

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

**Thursday, August 28, 2003
9:00 A.M.
Southport Center
2380 Highway 80 West
Jackson, Mississippi 39204**

A G E N D A

- 1. Call to Order – Vice Chairman**
- 2. Election of Commission Officers for FY2004 (July 2003 – June 2004)**
- 3. Approval of Minutes of June 26, 2003 Meeting**
- 4. Adoption of Revisions to the Hazardous Waste Management Regulations**

The Commission will be asked to approve revisions to the Hazardous Waste Management Regulations, which are adopted by reference. The public hearing has been held, and the revisions are ready for final approval.
- 5. Commission Approval of Brownfield Agreement**

The staff recommends the Commission approve the Brownfield Agreement between the Commission and Glen Springs Holdings, Inc. regarding the remediation of brownfield property located in Columbus, Mississippi. Land use restrictions shall be placed on properties located on Nashville-Ferry Road. The site is hereafter referred to as the "Nashville Ferry Road Brownfield Agreement Site".
- 6. Commission Approval of Brownfield Consulting Firm**

The staff has reviewed the 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 a Brownfield Consulting Firm:

Environmental Strategies Corporation
11911 Freedom Drive
Reston, VA 20190
- 7. Clean Water State Revolving Fund Loan Program, Initiation of Public Notice for Draft FY-04 Intended Use Plan**

The staff will brief the Commission on the Draft FY-04 Intended Use Plan for this program, on which the staff intends to initiate a public notice. This document primarily identifies projected available funds for this program, the proposed loan interest rate, the projects proposed to receive loans, and the deadlines these projects must meet. This item is for the Commission's information.
- 8. Briefing on Annual Landfill Report**

Staff will distribute and make a brief presentation on the summary status report of solid waste disposal facilities in the State of Mississippi for calendar year 2002.
- 9. Solid Waste Assistance and Waste Tire Grants**

We have issued several solid waste assistance and waste tire grants since the last report. This list will be available at the Commission meeting.

10. Asbestos Certifications

We have issued 142 asbestos certificates since the last report. This list will be available at the Commission meeting.

11. Lead Paint Certifications

We have issued 16 lead paint certificates since the last report. This list will be available at the Commission meeting.

12. Wastewater Operator Certifications

We have issued 32 wastewater operator certificates since the last report. This list be available at the Commission meeting.

13. Emergency Clean-Up Expenses

We have 7 emergency expenditures since the last report. See **Attachment 1** at the end of this agenda.

14. Administrative Orders

We have issued 27 administrative orders since the last report and they should be added to the minutes. See **Attachment 2** at the end of this agenda.

15. Marshall County Solid Waste Management Plan

An evidentiary hearing will be held at 10:00 a.m. related to the Commission's initial decision in February to approve the proposed Marshall County Solid Waste Management Plan. The hearing has been requested by more than thirty (30) individuals related to the Commission's initial decision. Pre-filed testimony submitted by the Mississippi Department of Environmental Quality, Marshall County and the individuals requesting the hearing has previously been provided to the Commission for its review prior to the hearing. The individuals are primarily concerned about a proposed Class I Rubbish Facility in the Mount Pleasant Community, which is included in the County's Plan.

16. Other Business

17. Report by Executive Director

18. Confirmation of Meeting on Wednesday, September 24, 2003, at 1:00 p.m. at the Mississippi Coast Coliseum and Convention Center, Biloxi, Mississippi

19. Adjournment

EMERGENCY CLEAN-UP EXPENSES

- To: U.S. Environmental Services, L.L.C.
Amount: \$2,656.00
For: Costs associated with providing supervision, labor, equipment and material to repack sorbents contaminated with gasoline and motor oil, Lowndes County.

- To: U.S. Environmental Services, L.L.C.
Amount: \$2,904.90
For: Costs associated with providing supervision, labor, equipment and material to respond to and neutralize contaminants and secure automobile, Lowndes County.

- To: U.S. Environmental Services, L.L.C.
Amount: \$1,010.35
For: Costs associated with providing supervision, labor, equipment and material to respond to a leaking gas cylinder containing ammonia at the New Albany Police Department, Union County.

- To: U.S. Environmental Services, L.L.C.
Amount: \$13,771.34
For: Costs associated with providing supervision, labor, equipment and material to respond to and clean up an oil spill in Hancock County. This bill is also for the disposal costs.

- To: U.S. Environmental Services, L.L.C.
Amount: \$2,325.80
For: Costs associated with providing supervision, labor, equipment and material to respond to a diesel spill, Perry County.

- To: U.S. Environmental Services, L.L.C.
Amount: \$3,135.40
For: Costs associated with providing supervision, labor, equipment and material to respond to several abandoned 5 gallon buckets of liquid material, Hancock County.

- To: U.S. Environmental Services, L.L.C.
Amount: \$2,759.77
For: Costs associated with providing supervision, labor, equipment and material to respond to a diesel spill, Madison County.

ADMINISTRATIVE ORDERS

<u>Respondent</u>	<u>Order No.</u>	<u>Order Summary</u>
H & B Corporation	Agreed Order No. 4591 03 Settlement \$3,000	Respondent violated NPDES Permit No. MS0048593 at the facility located in Warren County, regarding a bypass of raw sewage from a lift station which serves Fairways Subdivision.
Georgia Pacific Resins, Inc.	Agreed Order 4593 03 Settlement \$14,000; \$5,000 w/in 30 days of executed order. Respondent shall be allowed to credit \$9,000 toward an approved SEP.	Respondent failed to conduct stack performance testing in a timely manner at the facility located in Winston County.
West Hattiesburg Development, LLC	Agreed Order 4594 03 Settlement \$2,500	Respondent failed to submit a demolition notification prior to a demolition activity on Hardy Street in Hattiesburg.
Union Planters Bank	Agreed Order 4595 03	Respondent, Union Planters, is the owner of the former Rhone Poulenc located near Wayside. The site, is an uncontrolled site and Respondent desires to submit this site for participation in the uncontrolled site voluntary evaluation program.
Mr. Duane Ellis Sunflower Rubbish, Inc. Ellis Contracting, Inc.	Agreed Order 4596 03 Settlement – \$10,500 to be paid as outlined in executed order.	Respondent was illegally dumping rubbish and other debris on property located on Charlie Ellis Road in Indianola.
International Paper	Agreed Order 4598 03	Respondent is the owner of the former International Paper Moss Point Mill located near Moss Point. The site is an uncontrolled site and Respondent desires to submit this site for participation in the uncontrolled site voluntary evaluation program.
Barksdale & Associates, Inc.	Agreed Order 4599 03	The National Park Service is the prospective owner of the Vicksburg National Military Park Tract 02-166 Pemberton Mansion Site ("Site") located in Vicksburg. Respondent, Barksdale & Associates, Inc., on behalf of the National Park Service, has transmitted information regarding conditions in the form of a report on the Additional Level II Soil Assessment. The site is an uncontrolled site within the purview of Miss. Code An. 17-17-54 and Barksdale & Associates desires to submit this site for participation in the uncontrolled site voluntary evaluation program.
City of Forest	Agreed Order 4601 03	Respondent violated NPDES Permit No. MS0020362 regarding Total Recoverable Copper and Zinc for the facility located in Scott County.
Whitehall Water Assoc., Inc. Winston County	Agreed Order 4602 03	Whitehall Water Assoc., Inc. operates a rural water treatment plant for the

	Settlement – Obtain permit, abide by terms of order or be assessed \$5,000 for each 30 days.	production of potable water for its customers. The process causes a direct discharge to waters of the state. Whitehall Water Assoc., Inc. does not hold a permit from the Mississippi Environmental Quality Permit Board, therefore violating Miss. Code Ann. Section 49-17-29 (Re. 1999).
Hood Industries	Agreed Order 4603 03 Settlement - \$2,500 w/in 30 days of executed order. Also, Respondent shall be allowed \$7500 toward an approved SEP.	Respondent failed to clean a hydraulic fuel spill. Also sawdust, boiler ash and leachates were observed in the stormwater drainage ditch located at the facility in Stone County.
Jackson County Solid Waste Management Plan (Addition of a New Class II Rubbish Site)	Order 4604 03	This order approves an amendment to the Jackson County Solid Waste Management Plan.
Northrop Grumman Ship Systems, Inc. Formerly known as Ingalls Shipbuilding, Inc.	Agreed Order 4605 03 Settlement \$950,000; with \$350,000 to be pd. w/in 30 days of executed order, and \$600,000 shall be used toward an approved SEP.	Respondent violated its Title V permit conditions 3.B.1 and 2 regarding the use of non-compliance coatings in violation of MACT standards for shipbuilding and repair, Title V permit conditions 3.B.8 regarding hourly emissions limitations, and Title V permit condition 3.A.2 on March 22, 2000 regarding exceedance of the 40% opacity limits at emission points AA-003, AA-004, and AA-012. Respondent also modified its facility without appropriate prior permitting.
Delta Oil Mill	Agreed Order 4606 03 Settlement- \$44,000; \$11,000 is to be paid as outlined in executed order. Respondent shall be allowed to credit expenditures of at least \$33,000 toward the implementation of an approved SEP.	Respondent is in violation of its Air Permit No. 054000019 for Delta Oil Mill, located in Coahoma County, regarding timely Title V application and failure to maintain proper records.
Intex Plastics and IPC Acquisition Co.	4607 03 Agreed Order	Intex Plastics Corp. and IPC Acquisition Co.(The Brownfield Parties) desire to enter into a Brownfield Agreement with regard to the Brownfield Agreement Site located in Alcorn County.
Pearl River Wood, LLC	Agreed Order 4608 03 Settlement of \$7,500 due w/in 30 days of executed order.	Respondent violated Hazardous Waste Permit No. MSD008194144 at the Pearl River County site regarding proper labeling and failure to hold treated wood on the drip pad until drainage was ceased.
Essmueller Company	Agreed Order 4609 03 Settlement of \$15,050 due w/in 30 days of executed order.	Respondent violated Hazardous Waste Permit No. MSD008194144 and Title V Permit No. 1360-00082 at the Jones County site regarding proper labeling of hazardous waste material and timely submittal of an annual certificate of compliance.
The KBH Corporation	Agreed Order 4610 03 Settlement \$10,000 to be paid w/in 30 days of executed order.	Respondent violated its Title V Operating Permit No. 0540-00037 by failing to submit a timely annual certification of compliance and semi-annual monitoring report as required for the facility located in

Coahoma County.

Warren, Inc.	Agreed Order 4611 03 Settlement \$18,900 to be paid w/in 30 days of executed order	Respondent violated of its Title V Operating Permit No. 0640-00006 by failing to submit, in a timely manner, a certification of compliance and renewal application as required for the facility located in Covington County.
Leica Microsystems, Inc.	Agreed Order 4612 03	Respondent owns property in Ocean Springs, which is an uncontrolled site, and desires to submit this site for participation in the Voluntary Evaluation Program.
Quebecor World	Agreed Order 4613 03 Settlement - \$177,625 with \$63,475 due w/in 30 days of executed order. Respondent has agreed to expend not less than \$114,150 on an approved SEP	Respondent violated Hazardous Waste Permit No. MSD092118835 and Title V Operating Permit No. 0680-00031 by failing to comply with maintenance of 1800 degrees in the incinerators, and by failing to submit proper records of inspections.
Polar Kraft Manufacturing Co.	Agreed Order 4615 03 Settlement - \$14,300 to be pd. w/in 30 days of executed order.	Respondent violated its Title V Operating Permit No. 0680-00084 by failing to submit a certification of compliance for the facility located in Desoto County.
Farr Company	Agreed Order 4616 03 Settlement - \$11,900 to be pd. w/in 30 days of executed order.	Respondent violated its Title V Operating Permit No. 17800-0008 by failing to submit a certification of compliance for the facility located in Marshall County.
Chevron U.S.A., Inc.	Agreed Order 4618 03	Respondent owns property in Bay Springs, which is an uncontrolled site, and desires to submit this site for participation in the Uncontrolled Site Program.
Yazoo Enterprises, Inc.	Agreed Order 4619 03 Settlement - \$14,000 to be pd. as outlined in executed order.	Respondent violated Municipal Solid Waste Transfer Station Permit No. T1-038 regarding failure clean and remediate spilled waste surrounding the transfer station in a timely manner. Also the leacheate collection system had malfunctioned, overflowed, and allowed leacheate to pool onsite violating Mississippi Code Annotated Section 49- 17-29. Respondent also violated Solid Waste Management Permit No. R1-059 regarding the unauthorized wastes collected over a large area.
Hercules, Inc. Hercules Plaza	Agreed Order 4620 03	Respondent is the owner of a chemical production facility located in Hattiesburg and desires to submit this site for participation in the Uncontrolled Site Voluntary Evaluation Program.
Illinois Central Railroad	Agreed Order 4621 03	Respondent owns property in McComb and desires to submit this site for participation in the Uncontrolled Site Voluntary Evaluation Program.

Watson & Jernigan

Agreed Order
4622 03

Respondent is the legal representative for Southland Capital, LP, located in Jackson and leased to Allied Bruce Terminix, Inc., ("site") and desires to submit the site for participation in the Uncontrolled Site Voluntary Evaluation Program.