

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

October 27, 2020
9:00 a.m.
Via Teleconference Call

Attendees:

Committee Members

Ray Lambert, Chair
Dwight Evans, Vice Chair
Nick Ayers
William Bagwell
Dwight Davis
Paul Shailendra
Bodine Sinyard
Brother Stewart
Dee Yancey
Nancy Addison, Board Chair, Ex-officio

Board Members

Patrick Denney
Joe Hatfield
Duncan Johnson
Bill Jones
Rob Leebern
Tim Lowe
Billy New
Miki Thomaston

Guests

Ronny Just, Georgia Power Company

Staff Members

Mark Williams, Commissioner
Walter Rabon
Kyle Pearson
Kate Iannuzzi
Josh Hildebrandt
Cathy Barnette
Amber Carter
Artica Gaston
Courtney Hall
Thomas Barnard
Jeff Cown
Steve Friedman
Rusty Garrison
Doug Haymans
Jason Roberson

Richard Dunn, Director
Lauren Curry
Jac Capp
Karen Hays
Chuck Mueller
Laura Williams

The October 27, 2020 meeting of the Environmental Protection Committee was called to order by Chair Nancy Addison.

Chair Addison called on Ray Lambert, Chairman of the Environmental Protection Committee. Mr. Lambert called on Jac Capp, Chief of the Watershed Protection Branch, to present the Proposed Grant Criteria for Georgia High Hazard Potential Dams, Chapter 391-3-21-.16.

Mr. Capp stated the program was established through Water Infrastructure Improvements for the Nation Act (WIIN ACT) in 0216 and EPD has been appropriated approximately \$1.3 million through FEMA. He further stated to receive grant funds for rehabilitation of eligible high hazard potential dams, project applicants must be state or local government entities, nonprofit organizations, or private dam owners with a governmental or nonprofit sponsor and applicants must have an approved emergency action plan and match at least 35% of the funds. He added rehabilitation may include the repair, replacement, reconstruction, or removal of a dam, however, rehabilitation does not include routine operation and maintenance activities.

Mr. Capp stated EPD proposes a prioritization process to allocate the funds to project applicants. He further stated Category I dams that are unpermitted will be prioritized, provided that the application commits to bringing the dam into full compliance with the Georgia Safe Dams Act. He added Population at Risk associated with each dam and anticipated losses avoided due to rehabilitation of the dam will be considered.

Mr. Capp requested favorable consideration.

A motion was made by Mr. Evans, seconded by Mr. Ayers, and carried unanimously that the Committee recommend the Board adopt the Resolution to approve the Proposed Grant Criteria for Georgia High Hazard Potential Dams, Rule 391-3-21-.16, as presented.

Mr. Lambert asked Mr. Capp to continue with Item B, Proposed Amendments to Rules for Public Water Systems to Improve Water Supply Efficiency, Chapter 391-3-33.

Mr. Capp stated the purpose of the rule amendment is to require public water systems serving at least 3,300 individuals that do not otherwise hold a water withdrawal permit to demonstrate progress toward improving water supply efficiency when renewing their drinking water permit, and that the Director may take permitting action where such system fails to demonstrate progress. He further stated these public water systems are referred to as “purchased water systems” and they were unintentionally left out from the Board’s adoption of

the rule chapter in 2015. He added under the proposed rule amendment, demonstration of progress toward improved water supply efficiency would be considered when purchased water systems renew their Drinking Water Permit every 10 years.

Mr. Capp stated the Notice of Stakeholder Draft was published on August 17 and a public meeting was held on September 9. He further stated after briefing the Environmental Committee today, public notice will take place in November and a public hearing will be held during that period. He added he is planning to request Board adoption at the January 2021 meeting.

Mr. Lambert asked Mr. Capp to continue with Item C, Proposed Amendments to Rules Safe Drinking Water, Chapter 391-3-5.

Mr. Capp stated the draft rule amendments address comments from US EPA in order for EPD to get final primacy approval of the rules and general cleanup and consistency with current Secretary of State Office standards for state rule formatting. Mr. Capp further stated the rule amendments include state rule updates that are not impacted by US EPA's primacy review including adding the ability for larger privately-owned community water systems to approve limited additions to their system and add a deadline to annually report the additions they approved, update well construction and disinfection standards based on national engineering guidelines, remove detail regarding well siting criteria and replace with reference to Minimum Standards, and clarify the location for a raw water sampling port on groundwater supply well. He added the proposed changes will update public notice requirements, clean-up language, and add a deadline for permit applications for renewal.

Mr. Capp stated the Notice of Stakeholder Draft was published on August 18th and a public meeting was held on September 2. He further stated after briefing the Environmental Committee today, public notice will take place in November and a public hearing will be held during that period. He added he is planning to request Board adoption at the January 2021 meeting.

Chairman Lambert called on Karen Hays, Chief of the Air Protection Branch, to present Proposed Amendments to the Rules for Enhanced Inspection and Maintenance, Chapter 391-3-20.

Ms. Hays stated Georgia's Enhanced Inspection and Maintenance Program covers gasoline-powered passenger vehicles registered in the 13-county Atlanta Metropolitan Area as required by the Clean Air Act Amendments for areas that were moderate or higher nonattainment areas for the 1-hour ozone NAAQS. She further stated the proposed changes will remove all referrals to "acceleration simulation mode" requirements. She added acceleration

simulation mode requirements are no longer relevant as of January 1, 2020 because model year 1995 and earlier passenger vehicles are no longer subject to emission inspection requirements.

Ms. Hays stated after briefing the Environmental Committee today, a 30-day public comment period will begin in November. She further stated a public hearing will be held 10 days before the end of the public comment period. She added she is planning to request Board adoption of the proposed amendments at the February 2021 meeting

Mr. Lambert asked Ms. Hays to continue with Item E, Proposed Amendments to the Rules for Radioactive Materials, Chapter 391-3-17.

Ms. Hays stated the Rules are periodically amended to address requirements of the US Nuclear Regulatory Commission (NRC) for Agreement states. She further stated Georgia is an Agreement State which are required to ensure that the Rules meet the compatibility and health and safety categories established by the NRC. She added the proposed changes remove the definition and references to “Licensing State” as well as minor wording updates.

Ms. Hays stated after briefing the Environmental Committee today, a 30-day public comment period will begin in November. She further stated a public hearing will be held 10 days before the end of the public comment period. She added she is planning to request Board adoption of the proposed amendments at the February 2021 meeting

There being no further business, the meeting was adjourned.