

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

May 20, 2013

Attending:

Committee Members

Ray Lambert, Chairman
William Bagwell, Vice Chairman
Nancy Addison
Walter Hudson
Phyllis Johnson
Aaron McWhorter
Mark Phelps
Rob Leebern, Board Chairman, ed-officio

Board Members

Dwight Davis
Duncan Johnson
Bill Jones
Paul Shailendra
Mark Smith

Visitors

John Eberhart, Georgia Earth Alliance
Leon Watkins, K&M Landfill
Michael Pisciotta, Georgia Agribusiness Council
Debbie Phillips, Georgia Agribusiness Council
Harold Reheis, Joe Tanner & Associates
Chris Manganiello, Georgia River Network
Scott Tanner, Joe Tanner & Associates
Doug Fulle, Oglethorpe Power
Todd Holbrook, Georgia Wildlife Federation
Larry McSwain
David Waller

Staff Members

Mark Williams
Jud Turner
Homer Bryson
Dave Crass
Dan Forster
Becky Kelley
Eddie Henderson
Steve Friedman
Kyle Pearson
Lauren Curry
Zachary Harris
Cathy Barnette
Doralyn Kirkland
Doug Haymans
Jac Capp
John Bowers
Jeff Weaver
John Biagi
Mary Walker
Wally Woods
Michael Chadwell
Chris Faulkner
Hellen Harris
Kim Feagler

The May 20, 2013 meeting of the Environmental Protection Committee was called to order by Chairman Rob Leebern.

Chairman Rob 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 first item for the Board's consideration would be an action on the proposed amendments to Chapter 391-3-1, Rules for Air Quality Control, pertaining to miscellaneous updates.

Mr. Capp stated the purpose of the proposed rulemaking was to clarify or remove incorrect or obsolete provisions. He further stated EPD reviews the rules every year for this purpose.

Mr. Capp clarified the purpose of the proposed amendments to Rule 391-3-1-.12, "Duties of the Small Business Ombudsman Office," was to remove the term limits for members serving on the Small Business Advisory Board panel. He further stated removing the two-term limitation would not relinquish power from the appointing authority and was in the best interest of the state of Georgia and EPD.

Mr. Capp stated one comment was received from GreenLaw regarding the proposed removal of Rule 391-3-1-.03(8)(d), stating that this provision may be relevant to future enforcement actions. He further stated that EPD believed the rule should be removed due to the fact that it is an obsolete rule and contains an incorrect citation to a non-existent requirement.

Mr. Capp stated the Board was briefed on this item in February and the proposed amendments went to public notice in March.

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

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

Mr. Capp stated the second item for the Board's consideration would be an action on the proposed repeal of Chapter 391-3-9, Rules for Radioactive Waste Material Disposal.

Mr. Capp stated the Rules for Radioactive Waste Material Disposal were adopted in 1979 and have never been utilized or implemented.

Mr. Capp stated the Board was briefed on this item in February, and no comments were received during the public notice period.

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

A motion was made by Mr. Hudson, seconded by Ms. Addison and carried unanimously that the committee recommend that the Board adopt the Resolution to approve the proposed repeal to Chapter 391-3-9, Rules for Radioactive Waste Material Disposal, as presented.

Chairman Lambert called Chris Faulkner, Grants Unit Coordinator.

Mr. Faulkner stated he would request the Board's consideration of the eligibility and selection requirements for the FY2014 funding cycle for Section 319(h) Nonpoint Source Implementation Grants.

Mr. Faulkner stated that due to federal funding cuts, the criteria for grant awards would be more restrictive in FY2014. He further stated only projects that propose to develop and/or implement watershed management plans that meet the required guidelines as approved by USEPA and GAEPD would receive consideration for funding

Mr. Faulkner stated if the Board was to approve this item, the eligibility and selection requirements would be filed with the Secretary of State's Office and the application process would begin July 1, 2013 and end October 31, 2013. He further stated all grant applications would be reviewed during November and December of 2013. He added award recommendations would be made spring of 2014.

Mr. Faulkner 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. Johnson and carried unanimously that the committee recommend that the Board adopt the Resolution to approve the proposed Grant Criteria for Award of Section 319(h) Nonpoint Source Implementation Grants FY2012, as presented.

Chairman Leebern called on Jud Turner, Director of EPD, for a division update.

Director Turner gave an update on the passing of the Water Resources Development Act bill in the U.S. Senate, which reallocates the storage of water supply; GEFA and EPD's progress on the Flint River ASR project; and changes in EPD staffing.

There being no further business, the meeting was adjourned.