

Amended 10/10/12

AGENDA*
MEETING OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

DATE: October 19, 2012

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 AUGUST 17, 2012

2. ELECTIONS

The Commission will elect a Commission Chair and Vice-Chair.

3. REPORT FROM THE DIRECTOR

4. REPORT FROM THE COMMISSION CHAIR

5. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO ADEM ADMIN. CODE DIVISION 335-1, GENERAL ADMINISTRATION REGULATIONS (NPDES-RELATED MATTER)

The Commission will consider the adoption of proposed amendments to ADEM Admin. 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 September 17, 2012.

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

The Commission will consider the adoption of proposed amendments to ADEM Admin. Code Division 335-6, Water Quality Program Regulations, Chapter 335-6-11, Use Classifications. The revisions would include additions or upgrades to the use classifications for certain waterbody segments in the State and minor changes to correct errors or provide clarification. The Department held a public hearing on the proposed amendments on September 17, 2012.

7. CONSIDERATION OF ADOPTION OF ADDITION OF PROPOSED NEW CHAPTER OF THE ADEM ADMIN. CODE, CHAPTER 335-11-2, DRINKING WATER STATE REVOLVING FUND PROGRAM REGULATIONS, AND REPEAL OF CHAPTER 335-7-13, DRINKING WATER STATE REVOLVING FUND PROGRAM REGULATIONS

The Commission will consider the adoption of the addition of a proposed new Chapter of the ADEM Admin. Code, Chapter 335-11-2, Drinking Water State Revolving Fund Program Regulations, and repeal of Chapter 335-7-13, Drinking Water State Revolving Fund Program Regulations. The proposed Chapter 335-11-2 streamlines the requirements of the Drinking Water State Revolving Fund. The Department held a public hearing on the proposed addition and repeal on September 17, 2012.

8. OTHER BUSINESS

9. FUTURE BUSINESS SESSION

PUBLIC COMMENT PERIOD

(The requests from the public to address the Commission are attached to the agenda.)

Request 1

John Aaron, Esq., on behalf of concerned citizens who have an interest
in the Vincent, Alabama, Shelby County area
SUBJECT: Concerns of the citizens in the town of Vincent regarding the
quality of the soil and water in the area
(Chair Lester recommended approval of the request.)

Request 2

Severia Campbell Morris, on behalf of the United Concerned Citizens of Prichard
SUBJECT: Jarrett Road Landfill, Prichard, Alabama (Permit # 49-26)
(Chair Lester recommended approval of the request.)

Aaron Law Firm

Request 1

A Full Service Law Firm Dedicated to Providing Quality Legal Services

123 FIRST STREET NORTH * ALABASTER, ALABAMA 35007

PHONE: (205) 685-8383
FACSIMILE: (205) 685-8338

September 25, 2012

Via Facsimile (334) 279-3052

Ms. Debi Thomas
Commission
Alabama Department of Environmental Management
1400 Coliseum Boulevard
Montgomery, AL 36110-2400

RE: ADEM Commission meeting

Dear Sir:

My name is John Aaron, I represent concerned citizens who have an interest in the Vincent, AL, Shelby County area.

I would like to address the Environmental Management Commission to make comments regarding some concerns the residents have in the town of Vincent. The concerns of the citizens revolve around the quality of the soil and water in the area.

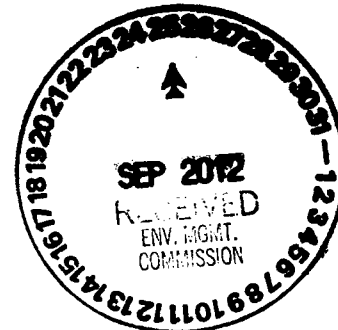
Thank you in advance for allowing me to address the Commission on October 19, 2012.

Sincerely,



John Aaron

JMA/slo



UNITED CONCERNED CITIZENS OF PRICHARD

Severia Campbell Morris, President
251-457-8208

Mr. Lafiuer
1400 Coliseum Boulevard
Montgomery, AL 36110-2400

September 28, 2012

The United Concerned Citizens of Prichard (UCCOP) was formed to give a voice to the citizens of our City. UCCOP has taken up the fight for environmental justice for those who cannot fight for themselves.

Please consider this letter an official request to come and speak to the Environmental Management Commission (EMC) at the October 19, 2012 meeting. The UCCOP wants to discuss the Jarrett Road Landfill in Prichard, Alabama (Permit # 49-26). We sent you a letter on September 6, 2012 with detailed complaints concerning this landfill.

As you will recall from the September 6th letter, this landfill and its owner, Waste Two Energy LLC and James "Buddy" Money, according to ADEM's records have had over 100 documented permit violations and 16 separate Notices of Violations (NOVs). Also, on May 7, 2012 ADEM issued a public notice that a permit renewal would not be approved but then on June 8, 2012, without any public input, reversed and withdrew this Public Notice.

We believe Jarrett Road Landfill is an example of Environmental Injustice – a landfill located in an African American community that continually violates environmental regulations yet remains operating because no one in the community is able to fight the wealthy owner. We want to know:

1. Why was the May 7, 2012 public notice suddenly with draw? What communications were there with the landfill or it's owners? We request copies of all communications.
2. What has Jarrett Road Landfill done to address each permit violation and NOV?
3. How many permit violations and NOVs can a landfill receive and remain open? What's the penalty for a violation and NOV?

We look forward to addressing the EMC at the October meeting.

Sincerely,

Severia Campbell Morris

