

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

October 25, 2017

Attending:

Committee Members

Ray Lambert, Chairman - **via conference call**
William Bagwell, Vice Chairman
Dwight Davis
Dwight Evans
Aaron McWhorter
Mike Phelps
Brother Stewart
Dee Yancey
Duncan Johnson, Jr., Board Chairman, Ex-Officio

Board Members

Nancy Addison
Bill Jones
Mark Mobley
Bodine Sinyard - **via conference call**
Miki Thomaston
Philip Watt
Philip Wilheit

Guests

Leon Watkins, White Stone Landfill
Bill Hodges, Hodges, Harbin, Newberry, & Tribble
Mark Woodall, Sierra Club
Ronny Just, GA Power
Hunter Loggins, GA Agribusiness Council
Leah Dixon, GA Conservancy
Chance Seabolt
Kitty Seabolt
Scott Taylor

Staff Members

Mark Williams
Kyle Pearson
Wes Robinson
Cathy Barnette
Amber Carter
Artica Gaston
Dave Crass
Rusty Garrison
Col. Eddie Henderson
Spud Woodward
Steve Friedman
John Bowers
Maj. Thomas Barnard
Lt. Col. Jeff Weaver
Matt Thomas
Chip Madren
Walter Lane
Stan Elrod
Doug Haymans
Taye Pierce
Mike Spencer
Mark Whitney
Sgt. Derek Dillard
Doyte Chaffin
Jeff Billups
Cpl. Bart Hendrix
John Martin
Richard Dunn
Lauren Curry
Laura Williams
Jeff Cown
Karen Hays
Donald Kirkland
Dika Kuoh
Erin Ruoff
Sarah Visser
Sydney Brogden

The October 25, 2017 meeting of the Environmental Protection Committee was called to order by Chairman Duncan Johnson.

Chairman Johnson called on Vice Chairman William Bagwell. Vice Chairman Bagwell called on Karen Hays, Chief of the Air Protection Branch, to present Proposed Grant Criteria for Georgia Diesel Emissions Reduction Program, Chapter 391-3-21-.15(4).

Ms. Hays stated EPD is requesting the Board's consideration of the eligibility and selection criteria for the next grant cycle of the Georgia Diesel Emissions Reduction Program. She further stated the purpose of this grant is to reduce school children's exposure to diesel emissions by assisting public schools with school bus replacements. She added that newer busses have less emissions of diesel particulate matter and oxides of nitrogen than older buses.

Ms. Hays stated this grant is funded through the U.S. Environmental Protection Agency and the National Clean Diesel Program. She further stated the funding available for Georgia school systems for the one year grant cycle is \$393,000. She added this grant does require a match from the school system, specifically a 75% match and the buses being replaced must be model year 2006 or older and be replaced with model year 2017 or newer, and school systems statewide are eligible, but preference will be given to schools located in areas of the state previously designated as nonattainment for ozone.

Ms. Hays stated that if the Board approves the criteria, it will be filed with the Secretary of State's office and we will proceed with issuing a request for applications.

Mr. Bagwell stated that if there are no questions, he would like to request favorable consideration for adopting the Proposed Grant Criteria.

A motion was made by Mr. Davis, seconded by Mr. Stewart and carried unanimously that the Committee recommend that the Board approve the proposed grant criteria for the Georgia Diesel Emissions Reduction Program, Chapter 391-3-21-.15(4).

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

Ms. Hays stated these are the rules that govern the vehicle emission inspection program for passenger vehicles that are registered in the thirteen county Atlanta metro area. Ms. Hays further stated that Georgia is required to have a vehicle emission testing program for passenger vehicles registered in these counties. She added that in order to effectively regulate the vehicle emissions testing stations and the vehicle emissions testing inspectors we periodically revise these rules.

She stated we are updating terminology and references to accurately reflect current emission testing technology and inspection procedures, correcting and adding definitions and acronyms, and clarify that sellers of used motor vehicles must have a valid passing certificate of emissions inspection when two conditions are met: selling a vehicle that is currently required to have an emissions inspection

in the 13 county area, and you are selling to a buyer who is required to register that vehicle in the 13 county area. She added the proposed rules do not make the rule more stringent.

Ms. Hays stated after the Board meeting we will proceed with the public comment period, the public hearing will likely be scheduled for early December, with the public comment period closing shortly after that. She further stated that she plans to go before the Board to request adoption of proposed amendments in February of next year.

Vice Chairman Bagwell called on Karen Hays, Chief of the Air Protection Branch, to brief the Board on Proposed Amendments to the Rules for Air Quality Control, Chapter 391-3-1.

Ms. Hays stated that she will do a briefing on updates to three incinerator rules. She further stated that although they are three separate items, she is briefing them together because they are very similar in nature. She added the rules will all require developing separate state plans to submit to EPA which is why they are listed as three separate packages.

Ms. Hays stated that EPD is updating these rules to meet requirements under Section 129 of the Clean Air Act. She further stated that in short, EPA established emission guidelines for certain categories of solid waste incinerators and states are required to develop rules and plans to implement incinerator rules. She added that these rules are no more stringent than EPA's emission guidelines.

Ms. Hays stated that the next step is to proceed with a formal public comment period and a formal public hearing. She further stated that the public hearing will likely be scheduled for early December, and request for adoption of proposed amendments at the February meeting.

Vice Chairman Bagwell called on Jeff Cown, Chief of the Land Protection Branch, to brief the Board on Proposed Amendments to the Rules for Solid Waste Management, Chapter 391-3-4.

Mr. Cown stated that EPD has undertaken a comprehensive review of our Solid Waste Rules, and is suggesting revisions to clarify, enhance and edit the rules. Mr. Cown further stated that in addition to clerical edits, EPD has introduced the following sections to be amended: a proposal for a permit review period for all new and existing solid waste permits, adjusting portions of the CCR section to match the Federal standard, ability to decrease post-closure care period for Construction and Demolition, Inert and Private Industry landfills, training requirements and increased thresholds for Class 2 Composting Facilities, and requirements for Tire Sorters.

Mr. Cown stated the first changes are proposed changes to definitions in the Rule. He further stated the first change is we edited CCR landfill definition to be consistent with EPA. He added various other changes include adding a definition for Construction and Demolition landfill, edited for clarity a contaminant that is likely to pose a danger to human health, edited for clarity what a qualified groundwater scientist is, edited for clarity what a shredding operation of solid waste is, and deleted definitions for existing SWLF or landfill unit and new SWLF unit.

Mr. Cown stated that we are proposing changes to the duration of the permit for solid waste handling permits. He further stated that for minor modifications the change will include removing the

automatic 45-day approval to ensure consistency. He added that there are proposed changes for: coal combustion residuals to ensure consistency with the federal Rule, post-closure criteria, composting facilities, and scrap tire management to add requirements for sorters as well as used tire dealers.

Mr. Cown stated that we had a large stakeholder meeting August 17th, comments were due September 8th, the public hearing will be held sometime in late November or early December, and we will request Board action in February 2018.

There being no further business, the meeting was adjourned.