

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

June 24, 2014

Attending:

Committee Members

Ray Lambert, Chairman
Walter Hudson, Vice Chairman
William Bagwell
Dwight Davis
Dwight Evans
Aaron McWhorter
Mike Phelps
Philip Wilheit, Jr., Board Chair, ex-officio

Board Members

Nancy Addison
Duncan Johnson, Jr.
Bill Jones
Rob Leebern
Mark Mobley
Brother Stewart
Dee Yancey

Visitors

Ronny Just, Georgia Power
Tracy Hawkins, Georgia Power
Bryan Tolar, Georgia Agribusiness Council
Michael Pisciotta, Georgia Agribusiness Council
Doug Cloud, Kazmarek Mowrey Cloud Laseter LLP
Phil Zinsmeister, Sierra Club
Abit Massey, Georgia Poultry Federation
Erica Techo, Morris News
Scott Tanner, Joe Tanner & Associates
Debbie Phillips, Georgia Industry Environmental Coalition
Adam Dye, Georgia Department of Agriculture
Leah Barnett, Georgia Conservancy
Mike Harris, US Fish and Wildlife Service
Doug Fulle, Oglethorpe Power
Matthew Smith, Georgia Farm Bureau
Ben Stowers, Georgia Natural Resources Foundation

Staff Members

Mark Williams
Jud Turner
Homer Bryson
Dave Crass
Eddie Henderson
Becky Kelley
Spud Woodward
Steve Friedman
Kyle Pearson
Cathy Barnette
Taylor Brown
Zachary Harris
Mary Walker
Russ Pennington
Doralyn Kirkland
Jac Capp
Keith Bentley
Jeff Cown
John Bowers
John Biagi
Doc Watson
Jeff Weaver
John Martin
Michael Chadwell
Mark Whitney
Vicki Gibbs
Mark McKinnon
Jenifer Hancock
Charlie Miller
Leigh Burns
Sally Winchester
Wally Woods
Ellen Graham
David Jordan

The June 24, 2014 meeting of the Environmental Protection Committee was called to order by Chairman Philip Wilheit.

Chairman Wilheit called on Ray Lambert, Chairman of the Environmental Protection Committee, who called on Jac Capp, Chief of the Watershed Protection Branch.

Mr. Capp briefed the Committee on EPD's Watershed Protection Branch. This briefing included information on the major river basins and aquifers in Georgia, Water Quality Standards, water monitoring, total maximum daily loads (TMDL), the Watershed Regulatory Program, the Lower Flint River basin, coastal permitting, the Governor's Water Supply Program, Regional Water Planning councils, outreach, and the Watershed Branch's expenditures.

Discussion ensued on the geographical impact of the major river basins along Georgia's coast.

Chairman Lambert called on Mr. Capp to request the Committee's approval of the Proposed Grant Criteria for the Award of Regional Water Plan Seed Grants for the State Fiscal Year 2015.

Mr. Capp stated the goal of the program is to support and encourage local governments and other entities engaged in water planning activities as they collect and manage water planning data and undertake their implementation responsibilities as provided in the applicable Regional Water Plans.

Mr. Capp stated the available funds for SFY-2015 are \$150,000. He further stated these funds will provide 60% of a total project cost. He added grant recipients will be required to provide the remaining 40% of project costs in the way of match, with a minimum of 10% of the total project cost in the form of a cash match.

Mr. Capp stated a competitive process for selecting projects will be used. He further stated eligible projects include activities that address critical information needs or data gaps; tracking available monitoring data and reporting on water resource conditions; developing regional guidelines for regional water plan implementation; preparing and distributing technical guidance on high priority regional water plan management practices; and providing Regional Water Plan implementation training and other technical assistance to supporting implementation of management practices detailed in Regional Water Plans. He added all public agencies/entities (local, regional and State units of government, regional commissions, resource conservation and development councils, schools, etc.) are eligible to receive the grant.

Mr. Capp stated EPD would begin soliciting application in July and ending on October 31, 2014. He further stated EPD would be reviewing these application is November and would be executing contracts with applicants in January of 2015.

Mr. Capp stated he would request the Committee recommend that the Board approve this item, as presented.

A motion was made by Mr. Hudson, seconded by Mr. McWhorter and carried unanimously that the Committee recommend that the Board approve the Proposed Grant Criteria for the Award of Regional Water Plan Seed Grants; State Fiscal Year 2015, as presented.

Chairman Lambert called on Keith Bentley, Chief of the Air Protection Branch, to request the Committee's approval of the proposed amendments to Rules for Air Quality Control, Chapter 391-3-1, pertaining to miscellaneous changes and updates.

Mr. Bentley stated EPD regularly updates rules to incorporate changes to the U.S. EPA rules, update references to the most current document and clarify requirements.

Mr. Bentley stated EPD is proposing eight rule changes. He further stated the details of these changes could be found in the Board member's packet.

Mr. Bentley stated the Committee was briefed on this item in March and a public hearing was held in May. He further stated no comments were received during the public notice period.

Mr. Bentley stated he would request the Committee recommend that the Board approve this item as presented.

Discussion ensued following a question from Mr. Davis concerning the former Pollution Prevention Assistance Division.

A motion was made by Mr. Evans, seconded by Mr. Bagwell and carried unanimously that the Committee recommend that the Board adopt the Resolution to approve the proposed amendments to Rules for Air Quality Control, Chapter 391-3-1, pertaining to miscellaneous changes and updates, as presented.

Chairman Lambert called on Jeff Cown, Chief of the Land Protection Branch, to brief the Committee on the proposed amendments to Rules for Hazardous Site Response, Chapter 391-3-19.

Mr. Cown stated EPD had convened a broad-based group of stakeholders in March of 2014. He further stated invitees included members of the Georgia Industry and Environmental Coalition, the Georgia Brownfield Association, the City of Atlanta, DeKalb County, Georgia Power, the Atlanta Gas Light Company, Green law, and an owner of the listed property. He added stakeholder input was incorporated when possible.

Mr. Cown stated EPD proposes to repeal two subparagraphs in their entirety and amend two subparagraphs. He further stated these amendments will be more cost effective while still being protective of human health and the environment. He added the Division is proposing amendments to the following rules:

- Rule 391-3-19-.03 “Hazardous Waste Management and Hazardous Substance Reporting Fees” is being amended to remove references to the Pollution Prevention Assistance Division.
- Rule 391-3-19-.04 “Release Notification” is being amended to delete duplicative notification requirements for soil releases being addressed under the Hazardous Site Reuse and Redevelopment Act, to provide alternative notification concentrations for certain groundwater releases, to allow for a ninety-day deferment of listing determinations, to correct certain errors, and to remove obsolete language.
- Rule 391-3-19-.05 “Reporting of Releases Exceeding Reportable Quantities and Listing of Sites on the Hazardous Site Inventory. Amended.” is being amended to correct an error in wording and to provide additional mechanisms for the de-listing of sites on the hazardous site inventory.
- Rule 391-3-19-.06 “Corrective Action” is being amended to revise the standards for delineation of releases, to change the requirements for public participation, and to incorporate the use of Uniform Environmental Covenants into the procedures for corrective action.

Mr. Cown stated a public hearing would be held in July of 2014. He further stated EPD anticipates requesting the Board’s adoption of the rule revisions at the August 26, 2014 Board meeting.

There being no further business, the meeting was adjourned.