

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

**Tuesday, March 28, 2023  
9:00 a.m.**

**Committee Members**

Ray Lambert, Chair  
Dan Garcia, Vice Chair  
Nancy Addison  
Nick Ayers  
Patrick Denney  
Joe Hatfield  
Kevin Jackson  
Paul Shailendra  
Bodine Sinyard  
Dee Yancey  
Dwight Davis, Board Chair, Ex-officio

**Board Members**

Randy Dellinger  
Charles DePriest  
Penn Hodge  
Duncan Johnson  
Tim Lowe  
Miki Thomaston  
Gary Vowell

**Guests**

Jud Turner, Counsel to Elberton Granite Association  
Brant Lane, Hodges, Harbin, Newberry and Tribble  
Bryan Tolar, Georgia Urban Ag Council  
Dominic LaRiccia, Department of Agriculture  
Mike Worley, Georgia Wildlife Federation  
Mark Woodall, Sierra Club

**Staff Members**

Mark Williams, Commissioner  
Walter Rabon  
Kyle Pearson  
Kate Iannuzzi  
Cathy Barnette  
Artica Gaston  
Donald Kirkland  
Thomas Barnard  
Jeff Cown  
Doug Haymans  
Scott Robinson  
Tina Johannsen  
Angie Johnson  
Charlie Killmaster  
  
Richard Dunn, Director  
Erin Ruoff  
Karen Hays  
Jim Boylan  
Chuck Mueller  
Anna Truszczynski  
Laura Williams

The March 28, 2023 meeting of the Environmental Protection Committee was called to order by Chairman Dwight Davis.

Chairman Jones called on Ray Lambert, Chairman of the Environmental Protection Committee. Mr. Lambert called on Erin Ruoff, Director of Finance, to present Action on Proposed Laboratory Fee Increase.

Ms. Ruoff stated EPD lab fees began in 1992 with subsequent increases in 2004 and 2011, and state funds appropriations for the laboratory ended in FY08/09. She further stated the FY22 lab fees revenue was \$4,174,688, which covers roughly 46% of lab expenditures. She added the total FY22 lab expenditures was \$9,160,628 with the majority of expenditures coming from personal services and regular operating expenditures and a smaller percentage coming from equipment, IT expenditures, real estate rentals, and telecom.

Ms. Ruoff stated 45.6% of the lab expenditure fund source comes from drinking water lab fees, 31.6% from state funds, 10.5% from drinking water state revolving funds, and the remaining from PPG, GUST, Title V, and I/M. She further stated the cost-of-living increase provided for all state employees in FY23 and proposed for FY24 will cost \$917,902 for EPD lab and 45.6% of the cost will be supported by lab fees.

Ms. Ruoff stated lab fees currently range from \$45 to \$32,500 annually with the fee amount based on water system type, population, number of entry points, and analyses needed. She further stated the fee proposed will increase fees by 10% and increased lab fees will range from \$49.50 to \$35,750 annually. She added the anticipated increase in revenue is approximately \$417,000 with the current 2,328 water systems.

Ms. Ruoff stated after briefing the DNR Board, a notice will go out to various stakeholders and water system owners in April. She further stated between April and May there will be EPD website updates and IT system updates and testing. She added the fee increase will become effective July 1, 2023.

A motion was made by Mr. Garcia, seconded by Mr. Johnson, and carried unanimously that the Committee recommend the Board adopt the Proposed Laboratory Fee Increase.

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, Pertaining to Miscellaneous Changes and Updates.

Ms. Hays stated EPD regularly updates the rules to incorporate changes to US EPA rules, incorporate new US EPA rules, update references to the most current document, and remove obsolete requirements. She further stated the key changes to the rule amendment are a clarification in the Gasoline Transport Vehicles and Vapor Collection Systems Requirements and an update to certain New Source Performance Standards and Emission Standards for Hazardous Air Pollutants.

Ms. Hays stated after briefing the Environmental Protection Committee of the DNR Board today, there will be a 30-day public comment period and public hearing beginning in April 2023. She further stated she plans to request DNR Board adoption at the August 2023 meeting.

Mr. Lambert asked Ms. Hays to continue with Item C, Proposed Amendments to the Rules for Air Quality Control, Chapter 391-3-1, Pertaining to Non-attainment Area New Source Review and Emission Statements Removal.

Ms. Hays stated this is a re-briefing of the December 2022 rule package which proposes the removal of ozone non-attainment area requirements for sources in the Atlanta Metro Area. She further stated the requirements are no longer required by US EPA because the Atlanta Metro Area is now attaining the national ambient air quality standard for ozone. She added ground-level ozone is formed when oxides of nitrogen react with volatile organic compounds in the presence of sunlight and it causes smog as well as respiratory health effects such as asthma, emphysema, and chronic bronchitis.

Ms. Hays stated the EPA sets national ambient air quality standards for ozone and other pollutants to be protective of human health and the environment, with an adequate margin of safety. She further stated the standards are periodically reviewed and revised to ensure that they remain protective, based on the latest science. She added Atlanta met the 2015 ozone standard by working with the regulated community to reduce nitrogen and volatile organic compound emissions, federal manufacturing standards for passenger vehicle emissions reduced vehicle emissions significantly and over the past 30 years nitrogen emissions in Georgia have decreased by 68% and VOC emissions have decreased by 57%.

Ms. Hays stated after briefing the Environmental Committee of the DNR Board in December 2022, there was a comment period that closed on January 20, 2023. She further stated two sets of comments were received regarding emission reduction credit banks, permitting exemption thresholds, and gas turbine emission limits, which prompted edits to the proposed language.

Ms. Hays stated the amendments will revise the definitions of “banking” and “emission reduction credit”, remove the annual Emissions Statements requirement, and clarify that stationary gas turbines in certain counties are not subject to the emission limit. She further stated the amendments will remove the requirements to obtain offsetting emission reductions at new or modified major sources in the (former) non-attainment area, remove the requirement to obtain offsetting emission reduction credits at new or modified major sources in the (former) non-attainment area while retaining the ability to create and retain the emission reduction credits, and correct rule language for consistency with Secretary of States’ current protocol.

Ms. Hays stated after briefing the briefing the Environmental Committee of the DNR Board in December 2022, there was a public hearing on January 13, a comment period that ended on January 20, and discussions with stakeholders. She further stated after re-briefing the Environmental Committee today, there will be a second public comment period and public hearing beginning in April. She added she plans to request adoption of the proposed amendments at the May 2023 meeting.

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

Mr. Mueller stated the purpose of the proposed amendments are to increase public awareness of potential siting of solid waste handling facilities close to their communities, promote environmentally sound management of materials left over from the manufacturing of dimension stone products, and minor edits to the definitions section and correcting a misspelling. He further stated the proposed changes will add a requirement to prominently display notices of public hearings prior to issuing a permit for a solid waste disposal facility at the main access point to the property being considered, add an exemption of dimension stone fines and spalls from a solid waste handling permit if management as a recovered material, and provide for a Permit-by-Rule in those cases where dimension stone fines and spalls are not, or cannot, be re-used or recycled.

Mr. Mueller stated there was a Stakeholder Meeting on December 15, 2022. He further stated after briefing the Environmental Protection committee today, there will be a public hearing and public comment period beginning in April. He added he will request DNR Board adoption at the June 2023 meeting of the DNR Board.

There being no further business, the meeting was adjourned.