

# MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

**Thursday, September 26, 2024  
9:00 A.M.  
Room 104A  
515 East Amite Street  
Jackson, Mississippi 39201**

## AGENDA

- 1. Call to Order - Chair**
- 2. Approval of the June 27, 2024, Commission Meeting Minutes**
- 3. Water Pollution Control Revolving Loan Fund (WPCRLF) Program, Adoption of FY-2024 Intended Use Plan**

The staff will recommend adoption by the Commission of the FY-2024 Intended Use Plan. This document identifies the loan funds available to our communities for the construction of wastewater infrastructure, the communities to receive these loan funds, the loan interest rate, program deadlines, and other related information. Public comments on the draft Intended Use Plan have been solicited through a public comment period and a public hearing.

- 4. Briefing to the Commission on New Statutory Language - Senate Bill 2649 – Approval of Template Contractual Language**

Staff will brief the Commission on the new statutory language signed into law as per Senate Bill 2649 (2024 Regular Session), amending Section 49-2-13 of the Mississippi Code Annotated. The Commission will be asked to approve a template contract, previously forwarded to them in the pre-meeting packet, as the approved mechanism to fulfill the legislative mandate of Senate Bill 2649, and to grant the Executive Director approval to enter into such contracts with permit applicant(s) on the Commission's behalf. The Commission will also be asked to grant the Executive Director approval to contract with qualified persons or entities to provide MDEQ assistance in reviewing/processing permit applications and/or certifications also directed by Senate Bill 2649 and authorized by law.

- 5. Mississippi Commission on Environmental Quality v. Ted Doukas, 2 Lisa Court Corp., et al. - Hearing Officer**

At its meeting on January 25, 2024, the Commission rescinded the appointment of Kristen Love and appointed Ellen O'Neal to sit as hearing officer in an enforcement matter against parties in which MDEQ will seek injunctive relief and assessment of penalties related to contamination at the former Midcontinent terminal site in Meridian, MS. Counsel for Ted Doukas and his related corporations filed a Notice of Appeal of the Commission's decision to replace the hearing officer. MDEQ filed a Motion to Dismiss the Notice of Appeal and uphold the decision to appoint Ellen O'Neal as hearing officer in this matter. Counsel for Ted Doukas and his related corporations will argue the Notice of Appeal, and counsel for MDEQ will argue the Motion to Dismiss.

- 6. Asbestos Certifications**

Staff has issued 346 asbestos certifications since the last report. This list will be available at the Commission meeting.

- 7. Lead Paint Certifications**

Staff has issued 130 lead paint certifications since the last report. This list will be available at the Commission meeting.

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

Staff has issued 1 new certification and 34 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.

**9. Wastewater Operator Certifications**

Staff has issued 24 new and 29 renewed wastewater operator certifications since the last report. This list will be available at the Commission meeting.

**10. Emergency Clean-Up Expenses**

Staff has 5 emergency expenditures since the last report. See **Attachment 1** at the end of this agenda.

**11. Administrative Orders**

Staff has issued 25 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. Other Business**

**13. Confirmation of the October 24, 2024, Commission Meeting**

**14. Adjournment**

**EMERGENCY CLEAN-UP EXPENSES**

**To:** E3 Environmental  
**Amount:** \$2,193.81 **Date of Response:** 06/26/2024  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and help pick up a phosphorus flare used by the military that washed up on the shore in Hancock County. It was containerized by the bomb squad.

**To:** E3 Environmental  
**Amount:** \$8,326.93 **Date of Response:** 06/09/2024  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a bone/meat meal spill in Hinds County.

**To:** E3 Environmental  
**Amount:** \$1,805.95 **Date of Response:** 05/28/2024  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a petroleum, oil & lubricant spill from a dump truck incident in Harrison County.

**To:** E3 Environmental  
**Amount:** \$3,929.07 **Date of Response:** 04/02/2024  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and clean up a petroleum, oil & lubricant spill in Harrison County.

**To:** E3 Environmental  
**Amount:** \$2,606.64 **Date of Response:** 04/23/24  
**For:** Costs associated with providing supervision, labor, equipment and materials to respond to and clean up orphan containers in Jackson County.

ADMINISTRATIVE ORDERS

	<b><u>Respondent</u></b>	<b><u>Order No.</u></b>	<b><u>Summary</u></b>
<b>1</b>	Batesville Manufacturing, LLC Warren Co., MS	<b>Order No. 7331 24</b> Respondent agreed to pay MDEQ a penalty in the amount of \$25,000.00.	Respondent was in violation of Condition 3.B.4 of Title V Operating Permit No. 2780-00084 for exceeding the allowable Particulate Matter (PM) emission rate of 0.30 grains per standard cubic foot during a stack test of Emission Point AA-005 on October 11, 2023.
<b>2</b>	Approval of the City of Ridgeland, MS Solid Waste Management Plan	<b>Order No. 7332 24</b>	This order approves the comprehensive City of Ridgeland Solid Waste Management Plan as proposed by the City of Ridgeland. The plan describes the provisions and services for managing solid wastes in the City for the 20-year planning period as required by State Law.
<b>3</b>	StarStone Specialty Insurance Company	<b>Order No. 7333 24</b>	StarStone agrees to reimburse the MDEQ Pollution Emergency Fund in the amount of \$272,281.66 within 30 days after entry of the Agreed Order (June 26, 2024) for remediation, clean-up and response costs for MDEQ's contractor related to Black Jack Oil Company, Inc.'s oil release into a tributary of the Homochitto River in Wilkinson County which occurred on or around December 14, 2023. StarStone provided insurance to Black Jack.
<b>4</b>	Munif Salman	<b>Order No. 7334 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$2,500 within thirty (30) days of this Agreed Order.	Respondent owns/operates USTs at 860 Hentz Road Pope, MS 38658. Respondent failed to provide adequate release detection method/records for a UST system {280.40 - 280.45}. Respondent failed to meet UST system overfill prevention requirements {280.20 (d)}, spill prevention requirements {280.20 (c)}, and automatic line leak detector requirements {280.44 (a)}.
<b>5</b>	Clinton POTW Hinds Co., MS	<b>Order No. 7335 24</b> 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 in violation of the discharge limitations required by NPDES Permit No. MS0023230 during the March 2022, November 2022, December 2022, and March 2023 through February 2024 monitoring periods and the discharge limitations required by NPDES Permit No. MS0021164 during the September 2022, January 2023 through June 2023, and September 2023 through March 2024 monitoring periods.

6	Gloster POTW Amite Co., MS	<b>Order No. 7336 24</b> Respondent agreed to complete upgrades to Gloster POTW and relocate its discharge from the facility directly to Beaver Creek by September 1, 2025. The upgrades are described in Section 2.A. of the Agreed Order.	Respondent sought to amend NPDES Permit No. MS0020818 to increase Gloster POTW's design flow rate from 190,000 gallons per day to 300,000 gallons per day and to relocate the discharge directly to Beaver Creek.
7	In the Matter of the Adoption of Amendments to Title 11 of the Mississippi Administrative Code, Part 2, Chapter 6, Entitled "Mississippi Commission on Environmental Quality, Air Emissions Operating Permit Regulations for the Purposes of Title V of the Federal Clean Air Act"	<b>Order No. 7337 24</b>	The initial decision of the Commission in this matter is to adopt the amendments 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.
8	Kewal Singh	<b>Order No. 7338 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$2,500 within thirty (30) days of this Agreed Order.	Respondent owns/operates several USTs in Mississippi. Facilities are listed in Section 1 and violations are listed in Section 2 of this Agreed Order.
9	Pomp and Bees Discount 24/7, Inc.	<b>Order No. 7339 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$2,500 within thirty (30) days of this Agreed Order.	Respondent owns/operates several USTs at 105 Highway 11 South, Poplarville, MS. Respondent failed to provide adequate release detection method/records for a UST system {280.40 - 280.45}. Respondent failed to meet UST system overfill prevention requirements {280.20 (d)}, spill prevention requirements {280.20 (c)}, and automatic line leak detector requirements {280.44 (a)}.
10	Confortaire Inc. Lee Co., MS	<b>Order No. 7340 24</b> Respondent agreed to comply with the terms and conditions of Synthetic Minor Operating Permit No. 1540-00071 that was issued on November 19, 2019, until the Permit Board acts on the renewal application received on June 25, 2024.	Respondent was in violation of Condition 1.C.6 of Synthetic Minor Operating Permit No. 1540-00071 for failing to submit a timely renewal application to the Mississippi Environmental Quality Permit Board.
11	Alhalmi & Fedhel, LLC. Union Co., MS	<b>Order No. 7341 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$1,500 within thirty (30) days of this Agreed Order.	Respondent owns/operates USTs at 806 South Central, New Albany, MS. Respondent failed to provide adequate release detection method/records for a UST system {280.40 - 280.45}. Respondent failed to meet UST system overfill prevention requirements {280.20 (d)}, spill prevention requirements {280.20 (c)}, and automatic line leak detector requirements {280.44 (a)}.
12	MTD Products Company Lee Co., MS	<b>Order No. 7342 24</b> Respondent agreed to pay MDEQ a penalty in the amount of \$28,470.00.	Respondent was in violation of Pretreatment Permit No. MSP090126 for failing to collect samples and monitor parameters at Outfall 002, for failing to timely submit Discharge Monitoring Reports, for exceeding Total Recoverable Zinc limitations at Outfall 002 during the March and April 2023

			monitoring periods, and for exceeding the Total Toxic Organics limitation at Outfall 002 during a MDEQ Compliance Monitoring Inspection.
<b>13</b>	Approval to Include the Proposed Lauderdale County Waste Transfer Station and Expansion Of The Waste Pro Meridian II Rubbish Site within the Lauderdale County Solid Waste Management Plan	<b>Order No. 7343 24</b>	This Order provides full approval of the inclusion of the proposed Lauderdale County Waste Transfer Station and expansion of the existing Waste Pro Meridian II Rubbish Site within the approved comprehensive Lauderdale County Solid Waste Management Plan.
<b>14</b>	Toyota Motor Manufacturing Mississippi, Inc. Union Co., MS	<b>Order No. 7344 24</b> Respondent agreed to pay MDEQ a penalty in the amount of \$90,000.00. Respondent will be allowed credit toward payment of the civil penalty in the amount of \$50,000.00, dependent upon Respondent submitting a contribution in this amount to the Mississippi Diesel School Bus Replacement Program.	Respondent was in violation of Condition 3.B.11 of Title V Operating Permit No. 2700-00045 for failing to meet the required 95% Destruction / Removal Efficiency of Volatile Organic Compounds (VOCs) during performance testing of Emission Points AA-132 and AA-134 on July 13-14, 2023.
<b>15</b>	Fueling Solutions, LLC. Steven B. Gilmore	<b>Order No. 7345 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$3,000 within forty-five (45) days of this Agreed Order.	Respondent is licensed UST certified contractor conducting business in the state of Mississippi. Respondent failed to use reasonable care or judgement in the performance of duties by not following UST permanent closure sampling requirements established by Complainant.
<b>16</b>	Tulane Enterprises LLC De Soto Co., MS	<b>Order No. 7346 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$2,000 within thirty (30) days of this Agreed Order.	Respondent owns/operates USTs at 6800 Tulane Road Horn Lake, MS. Respondent failed to provide adequate release detection method/records for a UST system {280.40 - 280.45}. Respondent failed to meet UST system overflow prevention requirements {280.20 (d)}, spill prevention requirements {280.20 (c)}, and automatic line leak detector requirements {280.44 (a)}.
<b>17</b>	Rienzi Investment Group LLC Alcorn Co., MS	<b>Order No. 7347 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$1,500 within forty-five (45) days of this Agreed Order.	Respondent owns/operates USTs at 477 CR 514 Rienzi, MS. Respondent failed to provide adequate release detection method/records for a UST system {280.40 - 280.45}. Respondent failed to remove water found during monthly interstitial monitoring for one dispenser containment sump.
<b>18</b>	Complete Oilfield Disposal, LLC Adams Co., MS	<b>Order No. 7348 24</b> Respondent agreed to pay MDEQ a penalty in the amount of \$4,200.00.	Respondent was in violation of Miss. Code Ann. § 49-17-29(2)(b) for failing to obtain coverage under the Large Construction Storm Water General NPDES Permit prior to commencement of construction activities.

19	Mississippi Silicon, LLC Tishomingo Co., MS	<b>Order No. 7349 24</b> Respondent agreed to pay MDEQ a penalty in the amount of \$500,000.00. Respondent will be allowed credit toward payment of the civil penalty in the amount of \$100,000.00, dependent upon Respondent submitting a contribution in this amount to the Mississippi Diesel School Bus Replacement Program.	Respondent was in violation of Air Construction Permit No. 2640-00060. The violations are outlined in Section 1 of the Agreed Order.
20	Hammett Gravel Company, Inc. Holmes Co., MS	<b>Order No. 7350 24</b> Respondent agreed to pay MDEQ a penalty in the amount of \$46,000.00. Additionally, Respondent agreed to submit and implement a modified Storm Water Pollution Prevention Plan.	Respondent was in violation of the Mining Storm Water, Dewatering, and No Discharge General Permit and Mississippi Code at its sand and gravel mine. The violations are outlined in Section 1 of the Agreed Order.
21	Mohamed Alqasas Monroe Co., MS	<b>Order No. 7351 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$500 within thirty (30) days of this Agreed Order.	Respondent owns/operates USTs at 1468 Cal Steens Road Caledonia, MS. Respondent failed to maintain / provide records for inspection by DEQ {280.35}
22	Town of North Carrollton Carroll Co., MS	<b>Order No. 7352 24</b> Respondent agreed to pay MDEQ a penalty in the amount of \$2,250.00.	Respondent was in violation of 11 Miss. Admin. Code Pt. 6, R. 1.1.1.B(2)(a) for operating without a valid NPDES Permit and Condition No. S-5 of NPDES Permit No. MS0024741 for failing to timely submit annual Discharge Monitoring Reports.
23	Bedi Investments LLC (Owner) A & G Investments LLC (Operator) Madison, Co., MS	<b>Order No. 7353 24</b> Respondent agrees to pay MDEQ a penalty in the amount of \$4,200.00.	Respondent owns/operates USTs at 554 West Peace Street Canton, MS. Respondent failed to provide adequate release detection method/records for a UST system {280.40 - 280.45}. Respondent failed to meet UST system overflow prevention requirements {280.20 (d)}, spill prevention requirements {280.20 (c)}, and automatic line leak detector requirements {280.44 (a)}.
24	Amite Bioenergy, LLC Amite Co., MS	<b>Order No. 7354 24</b> Respondent agreed to pay MDEQ a penalty in the amount of \$225,000.00. Respondent will be allowed credit toward payment of the civil penalty in the amount of \$75,000.00, should the Respondent complete construction of a dust suppression screen as described in Section 2 of the Agreed Order.	Respondent was in violation of Condition 3.5 of Permit to Construct Air Emissions Equipment No. 0080-00031 (the Permit) for exceeding the Rolling 12-Month Total Individual Hazardous Air Pollutant (Methanol) limit of 9.0 tons per year (tpy) from March 2022 to December 2023 and the Rolling 12-Month Total Hazardous Air Pollutant limit of 24.0 tpy from April 2022 to November 2022. Respondent also violated Conditions 5.8, 5.18, and 5.21 of the Permit. The violations are described in Section 1 of the Agreed Order.

<b>25</b>	Ibrahim Babukr (Owner) Mohammed Shazahan (Operator) Marshall Co., MS	Respondent agrees to pay MDEQ a penalty in the amount of \$1,750 within forty-five (45) days of this Agreed Order.	Respondent owns/operates USTs at 1161 Barringer Rd, Byhalia, MS. Respondent failed to maintain / provide records for inspection by DEQ {280.35} Respondent failed to provide adequate release detection method/records for a UST system {280.40 - 280.45}.: One or more of the electronic sump sensors are not properly positioned.
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