

# MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

Wednesday, December 13, 2023  
9:00 A.M.  
Room 104A  
515 East Amite Street  
Jackson, Mississippi 39201

## AGENDA

1. **Call to Order - Chair**
2. **Approval of the October 26, 2023, Commission Meeting Minutes**
3. **FY 2025 Title V Fee Recommendation - Approval to Proceed to Public Notice of Hearing**

A copy of the report containing the Title V Advisory Council's Title V fee recommendation for the upcoming fee year has been forwarded to the Commission. MDEQ staff is requesting approval to hold a public hearing to receive comments regarding the proposed fee and to proceed with public notice of the hearing. After the public hearing has been held, the public comment period has ended, and comments have been reviewed, staff will bring the fee recommendation back before the Commission for final action.

4. **Designation of Hearing Officer**

Miss. Code Ann. § 49-17-33 allows a hearing officer designated by the Commission to conduct an evidentiary hearing. MDEQ staff proposes and recommends the approval and designation of a Special Assistant Attorney General to be provided by the Office of the Attorney General as the hearing officer in the pending case of *MCEQ v. The City of Jackson* to handle pre-hearing evidentiary matters on behalf of the Commission and assist the Commission during the evidentiary hearing itself with rulings on evidentiary matters. The hearing officer will be identified on the date of the Commission meeting.

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

The Commission approved Brownfield Agreement 7250 23 in May 2023, between the Commission and Iconic Buildings, LLC for the remediation of the former Triplett Day Drug Building in Gulfport, Mississippi. The original brownfield agreement required the remediation of asbestos containing materials. The completed remedial activities have met the requirements of the MDEQ-approved Corrective Action Plan dated January 5, 2023. Iconic Buildings, LLC has requested the Commission to make a determination as to the completion of the Brownfield Agreement. The staff recommends the Commission make a determination that Iconic Buildings, LLC has completed the Brownfield Agreement. The staff of 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**

Staff has issued 111 asbestos certifications since the last report. This list will be available at the Commission meeting.

7. **Lead Paint Certifications**

Staff has issued 77 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 5 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 74 wastewater operator certifications since the last report. This list will be available at the Commission meeting.

**10. Administrative Orders**

Staff has issued 12 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 1** at the end of this agenda.

**11. Other Business**

**12. Confirmation of the January 25, 2024, Commission Meeting**

**13. Adjournment**

ADMINISTRATIVE ORDERS

	<b><u>Respondent</u></b>	<b><u>Order No.</u></b>	<b><u>Summary</u></b>
1	Arbor Sites, LLC Harrison Co., MS	<b>Order No. 7281 23</b> Voluntary Evaluation Program Agreed Order	This order accepts Arbor Sites, LLC as a Voluntary Evaluation Program applicant, provides a schedule for MDEQ review, and payment requirements for oversight of Arbor Sites, LLC's uncontrolled site in Gulfport, MS (Great Southern Golf Course)
2	SQM North America Corporation Hinds Co., MS	<b>Order No. 7282 23</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 Miss. Code Ann. § 49-17-29(2)(b) for failing to obtain coverage under the Industrial Storm Water General Permit for Industrial Activities.
3	Mr. Bill Borges Hinds Co., MS	<b>Order No. 7283 23</b>	This order is an Access agreement between property owner and MDEQ to allow contractors to clean-up waste tire dump as part of Waste Division's abatement program.
4	Melissa Clinton Linkinhoker and Nannie Sue Presley Clinton Hinds Co., MS	<b>Order No. 7284 23</b>	This order is an Access agreement between property owner and MDEQ to allow contractors to clean-up waste tire dump as part of Waste Division's abatement program
5	Matter of the Adoption of Amendments to Title 11 of the Mississippi Administrative Code, Part 3, Chapter 2, Entitled "Mississippi Commission on Environmental Quality, Final Regulations Governing Brownfield Voluntary Cleanup and Redevelopment in Mississippi"	<b>Order No. 7285 23</b>	This order memorializes the Commission's adoption of amendments providing for a Brownfield Revolving Loan Fund program to provide loans and/or subgrants to eligible applicants for the cleanup of brownfield sites. These amendments require an applicant to be a Commission approved Brownfield Party with an executed Brownfield Agreement prior to receiving a loan or subgrant.
6	Raytheon Company Scott Co., MS	<b>Order No. 7286 23</b> Voluntary Evaluation Program Agreed Order	This Order accepts Raytheon Company as a Voluntary Evaluation Program applicant, provides a schedule for MDEQ review, and payment requirements for oversight of Raytheon Company's uncontrolled site in Forest, MS (Forest-CMC)
7	M & M Processing, LLC Harrison Co., MS	<b>Order No. 7287 23</b> Respondent agrees to pay MDEQ a penalty in the amount of \$14,500.00 within forty-five (45) days of this Agreed Order. Additionally, respondent ceased processing operations at the facility in August 2023.	Respondent violated the effluent limitations in Pretreatment Permit No. MSP092445 from July 2021 to July 2023. Respondent also violated Condition Nos. S-1 and T-2 of the Pretreatment Permit for failing to timely submit Discharge Monitoring Reports.

8	The Chemours Company FC LLC Harrison Co., MS	<b>Order No. 7288 23</b> Respondent agrees to pay MDEQ a penalty in the amount of \$45,000.00 within forty-five (45) days of this Agreed Order.	Respondent violated Permit to Construct No. 1020-00115 issued on March 21, 2011, and modified on September 26, 2012, for the Export Capacity Project. Respondent exceeded the PM/PM <sub>10</sub> (filterable + condensable) limit of 1.30 pounds per hour (lbs./hr.) (3-hour average) during a stack test of Emission Point AB-301 on April 20, 2023.
9	Modification of Three Rivers Solid Waste Authority Solid Waste Management Plan	<b>Order No. 7289 23</b>	This order approves two modifications to the Three Rivers Solid Waste Authority Solid Waste Management Plan. The first modification recognizes a proposed expansion of the City of Tupelo Wondura Class II Rubbish Site. The expansion, if permitted by MDEQ, would allow the development of up to an additional 27.1 acres for a total class II rubbish disposal area of up to 37.1 acres. The second modification approves the addition of a proposed waste tire processing facility to be owned and operated by Prairie Recycling Corporation.
10	The Pinelands, LLC Rankin Co., MS	<b>Order No. 7290 23</b> Respondent agrees to pay MDEQ a penalty in the amount of \$21,000.00 within forty-five (45) days of this Agreed Order.	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.
11	Illinois Central Railroad Company	<b>Order No. 7291 23</b>	An agreed order with Illinois Central Railroad Company (IC) which requires the remaining actions necessary to address property in Minter City, Leflore County, which was contaminated with spilled dicyclopentadiene related to an IC train derailment.
12	City of Clarksdale Coahoma Co., MS	<b>Order No. 7292 23</b> Respondent agrees to pay MDEQ a penalty in the amount of \$34,250.00 within forty-five (45) days of this Agreed Order and implement corrective actions listed in Section 2 of this Agreed Order. An additional \$34,250.00 in penalties are held in abeyance pending compliance with the corrective actions of Section 2.”	Respondent was in violation of Solid Waste Management General Permit No. SWGP-R1 and the Mississippi Nonhazardous Solid Waste Management Regulations.