

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

April 29, 2013

Attending:

Committee Members

Ray Lambert, Chairman
William Bagwell, Vice Chairman
Nancy Addison
Phyllis Johnson
Aaron McWhorter
Mark Mobley
Mike Phelps
Rob Leebern, Board Chair, ex-officio

Board Members

Dwight Davis
Duncan Johnson
Bill Jones
Paul Shailendra
Bodine Sinyard
Mark Smith
Philip Watt
Philip Wilheit
Dee Yancey

Visitors

Bryan Tolar, Georgia Agribusiness Council
Michael Pisciotta, Georgia Agribusiness Council
Mark Woodall, Sierra Club
Chris Manganiello, Georgia River Network
April Ingle, Georgia River Network
Gordon Rogers, Flint Riverkeeper
Aaron Mitchell, Georgia Power
Max Zygmunt, MZCZ Law
Lauren Joy, SELC
Doug Fulle, Oglethorpe Power
David Ward, JTA
Dave Williams, Metro Atlanta Chamber
Matt Harper, GEFA
Gary Kelly, Baker County Land Owner
Ashton Bailey, GreenLaw
Ronnie Just, Georgia Power
Lauren George, Southern Environmental Law Center

Staff Members

Mark Williams
Jud Turner
Homer Bryson
Spud Woodward
Dan Forster
Becky Kelley
Dave Crass
Steve Friedman
Jac Capp
Keith Bentley
Lauren Curry
Mark Whitney
John Bowers
Eddie Henderson
Kyle Pearson
John Martin
Michael Chadwell
Mary Ann Evans
Cathy Barnette
Taylor Brown
Nap Caldwell
Doralyn Kirkland
Wally Woods
Lon Revall

The April 29, 2013 meeting of the Environmental Protection Committee was called to order by Chairman Rob Leebern.

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

Mr. Capp stated the item for consideration would be an action item 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 the proposed amendments included the following:

- **Rule 391-3-1-.02(2)(sss)**, “Multipollutant Control for Electric Utility Steam Generating Units” is amended to specify emission control measures that are to be installed and operated at the existing power plants to comply with the federal Mercury and Air Toxics Standards 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 establish sulfur dioxide emission reduction requirements for specific coal fired utility boilers to comply with the federal Mercury and Air Toxics Standards for coal and oil-fired plants.

Mr. Capp stated the amendments would change the compliance dates for Plant Branch Units 1,3, and 4 and Plant Yates Units 6 and 7 to the Mercury and Air Toxics Standards compliance date of April 16, 2015.

Mr. Capp stated EPD had briefed the Board on the proposed amendments at the January Board meeting and the public comment period ended on March 28th.

Mr. Capp stated he would request the committee recommend that the Board approve the item as presented.

Chairman Lambert called on Ashton Bailey, representing GreenLaw, to speak on the proposed amendments.

Ms. Bailey stated GreenLaw’s concerns with EPD’s scheduled compliance dates, which differ from the compliance dates listed in proposed Rule 391-2-1-.02(2)(sss).

Chairman Lambert called on Ronnie Just, representing Georgia Power, to speak on the proposed amendments.

Mr. Just stated Georgia Power was in support of EPD’s proposed amendments which are adapting new federal standards and giving flexibility to how Georgia Power units in Newnan are operated.

A motion was made by Ms. Addison, seconded by Ms. Johnson and carried unanimously that the committee recommend that the Board adopt the Resolution to approve the proposed amendments to the Rules for Air Quality Control, Chapter 391-3-1, pertaining to Electric Utility Steam Generating Units, as presented.

Chairman Lambert called on Keith Bentley, Chief of the Land Protection Branch.

Mr. Bentley stated the item for consideration was an action item on the proposed amendments to the Rules for Underground Storage Tank Management, Chapter 391-3-15, pertaining to Environmental Assurance Fees.

Mr. Bentley stated the purpose of the amendments to Rule 391-3-15-.13(1)(a)1., “Environmental Assurance Fee (EAF)” is to increase the EAF paid by participants to the Georgia Underground Storage Tank Trust Fund from one-quarter cent (.25¢) to three-quarters of a cent (.75¢) per gallon.

Mr. Bentley stated a public hearing was held and no members of the public attended.

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

A motion was made by Mr. Phelps, seconded by Ms. Addison and carried unanimously that the committee recommend that the Board adopt the Resolution to approve the proposed amendments to the Rules for Underground Storage Tank Management, Chapter 391-3-15, pertaining to Environmental Assurance Fees, as presented.

There being no further business, the meeting was adjourned.