

AGENDA*
MEETING OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

DATE: June 21, 2019

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 APRIL 12, 2019
2. REPORT FROM THE ADEM DIRECTOR
3. REPORT FROM THE COMMISSION CHAIR
4. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE 335-13, SOLID WASTE PROGRAM REGULATIONS, RULES 335-13-1-.03, 335-13-4-.12, 335-13-4-.21, 335-13-4-.22, 335-13-4-.23, 335-13-4-.27, 335-13-5-.02, 335-13-5-.03, 335-13-14-.07, AND 335-13-15-.09

The Commission will consider proposed amendments to ADEM Administrative Code 335-13, Solid Waste Program Regulations to the above rules. Revisions to these rules are being proposed to incorporate changes to ensure consistency with State and Federal Statutes and provide clarification of State requirements for the management of solid waste. The Department is also proposing to modify the permit renewal time from five years to ten years and correct a citation error in the existing regulations. The Department held a joint public hearing on the proposed amendments to the Division 13 and Division 1 regulations on April 4, 2019.

5. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE 335-1, GENERAL ADMINISTRATION REGULATIONS, RULE 335-1-6-.07 (SCHEDULE E), PAYMENT OF FEES

The Commission will consider proposed amendments to ADEM Administrative Code 335-1, General Administration Regulations, Rule 335-1-6-.07 (Schedule E), *Payment of Fees*. Revisions to this rule are being proposed to modify fees to reflect changes in the solid waste disposal permit renewal requirements. The Department held a joint public hearing on the proposed amendments to the Division 13 and Division 1 regulations on April 4, 2019.

6. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE 335-7, WATER SUPPLY PROGRAM REGULATIONS, RULE 335-7-2-.10, SPECIAL MONITORING AND ANALYTICAL REQUIREMENTS FOR UNREGULATED CONTAMINANTS

The Commission will consider proposed amendments to ADEM Administrative Code 335-7, Water Supply Program Regulations, Rule 335-7-2-.10, *Special Monitoring and Analytical Requirements for Unregulated Contaminants*. A revision to this rule is being proposed to give the Department the authority to require monitoring for additional unregulated contaminants if health advisories or toxicity values have been issued for such contaminants. The change is necessary to determine the occurrence of these contaminants in drinking water and to provide the Department, public water systems, and consumers the data needed to make informed decisions about water sources and treatment. The Department held a public hearing on the proposed amendments on April 11, 2019.

7. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE 335-7, WATER SUPPLY PROGRAM REGULATIONS, RULE 335-7-7-.03, DISTRIBUTION FACILITIES DESIGN AND CONSTRUCTION REQUIREMENTS

The Commission will consider proposed amendments to ADEM Administrative Code 335-7, Water Supply Program Regulations, Rule 335-7-7-.03, *Distribution Facilities Design and Construction Requirements*. A revision to this rule is being proposed to require that products installed in a public drinking water distribution system be certified to the specifications of National Sanitation Foundation (NSF)/American National Standard Institute (ANSI) Standard 61. This standard is in widespread use across the industry and is intended to prevent harmful contaminants leaching from these products into drinking water. This amendment will codify a requirement that has already been applied in practice by the Department for many years. The Department held a public hearing on the proposed amendments on May 13, 2019.

8. SHADY SIDE FARM, LLC V. ADEM, EMC DOCKET NO. 19-05 (NPDES-RELATED MATTER)

The Commission will consider the *Joint Motion to Suspend Administrative Appeal*, submitted by Petitioner, Shady Side Farm, LLC and Respondent, ADEM. The Parties are jointly requesting that this administrative appeal be held in abeyance to give the Parties the opportunity to resolve this matter without a hearing. The subject of this appeal is ADEM Notice of Violation - Need to Apply, issued on April 18, 2019 to Shady Side Farms, LLC, Shady Side Farm, FID 61643, Chambers County.

9. OTHER BUSINESS

10. FUTURE BUSINESS SESSION

PUBLIC COMMENT PERIOD

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.