

Amended 6/11/10

AGENDA*
MEETING OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

DATE: June 25, 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

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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 these meetings will be available on the ADEM website under Environmental Management Commission.

1. CONSIDERATION OF MINUTES OF THE REGULAR MEETING HELD ON APRIL 16, 2010, AND THE EMERGENCY MEETING HELD ON MAY 6, 2010
2. REPORT FROM THE DIRECTOR
3. REPORT FROM THE COMMISSION VICE CHAIR
4. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-6, WATER QUALITY PROGRAM (NPDES) REGULATIONS (NPDES-RELATED MATTER)

The Commission will consider proposed amendments to ADEM Administrative Code Division 335-6, Water Quality Program (NPDES) Regulations, Rule No. 335-6-6-.23, General Permits. Rule 335-6-6-.23(15) would be amended for consistency with 40 CFR 122.28. The Department held a public hearing on the proposed amendments on June 4, 2010.

5. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-13, SOLID WASTE PROGRAM REGULATIONS

The Commission will consider proposed amendments to ADEM Administrative Code Division 335-13, Solid Waste Program Regulations. The Department proposes to amend Division 335-13 to revise various definitions pursuant to amendments to the Solid Wastes and Recyclable Materials Management Act enacted in 2008, and by clarifying certain provisions of its Solid Waste Program regulations related to the closure requirements for unauthorized solid waste dumps. The Department also proposes to establish registration requirements for facilities engaged in the receipt, storage or processing of recyclable materials at the point where these materials are initially diverted from the solid waste stream. Chief among the proposed requirements for subject facilities would be the requirement to semi-annually report quantities of recycled or re-used materials so as to monitor the progress toward achieving the previously-established statewide waste reduction and recycling goal. The Department held a public hearing on the proposed amendments on April 2, 2010.

6. FRIENDS OF HURRICANE CREEK AND ALABAMA RIVERS ALLIANCE, INC. V. ADEM, AND TUSCALOOSA RESOURCES, INC., EMC DOCKET NO. 08-01 (NPDES-RELATED MATTER)

The Commission will consider the *Recommendation of the Administrative Law Judge on Motion to Dismiss* recommending dismissal of EMC Docket No. 08-01 as moot in this appeal concerning ADEM's reissuance of Tuscaloosa Resources, Inc., Panther Mine No. 3, NPDES Permit No. 0074012, Tuscaloosa County, effective October 2, 2007.

7. BRENSEN CREEK, LLC V. ADEM, EMC DOCKET NO. 10-02 (NPDES-RELATED MATTER)

The Commission will consider the Petitioner's *Motion to Withdraw/Dismiss Appeal* in this appeal concerning ADEM Administrative Order 10-005-WP issued on October 28, 2009, to Brensen Creek, LLC, The Woodlands Plat 4, Wetumpka, T17N, R17E, S13,14, Elmore County, Alabama, NPDES ALR16ECCV.

8. BLACK WARRIOR RIVERKEEPER, INC. AND FRIENDS OF LOCUST FORK RIVER, INC. V. ADEM, AND MCOAL CORPORATION, EMC DOCKET NO. 10-04 (NPDES-RELATED MATTER)

The Commission will consider the *Report of Hearing Officer* in this appeal concerning ADEM's issuance of NPDES Permit AL0080080 to MCoal Corporation, Rosa Mine, Blount County.

9. OTHER BUSINESS

10. FUTURE BUSINESS SESSION

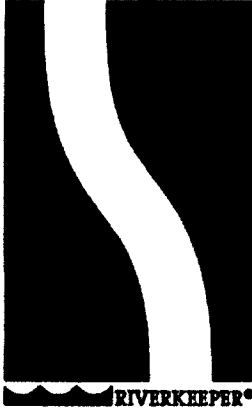
PUBLIC COMMENT PERIOD

(Request from the public to address the Commission is attached to the agenda.)

Request

Michael William Mullen, Choctawhatchee Riverkeeper, Inc.
SUBJECT: Need for expansion and strengthening of stormwater management
(Vice Chair Lester will recommend approval of the request.)

CHOCTAWHATCHEE



Acting AEMC Chairperson
C/o Debbie Thomas
AEMC
P.O. Box 301463
Montgomery, AL 36130-1463

June 7 2010

RE: Request for Presentation to AEMC at June 25, 2010 Meeting
Subject: Need for Expansion and Strengthening of Stormwater Management

I am writing to request time for a brief presentation to the AEMC at its June 25th meeting. The presentation will be brief and will show examples of the potential for relatively small projects to cause severe damage to stream water quality, aquatic habitats and public infrastructure when there is no stormwater management.

The presentation for include images and data for an example project or projects in the coastal plain (Troy). Some of the images are attached on the following pages.

Thank you for considering this request.

Sincerely,

Michael William Mullen, CPESC
Executive Director/Riverkeeper



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