



September 16, 2020

Submitted Electronically

Chuck Mueller, Branch Chief
Land Protection Branch,
Environmental Protection Division
chuck.mueller@dnr.ga.gov

Re: Request for Comment and Public Hearing on Closure-In-Place CCR Draft Permits

Dear Mr. Mueller,

The Sierra Club Georgia Chapter is appreciative of the Environmental Protection Division's response to our June letter requesting that EPD conduct public hearings for the upcoming closure-in-place coal combustion residential (CCR) draft permits for Georgia Power's various upcoming CCR draft permits. We appreciated learning that EPD intends to hold hearings during which members of the public can weigh in on these important public policy matters that implicate public health and Georgia's environment for generations to come.

Our concerns with "capping in place" the CCR material are well known, as is our preference for excavating and transporting the material to the relative safety of a dry, lined landfill away from the hydrological soil pressures of their current locations and proximity to important bodies of water. But it is important for EPD to hear directly from the citizens and residents of Georgia who may share our concerns, or have other concerns about these draft permits, and who will be directly impacted by the coal ash being left in place.

We'd like to offer the following recommendations to maximize the input from Sierra Club 75,000 members and supporters in Georgia, as well as members of the Georgia general public, during these important public hearings.

-- The meetings should be held on a virtual video conferencing platform due to the ongoing COVID-19 pandemic, and this platform should be able to accommodate a large number of people.

-- There should be a separate hearing for each of the permits that is issued so that people most directly affected by each ash pond can attend. The meetings should be long enough in duration that people with busy schedules can attend, perhaps as long as two or three hours, and the meetings should be held during evenings so that the majority of people can attend.

-- There should be a provision for people to submit pre-recorded comments, perhaps by calling into a publicized phone number and leaving a recorded message, and ideally by recording a video or audio message and submitting to a common portal hosted by EPD. These comments, like all that EPD receives, should be archived and made available to the public so that we have a sense of the volume and content of public input into the process.

-- Although time limits are both reasonable and desirable, people should be given at least 5 minutes to fully express their views on these important proposals. These are complex matters involving high-level science and engineering, and commenters should not be rushed in delivering their remarks.

-- The public hearings should be effectively advertised and publicized, especially in the vicinity of the proposed closure sites. Sierra Club will be happy to share information about the proceedings throughout our networks so that informed citizens know about the meetings.

-- Procedures should be made clear about opportunities for comment for people who cannot attend the hearings. Written and recorded comments should be encouraged throughout the comment period.

-- We'd like to know how many comments are received during the comment period for each of the permits. Although some of the expressed positions may be nuanced, ideally we'd be able to understand how many of the comments are in favor of the proposed permits as issued, and how many of the comments oppose or take issue with some portion of the permit.

There is tremendous interest across the State in the methods by which Georgia Power intends to handle its coal ash and comply with the relevant rules and regulations. Questions of contamination and seepage into groundwater have become important political issues and have generated national attention and interest in Georgia's legacy pollution from burning coal. As a result of this public interest, it's important that EPD hear directly from the public and interested stakeholders across our State that would like to comment on the permits before they become finalized.

Given the series of delays in scheduling these hearings, it would help us to know as far in advance the final and confirmed dates, as well as the precise format of the event. We will need several weeks notice before each hearing to mobilize our members and ensure that they are prepared to offer comments. Again, thank you for your willingness to set up and publicize these forums. We would like to partner with you to ensure that they are as productive as they can be.

If you have any questions, please feel free to contact us at stephen.stetson@sierraclub.org and jessica.morehead@sierraclub.org. Thank you for considering this request.

Sincerely,



Jessica Morehead
Chapter Director
Sierra Club Georgia Chapter



Stephen Stetson
Senior Campaign Representative
Sierra Club Beyond Coal Campaign

CC: Richard Dunn, EPD Director
richard.dunn@dnr.ga.gov