

Amended 12/03/2010

AGENDA\*  
MEETING OF THE  
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION  
DATE: December 10, 2010      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

<u>ITEM</u>	<u>PAGE</u>
1. Consideration of minutes of meeting held on October 15, 2010**	2
2. Elections	2
3. Report from the Director	2
4. Report from the Commission Chair	2
5. Consideration of adoption of proposed amendments to ADEM Administrative Code Division 335-3, Air Pollution Control Program Regulations	2
6. Consideration of adoption of proposed amendments to ADEM Administrative Code Division 335-6, Water Quality Program Regulations (NPDES-Related Matter***)	2
7. Consideration of adoption of proposed amendments to ADEM Administrative Code Division 335-7, Water Supply Program Regulations	2
8. Consideration of adoption of proposed amendments to ADEM Administrative Code Division 335-1, General Administration Regulations	3
9. <u>John T. Davis Oil Company, Inc. v. ADEM</u> EMC Docket No. 10-08	3
10. <u>Lenton G. Williams v. ADEM, and Veolia ES Cedar Hill Landfill, Inc.</u> EMC Docket No. 07-03	3
11. <u>Southeastern Cheese, LLC v. ADEM</u> EMC Docket No. 10-06 (NPDES-Related Matter***)	3
12. Other business	3
13. Future business sessions	3

\* The Agenda for this meeting will be available on the ADEM website, [www.adem.alabama.gov](http://www.adem.alabama.gov), under Environmental Management Commission.

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

\*\*\* Commissioner Laier has filed an NPDES General Recusal form.

1. CONSIDERATION OF MINUTES OF MEETING HELD ON OCTOBER 15, 2010
2. ELECTIONS
3. REPORT FROM THE DIRECTOR
4. REPORT FROM THE COMMISSION CHAIR
5. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-3, AIR POLLUTION CONTROL PROGRAM REGULATIONS

The Commission will consider proposed amendments to ADEM Administrative Code Division 335-3, Air Pollution Control Program Regulations, Rule 335-3-14-.04, Air Permits Authorizing Construction in Clean Air Areas [Prevention of Significant Deterioration Permitting (PSD)], including the addition of Appendix I, Greenhouse Gas Global Warming Potentials. The proposed amendments address the greenhouse gas (GHG) tailoring rule, which was finalized by EPA on May 13, 2010. The tailoring rule establishes thresholds for GHG emissions that define when permits under the new source review and Title V Programs are required for new or existing point sources. The Department held a public hearing on the proposed amendments on October 6, 2010.

6. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-6, WATER QUALITY PROGRAM REGULATIONS (NPDES-RELATED MATTER\*\*\*)

The Commission will consider proposed amendments to ADEM Administrative Code Division 335-6, Water Quality Program Regulations, Rule 335-6-10-.09, Specific Water Quality Criteria; Rule 335-6-10-.11, Water Quality Criteria Applicable to Specific Lakes; Rule 335-6-10-.12, Implementation of the Antidegradation Policy; and Rule 335-6-11-.02, Use Classifications. The Department held a public hearing on the proposed amendments on October 6, 2010.

7. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-7, WATER SUPPLY PROGRAM REGULATIONS

The Commission will consider proposed amendments to ADEM Administrative Code Division 335-7, Water Supply Program Regulations, Chapters 335-7-2; 335-7-4; 335-7-5; 335-7-6; 335-7-7; and 335-7-11, to make administrative and technical clarifying changes. The Department held a public hearing on the proposed amendments on November 4, 2010.

8. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-1, GENERAL ADMINISTRATION REGULATIONS

The Commission will consider proposed amendments to ADEM Administrative Code Division 335-1, General Administration Regulations, Rule 335-1-1-.07, Departmental Forms, Instructions, and Procedures. The Department held a public hearing on the proposed amendments on November 4, 2010.

9. JOHN T. DAVIS OIL COMPANY, INC. V. ADEM, EMC DOCKET NO. 10-08

The Commission will acknowledge Petitioner John T. Davis Oil Company, Inc.'s withdrawal of the request for hearing in this appeal concerning ADEM Administrative Order 10-148-UST issued on July 15, 2010, to John T. Davis Oil Company, Inc., Cubberd No. 33, UST Facility ID No. 10208-015-006790, UST Release Incident No. UST98-07-02, Oxford, Calhoun County, Alabama.

10. LENTON G. WILLIAMS V. ADEM, AND VEOLIA ES CEDAR HILL LANDFILL, INC., EMC DOCKET NO. 07-03

The Commission will acknowledge Petitioner Lenton G. Williams' withdrawal of the request for hearing in this appeal concerning Solid Waste Disposal Facility Permit No. 58-01 issued on December 29, 2006, to Veolia ES Cedar Hill Landfill, Inc., St. Clair County.

11. SOUTHEASTERN CHEESE, LLC V. ADEM, EMC DOCKET NO. 10-06 (NPDES-RELATED MATTER\*\*\*)

The Commission will consider the Report of the Hearing Officer in this appeal concerning ADEM Administrative Order 10-112-WP issued on May 18, 2010, to Southeastern Cheese, LLC, Uniontown, Perry County, State Indirect Discharge (SID) Permit IU 39-53-00113. The Commission appeal hearing in this matter was held on September 22, 2010.

12. OTHER BUSINESS

13. FUTURE BUSINESS SESSIONS