

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION**

**NOTICE OF PUBLIC HEARING AND PROPOSED AMENDMENTS TO GEORGIA'S RULES FOR
UNDERGROUND STORAGE TANK MANAGEMENT, CHAPTER 391-3-15**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that, pursuant to the authority set forth below, the Environmental Protection Division of the Department of Natural Resources proposes certain amendments to Georgia's Rules for Underground Storage Tank Management, Chapter 391-3-15 (hereinafter, "the proposed rule amendments"). The proposed rule amendments include revisions to Rule 391-3-15-.02, "Definitions"; Rule 391-3-15-.05, "UST Systems"; Rule 391-3-15-.07, Release Detection; and Rule 391-3-15-.13, "Georgia Underground Storage Tank Trust Fund", as follows:

Rule 391-3-15-.02, "Definitions," paragraph (h) is being amended by adding the reference to the US Energy Act.

Rule 391-3-15-.05, "UST Systems", paragraph (2) thereof is being amended by adding reference to secondary containment requirements to add compliance requirements for secondary containment for reinstallation of any tank.

Rule 391-3-15-.05, "UST Systems", paragraph (4) thereof relating to "Annual Registration of USTs", is being amended by adding subparagraphs (b) 7. and (b) 8. to clarify the necessary information required from owners and operators on required annual tank registration.

Rule 391-3-15-.07, "Release Detection" is being amended by adding paragraph (3) to require the use of secondary containment and interstitial monitoring of certain UST systems (tanks and piping, specifically including those used to store fuel for emergency power generation), replaced after the effective date of these rules.

Rule 391-3-15-.07, "Release Detection", paragraph (3) thereof, is being further amended by the addition of subparagraphs (a) through (f) to provide definitions to new and previously undefined terms.

Rule 391-3-15-.07, "Release Detection", is being further amended by adding paragraph (4) to require the installation of under-dispenser containment for certain motor fuel dispensers installed or replaced after the effective date of these rules.

Rule 391-3-15-.07, "Release Detection", paragraph (4) thereof, is being further amended by the addition of subparagraphs (a) and (b) to add definitions of new motor fuel dispenser and motor fuel, respectively.

Rule 391-3-15-.13, "Georgia Underground Storage Tank Trust Fund", subparagraph (l) (b) 3. (i) thereof, is being amended to add references to compliance with prior rules.

Rule 391-3-15-.13, "Georgia Underground Storage Tank Trust Fund", subparagraph (l) (c) 3. (iii) thereof, is being amended to require maintenance of records for secondary containment, interstitial monitoring and under dispenser containment.

This notice, together with an exact copy of the proposed rule amendments, synopsis and statement of rationale, is being provided to all persons who have requested in writing that they be placed on a notification list. These documents may be viewed at <http://gaepd.org/environet/15>. In addition, a copy of this notice, an exact copy of the proposed rule amendment, synopsis and statement of rationale may be reviewed during normal business hours (8:00 a.m. to 4:30 p.m., Monday through Friday, except official State holidays) at the Georgia Environmental Protection Division, Land Protection Branch, Suite 104, 4244 International Parkway, Atlanta, Georgia (404-362-2687). Copies may also be requested by contacting the Land Protection Branch at (404) 362-2537 or the Environmental Protection Division Director's Office at 1-888-373-5947.

These proposed amendments to be rules were first placed on public notice on September 28, 2007 and a public hearing was conducted on October 30, 2007. The public comment period closed November 13, 2007. One comment was received regarding the applicability of the proposed rule amendments for secondary containment and interstitial monitoring to USTs and piping used for emergency power generation, which are currently deferred from leak detection requirements. In order to avoid any ambiguity or misunderstanding, the language in the proposed rule amendment at §391-3-15-.07(3) has been revised to specifically include USTs and associated piping used for emergency power generation in the new requirements for secondary containment and interstitial monitoring for new or replaced tanks and piping.

To provide the public an opportunity to comment upon and provide input into the proposed rule amendment, a hearing will be held at 1:30 p.m. on January 11, 2008, in the EPD Tradeport Training Center located at 4244 International Parkway, Suite 116, Atlanta, Georgia 30354. At the public hearing, anyone may present data, make a statement, comment, or offer a viewpoint or argument, either orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise.

Written comments are welcomed. To insure their inclusion in EPD's package for the Board of Natural Resources, written comments should be received by close of business on January 25, 2008. Written comments may be emailed to EPDComments@dnr.state.ga.us or sent via regular mail addressed to: Branch Chief, Land Protection Branch, 4244 International Parkway, Suite 104, Atlanta, Georgia, 30354.

The proposed rule amendment will be considered for adoption by the Board of Natural Resources at its meeting on February 27, 2008 at 9:00 a.m., in the DNR Board Room located at 2 Martin Luther King, Jr. Drive, Suite 1252, East Tower, Atlanta, Georgia 30334, phone (404) 656-4723. The meeting is open to the public. The proposed rule amendments are proposed for adoption pursuant to authority contained in the Georgia Underground Storage Tank Act, OCGA Section 12-13-1 *et seq.*

For further information, contact Richard Swanson or Allene Lewis at 404-362-2687.