

**SYNOPSIS OF  
PROPOSED AMENDMENTS TO THE RULES OF THE  
DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION DIVISION  
SOLID WASTE MANAGEMENT,  
CHAPTER 391-3-4**

**Rule 391-3-4-.01 “Definitions”** is being amended.

**Purpose:** The purpose of this amendment is to add new definitions, correct references, move existing definitions, and amend one definition.

**Main Features:** The following definitions were added: “Dimension Stone Fines”, “Dimension Stone Spalls”, and “Radioactive Waste”. The reference to the testing method to measure silicates in asbestos containing waste was updated to 40 CFR 763, Subpart E, Appendix E, Section 1. The definitions for “Run-off” and “Run-on” were moved to be in alphabetical order. The definition for “Municipal Solid Waste” was amended to make it consistent with the Georgia Comprehensive Solid Waste Management Act, O.C.G.A. § 12-8-22.

**Rule 391-3-4-.03 “Public Participation”** is being amended.

**Purpose:** The purpose of this amendment is to facilitate informing the public in nearby communities that a site is being considered for disposal of municipal solid waste.

**Main Features:** A new requirement to prominently display public notices regarding the potential siting of a solid waste disposal facility at the main access point to the property being considered for such purpose.

**Rule 391-3-4-.04 “General. Amended.”**

**Purpose:** The purpose of this amendment is to encourage the use of dimension stone fines and spalls as a recovered material. Additionally, this amendment addresses potential environmental issues resulting from handling dimension stone fines and spalls as a recovered material.

**Main Features:** The Rule is being amended to add requirements for 1) implementation of best management practices (BMP) in accordance with the latest version of the Manual for Erosion & Sediment Control in Georgia at those locations where these materials are stored prior to being reused, recycled, or during processing if these materials are crushed and/or mixed to create a construction quality

aggregate, 2) recordkeeping to document compliance with the speculative accumulation requirements, and 3) engineering specifications when processed dimension stone fines and spalls are used as construction materials and/or old quarry reclamation backfill.

Compliance with the proposed amendments allows these materials to be exempt from having to obtain a solid waste handling permit.

**Rule 391-3-4-.06 “Permit by Rule for Collection, Transportation, Processing, and Disposal” is being amended.**

**Purpose:** The purpose of this amendment is to define the requirements to permanently store and/or stockpile dimension stone fines and spalls in a manner that is not consistent with the recovered material Rules. This amendment adds requirements for buffers, implementation of best management practices (BMP) in accordance with the with the latest version of the Manual for Erosion & Sediment Control in Georgia, recordkeeping and property deed notation.

**Main Feature:** Section (g) was added to the Rules to address potential adverse environmental impacts from permanently storing and/or stockpiling dimension stone fines and spalls. Requirements include allowing only clean dimension stone fines and spalls in these storage/stockpiles, minimum buffers from property lines, surface water features, or Waters of the State, implementation of best management practices (BMP), recordkeeping, and required property deed notation.

**Rule 391-3-4-.08 “Solid Waste Thermal Treatment Operations” is being amended.**

**Purpose:** The purpose of this amendment is to correct a misspelled word.

**Main Feature:** Section (1)(c)7 the word “art” is being corrected to spell “at”.

**Statement of Rationale**  
**Proposed Amendments to the Rules for Solid Waste Management**

The primary reasons for the proposed amendments to Chapter 391-3-4 of the Solid Waste Rules is to establish requirements that will help reduce adverse environmental impacts to property owners, surface water features, community stormwater systems, and Waters of the State resulting from the improper management of dimension stone fines and spalls. In addition to these proposed changes, the following revisions are proposed:

- Adding new definitions and updating others to be consistent with the Georgia Comprehensive Solid Waste Management Act;

The Division met with stakeholders in September and December 2022 to discuss and receive input on the current solid waste rules and draft amendments to Chapter 391-3-4. Stakeholder input was incorporated into the Rule through changes to the definitions, recovered materials, and permit-by-Rule provisions. Portions of the proposed Rule amendments may initially increase cost to dimension stone manufacturers but will significantly reduce the adverse environmental impacts caused by unmanaged dimension stone fines and spalls and will encourage the reuse of a valuable asset that is currently being discarded. EPD does not anticipate hiring new staff or asking for an increased budget to handle any increased workload.