

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

January 22, 2013

Attending:

Committee Members

Ray Lambert, Chairman
William Bagwell
Dennis Billew
Walter Hudson
Phyllis Johnson
Mark Mobley
Philip Watt, Board Chairman, ex-officio

Board Members

Nancy Addison
Dwight Davis
Duncan Johnson
Rob Leebern
Aaron McWhorter
Paul Shailendra
Bodine Sinyard
Mark Smith
Philip Wilheit
Dee Yancey

Visitors

State Representative Tom Kirby
State Representative Debbie Buckner
Leon Watkins, K & M Inert Landfills
Jerry Murkerson, City of Hawkinsville
Ronny Just, Georgia Power Company
Aaron Mitchell, Georgia Power Company
Max Zygoront, Mowery Meezan Coddington Cloud LLP
Murray Griffin, Atlantic Coast Consulting
Don Collins, National Solid Wastes Management Association
Bryan Tolar, Georgia Agribusiness Council
Ward Black, Langdale Industries
Ashley Megatt, Georgia Municipal Association
John Eberhart, Georgia Earth Alliance
Phil Zinsmeister, Sierra Club

Staff Members

Mark Williams
Jud Turner
Homer Bryson
Spud Woodward
Dan Forster
Becky Kelley
Dave Crass
Steve Friedman
Mark Whitney
Eddie Henderson
Keith Bentley
Jac Capp
Lauren Curry
Kyle Pearson
Zachary Harris
Jim Ussery
Doralyn Kirkland
Tim Wright
Stephen Adams
Jeff Cown
Russ Pennington
Taylor Brown
Mary Ann Evans
Cathy Barnette

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Chris Manganiello, Georgia River Network

Thomas Farmer, The Nature Conservancy

Doug Fulle, Oglethorpe Power

Dave Williams, Metro Atlanta Chamber

Larry Carver, Catahula Inert Disposal

Jim Corley, Athens-Clarke County

David Word, Joe Tanner & Associates

Tim Hussey, Douglas County Board of Commissioners

Gary Jenkins, Douglas County Board of Commissioners

Mark Woodall, Sierra Club

Bill Hodges, Hodges Harbin Newberry Tribble

The January 22, 2013 meeting of the Environmental Protection Committee was called to order by Board Chairman Philip Watt. Chairman Watt called on Ray Lambert, Chairman of the Environmental Protection Committee. Mr. Lambert called on Keith Bentley, Chief, Land Protection Branch of the Environmental Protection Division (EPD).

Mr. Bentley stated that the item was for consideration of the proposed amendments to Rules for Solid Waste Management, Chapter 391-3-4, pertaining to Inert Waste Landfills. He gave brief background information on the issue and further stated that the proposed amendments included the following:

- **Rule 391-3-4-.06(3)(c), “Inert Waste Landfill Operations,”** is being amended to require that all new inert waste landfills obtain a full solid waste handling permit to operate. It also provides for an 18 month transition period for existing inert waste landfills to come into compliance with the new permitting requirements or close under the current inert waste landfill permit by rule conditions.
- **Rule 391-3-4-.07(4)(c), “Inert Waste Landfill Facilities,”** is a new rule outlining design and operational standards that must be met before an inert waste landfill can obtain a solid waste handling permit for construction and operation.
- **Rule 391-3-4-.07(4)(d),** has been renumbered from c to d.

Mr. Bentley stated that he would request the Committee recommend that the Board adopt the Resolution to approve the proposed amendments, as presented.

Mr. Lambert stated that there were 13 individuals who had signed up to speak on this issue.

Mr. Lambert called on Jerry Merkerson, City of Hawkinsville, who stated his opposition to the proposed amendments.

Mr. Lambert called on Leon Watkins, K & M Inert Waste Landfills, who stated his opposition to the proposed amendments.

Mr. Lambert called on Don Collins, Chairman of the Legislative Committee for the Georgia Chapter of the National Solid Wastes Management Association, who stated his support of the proposed amendments.

Mr. Lambert called on Murray Griffin, President/CEO of Atlantic Coast Consulting and professional engineer, who stated his support of the proposed amendments.

Mr. Lambert called on State Representative Tom Kirby, who stated his opposition to the proposed amendments.

Mr. Lambert called on Larry Carver, Catahula Inert Disposal, who stated his opposition to the proposed amendments.

Mr. Lambert called on Jim Corley, Solid Waste Director for Athens-Clarke County and Legislative Liaison for Georgia Solid Waste Association for North America, who stated his support of the proposed amendments.

Mr. Lambert called on David Word, Joe Tanner & Associates and environmental engineer, who stated his support for the proposed amendments.

Mr. Lambert called on Ashley Megatt, Georgia Municipal Association, who stated her opposition to the proposed amendments.

Mr. Lambert called on Tim Hussey, Government Services Director for the Douglas County Board of Commissioners, who stated his support for the proposed amendments.

Mr. Lambert called on Gary Jenkins, Manager of the Solid Waste Department for the Douglas County Board of Commissioners, who stated his support for the proposed amendments.

Mr. Lambert called on Mark Woodall, Chairman of the Executive Committee of the Sierra Club, who stated his support for the proposed amendments, but would like to see some of the rules tightened up.

Mr. Lambert called on Bill Hodges, Hodges Harbin Newberry Tribble, who stated his support for the proposed amendments.

Discussion ensued.

A motion was made by Mr. Billew, seconded by Mr. Bagwell, and carried unanimously that the Committee recommends that the Board adopt the Resolution to approve the proposed amendments to the Rules for Solid Waste Management, Chapter 391-3-4, pertaining to Inert Waste Landfills, as presented. (Resolution attached hereto and made a part hereof)

Mr. Lambert called on Jac Capp, Chief, Air Protection Branch, for two briefing items.

Mr. Capp stated that the first item was a briefing on the proposed amendments to the Rules for Air Quality Control, Chapter 391-3-1, pertaining to Electric Utility Steam Generating Units. He further stated that the proposed amendments include the following:

- **Rule 391-3-1-.02(2)(sss), “Multipollutant Control for Electric Utility Steam Generating Units,”** is amended to synchronize the requirements of this rule with Georgia Power Company’s plans for complying with the Federal Mercury and Air Toxics Standard (MATS) for coal- and oil-fired power plants.

- **Rule 391-3-1-.02(2)(uuu), “SO₂ Emissions from Electric Utility Steam Generating Units,”** is amended to synchronize the requirements of this rule with Georgia Power Company’s plans for complying with the Federal MATS for coal- and oil-fired power plants.

Mr. Capp stated that the proposed amendments only impact Plant Branch and Plant Yates.

Mr. Capp stated that EPD will hold a public hearing on March 5, 2013, and expects to present these proposed amendments for action at the April 30, 2013 Board meeting.

Mr. Capp stated that the next briefing was on proposed amendments to the Rules for Air Quality Control, Chapter 391-3-1, pertaining to Open Burning. He further stated that the proposed amendments would include the following:

Rule 391-3-1-.02(5), “Open Burning,” is being revised to harmonize the year-round open burning restrictions, which currently apply to all counties with a population exceeding 65,000, with the summertime burning restrictions. This revision will allow three additional open burning activities to be conducted in the affected counties.

Mr. Capp stated that EPD will hold a public hearing on March 5, 2013, and expects to present the proposed amendments for action at the March 26, 2013 Board meeting.

Mr. Lambert called on Jud Turner, Director of EPD, for an update.

Director Turner gave a briefing on the Lake Lanier Tri-State Water issue, relocation of several EPD offices, highlights of EPD’s budget, and the status of the odor problem at Wilbros.

There being no further business, the meeting was adjourned.