

Minutes
Environmental Protection Committee
Hard Labor Creek State Park
Golf Course Conference Room
1400 Knox Chapel Road
Social Circle, GA 30025

May 25, 2021
9:00 a.m.

Attendees:

Committee Members

Ray Lambert, Chair
Dwight Evans, Vice Chair
William Bagwell
Randy Dellinger
Patrick Denney
Duncan Johnson
Bill Jones
Rob Leebern – Via Conference Call
Bodine Sinyard
Dee Yancey, Board Chair, Ex-officio

Board Members

Nancy Addison
Joe Hatfield
Tim Lowe
Billy New
Paul Shailendra – Via Conference Call
Miki Thomaston
Gary Vowell

Guests

Blake Raulerson, Governor's Office

Staff Members

Mark Williams, Commissioner
Walter Rabon
Kyle Pearson
Kate Iannuzzi
Josh Hildebrandt
Cathy Barnette
Artica Gaston
Thomas Barnard
Jeff Cown
Steve Friedman
Rusty Garrison
Doug Haymans
Tina Johannsen
John Bowers

Richard Dunn, Director
John Eunice
Jac Capp
Karen Hays
Chuck Mueller
Laura Williams

The May 25, 2021 meeting of the Environmental Protection Committee was called to order by Chairman Dee Yancey.

Chairman Yancey called on Ray Lambert, Chairman of the Environmental Protection Committee. Mr. Lambert called on Chuck Mueller, Chief of the Land Protection Branch, to present the Proposed Amendments to the Rules for Solid Waste Management, Chapter 391-3-4.

Mr. Mueller stated the primary purpose of the proposed changes is to address fires at mulching facilities and stability concerns at landfills taking more than 5% by weight High Moisture Content Waste (HMCW). He further stated the revisions will align the Rules with recent changes to the Georgia Comprehensive Solid Waste Management Act to clarify post-closure care requirements, update references, and make minor edits. He added the proposed changes will remove the requirement to notify legal organ upon permit action but will still require notifications to be sent to local government officials and posted on the EPD website.

Mr. Mueller stated the amendments add a section for mulching operations that specifies the conditions to be considered a recovered materials processing operation. He further stated a section is added specifying requirements for MSW and commercial industrial landfills to require submission of HMCW management plans by facilities that accept, or plan to accept, 5% or more HMCW by weight. He added the amendments will move mulching from the composting section to the Recovered Materials section.

Mr. Mueller stated five comments were received during the public comment period from local governments, affected entities, non-profit organizations, and consulting firms. He further stated comments were received in support of changes that promote safe and sustainable solid waste management practices, questioning the 5% HMCW standard for submittal of HWCM Management Plans, questioning how 40% liquid by weight was determined for HMCW, and a request to delay adoption of proposed rule change for the submittal of HMCW Management Plans. He added no changes to the proposed rules are recommended in response to comments received.

Mr. Mueller stated stakeholder meetings were held on June 16, 2020 and January 14, 2021 and stakeholder comments were received by July 31st. He further stated he briefed the DNR Board Environmental Committee on February 23, 2021. He added a public hearing was held on March 31, 2021 and a 30-day comment period closed on April 12, 2021.

Mr. Mueller requested a favorable consideration.

A motion was made by Mr. Evans, seconded by Mr. Leeburns, and carried unanimously that the Committee recommend the Board adopt the Resolution to approve the proposed amendments to the Rules for Solid Waste Management, Chapter 391-3-4.

Mr. Lambert called on Karen Hays, Chief of the Air Protection Branch, to present Proposed Amendments to the Rules for Air Quality Control, Chapter 391-3-1.

Ms. Hays stated Georgia EPD is required by the Federal Clean Air Act and Georgia Air Quality Act to collect sufficient revenue in the form of permit fees to fund the direct and indirect costs of the permitting program. She further stated there are annual permit fees for NSPS sources, SM sources, and Title V sources, as well as an Optional Expedited Permitting Program Fee. She added the amendment will include FY 2022 annual fees which are based on CY 2020 emissions with no changes in fees.

Ms. Hays stated a Permit Fee Advisory Committee meeting took place on December 14, 2020. She further stated she briefed the DNR Board Environmental Committee on February 23, 2021. She added a public hearing was held on April 12, 2021 and a 30-day comment period closed on April 19, 2021 with no comments received.

Ms. Hays requested a favorable consideration.

A motion was made by Mr. Evans, seconded by Mr. Sinyard, and carried unanimously that the Committee recommend the Board adopt the Resolution to approve the proposed amendments to the Rules for Air Quality Control, Chapter 391-3-1.

Mr. Lambert asked Ms. Hays to continue with Item C, Proposed Amendments to the Rules for Air Quality Control – Miscellaneous Rules, Chapter 391-3-1.

Ms. Hays stated EPD regularly updates rules to incorporate changes to US EPA rules, incorporate new US EPA rules, update references to the most current documents, remove obsolete requirements, and make corrections. She further stated the key changes to the proposed amendments include updating the definition of “Procedures for Testing and Monitoring Sources of Air Pollutants”, revisions to Emission Statements reporting requirement, and Updates to certain New Source Performance Standards and Emission Standards for Hazardous Air Pollutants. She added revisions to the “Gasoline Dispensing Facility – Stage I” Rule will remove outdated references and remove the Enhanced Stage I Gasoline Vapor Recovery System requirements that were scheduled to go into effect in 2023 in Catoosa, Richmond, and Walker counties.

Ms. Hays stated after briefing that Environmental Committee today, a 30-day comment period and public hearing will be scheduled for June and July. She further stated she will request Board adoption of the proposed amendments at the September 2021 meeting.

Mr. Lambert asked Ms. Hays to continue with Item D, Proposed Amendments to the Rules for Air Quality Control – MSW Landfills, Chapter 391-3-1.

Ms. Hays stated the proposed amendments will pertain to large Municipal Solid Waste Landfills that commenced construction on or before July 17, 2014. She further stated the amendments will adopt requirements of updated federal emission guidelines and control non-methane organic emissions required when emissions exceed 34 megagrams per year (previously 50 megagrams per year). She added if Georgia does not adopt the updated federal emission guidelines, landfills will be subject to a federal plan.

Ms. Hays stated after briefing that Environmental Committee today, a 30-day comment period and public hearing will be scheduled for June and July. She further stated she will request Board adoption of the proposed amendments at the September 2021 meeting.

There being no further business, the meeting was adjourned.