

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

April 28, 2020
9:00 a.m.
(Via Teleconference Call)

Attendees:

Committee Members

Ray Lambert, Chair
Dwight Evans, Vice Chair
William Bagwell
Dwight Davis
Mike Phelps
Paul Shailendra
Brother Stewart
Dee Yancey
Nancy Addison, Board Chair, Ex-officio

Board Members

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

Staff Members

Mark Williams, Commissioner
Walter Rabon
Kyle Pearson
Cathy Barnette
Amber Carter
Artica Gaston
Courtney Hall
Thomas Barnard
Jeff Cown
Steve Friedman
Rusty Garrison
Doug Haymans
Tina Johannsen
Mike Burgamy

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

The April 28, 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 Water Protection Branch to present the Proposed Amendments to the Rules for Water Quality Control, Chapter 391-3-6.

Mr. Capp stated the EPA updated the federal regulations regarding the method used for public notification of permit actions under the National Pollutant Discharge Elimination System. He further stated the updates enables permitting authorities to provide public notice of permitting actions under wastewater and stormwater permits on a publicly available website in lieu of the current newspaper publication requirement. He added the proposed amendments will change notice requirements from newspaper publication, mailed notices, and/or physical posting to posting to the Branch's public announcements website and email notification to subscribers as well as maintaining newspaper notice for permits with approved sludge or sewage management plans and pretreatment programs.

Mr. Capp stated EPD will continue to post notices to the Watershed Protection Branch's Public Announcements website. He further stated the Branch will establish a permit-related notices email subscription topic to facilitate electronic public notice. He added the Branch will also establish email subscription topics for "State Water Buffer Variance Notices" and other non-permit related notices.

Mr. Capp stated there was a Notice of Stakeholder draft on December 2 as well as a public meeting on January 15. Mr. Capp further stated the briefing of the Environmental Committee was held at the February meeting, the public notice was issued February 28, and a public hearing was held on March 27. He added there were three public comments received.

Mr. Capp stated Georgia Industry Environmental Coalition and Georgia Chamber of Commerce supported the rule amendments and Georgia Water Coalition supported posting of draft permits online as well as use of email notifications of draft permits but opposed removal of the requirements of posting public notices in local newspapers. Mr. Capp further stated moving to electronic notification will provide access to a larger portion of the population more efficiently and at a lower cost for both EPD and the regulated community. He added he is requesting favorable consideration of the rule amendments at this time.

A motion was made by Mr. Evans, seconded by Mr. Stewart and carried unanimously that the Committee recommend that the Board adopt the Resolution to approve the proposed amendments to the Rules for Water Quality Control, Chapter 391-3-6.

Mr. Lambert called on Chuck Mueller, Chief of the Land Protection Branch, to present the Proposed Amendments to the Rules for Hazardous Waste Management, Chapter 391-3-11.

Mr. Mueller stated to retain primacy for its hazardous waste program, EPD must periodically update its Hazardous Waste Management Rules to reflect new federal regulations. He further stated the proposed rulemaking will adopt regulations published by the USEPA through December 9, 2019. He added the proposed updates incorporate federal regulations by reference.

Mr. Mueller stated the only update to be included is to change the regulatory status of spent aerosol cans from a hazardous waste to a universal waste. He further stated the management of spent aerosol cans as a universal waste will benefit a wide variety of establishments generating and managing aerosol cans but providing a clear system for managing the discarded cans. He added the change will ease regulatory burden on businesses, promote recycling, and encourage development of programs to reduce the quantity of waste going to landfills.

Mr. Mueller stated after briefing the Environmental Committee today, there will be a public hearing in May. He further stated the public comment period will take place between May 1 and June 1. He added if no changes to the proposed rule packet are needed, he will request action at the June meeting.

There being no further business, the meeting was adjourned.