Notice of Online Public Hearing

and Solicitation of Public Comment

Mississippi Environmental Quality Permit Board

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Public Notice Start Date: June 22, 2022 MDEQ Contact: Trent Jones

Public Notice End Date: July 26, 2022

Online Public Hearing Date: July 26, 2022

The Northeast Mississippi Solid Waste Management Authority (Authority) has submitted applications to the Mississippi Department of Environmental Quality (MDEQ) for the renewal and modification of the environmental permits for its municipal solid waste landfill, the Northeast Mississippi Regional Landfill (locally known as the Buck Run Landfill). The applications submitted to MDEQ are for the following permits: a solid waste management permit for the operation of the proposed municipal solid waste landfill; a National Pollutant Discharge Elimination System (NPDES) permit for storm water management;; a Title V air permit for the operation of air emission equipment; and a water quality certification regarding impacts to waters of the state and wetlands. The permit applications include a proposed expansion of the landfill disposal area that would increase the total permitted disposal area by 72.7 acres.

The MDEQ, as the staff of the Mississippi Environmental Quality Permit Board (Permit Board) has developed draft permits based on our review of the information submitted by the applicant to the MDEQ. Copies of the draft permits may be found on the MDEQ website at: <https://opcgis.deq.state.ms.us/ensearchonline/epd-permits-at-public-notice.aspx>. The available information also includes rationale or statement of basis documents that contains information on the proposed landfill project and development of the draft permits. These additional documents and information may be found on the MDEQ Online Public Hearing link at <https://opcgis.deq.state.ms.us/ensearchonline/public-hearings.aspx>.

The draft permits that are the subject of this public comment notice are described below:

1. Solid Waste Management Permit (Solid Waste Permit No. SW0700010433) – The proposed solid waste management permit would authorize the expansion of the landfill disposal area by 72.7 acres and would allow the continued operation of the existing municipal solid waste landfill. The new, total landfill disposal area would be 154.7 acres. The landfill would continue to accept and dispose of various nonhazardous solid wastes from residential, commercial, industrial, institutional and other approved sources with an approved service area. The existing landfill is located at 2491 County Road 302 near Walnut, MS and was originally permitted in February 1995.
2. NPDES Storm Water Permit (Water Permit No. MSS049301) – The proposed NPDES Permit would allow for non-contact storm water discharge from two new outfalls, Outfall 004 and Outfall 005. Prior to discharge from each outfall, sedimentation would occur in a settling pond. In addition, the permit would authorize the construction of a second sedimentation/settling pond prior to the existing discharge from Outfall 001. The receiving streams for the proposed discharges from Outfall 004 and Outfall 005 will be two different unnamed tributaries of Hurricane Creek. An Anti-Degradation Review was completed for these modifications to the existing NPDES Permit.
3. Title V Air Permit to Operate (No. 2620-00055) – The increase in air emissions resulting from the proposed expansion will remain below the de minimis NSR modification threshold for a Permit to Construct. Therefore, a Permit to Construct Air Emissions Equipment is not required for the expansion. MDEQ is proposing to reissue the Title V Operating Permit with changes to address federal requirements regarding collection and control of landfill gas. Because the landfill has exceed the 50 megagram/year threshold for non-methane organic compounds (NMOC), the landfill is subject to 40 CFR Part 63, Subpart AAAA, the National Emissions Standard for Hazardous Air Pollutants from Municipal Solid Waste Landfills. Also, EPA's Federal Plan regulating Municipal Solid Waste Landfills, found in 40 CFR Part 62, Subpart OOO, now applies to the landfill and has been addressed in the Title V Operating Permit. Upon commencing construction of the proposed expansion, the landfill will become subject to 40 CFR Part 60, Subpart XXX, the New Source Performance Standard (NSPS) for Municipal Solid Waste Landfills constructed, reconstructed, or modified after July 14, 2014. The NSPS standard is essentially equivalent to the Federal Plan and would replace it. All of the federal regulations noted above address collection and control of landfill gas, which is accomplished using a flare or by sending the gas to Air Liquide Advanced Technologies U.S. for processing and injection to a gas pipeline.

The Title V permit is a Federally-enforceable permit as well as a State permit. Therefore, the U.S. Environmental Protection Agency (EPA) will also be allowed an opportunity to review the application, proposed permit, and all comments received during the public comment period prior to Permit Board action on the application. The status regarding EPA’s 45-day review of this project and the deadline for citizen’s petitions can be found at the following website address: <https://www.epa.gov/caa-permitting/mississippi-proposed-title-v-permits>.

The MDEQ is soliciting public input on the draft permits on behalf of the Permit Board for the proposed modification and continued operation of the municipal solid waste landfill. As will be further described in this notice, this input may be provided in writing or in an online public hearing on this matter. MDEQ is soliciting comments from the public on the draft permit to ensure that the final staff recommendation on the draft permit fully complies with all applicable State and Federal regulations. Public input on the draft permit and supporting documentation is an important element in the staff evaluation and resulting recommendation to the Permit Board. The draft permit conditions have been developed to ensure compliance with all State and Federal regulations but are subject to change based on information received through public comments.

Persons wishing to comment on or object to the draft permit are invited to submit comments either through participating in an online public hearing hosted by MDEQ or by submitting comments in writing to Mr. Trent Jones at the Permit Board's address shown above or by email to [tjones@mdeq.ms.gov](mailto:tjones@mdeq.ms.gov), no later than Tuesday, July 26, 2022, the end of the public comment period. All comments received from the public by this date will be reviewed and considered in the final determinations regarding the draft permits.

MDEQ will hold an online public hearing on the project at 7:00 PM on Tuesday, July 26, 2022. This public hearing is being held online. The public hearing will be broadcast via the Zoom application. To participate in the online hearing, interested persons will need to visit the MDEQ website at [www.mdeq.ms.gov/northeastlandfill](http://www.mdeq.ms.gov/northeastlandfill) and register at least 2 hours prior to the meeting start. Additional instructions for registration and participation will be posted on this webpage.

Persons attending the online public hearing will be required to register and sign into the meeting via a computer or mobile device with a microphone if they expect to make a public statement. The meeting moderator will acknowledge online participants that wish to speak based on the registrations received. Person that do not register will not be able to make public comments during the online hearing, but may submit written comments separately. During the online public hearing, comments should be as brief as reasonably possible so that everyone who wants to speak has the opportunity to make a statement. Written comments on the proposed permits may also be submitted by email or U.S. mail as described above.

All comments made during this online public hearing will be transcribed and made a part of the Permit Board file. In making a final decision, the Permit Board will consider all issues and concerns raised that fall within the Board’s jurisdiction over the proposed project. Please be advised that comments or concerns related to local zoning or land use are generally within the jurisdiction of the local government and not the Permit Board. The Board may make a decision to approve or deny the modifications requested to the permits or to modify the current draft permits for the proposed project. Any interested party aggrieved by the Board’s decision may file a written request for a formal hearing on the decision. A final decision would then be made by the Permit Board after that formal hearing. Any person aggrieved by that final Board decision may appeal to the Chancery Court in the county of the proposed project.

The Permit Board was created by Mississippi Law for the purpose of issuing or denying environmental protection permits to control or prevent the release of contaminants into the air and waters of the State under such conditions and limitations as it may prescribe. By law, the Board is composed of the Chief of the Bureau of Environmental Health within the State Department of Health; the Director of the Department of Wildlife, Fisheries, and Parks, the Director of the Office of Land and Water Resources within the Department of Environmental Quality, the Supervisor of the State Oil and Gas Board; the Director of the Department of Marine Resources; the Director of the Office of Geology within the Department of Environmental Quality; and the Commissioner of Agriculture and Commerce or their respective designees.

Any person that does not have internet access or that is interested in additional information on the draft permits or permit applications may contact Mr. Trent Jones at the Permit Board’s address and telephone number above. The draft permits and supporting documents are also available for review at the office of the MDEQ at the Permit Board address shown above during normal business hours.

Please bring the foregoing to the attention of persons whom you know may be interested.