

AGENDA*
MEETING OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

DATE: February 11, 2022

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 DECEMBER 10, 2021
2. REPORT FROM THE ADEM DIRECTOR
3. REPORT FROM THE COMMISSION CHAIR
4. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-6, (VOLUME 2) WATER QUALITY PROGRAM REGULATIONS, UNDERGROUND STORAGE TANK (UST)

The Commission will consider proposed amendments to ADEM Administrative Code Division 335-6, (Volume 2) Water Quality Program Regulations, UST. Revisions to Chapter 335-6-15 Technical Standards, Corrective Action Requirements and Financial Responsibility For Owners and Operators of Underground Storage Tanks, are being proposed to clarify the requirements for technical standards, corrective action plans, preliminary investigations, free product removal, investigative derived wastes, the operation and maintenance of systems including spill prevention equipment and release detection and to make updates to analytical methods. In addition, there are revisions to correct regulation citations and make grammatical clarifications. The Department held a public hearing on the proposed amendments on January 6, 2022.

5. CONSIDERATION 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. Revisions are proposed to Rule 335-7-4-.04 Requirements for New Water Systems, Rule 335-7-4-.07 Facility Permit Renewal, and Rule 335-7-7-.04 Water Storage Tank Maintenance. These proposed revisions address drinking water storage tank maintenance, and incorporate asset management in capacity development for public water systems. The Department held a public hearing on the proposed amendments on January 10, 2022.

6. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-16, DRYCLEANING TRUST FUND PROGRAM REGULATIONS

The Commission will consider proposed amendments to ADEM Administrative Code Division 335-16, Drycleaning Trust Fund Program Regulations. Revisions incorporate needed general updates noted through the Chapters including Ch. 335-16-1 General, Ch. 335-16-2 Participation, Ch. 335-16-3 Generator Requirements, Ch. 335-16-4 Site Tracking and Prioritization, and Ch. 335-16-5 Operating Standards. These revisions add language regarding Environmental Covenants and correct regulation citations and make grammatical clarifications. The Department held a public hearing on the proposed amendments on January 6, 2022.

7. JET-PEP, INC., PETITIONER V. ADEM, RESPONDENT, EMC DOCKET NO. 21-04

The Commission will consider the Hearing Officer's Recommendation of Dismissal, based on the Voluntary Motion to Dismiss filed by Petitioner, Jet-Pep, Inc. The Hearing Officer recommends that the Commission grant the Voluntary Motion to Dismiss and dismiss the matter with prejudice.

On June 28, 2021, the Petitioner appealed the certain action appearing in an email dated February 21, 2021, from ADEM to Jet-Pep, Inc. regarding the retail gasoline facility owned by K.E.N., and the underground storage tanks owned by Jet-Pep, Inc., located in Hoover, Jefferson County, UST 15-10-05 Facility ID 12740-073-001475.

8. GREATER BIRMINGHAM ALLIANCE TO STOP POLLUTION ("GASP, INC."), PETITIONER V. ADEM, RESPONDENT, AND ADVANCE ETOWAH, CHOICE FABRICATORS, INC., AND PILGRIM'S PRIDE CORPORATION, INTERVENORS, EMC DOCKET NO. 21-03

The Commission will acknowledge for the record Petitioner GASP, Inc.'s withdrawal of its Request for Hearing.

On March 29, 2021, Petitioner GASP, Inc. filed with the Commission a Request for Hearing regarding ADEM's issuance of Air Permits Nos. 307-0051-X001 and 307-0051-X002 to Pilgrim's Pride Corporation on February 26, 2021, for the Company's Gadsden Animal Feed Ingredients plant located in Gadsden, Alabama. On December 30, 2021, Pilgrim's Pride Corporation voluntarily surrendered the above-referenced Air Permits to ADEM. As such, GASP, Inc. filed with the Commission a withdrawal of its Request for Hearing.

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.