

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

August 26, 2014

Attending:

Committee Members

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

Board Members

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

Visitors

Doug Cloud, Kazmarek Mowrey Cloud Laseter LLP
Dan Grogran, Georgia Brownfield Association
Michael Pisciotta, Georgia Agribusiness Council
Debra Elorich, State Properties Commission
Paul Melvin, GBA
Debbie Phillips, GIEC
Chris Manganiello, Georgia River Network
Ronny Just, Georgia Power Company
David Word, JTA
Leah Barnett, Georgia Conservancy
Harriet Langford, Ray C. Anderson Foundation
Gordon Rogers, Flint Riverkeepers
Todd Hollbrook, Georgia Wildlife Federation

Staff Members

Mark Williams
Jud Turner
Dave Crass
Dan Forster
Becky Kelley
Spud Woodward
Steve Friedman
Kyle Pearson
Mary Kathryn Yearta
Cathy Barnette
Taylor Brown
Kyle Pearson
Zachary Harris
Mary Walker
Russ Pennington
Doralyn Kirkland
Chris Hodge
John Bowers
John Biagi
Jeff Cown
Jac Capp
Jeff Weaver
Mike Long
Terry West
Jim Laine
John Martin
Doug Haymans
Bill Donohue
Michael Chadwell
Stephanie Farmer
Kevin Lowery
Al Greer
Dominic Guadagnoli
Kelly Dudley
Jennifer Welte

Jeffrey Harrey, Georgia Farm Bureau
Allie Kelly, Georgia Conservancy
Bettie Sleeth, Home Builders Association of Georgia
Ben Stowers, Georgia Natural Resources Foundation
Holly Hill, Georgia Brownfield Association

The August 26, 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 Jeff Cown, Chief of the Land Protection Branch, to give an overview of EPD's Land Protection Branch.

Mr. Cown gave a presentation on the Land Protection Branch which included information on the Solid Waste Management Program, the Scrap Tire Management Program, Waste Reduction and Recycling, Surface Mining, the Underground Storage Tank Program, the Lead Based Paint and Asbestos Program, the Hazardous Waste Management Program, Hazardous Waste Corrective Action, Hazardous Sites Inventory, Voluntary Remediation and the Brownfield Redevelopment Program.

Chairman Lambert called on Mr. Cown to present the proposed FY2015 Solid Waste Trust Fund Spend Plan.

Mr. Cown stated the Solid Waste Trust Fund was established in 1990 and is funded by a \$1.00 fee on each new tire sold by retail tire dealers. He further stated the fee was reauthorized in 2014 for five years.

Mr. Cown stated the FY2015 priorities are: to focus on scrape tire pile prevention and cleanup; initiate a program to reimburse local governments for scrap tire abatement projects; clean up abandoned landfills and respond to solid waste emergencies; and reduce solid waste and increase recovery of materials.

Mr. Cown stated EPD requests the Board's approval to expend up to \$2,922,232 from the Solid Waste Trust Fund during FY2015.

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

A motion was made by Mr. Hudson, seconded by Mr. Phelps and carried unanimously that the Committee recommend that the Board adopt the Resolution to approve the proposed FY 2015 Solid Waste Trust Fund Spend Plan, as presented.

Mr. Lambert called on Mr. Cown to present the proposed amendments to the Rules for Hazardous Site Response.

Mr. Cown stated the Committee was briefed on this proposal in June. He stated during the public notice period two written comments were received from the Georgia Water Coalition and the Georgia Brownfield Association. He further stated EPD responded to both comments and stakeholder concerns were addressed to the extent possible during drafting of the proposed rules prior to issuance of the public notice. He added no further changes are recommended in response to comments received.

Mr. Cown stated a stakeholder meeting was held in March 2014. He further stated the Board was briefed on the proposed revisions in June and a public hearing was held in July.

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

Chairman Lambert stated two speakers had signed up to speak on this item.

Chairman Lambert called on Holly Hill, Georgia Brownfield Association, who spoke in support of the proposed rule.

Chairman Lambert called on Doug Cloud, Georgia Industry of Environmental Coalition, who spoke in support of the proposed rule.

A motion was made by Mr. Hudson, seconded by Ms. Johnson and carried unanimously that the Committee recommend that the Board adopt the Resolution to approve the proposed amendments to Rules for Hazardous Site Response, Chapter 391-3-19, as presented.

Chairman Lambert called on Jud Turner, Director of the Environmental Protection Division, who stated the purpose of the next item was to ensure consistency between EPD's rules and the 2014 amendments to the Flint River Drought Protection Act (SB 213) which passed the General Assembly during the 2014 legislative session.

Chairman Lambert called on Jac Capp, Chief of the Watershed Protection Branch, to brief the Committee on the proposed amendments to the Rules for the Flint River Drought Protection Act.

Mr. Capp stated the General Assembly passed SB 213, which amended the Flint River Drought Protection Act, during the 2014 session and it was signed into law by the Governor on April 16, 2014.

Mr. Capp stated the amended law amended the irrigation reduction auction provisions by giving the EPD Director more discretion whether to declare a severe drought to implement the auction; included new provisions for agriculture irrigation efficiency requirements; and included new provisions for protecting augmented flows.

Mr. Capp stated the Flint River Drought Protection Act becomes effective after the next regular session of the General Assembly unless a resolution is introduced to disapprove the rules and it passes

both of the houses. He further stated EPD held a public stakeholder meeting on July 24 in Albany. He added comments were received through July 31 and informed development of the proposed rule.

Mr. Capp identified the main revisions of the statute regarding the irrigation reduction auction provisions, irrigation efficiency requirements, and protection of augmented flows.

Mr. Capp stated the public notice period regarding these rules would begin on August 29, 2014. He further stated a public hearing would be held in September. He added EPD anticipated requesting the Board's approval of these proposals at the December 2014 meeting.

Discussion ensued regarding the changes to the irrigation reduction auction provisions.

There being no further business, the meeting was adjourned.