

**Minutes**  
**Environmental Protection Committee**  
Georgia Southern University  
Nessmith-Lane Conference Center  
Ballroom (#1601)  
847 Plant Drive  
Statesboro, GA 30458

**June 25, 2013**

**Attending:**

Committee Members

Ray Lambert, Chairman  
William Bagwell, Vice Chairman  
Nancy Addison  
Aaron McWhorter  
Mark Mobley  
Mark Phelps  
Rob Leebern, Board Chairman, ed-officio

Board Members

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

Visitors

Neill Herring  
Harlan Proveaux  
James Hayes  
Connie Hayes  
Lynn Lewis-Weis, National Wild Turkey Federation  
Barbara LoRusso  
Lance LoRusso  
Ronny Just, Georgia Power  
Emily Markesteyn, Ogeechee Riverkeeper  
Al Hackle, Statesboro Herald  
Rayban Anderson  
Bob Lane  
Dallas Whitman  
Willis Wood  
Phil Odom, Liberty Regional Water Council

Staff Members

Mark Williams  
Jud Turner  
Homer Bryson  
Spud Woodward  
Dave Crass  
Dan Forster  
Becky Kelley  
Eddie Henderson  
Steve Friedman  
Kyle Pearson  
Lauren Curry  
Zachary Harris  
Cathy Barnette  
Taylor Brown  
Wally Woods  
John Bowers  
John Biagi  
Jan Sammons  
Nap Caldwell  
Stephanie Busch  
Doralyn Kirkland  
Jeff Weaver  
Walter Rabon  
John Martin  
Mark Whitney  
Keith Bentley  
Cindy Miller  
Bob Lynn  
Jeff Swift  
Scott Klingel  
Mary Walker  
Jeff Cown  
Stephen Adams  
Bill Donahue  
Ronnie Phillips

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John Edwards, Peaceofficers Association of Georgia

Todd Holbrook, Georgia Wildlife Federation

Don Cheek

Reggie Dickey, Georgia Hunting and Fishing Federation

Bobby McLemore, Ben Hill County Sheriff

Ladson O'Connor, Montgomery County Sheriff

Scott Brunson, Statesboro Police Department

Jon Burns, Georgia House of Representatives

Ben Stowers, Natural Resources Foundation

Bill Archer

The June 25, 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 Jud Turner, Director of EPD.

Director Turner stated the first item would be an action on the proposed amendments to the Rules for Air Quality Control, Chapter 391-3-1, pertaining to permit fees.

Director Turner stated the purpose of the proposed amendments was to specify the fee rate and reference a new fee manual for calendar year 2012 fees. He further stated Congress had set the current fee rate of \$25/ton in 1990. He added that due to the rising costs of fringe benefits for state employees, the total costs have risen, despite downsizing.

Director Turner stated that EPD proposes that the dollar-per-ton rates be increased from \$35.84/ton to \$37.34/ton for coal-fired power plants and from \$34/ton to \$35.50/ton for all other facilities.

Director Turner stated that the Board was briefed on this item in March and no comments were received during the public comment period.

Director Turner stated he would request the Committee recommend that the Board approve the item as presented.

A motion was made by Mr. Phelps, seconded by Mr. McWhorter and carried unanimously that the Committee recommend that the Board adopt the Resolution to approve the proposed amendments to Rules for Air Quality Control, Chapter 391-3-1, pertaining to permit fees, as presented.

Director Turner stated the next item would be an action on the proposed amendments to Rules for Radioactive Materials, Chapter 391-3-17, pertaining to Licensing Fees.

Director Turner stated the purpose of the proposed amendments was to revise the Radioactive Materials License Fee schedule and remove obsolete terms.

Director Turner stated the fee was established in 1992 and set at 33% of the Nuclear Regulatory Commission's (NRC) fee. He further stated the proposed fee schedule will set the fee at 37% of the NRC's fee. He added the additional costs to the regulated community would produce \$1,200,000 in additional funding.

Director Turner stated the Board was briefed on this item at the March Board meeting and no comments were received during the public comment period.

Director Turner stated he would request the Committee recommend that the Board approve the item as presented.

A motion was made by Ms. Addison, seconded by Mr. Mobley and carried unanimously that the Committee recommend that the Board adopt the Resolution to approve the proposed amendments to Rules for Radioactive Materials, Chapter 391-3-17, pertaining to Licensing Fees, as presented.

Director Turner called on Jan Sammons, Acting Manager of the Nonpoint Source Program.

Ms. Sammons stated the item for consideration was an action on the proposed amendments to Rules for Erosion and Sedimentation Control, Chapter 391-3-7, pertaining to stream buffer variance procedures and criteria.

Ms. Sammons stated the purpose of the proposed amendments was to provide clarification for the criteria used to review buffer variance applications and to address permitting issues. She further stated the proposed amendments included the following:

- **Rule 391-3-7-.01 “Definitions”** is being amended to make minor changes to six definitions, add two definitions, and delete two definitions.
- **Rule 391-3-7-.05 “Buffer Variance Procedures and Criteria (2)”** is being amended to (a) add existing infrastructure projects and to allow for an expanded list of eligible projects and (k) allow new infrastructure projects that impact trout waters to apply under certain criterion.
- **Rule 391-3-7-.05 “Buffer Variance Procedures and Criteria (3)”** is being amended to replace the term “temporary” with the term “minor.”
- **Rule 391-3-7-.05 “Buffer Variance Procedures and Criteria (4)”** is being amended to replace the term “permanent” with the term “major.”
- **Rule 391-3-7-.05 “Buffer Variance Procedures and Criteria (8)”** is being amended to establish a buffer variance expiration date of five years with a one-time extension of at least five years.

Ms. Sammons stated she would request the Committee recommend that the Board approve the item as presented.

A motion was made by Mr. McWhorter, seconded by Ms. Addison and carried unanimously that the Committee recommend that the Board adopt the Resolution to approve the proposed amendments to Rules for Erosion and Sedimentation Control, Chapter 391-3-7, pertaining to stream buffer variance procedures and criteria, as presented.

Chairman Lambert called on Director Turner to present the proposed Grant Criteria for Regional Water Planning Implementation Seed Grant SFY2014.

Director Turner stated EPD is proposing to establish a grant program that would provide funds to eligible recipients in Georgia to support and incentivize local governments and other appropriate water users as they collect and manage the requisite data and information and undertake their

implantation responsibilities as provided in the applicable Regional Water Plan. He further stated that the total available funds for the SFY2014 Grant program are \$150,000. He added these funds would total 60% of the grant recipient's total project, and the grant recipient would be required to provide the remaining 40%.

Director Turner stated that he would request the Committee recommend that the Board approve the item as presented.

A motion was made by Mr. Mobley, seconded by Mr. McWhorter and carried unanimously that the Committee recommend that the Board approve the proposed Grant Criteria for Regional Water Planning Implementation Seed Grant SFY2014, as presented.

Chairman Lambert called on Nap Caldwell, Manager of the Water Supply Program, for a briefing on the proposed amendments to Rules for Safe Drinking Water, Chapter 391-3-5.

Mr. Caldwell stated the proposed amendments would make administrative changes and improve the readability of the rules.

Mr. Caldwell stated EPD would be bringing the item back to the Board for consideration in September.

Chairman Lambert called on Stephanie Busch, Manager of the Waste Reduction Program, for an informational briefing on the proposed amendments to Rules for Solid Waste Management, Chapter 391-3-4, pertaining to composting.

Director Turner stated that Ms. Busch would be giving background on the activities related to compost.

Ms. Busch stated there are 32 compost facilities in Georgia. Ms. Busch stated EPD research found that food was the single largest component going into landfills. She further stated that for the past four years, EPD's goal has been to find ways to divert food products from landfills and into compost facilities.

Ms. Busch stated a group of stakeholders had met to discuss this issue and planned to meet again in September. She added EPD would be bringing the proposed amendments back to the Board for consideration in December.

There being no further business, the meeting was adjourned.