting Minutes**
3. **Commission Approval of Brownfield Agreement**

The staff recommends that the Commission approve the Brownfield Agreement between the Commission and Jack's Family Restaurant, LP regarding the remediation of brownfield property located at 112 Cagle Street in Louisville, Mississippi. The administrative record for this environmental response project is referred to as the Team Motors site. The proposed Brownfield Agreement Site previously operated as an automotive body shop, petroleum distribution facility, and most recently as commercial retail property. Site assessments have identified asbestos containing materials, solid wastes, and chlorinated solvents and petroleum hydrocarbons in the subsurface. Therefore, remediation of the proposed Brownfield Agreement Site is necessary. The proposed use of the Site after completion of all remediation will be commercial as a Jack's Family Restaurant. The staff of the MDEQ 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. **Environmental Covenant for Transmontaigne Operating Company, LP**

Pursuant to the Commission's delegation regulations (11 Miss. Admin. Code Pt. 1, R.1.1.Y.), the Executive Director of MDEQ approved the Restrictive Use Agreed Order and Environmental Covenants between the Commission and TransMontaigne Operating Company, LP regarding the remediation of property located at 310 Walthall Street, Greenville, Washington County, Mississippi. TransMontaigne Operating Company, LP operated the site as the TransMontaigne Operating Company, LP Walthall Street Terminal, a bulk petroleum distribution facility. Environmental Site Assessments have revealed a release of petroleum impacting soils and groundwater at concentrations in excess of Target Remediation Goals (TRGs). Therefore, remediation of the site is necessary. The staff of the MDEQ has evaluated the proposed Restrictive Use Agreed Order and Environmental Covenant and believes that, with the conditions and restrictions contained within; the site will be in compliance with applicable State laws and standards and will be protective of the public health and the environment. This agenda item is for reporting purposes only.

5. **Commission Approval of Brownfield Agreement Termination**

The Commission approved Brownfield Agreement 6761-17 in June 2017 between the Commission and WALM Properties, LLP for the remediation of the former Big Yank property located in West Point, Mississippi. The original brownfield agreement required the remediation of various chlorinated solvents and other Volatile Organic Compounds in the soil and groundwater. The completed remedial activities have met the requirements of the MDEQ-approved Corrective Action Plan dated March 2017. WALM Properties, LLP has requested the Commission to make a determination as to the completion of the Brownfield Agreement. The staff recommends the completion of the Brownfield Agreement. The staff of the MDEQ has evaluated the Brownfield Agreement completion and believes that the Site is in compliance with applicable State and Federal laws and standards and will be protective of the public health and the environment.

6. **Asbestos Certifications**

We have issued 134 asbestos certifications since the last report. This list will be available at the Commission meeting.

7. **Lead Paint Certifications**

We have issued 47 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 2 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. Emergency Clean-Up Expenses**

We have 2 emergency expenditures since the last report. See **Attachment 1** at the end of this agenda.

**10. Administrative Orders**

We have issued 8 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.

**11. Other Business**

**12. Confirmation of the October 22, 2020 Commission meeting**

**13. Adjournment**

**Emergency Services Clean-Up**

**To:** Enhanced Environmental Services  
**Amount:** \$682.00 **Date of Response:** 07/29/2020  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and pick up a mercury container for disposal in Harrison County.

**To:** Enhanced Environmental Services  
**Amount:** \$1,524.30 **Date of Response:** 07/08/2020  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a diesel spill in Covich County.

ADMINISTRATIVE ORDERS

	<u>Respondent</u>	<u>Order No.</u>	<u>Summary</u>
1	Calvert Company Rankin Co., MS	Order No. 7061 20 Respondent agrees to pay MDEQ a penalty in the amount of \$7,500.00 within forty-five (45) days of this Agreed Order.	Respondent was cited for violations of the Mississippi Hazardous Waste Management Regulations, 11 Miss Admin Code Part 3, Chapter 1, Rule 1.3. Violations are listed under Section #1 of this Agreed Order.
2	Heartland Catfish Company, Inc., Leflore Co., MS	Order No. 7062 20 Respondent agrees to pay MDEQ a penalty in the amount of \$22,500.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of NPDES Permit Number MS0051098. Violations are listed under Section #1 of this Agreed Order.
3	Midsouth Green LLC Lafayette Co., MS	Order No. 7063 20 Respondent agrees to pay MDEQ a penalty in the amount of \$2,800.00 within forty-five (45) days of this Agreed Order.	Respondent failed to obtain coverage under the Mining Storm Water General Permit.
4	Castle Starkville, LLC Oktibbeha Co., MS	Order No. 7064 20	Respondent and the MCEQ agree, through this Brownfield Agreement, that the contaminated Site will be in compliance with all applicable State and Federal laws and standards, once complete.
5	Greenway Environmental Services, LLC and Riverbend Environmental Services, LLC  Jefferson County (Landfill) and Warren County (Transfer Station)	Order No. 7065 20	An agreement between MDEQ, Greenway and Riverbend which allows Greenway to assume the operations of Riverbend's landfill and transfer station (upon approval by the U.S. Bankruptcy Court of the sale motion from Riverbend to Greenway which covers the landfill and transfer station and occurred on September 4, 2020). In the agreed order, Greenway agrees to initiate actions to bring the landfill into compliance, to complete the construction of a new disposal cell and to apply for transfer/renewal of environmental permits. Upon receipt of a completed transfer application, MDEQ agrees to promptly review and process the request for a transfer of the solid waste management permit, to hold a public hearing within 60 days and to present to the Permit Board for consideration within 90 days of the September 4 <sup>th</sup> effective date.
6	Holcium US, Inc. Lowndes Co., MS	Order No. 7066 20 Respondent agrees to pay MDEQ a penalty in the amount of \$2,500.00 within forty-five (45) days of this Agreed Order.	Respondent was in violation of MS Code Section 49-17-29(2)(b) regarding waters of the state.

7	Transmontaigne Operating Company, LP Washington Co., MS	Order No. 7067 20	Respondent has interest in a tract of land located in Greenville, MS. The site is contaminated with free-product petroleum, and dissolved phase benzene, toluene, ethylbenzene, xylenes, MTBE, Total Petroleum Hydrocarbons – Gasoline Range Organic, and Total Petroleum Hydrocarbons – Diesel Range Organics at levels in excess of the Target Remediation Goals (TRGs), and, therefore, remediation of the Site is necessary.
8	Adoption of the Water Pollution Control Revolving Loan Fund Program Final FY 2020 Intended Use Plan	Order. No. 7068 20	This order confirms the Adoption of the Water Pollution Control Revolving Loan Fund Program Final FY 2020 Intended Use Program, which will supersede and replace the previous, and now expired, Final FY 2019 Intended Use Plan, codified at 11 Miss. Admin. Code Part 6, Chapter 8.