

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

**June 23, 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  
Jenny Lynn Bradley  
Joe Hatfield  
Bob Rutland  
Loyce Turner

Visitors

Ronny Just, Georgia Power  
Aaron Mitchell, Georgia Power  
Mike Giles, Georgia Poultry Federation  
Phil Zinsmeister, Sierra Club  
Bryan Tolar, Georgia Agribusiness Council  
Tas Smith, Georgia Farm Bureau  
Andrew Schock, The Conservation Fund  
Shana Udvardy, Georgia Conservancy  
John Eberhart, Georgia Earth Alliance  
Jim Stokes, Sustainable Solutions of Georgia  
Bettie Sleeth, Home Builders Association of Georgia

Staff Members

Chris Clark  
Carol Couch  
Paul Burkhalter  
Todd Holbrook  
Susan Shipman  
Dan Forster  
Becky Kelley  
Ray Luce  
Marlin Gottschalk  
Karl Burgess  
John Bowers  
Jim Ozier  
Steve Saunders  
Dave Crass  
Jac Capp  
Richard Swanson  
Emily Hitchcock  
Lauren Curry  
Doralyn Kirkland  
Lindsey Young  
Jim Ussery  
Steve Friedman  
Mike Harris  
Brad Gane  
Alexandra Cleary  
Richard Strickfaden  
Lon Revall  
Mary Ann Evans  
Hellen Harris

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Abit Massey, Georgia Poultry Federation  
Shirl Parsons, Georgia Wildlife Federation  
Nate Hunt, Southern Environmental Law Center

The June 23, 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 Committee.

Mr. Hudson called on Jac Capp, Chief, Air Protection Branch, for presentation of the proposed amendments to the Rules for Air Quality Control, Chapter 391-3-1, pertaining to Permit Fees and Miscellaneous Provisions.

Mr. Capp stated that the Board had been briefed on these proposed amendments at the April 28 meeting and that a public hearing was held on June 1, with no comments received. He further stated that there were no changes in the proposed amendments that had been presented in April, and that he would request consideration for approval.

Mr. Hudson called on Ronny Just, Georgia Power Company for comments. Mr. Just stated that he would like to thank EPD for coordinating with Georgia Power on the proposed amendments, and that they are in favor of the changes.

A motion was made by Mr. Walters, seconded by Dr. Watt 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 Permit Fees and Miscellaneous Provisions. (Resolution attached hereto and made a part hereof)

Mr. Hudson called on Richard Swanson, Program Manager, Land Protection Branch, to present the proposed amendments to Rules for Underground Storage Tank Management, Chapter 391-3-15.

Mr. Swanson gave a PowerPoint presentation which included Underground Storage Tank (UST) statistics. He stated that there have been 76,818 USTs registered since 1988. He further stated that 46,895 USTs have been closed or removed since that date and that 29,923 USTs are still in use today at 10,000 facilities.

Mr. Swanson stated that the Energy Policy Act of 2005 included the Underground Storage Tank Compliance Act (USTCA), and resulted in changes needed to the Georgia laws. He further stated that EPA awards grants to states to administer the program.

Mr. Swanson stated that the USTCA imposed new requirements on EPD and other states that receive funding. He further stated that future federal grant funding depends on meeting program implementation of USTCA requirements. He added that Georgia is on track to comply with these provisions.

Mr. Swanson stated that the five major provisions of the USTCA are as follows: (1) mandatory UST inspection schedule; (2) delivery prohibition; (3) compliance reports/strategies; (4) secondary containment regulations; and (5) operator training of the proposed new Rules.

Mr. Swanson stated that the Rules are designed to prevent leaks either through better equipment or better facility operations management. He further stated that the operator training guidelines were published by EPA in August 2007, which require state-specific operator training regulations consistent with EPA's published guidelines and also the Energy Policy Act.

Mr. Swanson stated that failing to comply with any part of the Energy Policy Act could jeopardize federal UST funding. He further stated that the proposed amendments would be sent out for public comment in July, and that he expects to bring them back to the Board in August for action.

There being no further business, the meeting was adjourned.