

**MINUTES OF THE MISSISSIPPI ENVIRONMENTAL QUALITY
PERMIT BOARD, SPECIAL MEETING HELD IN JACKSON SEPTEMBER 1-2, 2015**

The Mississippi Environmental Quality Permit Board held a special meeting in the Commission Hearing Room of the Department of Environmental Quality, located at 515 East Amite Street, on September 1-2, 2015. David Snodgrass called the meeting to order at 9:00 a.m. with the following members and designated representatives present:

David Snodgrass, Chair
Michael Bograd, Vice Chair
Leslie Royals
Jim Hoffmann for Kay Whittington
Jim Lipe for Cindy Hyde-Smith
Jan Boyd for Jamie Miller
Dennis Riecke for Sam Polles

The purpose of the Special Meeting was for a formal evidentiary hearing, requested by the City of Jackson, for the following matter:

**West Rankin Utility Authority - NPDES Permit (No. MS0061743)
Rankin County, Mississippi**

The matter before the Permit Board was a formal evidentiary hearing regarding the Permit Board's issuance of an NPDES permit (No. MS0061743) to West Rankin Utility Authority ("WRUA"), in Rankin County, Mississippi. The City of Jackson ("City") requested the hearing so the Permit Board could reconsider its action on April 14, 2015, in issuing the permit to WRUA.

The hearing officer in this matter was Ricky Luke, Assistant Attorney General with the Office of the Attorney General. The Mississippi Department of Environmental Quality ("MDEQ") was represented by General Counsel Roy Furrh and by Senior Attorney Lisa Ouzts. Attorneys Keith Turner and Betty Ruth Fox represented WRUA. Attorneys Terry Williamson, Chris Pomeroy and Justin Curtis represented the City. MDEQ pre-filed direct testimony through the affidavits of Bradley Crain, P.E. and Adrien Carroll-Perkins, P.E., and pre-filed rebuttal testimony through the affidavits of Adrien Carroll-Perkins, Melissa Vondell McGee Collier, and Harry M. Wilson, III, P.E. WRUA submitted pre-filed direct testimony through the affidavits of Mayor Gary Rhoades, Greg King, Jerry W. Cain, P.E., and Roy Thompson, with Max Foote Construction Company, and pre-filed rebuttal testimony through the affidavits of Carl Ray Furr, Greg King, and Jerry Cain. The City submitted pre-filed direct testimony through the affidavits of Mayor Tony Yarber, Kishia Powell, P.E., Phillip Gibson, P.E., and Peiffer Brandt and pre-filed rebuttal testimony through the affidavits of Kishia Powell, Phillip Gibson, and Peiffer Brandt. WRUA requested that Mr. Danny Russell, with Max Foote Construction Company, be allowed to offer testimony in place of Mr. Thompson because Mr. Thompson could not attend the hearing. Neither the City nor MDEQ objected to WRUA's request; thus, WRUA substituted Mr. Russell's affidavit for Mr. Thompson's. Mr. Russell testified at the hearing. All witnesses, other than Mr. Thompson, who provided pre-filed testimony were present at the evidentiary hearing and were tendered for cross-examination by the opposing parties, for questioning by the Permit Board, and for redirect.

Roy Furrh made an opening statement on behalf of MDEQ, followed by Mr. Turner for WRUA and Mr. Pomeroy for the City. Mr. Crain, Ms. Carroll-Perkins, Ms. Collier, and Mr. Wilson testified on MDEQ's behalf through their pre-filed testimony and were tendered for cross-examination by the parties and for questioning by the Permit Board. Mayor Rhoades, Mr. Furr, Greg King, Jerry Cain, and Danny Russell testified on WRUA's behalf through their pre-filed testimony and were tendered for cross-examination by the parties and for questioning by the Permit Board. Mayor Yarber, Kishia Powell, Phillip Gibson, and Peiffer Brandt testified on the City's behalf through their pre-filed testimony and were tendered for cross-examination by the parties and for questioning by the Permit Board. The City subpoenaed the following as adverse witnesses: Bradley Crain, Adrien Carroll Perkins, Chris Messamore, Jerry Cain, Rob Manuel, and Bruce Stephens. The City questioned the adverse witnesses and tendered them for cross examination by the parties, for questioning by the Permit Board, and for redirect.

At the conclusion of all the testimony, Mr. Furrh, Mr. Turner, and Mr. Pomeroy made closing arguments. The matter was then presented to the Permit Board for its decision. The Permit Board voted to close the session to determine whether to go into executive session. Upon reopening the public session, Permit Board Chair David Snodgrass informed the parties that the Permit Board voted not to go into executive session. Mr. Snodgrass asked Mr. Furrh to advise the Permit Board of its options for motions. Mr. Furrh advised the Board that it could move to affirm its previous decision to issue the permit, move to deny the permit, move to postpone the decision until a future meeting, or could issue the permit with additional permit terms to be agreed upon by the permit applicant.

At the conclusion of the formal evidentiary hearing, on motion by Mr. Riecke and seconded by Mr. Boyd, the Permit Board voted to affirm its previous issuance of the NPDES permit to WRUA. Permit Board member Leslie Royals opposed the motion.

MEETING ADJOURNED

There being no further business to come before the Permit Board, David Snodgrass adjourned the meeting.

DATED at Jackson, Mississippi, this the 2nd day of September, 2015.



DAVID SNODGRASS
PERMIT BOARD CHAIRMAN



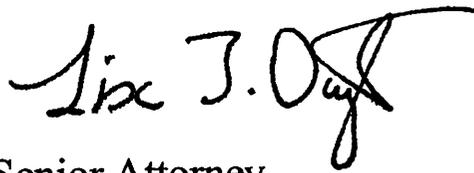
GARY C. RIKARD
EXECUTIVE DIRECTOR

Notice of Special Meeting

Mississippi Environmental Quality Permit Board

Please take note that a special meeting of the Mississippi Environmental Quality Permit Board ("Permit Board") will be held on Monday and Tuesday, September 1-2, 2015, beginning at 9:00 a.m., in the Commission Hearing Room at 515 East Amite Street, Jackson, Mississippi. At the special meeting, the Permit Board will consider Issuance of an NPDES Permit (No. MSO061743), to the West Rankin Utility Authority for a wastewater treatment facility in Rankin County, Mississippi. As always, the public is invited to attend the meeting.

Posted June 2, 2015

A handwritten signature in black ink, appearing to read "Dix J. O'Connell". The signature is written in a cursive style with a long, sweeping underline.

Senior Attorney
Mississippi Department of
Environmental Quality