

Amended 12/03/18

AGENDA*
MEETING OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

DATE: December 14, 2018

TIME: 11:00 a.m.

LOCATION: Alabama Department of Environmental Management (ADEM) Building
Alabama Room (Main Conference Room)
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400

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* The Agenda for this meeting will be available on the ADEM website, www.adem.alabama.gov, under Environmental Management Commission.

** The Minutes for this meeting will be available on the ADEM website under Environmental Management Commission.

1. CONSIDERATION OF MINUTES OF MEETING HELD ON OCTOBER 19, 2018

2. ELECTIONS

The Commission will elect Chairs and Members of the Commission's Personnel and Rulemaking Committees.

3. REPORT FROM THE ADEM DIRECTOR

4. REPORT FROM THE COMMISSION CHAIR

5. CONSIDERATION OF RESOLUTION FOR FORMER COMMISSIONER ELLIOTT CRAIG MARTIN, D.V.M.

6. CONSIDERATION OF THE RECOMMENDATION OF THE STRATEGIC PLANNING AD HOC COMMITTEE AND ADOPTION OF THE DRAFT 2019 AEMC AND ADEM UNIFIED STRATEGIC PLAN

The Commission will consider the recommendation of the Strategic Planning Ad Hoc Committee and adoption of the Draft 2019 AEMC and ADEM Unified Strategic Plan. The Committee recommends that the Commission adopt the Draft Plan.

7. GENE HAMBY AND HAMBY FARMS, LLC V. ADEM, AND CWI ALABAMA, LLC, EMC DOCKET NO. 18-08 (ADMINISTRATIVE ACTION: ADEM'S JULY 17, 2018, MODIFICATION OF CWI ALABAMA, LLC SOLID WASTE DISPOSAL FACILITY PERMIT NO. 17-10, CHEROKEE INDUSTRIAL LANDFILL, COLBERT COUNTY)

The Commission will consider the Hearing Officer's Order and Recommendation in which the Hearing Officer finds and recommends to the Commission that there is no genuine issue of material fact as to the Petitioners' claims and that the Department and CWI Alabama, LLC are entitled to judgment as a matter of law. The Hearing Officer also recommends that all relief requested in Petitioners' notice of appeal be denied and that CWI Alabama, LLC's Motion for Summary Judgment be granted.

8. OTHER BUSINESS

9. FUTURE BUSINESS SESSIONS

PUBLIC COMMENT PERIOD

a. REQUESTS TO MAKE PRESENTATIONS

- (1) Request 1 - Request from David A. Ludder, on behalf of the Environmental Defense Alliance
SUBJECT: Out of the Shadows: Conducting public business on private email.
(The full Commission will vote on whether to approve, deny, and/or table the request to make a presentation prior to moving to the Public Comment Period.)
- (2) Request 2 – Request from Michael Hansen, Gasp
SUBJECT: Advise the Director to change ADEM’s position on the proposed addition of the 35th Avenue Site to the National Priority List (NPL).
(The full Commission will vote on whether to approve, deny, and/or table the request to make a presentation prior to moving to the Public Comment Period.)

b. BRIEF STATEMENTS BY MEMBERS OF THE PUBLIC REGISTERED TO SPEAK

Members of the public that wish to make a brief statement at a Commission meeting may do so by first signing in on a register maintained by the Commission office prior to each regularly scheduled meeting. The register will close ten minutes prior to convening each meeting of the Commission. Following completion of all agenda items, the Commission Chair will call on members of the public wishing to make a statement in the order their names appear on the register. Speakers are encouraged to limit their statement to matters that directly relate to the Commission’s functions. Speakers will be asked to observe a three minute time limit. While an effort will be made to hear all members of the public signed on the register, the Commission may place reasonable limitations on the number of speakers to be heard. (Guideline 11, Guidelines for Public Comment).

The Guidelines for Public Comment are used in the application of ADEM Administrative Code 335-2, Environmental Management Commission Regulations, Rule 335-2-3-.05, Agenda and Public Participation. The Guidelines for Public Comment serve to educate and inform the public as to how the Commission interprets and intends to apply the Rule. The revised Rule 335-2-3-.05 was effective October 7, 2016.