

**Minutes**  
**Environmental Protection Committee**  
2 Martin Luther King, Jr. Drive, S. E.  
Suite 1252 East Tower  
Atlanta, GA 30334

**October 27, 2009**

**Attending:**

Committee Members

Walter Hudson, Chairman  
Earl Barrs  
Warren Budd  
Phyllis Johnson  
Ray Lambert  
Jim Walters  
Philip Watt  
Tom Wheeler  
Bill Carruth, Board Chairman, ex-officio

Board Members

Bill Archer  
Dennis Billew  
Gene Bishop  
Dwight Davis  
Joe Hatfield  
Mabel Jenkins  
Loyce Turner  
Jim Tysinger

Visitors

Ronny Just, Georgia Power Company  
Bryan Tolar, Georgia Agribusiness Council  
Holly Elmore, Green Foodservice Alliance  
Phil Zinsmeister, Sierra Club  
Emily Poe, Balch & Bingham  
Shirl Parsons, Georgia Wildlife Federation  
Doug Fulle, Oglethorpe Power  
Angie Fiese, Senate Research Office  
Jim Stokes, Sustainable Solutions Georgia

Staff Members

Chris Clark  
Todd Holbrook  
Paul Burkhalter  
Susan Shipman  
Marlin Gottschalk  
Becky Kelley  
Dave Crass  
Karl Burgess  
Brad Gane  
Steve Friedman  
Jim Ozier  
John Biagi  
Jac Capp  
Mark Smith  
Jim Ussery  
Doralyn Kirkland  
Lauren Curry  
Emily Hitchcock  
Jim Sommerville  
David Reuland  
Mary Ann Evans  
Hellen Harris

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John Eberhart, Georgia Earth Alliance

Mark Woodall, Sierra Club

Mike Giles, Georgia Poultry Federation

Jason O'Rourke, Council for Quality Growth

Paul DeLoach, Flint River Keeper, Inc.

Gordon Rogers, Flint River Keeper, Inc.

The October 27, 2009 meeting of the Environmental Protection Committee was called to order by Board Chairman Bill Carruth.

Chairman Carruth called on Walter Hudson, Chairman of the Environmental Protection Committee, who called on Jack Capp, Chief, Air Protection Branch.

Mr. Capp briefed the Committee on the proposed amendments to the Rules for Air Quality Control, Chapter 391-3-1, pertaining to Hazardous Air Pollutants and other Standards.

Mr. Capp stated that Rule 391-3-1-.02(4), “Ambient Air Standards,” is being revised to correct the Particulate Matter Annual Standards so that the number of significant digits is consistent with the federal standard.

Mr. Capp stated that Rule 391-3-1-.02(7), “Prevention of Significant Deterioration of Air Quality,” is being revised to insert an inadvertently omitted subparagraph.

Mr. Capp stated that Rule 391-3-1-.02(9), Emission Standards for Hazardous Air Pollutants,” is being revised by updating references to already incorporated standards and incorporating additional standards to be consistent with federal standards.

Mr. Capp stated that the Committee had been briefed on these revisions in August, and they had been sent out for public notice on August 30, and received no comments. He further stated that he would like to request that the Committee recommend that the Board adopt the resolution regarding the proposed amendments.

A motion was made by Mr. Walters, seconded by Mr. Lambert and carried unanimously that the Committee recommends that the Board adopt the Resolution regarding the proposed amendments to the Rules for Air Quality Control, Chapter 391-3-1, pertaining to Hazardous Air Pollutants and other Standards. (Resolution attached hereto and made a part hereof)

Mr. Hudson called on Mark Smith, Chief, Hazardous Waste Management Branch, for presentation of the proposed amendments to Rules for Hazardous Site Response, Chapter 391-3-19.

Mr. Smith stated that Rule 391-3-19-.02 and Table 3 of Appendix II are being amended to incorporate the revised toxicity hierarchy to match the hierarchy specified by the U. S. Environmental Protection Agency.

Mr. Smith stated that Rule 391-3-19-.03 is being amended to reference the Official Code of Georgia Annotated (O.C.G.A.) citation relating to current fees and eliminate outdated tables.

Mr. Smith stated that Rule 391-3-19-.04 is being amended to reference notification forms as specified by the Director which require additional information such as tax parcel identification numbers and acreage.

Mr. Smith stated that rule 391-3-19-.06 is being amended to correct a citation error in a previous rulemaking.

Mr. Smith stated that Rule 391-3-19-.08 is being amended to comply with the Georgia Uniform Environmental Covenant Act.

Mr. Smith stated that Appendix I Regulated Substances and Soil Concentrations that Trigger Notification is being amended to correct duplicate entries, correct notification concentration based on physical properties, identify regulated substances that may normally occur in background concentrations, and provide clarification.

Mr. Smith stated that Appendix III Table 1 Groundwater Criteria is being amended to reflect current Maximum Contaminant Levels.

Mr. Smith stated that Appendix IV Table 1 Parameters, Definitions, and Default Values to be used in Equation 1 and 2, is being amended to correct a citation error.

Mr. Smith stated that he would like to request that the Committee recommend that the Board adopt the Resolution regarding the proposed amendments to Rules for Hazardous Site Response, Chapter 391-3-19.

A motion was made by Mr. Walters, seconded by Mrs. Johnson and carried unanimously that the Committee recommends that the Board adopt the Resolution regarding the proposed amendments to the Rules for Hazardous Site Response, Chapter 391-3-19. (Resolution attached hereto and made a part hereof)

There being no further business, the Committee was adjourned.