

12/27/16

**Minutes**  
**Environmental Management Commission Meeting**  
**Alabama Department of Environmental Management Building**  
**1400 Coliseum Boulevard**  
**Montgomery, Alabama 36110-2400**  
**October 21, 2016**

**This is to certify that the Minutes contained herein are a true and accurate account of actions taken by the Alabama Environmental Management Commission on October 21, 2016.**

A handwritten signature in blue ink, appearing to read "H. Lanier Brown, II", written over a horizontal line.

**H. Lanier Brown, II, Chair  
Alabama Environmental Management Commission**

**Certified this 16th day of December 2016.**

**Minutes**  
**Environmental Management Commission Meeting**  
**Alabama Department of Environmental Management Building**  
**1400 Coliseum Boulevard**  
**Montgomery, Alabama 36110-2400**  
**October 21, 2016**

**Convened: 11:00 a.m.**  
**Adjourned: 12:00 p.m.**

**Part A**

**Transcript**  
**Word Index**

**Part B**

**Attachment Index**  
**Attachment 1**  
**Attachment 2**  
**Attachment 3**  
**Attachment 4**  
**Attachment 5**

**Part A**

Page 1

1 \* \* \* \* \*

2

3

4 ALABAMA ENVIRONMENTAL MANAGEMENT

5 COMMISSION MEETING

6

7

8 ALABAMA DEPARTMENT OF ENVIRONMENTAL

9 MANAGEMENT

10 Alabama Room

11 1400 Coliseum Boulevard

12 Montgomery, Alabama 36110-2400

13

14 October 21, 2016

15 11:00 a.m.

16

17

18

19

20

21

22 Taken by: April Sargent,

23 ACCR 579

Page 3

1 ALSO PRESENT (continued):

2 Jimmie Ilachild, Unitarian

3 Universalists of Montgomery

4 Ron Smith, Ashurst Bar/Smith

5 Community

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

Page 2

1 \* \* \* \* \*

2 APPEARANCES

3

4 COMMISSION MEMBERS PRESENT:

5 H. Lanier Brown, II, Esquire, Chair

6 James E. Laier, Ph.D., P.E.

7 Craig Martin, D.V.M.

8 Mary J. Merritt

9 Samuel L. Miller, M.D.

10 Terry D. Richardson, Ph.D.

11

12 COMMISSION MEMBERS NOT PRESENT:

13 W. Scott Phillips, Vice Chair

14

15 ALSO PRESENT:

16 Robert Tambling, EMC Legal Counsel

17 Lance R. LeFleur, ADEM Director

18 Debi Thomas, EMC Executive Assistant

19 SPEAKERS DURING PUBLIC COMMENT PERIOD:

20 Adam Johnston, Black Belt Citizens

21 for Health and Justice

22 Michael William Mullen,

23 Choctawhatchee Riverkeepers

Page 4

1 CHAIRMAN BROWN: Good morning.

2 We will call the -- can we get some

3 quiet, please?

4 We will call the

5 October 21, 2016 meeting of the

6 Environment Management Commission

7 to order. The Chair acknowledges

8 that we have a quorum.

9 The first item on the agenda is

10 the consideration of the minutes of

11 the meeting held on

12 August 19, 2016. The minutes have

13 been circulated to the members of

14 the Commission for review prior to

15 the meeting, and Chair will look

16 for a motion.

17 MR. RICHARDSON: Move to adopt

18 the minutes as presented.

19 MR. LAIER: Second.

20 CHAIRMAN BROWN: All in favor?

21 (Unanimous.)

22 CHAIRMAN BROWN: Item passes.

23 Next agenda item is the

Page 5	Page 7
<p>1 elections. Chair will consider 2 the -- the Commission will consider 3 the position of the Chair and Vice 4 Chair and will look for a motion on 5 that. 6 MR. MILLER: Mr. Chairman, I 7 move that we continue with you as 8 the Chairman and Mr. Phillips as 9 the Vice Chairman. 10 MR. MARTIN: Second. 11 CHAIRMAN BROWN: Any 12 discussion? 13 (No response.) 14 CHAIRMAN BROWN: For the 15 question all in favor? 16 (Unanimous.) 17 CHAIRMAN BROWN: Motion 18 carries. 19 Next on the agenda is the 20 report from the Director. 21 Good morning. 22 MR. LEFLEUR: Good morning. 23 Congratulations on your election.</p>	<p>1 completed on September 7 did not 2 result in any adverse impact to the 3 Department's current meager General 4 Fund budget. 5 On October 1, we began our 6 fiscal year 2017. The efficiency 7 and cost-shedding programs reviewed 8 in the last two Commission meetings 9 are now being implemented. We're 10 continuing to work with 11 Concentrated Animal Feeding 12 Operations (CAFOs) and members of 13 the Legislature to address the 14 looming depletion of funds to 15 operate that program. If the 16 Legislature does not act, it's 17 anticipated the collection of 18 previously suspended CAFO fees will 19 begin in the second quarter of 20 calendar year 2017. 21 Later in this meeting you'll be 22 considering a rulemaking petition 23 to facilitate the collection of</p>
Page 6	Page 8
<p>1 CHAIRMAN BROWN: Thank you, I 2 think. 3 MR. LEFLEUR: And welcome to 4 those others present. This is the 5 first meeting of the Alabama 6 Environmental Management Commission 7 for the fiscal year 2017. Today's 8 report will update you on the 9 Department's funding for this 10 fiscal year; address the high 11 points of the Department's 12 Operating Plans for FY 2016 and 13 FY 2017; report on the Department's 14 performance in the NPDES arena 15 using EPA dashboards; notify you of 16 EPA action on a recently filed 17 petition to withdraw the 18 Department's authority to issue 19 landfill permits; and finally, to 20 recognize several ADEM personnel 21 for professional accomplishments. 22 I'm pleased to report that the 23 special session of the Legislature</p>	<p>1 only the specific level of fees 2 necessary to operate that program. 3 Final resolution of the CAFO 4 funding issue, along with the 5 efficiency and cost-shedding 6 programs, are expected to provide 7 the funds necessary for the 8 Department to meet all of its 9 operating commitments. 10 Work continues on RESTORE Act 11 funding to replace the two woefully 12 substandard facilities in Mobile 13 housing our field office and 14 coastal programs with a single 15 facility designed to allow the 16 Department to accomplish its 17 mission today and in the future. 18 Despite ongoing and difficult 19 budget challenges, the Department 20 has not only met all federal and 21 state statutory and regulatory 22 obligations, but as the EPA 23 dashboards and other impartial</p>



Page 9	Page 11
<p>1 metrics consistently demonstrate, 2 has performed at a level among the 3 highest in the nation. 4 In 2014, the Department and the 5 Commission updated the joint 6 consolidated strategic plan, as it 7 does every five years. Each fiscal 8 year the Department updates its 9 annual operating plan which 10 addresses the same goals reflected 11 in the strategic plan. 12 The strategic plan and annual 13 operating plan shared goals are: 14 Effective and Responsive 15 Commission, High-Performing Work 16 Environment, Credible Relationships 17 with External Stakeholders, and 18 Efficient and Effective 19 Departmental Operations. 20 With the next several slides, 21 I'll recap some of the FY 2016 22 Departmental Operating Plan 23 objectives that were accomplished</p>	<p>1 Department and affecting our 2 environment. Prior to each 3 Commission meeting, it has also 4 been my practice to send you a 5 memorandum titled "ADEM Update," 6 which highlights significant new 7 activities in each of the 8 Department's five divisions, 9 addresses progress on the 10 objectives set out on the 11 Department's Operating Plan, and 12 shows standard performance metrics. 13 The ongoing rulemaking and ADEM 14 Update are found on the website in 15 eFile under Director's 16 Correspondence, shown circled in 17 red in this website screenshot. 18 Goal 2, High-Performing Work 19 Environment has several subgoals 20 or objectives, which, among other 21 things, focus on the resource 22 management, including both 23 financial and human resources.</p>
Page 10	Page 12
<p>1 during the past fiscal year and 2 provide a general description of 3 some of the new objectives in the 4 FY 2017 Departmental Operating 5 Plan. Again, the Departmental 6 Operating Plan goals are the same 7 as those in the Commission and 8 Department's consolidated strategic 9 plan. 10 The first goal is to have an 11 Effective and Responsive 12 Commission. To achieve this goal, 13 there must be effective 14 communication between me, as 15 Director, and each of the seven 16 Commissioners. To this end, the 17 Department provides a schedule of 18 all anticipated rulemaking well 19 before proposed rules are formally 20 presented. 21 I regularly brief you, both 22 orally and in writing, on the 23 latest issues confronting the</p>	<p>1 On the financial side, in 2 addition to the General Fund, fee, 3 and RESTORE Act funding activities 4 noted just a moment ago, managers 5 at ADEM have been diligent in 6 seeking new funding for their 7 individual programs. 8 During fiscal year 2016, the 9 Department competed for and 10 received more than \$1.7 million in 11 federal grants for environmental 12 programs in Alabama. 13 The state Clean Diesel, Clean 14 Vessel, and local Brownfields 15 grants provide added help in 16 reducing pollution in Alabama's 17 air, water, and land respectively. 18 The Exchange Network and 19 Multipurpose grants are dedicated 20 to increasing Departmental 21 efficiency through e-enterprise. 22 The Underground Storage Tank grant 23 supplements the depleted Department</p>

<p style="text-align: right;">Page 13</p> <p>1 General Fund resources. This grant 2 will allow the Department to meet 3 its current year EPA work plan tank 4 inspection obligations. 5 In the human resource 6 management effort to promote 7 high-performing work environment, 8 one of the objectives is to 9 increase the Department's use of 10 interns and co-op students. 11 In this past year, we were able 12 to attract 15 students from 13 multiple disciplines: engineering, 14 biology, meteorology, and 15 information technology from a 16 diverse group of schools including 17 Tuskegee University, Alabama A&amp;M 18 University, Auburn University, the 19 University of South Alabama, the 20 University of Alabama, and the 21 University of Alabama Huntsville. 22 Our strategy is to introduce 23 the students to real environmental</p>	<p style="text-align: right;">Page 15</p> <p>1 College, Oakwood University, and 2 Tuskegee University. Other 3 colleges and universities where we 4 recruit minorities include Auburn 5 University, Auburn University 6 Montgomery, Huntington College, 7 Troy University, the University of 8 Alabama, the University of Alabama 9 Birmingham, and the University of 10 South Alabama. 11 As a direct result of these 12 efforts, 40 new employees from the 13 colleges and universities in 14 Alabama, including nine minorities, 15 were hired during the fiscal year 16 2016 to fill vacancies left by 17 departing employees. 18 Nearly all the objectives in 19 High-Performing Work Environment 20 goal, including providing financial 21 and human resources, using 22 data-driven performance measures, 23 and promoting innovation are</p>
<p style="text-align: right;">Page 14</p> <p>1 applications in their chosen 2 disciplines while they are still in 3 school. The objective is for them 4 to be pleased with their experience 5 and return upon graduation and 6 become permanent employees of ADEM. 7 The Department is also focused 8 on recruiting and advancing 9 diversity within the Department at 10 entry-level positions, as well as 11 promotional positions. Our 12 recruitment team continues to visit 13 colleges and universities 14 throughout Alabama each spring and 15 fall in our ongoing effort to 16 attract minority applicants. 17 Here you see Lynn Battle of our 18 External Affairs Branch. She's 19 talking with a prospect. Specific 20 historically black colleges and 21 universities visited on a 22 continuous basis in Alabama include 23 Alabama State University, Miles</p>	<p style="text-align: right;">Page 16</p> <p>1 ongoing endeavors that continue to 2 advance but, by their nature, are 3 never fully completed. 4 Objectives for FY 2017 within 5 this broad goal remain the same as 6 they were in FY 2016. 7 The third broad goal, Credible 8 Relationships with External 9 Stakeholders, has received a lot of 10 attention in reports to the 11 Commission this past year. Having 12 credible relationships requires 13 face-to-face time with 14 stakeholders, which is done in 15 numerous group meetings set out in 16 the plan, as well as one-on-one 17 meetings as opportunities arise. 18 In the April Commission 19 meeting, ADEM's Environmental 20 Justice activities were reviewed 21 and a detailed compilation of those 22 activities entitled "Community 23 Engagement" was presented.</p>



Page 17	<p>1 For anyone who has not had the</p> <p>2 opportunities to review the</p> <p>3 numerous activities documented in</p> <p>4 the report, it is available on the</p> <p>5 Department's website.</p> <p>6 Another recent addition to the</p> <p>7 website is the eMaps Portal circled</p> <p>8 in red on this web page screenshot,</p> <p>9 which is designed to further</p> <p>10 enhance involvement with external</p> <p>11 stakeholders.</p> <p>12 Selecting the eMaps Portal icon</p> <p>13 displays a page with five major</p> <p>14 headings that can be used to locate</p> <p>15 on interactive maps Brownfields</p> <p>16 sites, impaired water bodies, river</p> <p>17 basins, determine where total</p> <p>18 maximum daily loading</p> <p>19 determinations have been made,</p> <p>20 where underground storage tanks</p> <p>21 exist, where UST spills have</p> <p>22 occurred, and other information.</p> <p>23 The user can view the entire</p>	Page 19	<p>1 Relationships with External</p> <p>2 Stakeholders lends itself to</p> <p>3 distinct individual outreach</p> <p>4 events, as confirmed by having 12</p> <p>5 separate objectives in the FY 2016</p> <p>6 plan, some of which you have just</p> <p>7 seen. The FY 2017 Operating Plan</p> <p>8 adds four new objectives, including</p> <p>9 new outreach to the U.S. Fish and</p> <p>10 Wildlife Service.</p> <p>11 The fourth and final goal,</p> <p>12 Efficient and Effective</p> <p>13 Departmental Operations, is</p> <p>14 critical to the Department's</p> <p>15 efforts to provide cost-effective</p> <p>16 services to Alabama citizens.</p> <p>17 Coordinated effort is necessary</p> <p>18 to accomplish goals within any</p> <p>19 organization, and that begins with</p> <p>20 communication. Objectives</p> <p>21 addressing both formal and informal</p> <p>22 means of communication are part of</p> <p>23 the plan.</p>
Page 18	<p>1 state or zoom in all the way down</p> <p>2 to a specific street address or</p> <p>3 stream segment. The eMaps Portal</p> <p>4 is natural complement to the eFile,</p> <p>5 eComplaint, and "What's Happening</p> <p>6 in Your County" applications that</p> <p>7 are available to help citizens</p> <p>8 access information about their</p> <p>9 specific geographic areas of</p> <p>10 interest.</p> <p>11 Making data readily available</p> <p>12 to external stakeholders through</p> <p>13 easily-accessible computer systems</p> <p>14 promotes transparency and also</p> <p>15 promotes efficiency of operation.</p> <p>16 Other outreach initiatives</p> <p>17 include the energy efficiency</p> <p>18 efforts highlighted in the August</p> <p>19 Commission meeting and a planned</p> <p>20 drinking water quality assurance</p> <p>21 outreach to all Alabama public</p> <p>22 schools.</p> <p>23 The goal of Credible</p>	Page 20	<p>1 A major objective under this</p> <p>2 goal is to meet or exceed all work</p> <p>3 plan commitments with EPA. This</p> <p>4 was accomplished in FY 2016 and is</p> <p>5 an objective for FY 2017.</p> <p>6 Another important objective</p> <p>7 within the broad goal of Efficient</p> <p>8 and Effective Departmental</p> <p>9 Operations is to incorporate more</p> <p>10 e-enterprise and e-business</p> <p>11 applications. Many in this room</p> <p>12 are familiar with EPA's eReporting</p> <p>13 rule and its aggressive deadlines.</p> <p>14 The eReporting rule, which goes</p> <p>15 into effect in December of this</p> <p>16 year, is EPA's recent effort to</p> <p>17 promote electronic reporting of</p> <p>18 Discharge Monitoring Reports known</p> <p>19 as eDMRs. The Department</p> <p>20 wholeheartedly supports this EPA</p> <p>21 effort. Fortunately, the</p> <p>22 Department began its eDMR system</p> <p>23 and set specific penetration goals</p>

<p style="text-align: right;">Page 21</p> <p>1 several years ago, which put us far 2 ahead of most other states in 3 complying with the new eReporting 4 rule deadlines. 5 Today ADEM has 93 percent of 6 the covered NPDES water permitted 7 universe on the eDMR system. As 8 shown on this slide, this includes 9 98 percent of the municipal and 10 industrial facilities holding NPDES 11 permits on the eDMR system. Though 12 very few states will be able to 13 meet EPA's eReporting goal of 90 14 percent in 2017, the Department has 15 already surpassed that goal. 16 Another of the electronic 17 application objectives within 18 broader goal of Efficient and 19 Effective Departmental Operations 20 is implementation of the nSPECT 21 system discussed at the last 22 Commission meeting. As of October 23 1, the field tablets allowing</p>	<p style="text-align: right;">Page 23</p> <p>1 the Department to operate 2 effectively, given the tight 3 budgets it is constrained to 4 operate within. 5 A more complete rundown on 6 progress in meeting FY 2016 7 objectives is available in the six 8 ADEM Update reports mentioned 9 earlier that were prepared during 10 FY 2016 and which are available on 11 the ADEM website. Copies of the 12 2017 Departmental Operating Plan 13 have been prepared and provided to 14 you, and additional copies are 15 available on the table outside the 16 meeting room for others who may be 17 interested. 18 Switching gears slightly, we 19 will now look at some of the 20 numbers related to the 21 Department's -- Departmental 22 performance. The analysis of 23 Departmental performance is</p>
<p style="text-align: right;">Page 22</p> <p>1 direct entry of inspection data 2 into multiple databases, which 3 improves both productivity and 4 accuracy, are fully operational. 5 Here are a few photos of Sarah 6 Dominguez, one of our Field 7 Operation Division inspectors, 8 using a tablet to record data and 9 document the inspection with 10 photographs. 11 Four additional objectives in 12 the area of electronic applications 13 which have been incorporated in the 14 FY 2017 Operating Plan are also 15 designed to improve efficiency. In 16 addition to the new electronic 17 applications for FY 2017, new 18 objectives in the areas of enhanced 19 procedures for fish kill events and 20 the evaluation of drone technology, 21 as well as cyber security 22 monitoring, have been put in place. 23 Many of these activities help</p>	<p style="text-align: right;">Page 24</p> <p>1 regularly presented using 2 EPA-generated metrics so ADEM can 3 compare itself against all other 4 states in standardized performance 5 measurements. On a rotating basis, 6 we look at Air, Hazardous Waste, 7 NPDES Water, and recently the 8 Drinking Water program. We are 9 past due in reviewing the 10 performance of the Air program. 11 The reason for the delay is that 12 EPA initiated changes to the 13 reporting regimen for the Air 14 programs which has resulted in the 15 EPA reworking the graphs. It was 16 anticipated the update to the 17 dashboards would be ready by now. 18 However, EPA has run into problems. 19 The last Air update presented 20 you used data in 2014. That 21 continues to be the most current 22 data available. It's not known 23 when more current graphs will be</p>



<p style="text-align: right;">Page 25</p> <p>1 forthcoming. If the delay period 2 becomes significantly extended, an 3 alternative method of analysis will 4 be developed to review performance 5 of the Department's Air program. 6 Earlier this calendar year, the 7 performance analyses of the 8 Hazardous Waste and Drinking Water 9 programs were presented. Updated 10 dashboards for the NPDES Water 11 program are now available. Because 12 Air program data is not available, 13 the rotation order will be 14 readjusted to present an analysis 15 of performance of the NPDES Water 16 program today. 17 By way of reminder, the 18 Interactive Visual Compliance and 19 Enforcement Metrics, known as 20 dashboards, are developed by EPA 21 using standard data required to be 22 submitted to EPA by all states. 23 The dashboards show how each state</p>	<p style="text-align: right;">Page 27</p> <p>1 I'll highlight where EPA has 2 encountered several glitches in 3 both correctly displaying data and, 4 in at least one case, how it 5 defines one of the variables being 6 displayed. 7 This first slide is one 8 typically presented in updates 9 which shows the size of the 10 universe of NPDES permitted 11 water-discharging facilities. It 12 shows that there are approximately 13 10,400 NPDES permits outstanding in 14 Alabama, with a large majority 15 being general permits shown in red. 16 The graph clearly displays the 17 Department's strategy to 18 increasingly use general permits 19 because they both reduce the 20 workload associated with permit 21 issuance, which increases 22 efficiency, and generally have 23 tighter discharge limits.</p>
<p style="text-align: right;">Page 26</p> <p>1 performs, compared to all other 2 states, over a period of five 3 years. Current performance, as 4 well as trends in performance, are 5 displayed. The dashboards are 6 readily available to any interested 7 party on the EPA website. 8 Dashboards are useful management 9 tools because they can highlight 10 the areas where performance can be 11 improved. 12 As has been the case with other 13 media and previous reports on the 14 NPDES Water program, the following 15 slides will focus on the size of 16 the universe of regulated 17 facilities, the inspections 18 performed, the violations found in 19 those inspections, the most serious 20 violations, and the enforcement 21 actions taken as a result of the 22 violations. 23 As we go through these graphs,</p>	<p style="text-align: right;">Page 28</p> <p>1 There are numerous graphs 2 related specifically to enforcement 3 and compliance. The first of these 4 is the INSPECTIONS group. The 5 graphs in this INSPECTIONS group of 6 dashboards analyze the rate of 7 inspections. 8 This next slide is one 9 typically presented in our regular 10 updates. It shows that the 11 percentage of all major facilities 12 inspected in Alabama, the purple 13 columns, consistently exceeds both 14 the national average shown by the 15 dashed blue line, and the EPA 16 target of 50 percent, shown by the 17 solid black line. Please be aware 18 that the data set for 2016 is not 19 yet complete. 20 In the inspection group of 21 dashboards is also a graph showing 22 the percentage of non-majors that 23 have been inspected. You will note</p>

<p style="text-align: right;">Page 29</p> <p>1 that EPA has not set a target for 2 the rate of inspections for 3 non-majors as they did for majors. 4 However, ADEM's EPA work plan calls 5 for an inspection rate of 20 6 percent, which, as you can see, has 7 been met or exceeded every year. 8 Once again, please note the data 9 set for 2016 is not yet complete. 10 The next group of graphs is the 11 VIOLATIONS group of dashboards, 12 which analyze permit violations. 13 Once again, this slide is typically 14 included in regular updates. It 15 shows the percentage of majors in 16 non-compliance. As you see, the 17 percentage of majors in Alabama 18 with serious violations (shown in 19 orange) and non-serious violations 20 (shown in blue) is better, often by 21 a wide margin, than the respective 22 national averages shown as the red 23 and blue dashed lines.</p>	<p style="text-align: right;">Page 31</p> <p>1 data capture errors at EPA, that 2 graph is not currently available. 3 However, the next two graphs, the 4 one on the screen now and the next 5 one, from the same endorsement 6 group, illustrate the trend in 7 non-compliance and the timeliness 8 of enforcement actions. 9 In this graph, unlike others, 10 the dashed red line represents the 11 percentage of major facilities in 12 Alabama that are classified as, in 13 significant non-compliance, rather 14 than a national average. The trend 15 is clearly going down, which means 16 compliance is going up. As is 17 often stated, one of our primary 18 objectives is to increase 19 compliance, and this line 20 demonstrates that objective is 21 being met. 22 The blue columns represent the 23 percentage of major facilities that</p>
<p style="text-align: right;">Page 30</p> <p>1 The SERIOUS VIOLATIONS 2 dashboard group focuses 3 specifically on serious violations. 4 This slide, showing serious 5 violations, is a subset of the 6 previous slide. As you can see, 7 the national average represented by 8 the dashed red line, has been 9 hovering around 20 percent, while 10 the Department's level of serious 11 violations has been steadily 12 declining and is now less than 13 one-third of the national average. 14 This is the trend we're looking 15 for. 16 In the ENFORCEMENT ACTIONS 17 dashboard group, I typically review 18 with you the graph showing a trend 19 in the rate of formal and informal 20 enforcement actions, since that is 21 reflective of a key strategy to 22 advance our main goal of increasing 23 overall compliance. Due to recent</p>	<p style="text-align: right;">Page 32</p> <p>1 are in non-compliance and also have 2 a formal enforcement action against 3 them. Since the red line shows 4 fewer facilities in significant 5 non-compliance, there are fewer 6 facilities against which to take 7 enforcement action; and thus the 8 blue columns are getting smaller. 9 The reason why the red line and 10 the blue columns don't overlap, 11 which would mean every instance of 12 significant non-compliance has a 13 formal enforcement action, is that 14 some non-compliance, such as not 15 filing a timely report, requires 16 the next reporting period to occur 17 before the facility can be 18 classified as in-compliance once 19 again and a formal enforcement 20 action is not warranted. 21 The second enforcement graph -- 22 this will be our last graph. The 23 second enforcement graph shows the</p>



<p style="text-align: right;">Page 33</p> <p>1 percentage of facilities in 2 non-compliance that have timely 3 enforcement action, using EPA's 4 definition of timely enforcement. 5 In this graph the dashed red line 6 shows the national average, which 7 is pretty low. The yellow columns 8 show the Department's performance, 9 which although higher than the 10 national average, is still somewhat 11 low and well below EPA's stated 12 goal of 98 percent, shown as the 13 heavy black line at the top of the 14 graph. 15 EPA's definition of timely 16 enforcement action does not 17 properly take into account the type 18 of violation, the type of facility, 19 whether enforcement is warranted, 20 and other relevant factors. For 21 example, as mentioned a moment ago, 22 a failure to file a report is a 23 violation but may be corrected with</p>	<p style="text-align: right;">Page 35</p> <p>1 dashboard groups continue to be the 2 only comprehensive, verifiable, 3 objective measures of performance 4 available. As you've seen, every 5 group of measures demonstrates the 6 Department is consistently beating 7 national averages and that 8 performance is trending toward 9 continued improvement. 10 I would now like to notify you 11 of a recent EPA action involving 12 the Department. On August 18, 13 2016, a petition was filed with EPA 14 by the Environmental Defense 15 Alliance, a group made up of three 16 Alabama environmental 17 organizations, to have EPA withdraw 18 its 1994 Determination of Adequacy 19 of Alabama's Municipal Solid Waste 20 Landfill Permit Program. On 21 September 26, 2016, EPA issued a 22 rejection of the petition. In this 23 case EPA acted expeditiously and</p>
<p style="text-align: right;">Page 34</p> <p>1 no enforcement action being taken. 2 On the other hand, at the other end 3 of the scale, an enforcement action 4 against a sister state agency, such 5 as the Alabama Department of Youth 6 Services, may require a lengthy 7 intra-governmental process. In 8 both instances, the EPA metric 9 would not reflect timely 10 enforcement. 11 Quite simply, sometimes 12 enforcement action is not required 13 and some enforcement actions take 14 more time than others. EPA has 15 recognized the problems with this 16 graph and is in the process of 17 reworking it. Notwithstanding the 18 questionably-defined metric and the 19 resulting unrealistic EPA target, 20 the Department's performance is 21 significantly better than the 22 national average and is improving. 23 The metrics displayed in these</p>	<p style="text-align: right;">Page 36</p> <p>1 decisively. 2 Finally, from time to time, 3 it's my pleasure to report on 4 significant accomplishments of our 5 employees. Today I am pleased to 6 recognize four employees who have 7 completed the work necessary to 8 earn the respected designation of 9 Certified Public Manager I and 10 three employees who have earned the 11 advanced designation of Certified 12 Public Manager II. 13 The CPM program prepares our 14 engineers, scientists, and other 15 employees to assume the managerial 16 duties critical to the success of 17 the Department. The professional 18 development of our employees is an 19 important goal in our strategic and 20 annual operating plans. 21 Please stand and remain 22 standing as I call your name. 23 Earning the designation CPM I are</p>



Page 37	Page 39
<p>1 Mark Davidson in our Air Division.                  2 Mark, are you here? I saw you                  3 earlier. Ashley Mastin in the Land                  4 Division. There's Ashley. Dan                  5 Nobles in the Permits and Services                  6 Division. I thought Dan was here                  7 too. They must be back working.                  8 Spring Tate, also in the Permits                  9 and Services Division.                  10 Evidently I didn't get the word                  11 out well.                  12 Those earning the CPM 2                  13 designation are Don Barron in the                  14 Air Division, Susan Dingman -- and                  15 I know she's not here -- in our                  16 Permits and Services Division.                  17 Jerome Hand in the back corner in                  18 the Permits and Services Division                  19 also.                  20 Would you please join me in                  21 congratulating them? Good work for                  22 all of y'all.                  23 That concludes today's report.</p>	<p>1 appear as two years of zero data in                  2 the last five-year comparisons.                  3 We're working with EPA to get that                  4 data to be presented as currently                  5 as the majors are. But it is a                  6 shortcoming of the EPA dashboard                  7 program right now.                  8 MR. RICHARDSON: So it's really                  9 on their part, not any oversight or                  10 omission on our part?                  11 MR. LEFLEUR: Correct. We're                  12 once again, ahead of the game as                  13 far as EPA reporting. They'll be                  14 catching up.                  15 And, once again, people can go                  16 onto the EPA website and get --                  17 there are about 150 different                  18 graphs of performance and activity.                  19 And people can go on and look at                  20 those and move around in them.                  21 There's a lot of good information                  22 in there, even though there are                  23 some problems with some of it.</p>
Page 38	Page 40
<p>1 I'll be pleased to answer any                  2 questions you may have.                  3 MR. RICHARDSON: Director, I                  4 have a couple of questions about                  5 your presentation on the                  6 dashboards.                  7 I was particularly concerned in                  8 the lack of dashboard information                  9 presented on the non-majors                  10 general, which is over 80 percent                  11 of our NPDES program. Is that                  12 there and available?                  13 MR. LEFLEUR: There is                  14 information on the non-majors. The                  15 EPA is currently working on getting                  16 timely information on that.                  17 Information on non-majors, we                  18 submit it the same time we submit                  19 our data on majors. Other states,                  20 however, submit a different report.                  21 It's called an ANCR report. And                  22 that usually has a -- slightly over                  23 a one-year lag so that it will</p>	<p>1 MR. RICHARDSON: Thank you.                  2 CHAIRMAN BROWN: Any other                  3 questions or comments from the                  4 Commission?                  5 (No response.)                  6 CHAIRMAN BROWN: Thank you.                  7 Next on the agenda is the report                  8 from the Commission Chair.                  9 I would just like to note that                  10 this is the first of our new public                  11 comment period. We've got some                  12 registrants to speak after the                  13 Commission concludes its business                  14 portion of the meeting.                  15 I just want to welcome everyone                  16 that signed up to speak. We do                  17 appreciate your comments. I do                  18 want to emphasize the guidelines                  19 that have been published to you.                  20 And please refrain from anything                  21 that is ongoing that the Commission                  22 might have to rule on or litigated                  23 issues.</p>

Page 41

1 While the Department is not  
2 required to speak, if you do want  
3 to speak -- and Mr. Director -- in  
4 response to any comments, we'll  
5 give you that opportunity. And if  
6 any of the Commissioners want to  
7 ask questions of the speakers, I'll  
8 give y'all that opportunity as  
9 well.

10 Next on the agenda is, the  
11 Chair will call on Personnel  
12 Committee Chair Laier for a report  
13 and recommendations from the  
14 Personnel Committee on the ADEM  
15 Director job performance  
16 evaluation, including potential  
17 salary advances and meeting with  
18 the Chair -- excuse me -- with the  
19 Director regarding the summary of  
20 written comments.

21 MR. LAIER: Ready?  
22 CHAIRMAN BROWN: Ready.  
23 MR. LAIER: The Personnel

Page 43

1 and to execute the Verification of  
2 Understanding between the  
3 Commission and the Director  
4 regarding the evaluation.

5 The Committee -- in conclusion  
6 the Committee recommends that the  
7 results and the recommendations be  
8 submitted to the Commission for  
9 adoption. That's the end of my  
10 statement.

11 CHAIRMAN BROWN: Does anybody  
12 on the Commission have any  
13 questions or comments regarding the  
14 report?  
15 (No response.)  
16 CHAIRMAN BROWN: Then we will  
17 entertain a motion, if there is  
18 one.

19 MR. MILLER: I move we accept  
20 the Committee's recommendation.  
21 MS. MERRITT: And I second it.  
22 CHAIRMAN BROWN: Any discussion  
23 regarding the motion?

Page 42

1 Committee and Chair met this  
2 morning at 10 a.m. We had a quorum.  
3 Our three committee members were  
4 together. The first order of  
5 business was to adopt the draft  
6 summary of written comments on ADEM  
7 Director's job performance  
8 evaluation. That was done  
9 successfully.

10 We had two other items to  
11 discuss. One was a recommendation  
12 that the Commission adopt a salary  
13 advance to Director LeFleur of two  
14 steps to step 17 in pay grade 90 in  
15 the amount of \$160,440.

16 Recommendation number two was  
17 that the Commission authorize the  
18 Personnel Committee Chair to meet  
19 with Director LeFleur regarding the  
20 summary of written comments on the  
21 ADEM Director's job performance  
22 evaluation and actions taken by the  
23 Commission regarding the evaluation

Page 44

1 (No response.)  
2 CHAIRMAN BROWN: I have a  
3 question. Every year we've been  
4 dealing with a budget crunch for  
5 the last four or five years. What  
6 have we as a Department been able  
7 to do, with regard to the salaries  
8 of our employees, over that time?  
9 MR. LEFLEUR: Mr. Chairman, the  
10 State had a freeze on all the merit  
11 raises that was lifted  
12 approximately two years ago. Since  
13 that time, we maintained a head  
14 count that is below our authorized  
15 head count, and because of that --  
16 we do that intentionally. We would  
17 prefer to have fewer high  
18 performing employees than a large  
19 number of lower performing  
20 employees. As far as salaries go,  
21 every employee that has been  
22 eligible for a raise since the  
23 salary freeze was lifted has

Page 45

1 received a raise, with the notable  
2 exception of the Director. Not  
3 that I want to remind anybody of  
4 that.  
5 CHAIRMAN BROWN: All right.  
6 Any other questions or -- thank  
7 you. Any other questions,  
8 comments? Anybody want to discuss  
9 this any further?  
10 (No response.)  
11 CHAIRMAN BROWN: Call for the  
12 question. All in favor?  
13 (Unanimous.)  
14 CHAIRMAN BROWN: Any opposed?  
15 (No response.)  
16 CHAIRMAN BROWN: It passes.  
17 MR. LEFLEUR: Thank you.  
18 CHAIRMAN BROWN: Next on the  
19 agenda is Consideration of Petition  
20 for Rulemaking to Amend ADEM  
21 Administrative Code 335-1-6-.04  
22 Permit Application Fees to allow  
23 the Director to collect part or all

Page 46

1 of funding needed to administer  
2 the AFO/CAFO program not allocated  
3 by the state legislature. The  
4 proposed amendment is to add the  
5 wording "in whole or in part" to  
6 Rule 335-1-6-.04(3) as follows:  
7 Fees required by AFO/CAFO  
8 registration maybe suspended in  
9 part or whole by the Director to  
10 reflect budgetary circumstances of  
11 the program.  
12 A petition was made by Alabama  
13 Farmers Federation. We have  
14 asked -- or the Commission asked  
15 that Director LeFleur assist the  
16 Commission by providing the  
17 Department's response to the  
18 petition and any relevant  
19 information. That response was  
20 submitted and has been circulated  
21 amongst the Commissioners in  
22 advance of the meeting.  
23 The Chair also requested the

Page 47

1 Petitioner and the Department have  
2 representatives here today to  
3 discuss the matter. So at this  
4 time, we will call on the  
5 Petitioner, a representative on  
6 behalf of the Alabama Farmers  
7 Federation -- I don't know who it  
8 is -- to speak.  
9 So the first thing you need to  
10 give us is your name, sir.  
11 MR. HALL: Good morning. I am  
12 Guy Hall. I am the director of  
13 Pork, Poultry, and Dairy for the  
14 Alabama Farmers Federation.  
15 CHAIRMAN BROWN: Thank you.  
16 MR. HALL: You're welcome.  
17 We want to thank the ADEM  
18 Environmental Management Commission  
19 for considering our Petition for  
20 Amendment of 335-1-6-.04 Permit  
21 Application Fees.  
22 With that, we believe that this  
23 change in wording will allow the

Page 48

1 Director of ADEM to collect part or  
2 all of the fees and fundings needed  
3 to administer the AFO/CAFO program  
4 not allocated by the state  
5 legislature.  
6 With that, I'll open it up to  
7 any questions you may have.  
8 CHAIRMAN BROWN: Anybody have  
9 any questions, comments?  
10 (No response.)  
11 CHAIRMAN BROWN: Thank you.  
12 MR. HALL: Yes, sir. Thank  
13 you.  
14 CHAIRMAN BROWN: Director  
15 LeFleur, are you or someone else  
16 from the Department going to  
17 address this?  
18 MR. LEFLEUR: We have made  
19 available to the Commission the  
20 views of the Director regarding  
21 this matter.  
22 In summary, I would say that in  
23 the entire life of the CAFO



Page 49

1 program, which began in 1999, the  
2 Legislature has provided 100  
3 percent of the funding necessary to  
4 operate the program. In the recent  
5 FY 2016, they did not provide  
6 enough to fund the program. And  
7 for FY 2017, it does not look like  
8 they will be providing enough or  
9 potentially could be providing less  
10 than the amount necessary to  
11 operate the program.  
12 The way that the current rule  
13 reads, the Director -- and this is  
14 related only to the CAFO program.  
15 This particular rule is based only  
16 for the CAFO program. The rule  
17 says that the Director may suspend  
18 payment of that fee or collection  
19 of that fee. That has been done  
20 since 1999. The universe of CAFOs  
21 has increased dramatically since  
22 1999. And by virtue of that larger  
23 number of facilities, the standard

Page 51

1 have questions or comments?  
2 I see you want to say  
3 something.  
4 MR. LEFLEUR: I would point out  
5 that Commissioner Richardson has  
6 been very active and very important  
7 in trying to convince the  
8 Legislature of the need to fund  
9 this program from the State's  
10 General Fund budget. I have high  
11 hopes that his efforts will be met  
12 with success.  
13 CHAIRMAN BROWN: I think  
14 everybody hopes that. If there's  
15 no further discussion, I'll  
16 entertain a motion.  
17 MR. RICHARDSON: So moved.  
18 MR. LAIER: Second.  
19 CHAIRMAN BROWN: All in favor?  
20 (Unanimous.)  
21 CHAIRMAN BROWN: Is there any  
22 other business any Commissioner  
23 wishes to address?

Page 50

1 fee structure would result in  
2 collecting more than the amount  
3 necessary to operate the program.  
4 The proposed changes allow the  
5 Director to collect a portion of  
6 the fees that will supplement what  
7 the Legislature might provide,  
8 either now or in the future, and  
9 collect an amount equal to the cost  
10 of the program.  
11 Unlike other programs, the CAFO  
12 program is not supplemented by  
13 federal grants.  
14 CHAIRMAN BROWN: So what you're  
15 telling me is, we have an interest  
16 group that has petitioned for its  
17 constituents to pay some money and  
18 a government agency that doesn't  
19 want to collect all that it could?  
20 MR. LEFLEUR: As strange as  
21 that sounds.  
22 CHAIRMAN BROWN: These are  
23 historic times. Does anybody else

Page 52

1 (No response.)  
2 CHAIRMAN BROWN: With there  
3 being none, I'll note the next  
4 Commission meeting of December 16,  
5 2016, same time, same place.  
6 And we will move to the public  
7 comment period. I think I outlined  
8 the ground rules, and we've got  
9 four people to speak.  
10 And we will call first Adam  
11 Johnston.  
12 MR. MILLER: Excuse me just a  
13 minute.  
14 (Commissioner Miller left the  
15 meeting for a brief period.)  
16 CHAIRMAN BROWN: For the  
17 record, will you state your name  
18 and who you're here speaking on  
19 behalf of.  
20 MR. JOHNSTON: Thank you,  
21 Commissioners. My name is Adam  
22 Johnston, A-D-A-M, J-O-H-N-S-T-O-N.  
23 I'm here for Black Belt Citizens

Page 53

1 Fighting for Health and Justice and  
2 also stand in between lunch and a  
3 state agency staff, so I'll stay  
4 within the three minutes.  
5 CHAIRMAN BROWN: Thank you.  
6 MR. JOHNSTON: Once again,  
7 thank y'all for this opportunity to  
8 have public comment. I think it's  
9 important that we have this  
10 opportunity. I do want to say  
11 that -- before we start that we  
12 feel like we have pursued all  
13 reasonable opportunities made  
14 available to the Department and its  
15 Director for addressing these  
16 concerns. And our concerns today  
17 are completely directed to the  
18 Director, as the ultimate  
19 responsibility of the Agency. And  
20 we feel like all the actions  
21 therefore underneath the Agency  
22 reflect the Director's ability to  
23 manage and lead his Agency.

Page 55

1 improper to the community's  
2 concerns. They have improperly put  
3 photographs on there without  
4 communicating with community  
5 members or asked for permission to  
6 put their photos on there. We have  
7 written specific letters to the  
8 state agency, including EPA's  
9 Office of Civil Rights and to the  
10 Department of Justice asking that  
11 this deception of language be  
12 addressed.  
13 The Director wrote back, and we  
14 have copies of this information  
15 that we could provide at a  
16 different time. The Director wrote  
17 back that he felt like the language  
18 was sufficient and removed one of  
19 the photographs that we asked to be  
20 removed. And there are still other  
21 photographs in this document, of  
22 which citizens do not feel like  
23 they have been properly asked for

Page 54

1 My comments today are  
2 particularly about the community  
3 engagement document. The comments  
4 today have everything to do with  
5 the recent job evaluation and  
6 statement that was given. It has  
7 everything do with some of the  
8 ongoing issues around the state,  
9 and in particular Uniontown. And  
10 I'd be more than happy to provide  
11 any type of relevant information  
12 and data that y'all have and would  
13 like to request and be more than  
14 happy to get that to y'all after  
15 today. I apologize if I don't have  
16 any of it.  
17 The comments I'd like to make  
18 today, and specifically about the  
19 community engagement document, is  
20 that members of Uniontown and other  
21 members around the state felt like  
22 the community engagement document  
23 has deceptively used language

Page 56

1 that permission.  
2 We also do not feel that the  
3 agency is, quote, unquote, going  
4 above and beyond for the community  
5 of Uniontown. And we would like to  
6 address that through these comments  
7 as well.  
8 So we're going to continue to  
9 ask the ADEM agency to remove any  
10 pictures or language that's in the  
11 community engagement documents to  
12 be reflective of the community's  
13 concerns and to actually speak with  
14 the community and actually ask them  
15 how they feel about the language in  
16 that. So we have great concern  
17 about the community engagement  
18 document, and we feel like it's a  
19 deceptive use of taxpayer money.  
20 Also with the job evaluation --  
21 and we submitted formal comments to  
22 the job evaluation back earlier  
23 this year. And we feel like the



Page 57

1 job evaluation for Director LeFleur  
 2 paints a pretty good picture of  
 3 what's going on around the state  
 4 and that there is incredible  
 5 disproportionate impact happening  
 6 as a result of the Director's  
 7 management of the staff. It has no  
 8 reflection whatsoever of the state  
 9 agency staff, other than the  
 10 leadership of the Director.  
 11 And we feel that under the  
 12 leadership of the Director that  
 13 many past permits have been  
 14 granted, that have which caused  
 15 severe, severe, severe  
 16 disproportionate impact in  
 17 communities and continued to  
 18 pollute the environment and impact  
 19 public health in these communities.  
 20 And with our comments  
 21 submitted, we'd be more than happy  
 22 to give any updates to the ADEM's  
 23 Director's job evaluation that I

Page 59

1 they would have never permitted  
 2 that landfill, we wouldn't be  
 3 dealing with these Civil Rights  
 4 investigations.  
 5 We also feel that the direct  
 6 permitting of the Stones Throw  
 7 Landfill in Tallassee has also  
 8 violated rights of individuals'  
 9 concerns and that if the Director  
 10 would've never permitted that  
 11 entity, then we wouldn't have these  
 12 civil rights concerns.  
 13 And so under the leadership of  
 14 the Director, you've seen continued  
 15 civil rights violations; you've  
 16 seen continued also just great,  
 17 great, great disproportionate  
 18 impact.  
 19 And, unfortunately, Director,  
 20 through your greatest efforts of  
 21 going above and beyond, you're  
 22 still failing the communities.  
 23 So we ask for his complete

Page 58

1 believe ended in July or sometime  
 2 around that point. We have a lot  
 3 more information that we'd like to  
 4 share that we feel like the job  
 5 evaluation is unsatisfactory to the  
 6 concerns of the community. And we  
 7 call for the complete resignation  
 8 and firing of the Director at this  
 9 immediate moment, and for many  
 10 reasons that we will state  
 11 hereafter.  
 12 We feel like the Director has  
 13 been unresponsive to the concerns  
 14 of the Uniontown citizens, in  
 15 particular, asking to have proper  
 16 review of permits, in which these  
 17 permits have gone forth to continue  
 18 to produce pollution. We feel that  
 19 under the leadership of the  
 20 Director that the permitting of the  
 21 Arrowhead landfill, the Title VI  
 22 Civil Rights investigations, that  
 23 the Director and the Agency, if

Page 60

1 firing right now under his job  
 2 record.  
 3 Five minutes left?  
 4 CHAIRMAN BROWN: No. That's  
 5 five minutes. You only had three.  
 6 MR. RICHARDSON: What he's  
 7 saying is, you can have a seat.  
 8 MR. JOHNSTON: What I'm saying  
 9 is --  
 10 MR. RICHARDSON: What he's  
 11 saying is, you can have a seat.  
 12 MR. JOHNSTON: What I'm saying  
 13 is revoke this permit 5303, fill  
 14 the treatment plant in Uniontown --  
 15 MR. RICHARDSON:  
 16 Mr. Chairman --  
 17 CHAIRMAN BROWN: Wrap it up.  
 18 MR. JOHNSTON: And those are my  
 19 final comments. I'll be more than  
 20 happy to get those -- any type of  
 21 information that you would like to  
 22 have requested -- be more than  
 23 happy to get that to you.

Page 61

1 CHAIRMAN BROWN: Thank you.  
2 Questions or comments for  
3 Mr. Johnston?  
4 (No response.)  
5 CHAIRMAN BROWN: Mr. Director,  
6 any comments? You don't have to.  
7 MR. LEFLEUR: Very briefly.  
8 I'm sorry.  
9 We will remove all photographs  
10 that -- people who are in them that  
11 they don't want to have in the  
12 book. And there was one request  
13 that was removed.  
14 And the matters regarding Title  
15 VI, those are under litigation, so  
16 we are not discussing those.  
17 CHAIRMAN BROWN: Thank you.  
18 Next will be Mr. Michael  
19 William Mullen.  
20 MR. MULLEN: Based on  
21 conversations I've had with the  
22 Field Operations Director Chief  
23 this morning, I withdraw my

Page 63

1 We are -- well, the social  
2 action committee and the fellowship  
3 generally has about a dozen  
4 concerns of social issues. One  
5 of -- strongly so is the impact of  
6 racism in our society. Another is  
7 the environment. And also as these  
8 two issues interact; the issue of  
9 environmental racism and the  
10 proclivity to locate environmental  
11 hazards in areas that are impacted  
12 of people of ethnic minorities and  
13 people of poverty.  
14 We specifically are concerned  
15 about the Commission's -- or the  
16 Department's consideration of  
17 renewing the permit of the  
18 Arrowhead Landfill in Uniontown,  
19 Perry County, Alabama. The EPA has  
20 cited that situation as being in  
21 violation of civil rights. It also  
22 obviously has many health  
23 concerns and environmental concerns

Page 62

1 comments because they were about a  
2 specific example of failure to meet  
3 the things that you all put forward  
4 in the 2014 strategic plan about  
5 enforcement. I will probably send  
6 you something in writing because  
7 it's still an issue. But the  
8 specific thing I was going to  
9 comment on this morning is --  
10 hopefully no longer remains, so I  
11 appreciate it.  
12 CHAIRMAN BROWN: Thank you.  
13 I'm going to butcher the  
14 pronunciation, I'm sure, but Jim  
15 Ilachild.  
16 MR. ILACHILD: Good morning.  
17 CHAIRMAN BROWN: Good morning  
18 and welcome.  
19 MR. ILACHILD: My name is Jimmy  
20 Ilachild, and I am from the  
21 Unitarian Universalist Fellowship  
22 of Montgomery, the social action  
23 committee of that group.

Page 64

1 of the water quality. The water  
2 obviously doesn't just stay in  
3 Uniontown. It goes into creeks and  
4 rivers and affects people all over  
5 the state of Alabama.  
6 We wonder how the Department  
7 can even consider renewing the  
8 permit of Arrowhead Landfill, which  
9 exists basically to dump coal ash  
10 into the landfill there and --  
11 which is a very toxic and  
12 environmentally hazardous and  
13 health hazardous situation.  
14 Thank you.  
15 CHAIRMAN BROWN: Thank you.  
16 And thank you for staying within  
17 the time limit. Anybody have any  
18 questions or comments?  
19 Mr. Director?  
20 (No response.)  
21 CHAIRMAN BROWN: Finally, we  
22 have Ron Smith. Welcome.  
23 MR. SMITH: Good morning, I

Page 65

1 think, Commissioners, to all the  
2 petitioners here and Mr. LeFleur.  
3 And I didn't read your guidelines.  
4 CHAIRMAN BROWN: That's okay.  
5 MR. SMITH: But if I get out of  
6 line, that's okay. I'm not one to  
7 get up and speak, but I'm always  
8 asked to get up and speak.  
9 My issues are -- I represent  
10 the Ashurst Bar/Smith Community --  
11 the Tallassee Waste Disposal  
12 Center. Mine is real simple. I'm  
13 sure you've heard this a dozen  
14 times before because we've been  
15 here with the same issues probably  
16 since the '90s.  
17 Our issue is big, and our issue  
18 is because the Department of  
19 Justice on down to here, it does  
20 not seem that Title VI is being  
21 enforced. It does not seem that  
22 way.  
23 I was looking at your brochure.

Page 66

1 It says here the mission of ADEM is  
2 to ensure that all citizens of the  
3 state is in a safe, healthful, and  
4 productive environment. And what  
5 I'm about to share with you, this  
6 is not happening in our community.  
7 I walked outside of my house  
8 last night and made the mistake of  
9 going (indicating,) and my nose  
10 started burning. And the reason my  
11 nose is burning -- I've been there  
12 for a while now. I've been in that  
13 house for 16 years. I was raised  
14 on that same piece of planet -- is  
15 because that landfill there has a  
16 mound of trash that is so high that  
17 it's over the top of all the  
18 vegetation there. And it was bad  
19 enough when they were covering it  
20 according to the guidelines, you  
21 know, compact it down to 2 feet and  
22 then put 6 feet of surface soil  
23 over the top of it. But then it

Page 67

1 was permitted to use a tarp. I  
2 have pictures of that tarp being  
3 applied where it doesn't cover up  
4 half the trash and the buzzards all  
5 over the top of it eating through  
6 it. That's just one example.  
7 We've got school children that  
8 cannot safely get on the school  
9 bus. We've got a bus driver that  
10 can't take a day off because nobody  
11 else will give her a day off on  
12 that route she drives because of  
13 the amount of the traffic that's  
14 coming down those same little  
15 narrow, winding cow paths that  
16 existed on that road.  
17 My problem is that we make a  
18 decision in bubbles. In siting  
19 landfills, first of all, it seems  
20 like we're picking out minority  
21 communities, based on the data  
22 looking around the state. The  
23 second thing is here is that when

Page 68

1 they're put there, there doesn't  
2 seem to be any consideration of  
3 punitive impacts on connected  
4 activity. We've got semi's  
5 crossing bridges that they can't  
6 even stay on that side of the road  
7 because the bridges are so narrow  
8 on Highway 49, a state highway,  
9 coming off interstate 85. You wake  
10 in the morning, and you hear this  
11 flapping of wings because buzzards  
12 are sitting all over the top of  
13 your house and the trees. You  
14 know, the people in the community  
15 tell me here that fisheries no  
16 longer exist. There are streams  
17 that have never been dry before --  
18 and even though this is a rough  
19 drought -- that are dry.  
20 All this going on in our  
21 community. And my problem is here,  
22 the same thing that Adam said. Had  
23 the law been enforced before the



Page 69

1 siting was done, we wouldn't have  
 2 these problems.  
 3 The Commission meetings are  
 4 fine. I've had a whole lot of  
 5 public involvement where I've had  
 6 to make decisions like you do.  
 7 When I want public input, I put the  
 8 meetings at a time when the public  
 9 can show up. There would be a  
 10 whole lot more people here if they  
 11 didn't have to go to work. And  
 12 remember Title VI is about  
 13 protecting people who can't defend  
 14 themselves. What we are seeing is,  
 15 y'all are taking the path of least  
 16 resistance. We hadn't paid us no  
 17 lawyers. We can't take off our  
 18 jobs and come to these meetings and  
 19 tell you what's happening with us.  
 20 The church that we meet in had  
 21 to tear the floors out of the  
 22 church and put plastic over the  
 23 soil because the odor was coming

Page 71

1 adjourned. Well, all in favor?  
 2 I'm sorry.  
 3 (Unanimous.)  
 4 (The proceeding ended at  
 5 12:00 p.m.)  
 6 \* \* \* \* \*  
 7  
 8  
 9  
 10  
 11  
 12  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23

Page 70

1 through the floor and the people  
 2 couldn't have service. We met  
 3 there Sunday evening, along with a  
 4 whole lot of TV cameras. And in  
 5 that process there, the people in  
 6 the room started coughing. They've  
 7 had to buy filtration systems just  
 8 to hold services in that church.  
 9 So all this sounds good and  
 10 looks good on Powerpoint. But if  
 11 this is the best the nation can do,  
 12 we're in trouble.  
 13 Thank you.  
 14 CHAIRMAN BROWN: Thank you.  
 15 Any questions or comments?  
 16 Mr. Director?  
 17 (No response.)  
 18 CHAIRMAN BROWN: With that, the  
 19 Chair will entertain a motion to  
 20 adjourn.  
 21 MR. MILLER: So move.  
 22 MR. LAIER: Second.  
 23 CHAIRMAN BROWN: We're

Page 72

1 REPORTER'S CERTIFICATE  
 2  
 3 I, April Sargent, Certified Court  
 4 orter, hereby certify that I reported the  
 5 ve and foregoing transcript, and that the  
 6 es herein contain a true and accurate  
 7 nscription of the proceedings.  
 8  
 9 I further certify that I am neither  
 10 kin nor of counsel to any of the parties  
 11 said cause, nor in any manner interested  
 12 the results thereof.  
 13  
 14 This 3rd day of October, 2016.  
 15  
 16  
 17 \_\_\_\_\_  
 18 /s/APRIL SARGENT, ACCR-579,  
 19 Certified Court Reporter  
 20 CCR EXPIRATION: 9/30/17  
 21  
 22  
 23

## 1 REPORTER'S CERTIFICATE

2  
3 I, April Sargent, Certified Court  
4 Reporter, hereby certify that I reported the  
5 above and foregoing transcript, and that the  
6 pages herein contain a true and accurate  
7 transcription of the proceedings.

8  
9 I further certify that I am neither  
10 of kin nor of counsel to any of the parties  
11 to said cause, nor in any manner interested  
12 in the results thereof.

13  
14 This 3rd day of October, 2016.

15  
16 

17 /s/ APRIL SARGENT, ACCR-579,  
18 Certified Court Reporter  
CCR EXPIRATION: 9/30/17



<b>S</b>	46:4 <b>added (1)</b> 12:15	24:3;32:2,6;34:4 <b>agency (11)</b> 34:4;50:18;53:3,19, 21,23;55:8;56:3,9; 57:9;58:23	38:21 <b>Animal (1)</b> 7:11	6:18 <b>authorize (1)</b> 42:17
<b>\$1.7 (1)</b> 12:10 <b>\$160,440 (1)</b> 42:15	<b>addition (3)</b> 12:2;17:6;22:16 <b>additional (2)</b> 22:11;23:14 <b>address (6)</b> 6:10;7:13;18:2; 48:17;51:23;56:6	<b>agenda (6)</b> 4:9,23;5:19;40:7; 41:10;45:19 <b>aggressive (1)</b> 20:13 <b>ago (4)</b> 12:4;21:1;33:21; 44:12	<b>annual (3)</b> 9:9,12;36:20 <b>anticipated (3)</b> 7:17;10:18;24:16 <b>apologize (1)</b> 54:15 <b>appear (1)</b> 39:1	<b>authorized (1)</b> 44:14 <b>available (15)</b> 17:4;18:7,11;23:7, 10,15;24:22;25:11,12; 26:6;31:2;35:4;38:12; 48:19;53:14
<b>A</b>	<b>addressed (1)</b> 55:12 <b>addresses (2)</b> 9:10;11:9 <b>addressing (2)</b> 19:21;53:15 <b>adds (1)</b> 19:8 <b>ADEM (17)</b> 6:20;11:5,13;12:5; 14:6;21:5;23:8,11; 24:2;41:14;42:6,21; 45:20;47:17;48:1,56:9; 66:1 <b>ADEM's (3)</b> 16:19;29:4;57:22 <b>Adequacy (1)</b> 35:18 <b>adjourn (1)</b> 70:20 <b>adjourned (1)</b> 71:1 <b>administer (2)</b> 46:1;48:3 <b>Administrative (1)</b> 45:21 <b>adopt (3)</b> 4:17;42:5,12 <b>adoption (1)</b> 43:9 <b>advance (4)</b> 16:2;30:22;42:13; 46:22 <b>advanced (1)</b> 36:11 <b>advances (1)</b> 41:17 <b>advancing (1)</b> 14:8 <b>adverse (1)</b> 7:2 <b>Affairs (1)</b> 14:18 <b>affecting (1)</b> 11:1 <b>affects (1)</b> 64:4 <b>AFO/CAFO (3)</b> 46:2,7;48:3 <b>Again (7)</b> 10:5;29:8,13;32:19; 39:12,15;53:6 <b>against (4)</b>	<b>aggressive (1)</b> 20:13 <b>ago (4)</b> 12:4;21:1;33:21; 44:12 <b>ahead (2)</b> 21:2;39:12 <b>air (9)</b> 12:17;24:6,10,13,19; 25:5,12;37:1,14 <b>Alabama (26)</b> 6:5;12:12;13:17,19, 20,21;14:14,22,23; 15:8,8,10,14;18:21; 19:16;27:14;28:12; 29:17;31:12;34:5; 35:16;46:12;47:6,14; 63:19;64:5 <b>Alabama's (2)</b> 12:16;35:19 <b>Alliance (1)</b> 35:15 <b>allocated (2)</b> 46:2;48:4 <b>allow (5)</b> 8:15;13:2;45:22; 47:23;50:4 <b>allowing (1)</b> 21:23 <b>along (2)</b> 8:4;70:3 <b>alternative (1)</b> 25:3 <b>although (1)</b> 33:9 <b>always (1)</b> 65:7 <b>Amend (1)</b> 45:20 <b>amendment (2)</b> 46:4;47:20 <b>among (2)</b> 9:2;11:20 <b>amongst (1)</b> 46:21 <b>amount (5)</b> 42:15;49:10;50:2,9; 67:13 <b>analyses (1)</b> 25:7 <b>analysis (3)</b> 23:22;25:3,14 <b>analyze (2)</b> 28:6;29:12 <b>ANCR (1)</b>	<b>Animal (1)</b> 7:11 <b>annual (3)</b> 9:9,12;36:20 <b>anticipated (3)</b> 7:17;10:18;24:16 <b>apologize (1)</b> 54:15 <b>appear (1)</b> 39:1 <b>applicants (1)</b> 14:16 <b>application (3)</b> 21:17;45:22;47:21 <b>applications (5)</b> 14:1;18:6;20:11; 22:12,17 <b>applied (1)</b> 67:3 <b>appreciate (2)</b> 40:17;62:11 <b>approximately (2)</b> 27:12;44:12 <b>April (1)</b> 16:18 <b>area (1)</b> 22:12 <b>areas (4)</b> 18:9;22:18;26:10; 63:11 <b>arena (1)</b> 6:14 <b>arise (1)</b> 16:17 <b>around (7)</b> 30:9;39:20;54:8,21; 57:3;58:2;67:22 <b>Arrowhead (3)</b> 58:21;63:18;64:8 <b>ash (1)</b> 64:9 <b>Ashley (2)</b> 37:3,4 <b>Ashurst (1)</b> 65:10 <b>assist (1)</b> 46:15 <b>associated (1)</b> 27:20 <b>assume (1)</b> 36:15 <b>assurance (1)</b> 18:20 <b>attention (1)</b> 16:10 <b>attract (2)</b> 13:12;14:16 <b>Auburn (3)</b> 13:18;15:4,5 <b>August (3)</b> 4:12;18:18;35:12 <b>authority (1)</b>	<b>average (7)</b> 28:14;30:7,13;31:14; 33:6,10;34:22 <b>averages (2)</b> 29:22;35:7 <b>aware (1)</b> 28:17
				<b>B</b>
<b>A&amp;M (1)</b> 13:17 <b>ability (1)</b> 53:22 <b>able (3)</b> 13:11;21:12;44:6 <b>above (2)</b> 56:4;59:21 <b>accept (1)</b> 43:19 <b>access (1)</b> 18:8 <b>accomplish (2)</b> 8:16;19:18 <b>accomplished (2)</b> 9:23;20:4 <b>accomplishments (2)</b> 6:21;36:4 <b>according (1)</b> 66:20 <b>account (1)</b> 33:17 <b>accuracy (1)</b> 22:4 <b>achieve (1)</b> 10:12 <b>acknowledges (1)</b> 4:7 <b>act (3)</b> 7:16;8:10;12:3 <b>acted (1)</b> 35:23 <b>action (13)</b> 6:16;32:2,7,13,20; 33:3,16;34:1,3,12; 35:11;62:22;63:2 <b>actions (7)</b> 26:21;30:16,20;31:8; 34:13;42:22;53:20 <b>active (1)</b> 51:6 <b>activities (6)</b> 11:7;12:3;16:20,22; 17:3;22:23 <b>activity (2)</b> 39:18;68:4 <b>actually (2)</b> 56:13,14 <b>Adam (3)</b> 52:10,21;68:22 <b>A-D-A-M (1)</b> 52:22 <b>add (1)</b>				<b>back (5)</b> 37:7,17;55:13,17; 56:22 <b>bad (1)</b> 66:18 <b>Bar/Smith (1)</b> 65:10 <b>Barron (1)</b> 37:13 <b>based (3)</b> 49:15;61:20;67:21 <b>basically (1)</b> 64:9 <b>basins (1)</b> 17:17 <b>basis (2)</b> 14:22;24:5 <b>Battle (1)</b> 14:17 <b>beating (1)</b> 35:6 <b>become (1)</b> 14:6 <b>becomes (1)</b> 25:2 <b>began (3)</b> 7:5;20:22;49:1 <b>begin (1)</b> 7:19 <b>begins (1)</b> 19:19 <b>behalf (2)</b> 47:6;52:19 <b>below (2)</b> 33:11;44:14 <b>Belt (1)</b> 52:23 <b>best (1)</b> 70:11 <b>better (2)</b> 29:20;34:21 <b>beyond (2)</b> 56:4;59:21

<b>big (1)</b> 65:17	70:7	61:22	23;43:3,8,12;46:14,16; 47:18;48:19;52:4;69:3	56:16
<b>biology (1)</b> 13:14	<b>buzzards (2)</b> 67:4;68:11	<b>children (1)</b> 67:7	<b>Commissioner (3)</b> 51:5,22;52:14	<b>concerned (2)</b> 38:7;63:14
<b>Birmingham (1)</b> 15:9	<b>C</b>	<b>chosen (1)</b> 14:1	<b>Commissioners (5)</b> 10:16;41:6;46:21; 52:21;65:1	<b>concerns (11)</b> 53:16,16;55:2;56:13; 58:6,13;59:9,12;63:4, 23,23
<b>black (4)</b> 14:20;28:17;33:13; 52:23	<b>CAFO (6)</b> 7:18;8:3;48:23; 49:14,16;50:11	<b>church (3)</b> 69:20,22;70:8	<b>Commission's (1)</b> 63:15	<b>concludes (2)</b> 37:23;40:13
<b>blue (6)</b> 28:15;29:20,23; 31:22;32:8,10	<b>CAFOs (2)</b> 7:12;49:20	<b>circled (2)</b> 11:16;17:7	<b>commitments (2)</b> 8:9;20:3	<b>conclusion (1)</b> 43:5
<b>bodies (1)</b> 17:16	<b>calendars (2)</b> 7:20;25:6	<b>circulated (2)</b> 4:13;46:20	<b>Committee (9)</b> 41:12,14;42:1,3,18; 43:5,6;62:23;63:2	<b>confirmed (1)</b> 19:4
<b>book (1)</b> 61:12	<b>call (8)</b> 4:2,4;36:22;41:11; 45:11;47:4;52:10;58:7	<b>circumstances (1)</b> 46:10	<b>Committee's (1)</b> 43:20	<b>confronting (1)</b> 10:23
<b>both (8)</b> 10:21;11:22;19:21; 22:3;27:3,19;28:13; 34:8	<b>called (1)</b> 38:21	<b>cited (1)</b> 63:20	<b>communicating (1)</b> 55:4	<b>congratulating (1)</b> 37:21
<b>Branch (1)</b> 14:18	<b>calls (1)</b> 29:4	<b>citizens (6)</b> 18:7;19:16;52:23; 55:22;58:14;66:2	<b>communication (3)</b> 10:14;19:20,22	<b>Congratulations (1)</b> 5:23
<b>bridges (2)</b> 68:5,7	<b>cameras (1)</b> 70:4	<b>Civil (6)</b> 55:9;58:22;59:3,12, 15;63:21	<b>communities (4)</b> 57:17,19;59:22; 67:21	<b>connected (1)</b> 68:3
<b>brief (2)</b> 10:21;52:15	<b>can (16)</b> 4:2;17:14,23;24:2; 26:9,10;29:6;30:6; 32:17;39:15,19;60:7, 11;64:7;69:9;70:11	<b>classified (2)</b> 31:12;32:18	<b>Community (14)</b> 16:22;54:2,19,22; 55:4;56:4,11,14,17; 58:6;65:10;66:6;68:14, 21	<b>consider (3)</b> 5:1,2;64:7
<b>briefly (1)</b> 61:7	<b>capture (1)</b> 31:1	<b>Clean (2)</b> 12:13,13	<b>community's (2)</b> 55:1;56:12	<b>consideration (4)</b> 4:10;45:19;63:16; 68:2
<b>broad (3)</b> 16:5,7;20:7	<b>carries (1)</b> 5:18	<b>clearly (2)</b> 27:16;31:15	<b>compact (1)</b> 66:21	<b>considering (2)</b> 7:22;47:19
<b>broader (1)</b> 21:18	<b>case (3)</b> 26:12;27:4;35:23	<b>coal (1)</b> 64:9	<b>compare (1)</b> 24:3	<b>consistently (3)</b> 9:1;28:13;35:6
<b>brochure (1)</b> 65:23	<b>catching (1)</b> 39:14	<b>coastal (1)</b> 8:14	<b>compared (1)</b> 26:1	<b>consolidated (2)</b> 9:6;10:8
<b>BROWN (44)</b> 4:1,20,22;5:11,14, 17;6:1;40:2,6;41:22; 43:11,16,22;44:2;45:5, 11,14,16,18;47:15; 48:8,11,14;50:14,22; 51:13,19,21;52:2,16; 53:5;60:4,17;61:1,5, 17;62:12,17;64:15,21; 65:4;70:14,18,23	<b>case (3)</b> 26:12;27:4;35:23	<b>Code (1)</b> 45:21	<b>community's (2)</b> 55:1;56:12	<b>constituents (1)</b> 50:17
<b>Brownfields (2)</b> 12:14;17:15	<b>caused (1)</b> 57:14	<b>collect (5)</b> 45:23;48:1;50:5,9,19	<b>compare (1)</b> 24:3	<b>constrained (1)</b> 23:3
<b>bubbles (1)</b> 67:18	<b>Center (1)</b> 65:12	<b>collecting (1)</b> 50:2	<b>compared (1)</b> 26:1	<b>continue (5)</b> 5:7;16:1;35:1;56:8; 58:17
<b>budget (4)</b> 7:4;8:19;44:4;51:10	<b>Certified (2)</b> 36:9,11	<b>collection (3)</b> 7:17,23;49:18	<b>comparisons (1)</b> 39:2	<b>continued (4)</b> 35:9;57:17;59:14,16
<b>budgetary (1)</b> 46:10	<b>Chair (13)</b> 4:7,15;5:1,3,4;40:8; 41:11,12,18;42:1,18; 46:23;70:19	<b>College (2)</b> 15:1,6	<b>competed (1)</b> 12:9	<b>continues (3)</b> 8:10;14:12;24:21
<b>budgets (1)</b> 23:3	<b>CHAIRMAN (49)</b> 4:1,20,22;5:6,8,9,11, 14,17;6:1;40:2,6; 41:22;43:11,16,22; 44:2,9;45:5,11,14,16, 18;47:15;48:8,11,14; 50:14,22;51:13,19,21; 52:2,16;53:5;60:4,16, 17;61:1,5,17;62:12,17; 64:15,21;65:4;70:14, 18,23	<b>colleges (4)</b> 14:13,20;15:3,13	<b>compilation (1)</b> 16:21	<b>continuing (1)</b> 7:10
<b>burning (2)</b> 66:10,11	<b>challenges (1)</b> 8:19	<b>columns (5)</b> 28:13;31:22;32:8,10; 33:7	<b>completing (1)</b> 18:4	<b>continuous (1)</b> 14:22
<b>bus (2)</b> 67:9,9	<b>change (1)</b> 47:23	<b>coming (3)</b> 67:14;68:9;69:23	<b>complete (5)</b> 23:5;28:19;29:9; 58:7;59:23	<b>conversations (1)</b> 61:21
<b>business (3)</b> 40:13;42:5;51:22	<b>changes (2)</b> 24:12;50:4	<b>comment (4)</b> 40:11;52:7;53:8; 62:9	<b>completed (3)</b> 7:1;16:3;36:7	<b>convince (1)</b> 51:7
<b>butcher (1)</b> 62:13	<b>Chief (1)</b>	<b>comments (22)</b> 40:3,17;41:4,20; 42:6,20;43:13;45:8; 48:9;51:1;54:1,3,17; 56:6,21;57:20;60:19; 61:2,6;62:1;64:18; 70:15	<b>completely (1)</b> 53:17	<b>co-op (1)</b> 13:10
<b>buy (1)</b>		<b>Commission (30)</b> 4:6,14;5:2;6:6;7:8; 9:5,15;10:7,12;11:3; 16:11,18;18:19;21:22; 40:4,8,13,21;42:12,17,	<b>Compliance (5)</b> 25:18;28:3;30:23; 31:16,19	<b>Coordinated (1)</b> 19:17
			<b>complying (1)</b> 21:3	<b>Copies (3)</b> 23:11,14;55:14
			<b>comprehensive (1)</b> 35:2	<b>corner (1)</b> 37:17
			<b>computer (1)</b> 18:13	<b>corrected (1)</b> 33:23
			<b>Concentrated (1)</b> 7:11	<b>correctly (1)</b> 27:3
			<b>concern (1)</b>	



<p><b>Correspondence (1)</b> 11:16</p> <p><b>cost (1)</b> 50:9</p> <p><b>cost-effective (1)</b> 19:15</p> <p><b>cost-shedding (2)</b> 7:7;8:5</p> <p><b>coughing (1)</b> 70:6</p> <p><b>count (2)</b> 44:14,15</p> <p><b>County (2)</b> 18:6;63:19</p> <p><b>couple (1)</b> 38:4</p> <p><b>cover (1)</b> 67:3</p> <p><b>covered (1)</b> 21:6</p> <p><b>covering (1)</b> 66:19</p> <p><b>cow (1)</b> 67:15</p> <p><b>CPM (3)</b> 36:13,23;37:12</p> <p><b>Credible (4)</b> 9:16;16:7,12;18:23</p> <p><b>creeks (1)</b> 64:3</p> <p><b>critical (2)</b> 19:14;36:16</p> <p><b>crossing (1)</b> 68:5</p> <p><b>crunch (1)</b> 44:4</p> <p><b>current (6)</b> 7:3;13:3;24:21,23; 26:3;49:12</p> <p><b>currently (3)</b> 31:2;38:15;39:4</p> <p><b>cyber (1)</b> 22:21</p>	<p>18:11;22:1,8;24:20, 22;25:12,21;27:3; 28:18;29:8;31:1;38:19; 39:1,4;54:12;67:21</p> <p><b>databases (1)</b> 22:2</p> <p><b>data-driven (1)</b> 15:22</p> <p><b>Davidson (1)</b> 37:1</p> <p><b>day (2)</b> 67:10,11</p> <p><b>deadlines (2)</b> 20:13;21:4</p> <p><b>dealing (2)</b> 44:4;59:3</p> <p><b>December (2)</b> 20:15;52:4</p> <p><b>deception (1)</b> 55:11</p> <p><b>deceptive (1)</b> 56:19</p> <p><b>deceptively (1)</b> 54:23</p> <p><b>decision (1)</b> 67:18</p> <p><b>decisions (1)</b> 69:6</p> <p><b>decisively (1)</b> 36:1</p> <p><b>declining (1)</b> 30:12</p> <p><b>dedicated (1)</b> 12:19</p> <p><b>defend (1)</b> 69:13</p> <p><b>Defense (1)</b> 35:14</p> <p><b>defines (1)</b> 27:5</p> <p><b>definition (2)</b> 33:4,15</p> <p><b>delay (2)</b> 24:11;25:1</p> <p><b>demonstrate (1)</b> 9:1</p> <p><b>demonstrates (2)</b> 31:20;35:5</p> <p><b>departing (1)</b> 15:17</p> <p><b>Department (28)</b> 8:8,16,19;9:4,8; 10:17;11:1;12:9,23; 13:2;14:7,9;20:19,22; 21:14;23:1;34:5;35:6, 12;36:17;41:1;44:6; 47:1;48:16;53:14; 55:10;64:6;65:18</p> <p><b>Departmental (11)</b> 9:19,22;10:4,5; 12:20;19:13;20:8; 21:19;23:12,21,23</p> <p><b>Department's (19)</b></p>	<p>6:9,11,13,18;7:3; 10:8;11:8,11;13:9; 17:5;19:14;23:21;25:5; 27:17;30:10;33:8; 34:20;46:17;63:16</p> <p><b>depleted (1)</b> 12:23</p> <p><b>depletion (1)</b> 7:14</p> <p><b>description (1)</b> 10:2</p> <p><b>designation (4)</b> 36:8,11,23;37:13</p> <p><b>designed (3)</b> 8:15;17:9;22:15</p> <p><b>Despite (1)</b> 8:18</p> <p><b>detailed (1)</b> 16:21</p> <p><b>Determination (1)</b> 35:18</p> <p><b>determinations (1)</b> 17:19</p> <p><b>determine (1)</b> 17:17</p> <p><b>developed (2)</b> 25:4,20</p> <p><b>development (1)</b> 36:18</p> <p><b>Diesel (1)</b> 12:13</p> <p><b>different (3)</b> 38:20;39:17;55:16</p> <p><b>difficult (1)</b> 8:18</p> <p><b>diligent (1)</b> 12:5</p> <p><b>Dingman (1)</b> 37:14</p> <p><b>direct (3)</b> 15:11;22:1;59:5</p> <p><b>directed (1)</b> 53:17</p> <p><b>Director (38)</b> 5:20;10:15;38:3; 41:3,15,19;42:13,19; 43:3;45:2,23;46:9,15; 47:12;48:1,14,20; 49:13,17;50:5;53:15, 18;55:13,16;57:1,10, 12;58:8,12,20,23;59:9, 14,19;61:5,22;64:19; 70:16</p> <p><b>Director's (6)</b> 11:15;42:7,21;53:22; 57:6,23</p> <p><b>Discharge (2)</b> 20:18;27:23</p> <p><b>disciplines (2)</b> 13:13;14:2</p> <p><b>discuss (3)</b> 42:11;45:8;47:3</p> <p><b>discussed (1)</b></p>	<p>21:21</p> <p><b>discussing (1)</b> 61:16</p> <p><b>discussion (3)</b> 5:12;43:22;51:15</p> <p><b>displayed (3)</b> 26:5;27:6;34:23</p> <p><b>displaying (1)</b> 27:3</p> <p><b>displays (2)</b> 17:13;27:16</p> <p><b>Disposal (1)</b> 65:11</p> <p><b>disproportionate (3)</b> 57:5,16;59:17</p> <p><b>distinct (1)</b> 19:3</p> <p><b>diverse (1)</b> 13:16</p> <p><b>diversity (1)</b> 14:9</p> <p><b>Division (8)</b> 22:7;37:1,4,6,9,14, 16,18</p> <p><b>divisions (1)</b> 11:8</p> <p><b>document (6)</b> 22:9;54:3,19,22; 55:21;56:18</p> <p><b>documented (1)</b> 17:3</p> <p><b>documents (1)</b> 56:11</p> <p><b>Dominguez (1)</b> 22:6</p> <p><b>Don (1)</b> 37:13</p> <p><b>done (4)</b> 16:14;42:8;49:19; 69:1</p> <p><b>down (5)</b> 18:1;31:15;65:19; 66:21;67:14</p> <p><b>dozen (2)</b> 63:3;65:13</p> <p><b>draft (1)</b> 42:5</p> <p><b>dramatically (1)</b> 49:21</p> <p><b>drinking (3)</b> 18:20;24:8;25:8</p> <p><b>driver (1)</b> 67:9</p> <p><b>drives (1)</b> 67:12</p> <p><b>drone (1)</b> 22:20</p> <p><b>drought (1)</b> 68:19</p> <p><b>dry (2)</b> 68:17,19</p> <p><b>due (2)</b> 24:9;30:23</p>	<p><b>dump (1)</b> 64:9</p> <p><b>during (4)</b> 10:1;12:8;15:15; 23:9</p> <p><b>duties (1)</b> 36:16</p> <hr/> <p style="text-align: center;"><b>E</b></p> <hr/> <p><b>earlier (4)</b> 23:9;25:6;37:3; 56:22</p> <p><b>earn (1)</b> 36:8</p> <p><b>earned (1)</b> 36:10</p> <p><b>Earning (2)</b> 36:23;37:12</p> <p><b>easily-accessible (1)</b> 18:13</p> <p><b>eating (1)</b> 67:5</p> <p><b>e-business (1)</b> 20:10</p> <p><b>eComplaint (1)</b> 18:5</p> <p><b>eDMR (3)</b> 20:22;21:7,11</p> <p><b>eDMRs (1)</b> 20:19</p> <p><b>e-enterprise (2)</b> 12:21;20:10</p> <p><b>effect (1)</b> 20:15</p> <p><b>Effective (7)</b> 9:14,18;10:11,13; 19:12;20:8;21:19</p> <p><b>effectively (1)</b> 23:2</p> <p><b>efficiency (7)</b> 7:6;8:5;12:21;18:15, 17;22:15;27:22</p> <p><b>Efficient (4)</b> 9:18;19:12;20:7; 21:18</p> <p><b>effort (5)</b> 13:6;14:15;19:17; 20:16,21</p> <p><b>efforts (5)</b> 15:12;18:18;19:15; 51:11;59:20</p> <p><b>eFile (2)</b> 11:15;18:4</p> <p><b>either (1)</b> 50:8</p> <p><b>election (1)</b> 5:23</p> <p><b>elections (1)</b> 5:1</p> <p><b>electronic (4)</b> 20:17;21:16;22:12, 16</p>
<b>D</b>				
<p><b>daily (1)</b> 17:18</p> <p><b>Dairy (1)</b> 47:13</p> <p><b>Dan (2)</b> 37:4,6</p> <p><b>dashboard (5)</b> 30:2,17;35:1;38:8; 39:6</p> <p><b>dashboards (12)</b> 6:15;8:23;24:17; 25:10,20,23;26:5,8; 28:6,21;29:11;38:6</p> <p><b>dashed (5)</b> 28:15;29:23;30:8; 31:10;33:5</p> <p><b>data (16)</b></p>				

<p><b>eligible (1)</b> 44:22</p> <p><b>else (3)</b> 48:15;50:23;67:11</p> <p><b>eMaps (3)</b> 17:7,12;18:3</p> <p><b>emphasize (1)</b> 40:18</p> <p><b>employee (1)</b> 44:21</p> <p><b>employees (11)</b> 14:6;15:12,17;36:5, 6,10,15,18;44:8,18,20</p> <p><b>encountered (1)</b> 27:2</p> <p><b>end (3)</b> 10:16;34:2;43:9</p> <p><b>endeavors (1)</b> 16:1</p> <p><b>ended (2)</b> 58:1;71:4</p> <p><b>endorsement (1)</b> 31:5</p> <p><b>energy (1)</b> 18:17</p> <p><b>enforced (2)</b> 65:21;68:23</p> <p><b>Enforcement (22)</b> 25:19;26:20;28:2; 30:16,20;31:8;32:2,7, 13,19,21,23;33:3,4,16, 19;34:1,3,10,12,13; 62:5</p> <p><b>Engagement (6)</b> 16:23;54:3,19,22; 56:11,17</p> <p><b>engineering (1)</b> 13:13</p> <p><b>engineers (1)</b> 36:14</p> <p><b>enhance (1)</b> 17:10</p> <p><b>enhanced (1)</b> 22:18</p> <p><b>enough (3)</b> 49:6,8;66:19</p> <p><b>ensure (1)</b> 66:2</p> <p><b>entertain (3)</b> 43:17;51:16;70:19</p> <p><b>entire (2)</b> 17:23;48:23</p> <p><b>entitled (1)</b> 16:22</p> <p><b>entity (1)</b> 59:11</p> <p><b>entry (1)</b> 22:1</p> <p><b>entry-level (1)</b> 14:10</p> <p><b>Environment (9)</b> 4:6;9:16;11:2,19; 13:7;15:19;57:18;63:7;</p>	<p>66:4</p> <p><b>Environmental (10)</b> 6:6;12:11;13:23; 16:19;35:14,16;47:18; 63:9,10,23</p> <p><b>environmentally (1)</b> 64:12</p> <p><b>EPA (31)</b> 6:15,16;8:22;13:3; 20:3,20;24:12,15,18; 25:20,22;26:7;27:1; 28:15;29:1,4;31:1; 34:8,14,19;35:11,13, 17,21,23;38:15;39:3,6, 13,16;63:19</p> <p><b>EPA-generated (1)</b> 24:2</p> <p><b>EPA's (7)</b> 20:12,16;21:13;33:3, 11,15;55:8</p> <p><b>equal (1)</b> 50:9</p> <p><b>eReporting (4)</b> 20:12,14;21:3,13</p> <p><b>errors (1)</b> 31:1</p> <p><b>ethnic (1)</b> 63:12</p> <p><b>evaluation (12)</b> 22:20;41:16;42:8,22, 23;43:4;54:5;56:20,22; 57:1,23;58:5</p> <p><b>even (4)</b> 39:22;64:7;68:6,18</p> <p><b>evening (1)</b> 70:3</p> <p><b>events (2)</b> 19:4;22:19</p> <p><b>everybody (1)</b> 51:14</p> <p><b>everyone (1)</b> 40:15</p> <p><b>Evidently (1)</b> 37:10</p> <p><b>example (3)</b> 33:21;62:2;67:6</p> <p><b>exceed (1)</b> 20:2</p> <p><b>exceeded (1)</b> 29:7</p> <p><b>exceeds (1)</b> 28:13</p> <p><b>exception (1)</b> 45:2</p> <p><b>Exchange (1)</b> 12:18</p> <p><b>excuse (2)</b> 41:18;52:12</p> <p><b>execute (1)</b> 43:1</p> <p><b>exist (2)</b> 17:21;68:16</p> <p><b>existed (1)</b></p>	<p>67:16</p> <p><b>exists (1)</b> 64:9</p> <p><b>expected (1)</b> 8:6</p> <p><b>expeditiously (1)</b> 35:23</p> <p><b>experience (1)</b> 14:4</p> <p><b>extended (1)</b> 25:2</p> <p><b>External (6)</b> 9:17;14:18;16:8; 17:10;18:12;19:1</p>	<p><b>F</b></p> <p><b>face-to-face (1)</b> 16:13</p> <p><b>facilitate (1)</b> 7:23</p> <p><b>facilities (11)</b> 8:12;21:10;26:17; 27:11;28:11;31:11,23; 32:4,6;33:1;49:23</p> <p><b>facility (3)</b> 8:15;32:17;33:18</p> <p><b>factors (1)</b> 33:20</p> <p><b>failing (1)</b> 59:22</p> <p><b>failure (2)</b> 33:22;62:2</p> <p><b>fall (1)</b> 14:15</p> <p><b>familiar (1)</b> 20:12</p> <p><b>far (3)</b> 21:1;39:13;44:20</p> <p><b>Farmers (3)</b> 46:13;47:6,14</p> <p><b>favor (5)</b> 4:20;5:15;45:12; 51:19;71:1</p> <p><b>federal (3)</b> 8:20;12:11;50:13</p> <p><b>Federation (3)</b> 46:13;47:7,14</p> <p><b>fee (4)</b> 12:2;49:18,19;50:1</p> <p><b>Feeding (1)</b> 7:11</p> <p><b>feel (12)</b> 53:12,20;55:22;56:2, 15,18,23;57:11;58:4, 12,18;59:5</p> <p><b>fees (7)</b> 7:18;8:1;45:22;46:7; 47:21;48:2;50:6</p> <p><b>feet (2)</b> 66:21,22</p> <p><b>Fellowship (2)</b> 62:21;63:2</p>	<p><b>felt (2)</b> 54:21;55:17</p> <p><b>few (2)</b> 21:12;22:5</p> <p><b>fewer (3)</b> 32:4,5;44:17</p> <p><b>field (4)</b> 8:13;21:23;22:6; 61:22</p> <p><b>Fighting (1)</b> 53:1</p> <p><b>file (1)</b> 33:22</p> <p><b>filed (2)</b> 6:16;35:13</p> <p><b>filing (1)</b> 32:15</p> <p><b>fill (2)</b> 15:16;60:13</p> <p><b>filtration (1)</b> 70:7</p> <p><b>Final (3)</b> 8:3;19:11;60:19</p> <p><b>finally (3)</b> 6:19;36:2;64:21</p> <p><b>financial (3)</b> 11:23;12:1;15:20</p> <p><b>fine (1)</b> 69:4</p> <p><b>firing (2)</b> 58:8;60:1</p> <p><b>first (10)</b> 4:9;6:5;10:10;27:7; 28:3;40:10;42:4;47:9; 52:10;67:19</p> <p><b>fiscal (7)</b> 6:7,10;7:6;9:7;10:1; 12:8;15:15</p> <p><b>Fish (2)</b> 19:9;22:19</p> <p><b>fisheries (1)</b> 68:15</p> <p><b>five (7)</b> 9:7;11:8;17:13;26:2; 44:5;60:3,5</p> <p><b>five-year (1)</b> 39:2</p> <p><b>flapping (1)</b> 68:11</p> <p><b>floor (1)</b> 70:1</p> <p><b>floors (1)</b> 69:21</p> <p><b>focus (2)</b> 11:21;26:15</p> <p><b>focused (1)</b> 14:7</p> <p><b>focuses (1)</b> 30:2</p> <p><b>following (1)</b> 26:14</p> <p><b>follows (1)</b> 46:6</p>	<p><b>formal (6)</b> 19:21;30:19;32:2,13, 19;56:21</p> <p><b>formally (1)</b> 10:19</p> <p><b>forth (1)</b> 58:17</p> <p><b>forthcoming (1)</b> 25:1</p> <p><b>Fortunately (1)</b> 20:21</p> <p><b>forward (1)</b> 62:3</p> <p><b>found (2)</b> 11:14;26:18</p> <p><b>four (5)</b> 19:8;22:11;36:6; 44:5;52:9</p> <p><b>fourth (1)</b> 19:11</p> <p><b>freeze (2)</b> 44:10,23</p> <p><b>fully (2)</b> 16:3;22:4</p> <p><b>Fund (6)</b> 7:4;12:2;13:1;49:6; 51:8,10</p> <p><b>funding (7)</b> 6:9;8:4,11;12:3,6; 46:1;49:3</p> <p><b>fundings (1)</b> 48:2</p> <p><b>funds (2)</b> 7:14;8:7</p> <p><b>further (3)</b> 17:9;45:9;51:15</p> <p><b>future (2)</b> 8:17;50:8</p> <p><b>FY (16)</b> 6:12,13;9:21;10:4; 16:4,6;19:5,7;20:4,5; 22:14,17;23:6,10;49:5, 7</p>
<b>G</b>					
				<p><b>game (1)</b> 39:12</p> <p><b>gears (1)</b> 23:18</p> <p><b>General (8)</b> 7:3;10:2;12:2;13:1; 27:15,18;38:10;51:10</p> <p><b>generally (2)</b> 27:22;63:3</p> <p><b>geographic (1)</b> 18:9</p> <p><b>given (2)</b> 23:2;54:6</p> <p><b>glitches (1)</b> 27:2</p> <p><b>goal (16)</b> 10:10,12;11:18;</p>	



15:20;16:5,7;18:23; 19:11;20:2,7;21:13,15, 18:30;22:33;12;36:19 <b>goals (5)</b> 9:10,13;10:6;19:18; 20:23 <b>goes (2)</b> 20:14;64:3 <b>Good (12)</b> 4:1;5:21,22;37:21; 39:21;47:11;57:2; 62:16,17;64:23;70:9, 10 <b>government (1)</b> 50:18 <b>grade (1)</b> 42:14 <b>graduation (1)</b> 14:5 <b>grant (2)</b> 12:22;13:1 <b>granted (1)</b> 57:14 <b>grants (4)</b> 12:11,15,19;50:13 <b>graph (11)</b> 27:16;28:21;30:18; 31:2,9;32:21,22,23; 33:5,14;34:16 <b>graphs (8)</b> 24:15,23;26:23;28:1, 5;29:10;31:3;39:18 <b>great (4)</b> 56:16;59:16,17,17 <b>greatest (1)</b> 59:20 <b>ground (1)</b> 52:8 <b>group (14)</b> 13:16;16:15;28:4,5, 20;29:10,11;30:2,17; 31:6;35:5,15;50:16; 62:23 <b>groups (1)</b> 35:1 <b>guidelines (3)</b> 40:18;65:3;66:20 <b>Guy (1)</b> 47:12	60:20,23 <b>Hazardous (4)</b> 24:6;25:8;64:12,13 <b>hazards (1)</b> 63:11 <b>head (2)</b> 44:13,15 <b>headings (1)</b> 17:14 <b>Health (4)</b> 53:1;57:19;63:22; 64:13 <b>healthful (1)</b> 66:3 <b>hear (1)</b> 68:10 <b>heard (1)</b> 65:13 <b>heavy (1)</b> 33:13 <b>held (1)</b> 4:11 <b>help (3)</b> 12:15;18:7;22:23 <b>hereafter (1)</b> 58:11 <b>high (4)</b> 6:10;44:17;51:10; 66:16 <b>higher (1)</b> 33:9 <b>highest (1)</b> 9:3 <b>highlight (2)</b> 26:9;27:1 <b>highlighted (1)</b> 18:18 <b>highlights (1)</b> 11:6 <b>High-Performing (4)</b> 9:15;11:18;13:7; 15:19 <b>highway (2)</b> 68:8,8 <b>hired (1)</b> 15:15 <b>historic (1)</b> 50:23 <b>historically (1)</b> 14:20 <b>hold (1)</b> 70:8 <b>holding (1)</b> 21:10 <b>hopefully (1)</b> 62:10 <b>hopes (2)</b> 51:11,14 <b>house (3)</b> 66:7,13;68:13 <b>housing (1)</b> 8:13 <b>hovering (1)</b>	30:9 <b>human (3)</b> 11:23;13:5;15:21 <b>Huntington (1)</b> 15:6 <b>Huntsville (1)</b> 13:21	<b>I</b> <b>icon (1)</b> 17:12 <b>II (1)</b> 36:12 <b>Ilachild (4)</b> 62:15,16,19,20 <b>illustrate (1)</b> 31:6 <b>immediate (1)</b> 58:9 <b>impact (6)</b> 7:2;57:5,16,18; 59:18;63:5 <b>impacted (1)</b> 63:11 <b>impacts (1)</b> 68:3 <b>impaired (1)</b> 17:16 <b>impartial (1)</b> 8:23 <b>implementation (1)</b> 21:20 <b>implemented (1)</b> 7:9 <b>important (4)</b> 20:6;36:19;51:6; 53:9 <b>improper (1)</b> 55:1 <b>improperly (1)</b> 55:2 <b>improve (1)</b> 22:15 <b>improved (1)</b> 26:11 <b>improvement (1)</b> 35:9 <b>improves (1)</b> 22:3 <b>improving (1)</b> 34:22 <b>include (3)</b> 14:22;15:4;18:17 <b>included (1)</b> 29:14 <b>includes (1)</b> 21:8 <b>including (7)</b> 11:22;13:16;15:14, 20;19:8;41:16;55:8 <b>in-compliance (1)</b> 32:18	<b>incorporate (1)</b> 20:9 <b>incorporated (1)</b> 22:13 <b>increase (2)</b> 13:9;31:18 <b>increased (1)</b> 49:21 <b>increases (1)</b> 27:21 <b>increasing (2)</b> 12:20;30:22 <b>increasingly (1)</b> 27:18 <b>incredible (1)</b> 57:4 <b>indicating (1)</b> 66:9 <b>individual (2)</b> 12:7;19:3 <b>individuals' (1)</b> 59:8 <b>industrial (1)</b> 21:10 <b>informal (2)</b> 19:21;30:19 <b>information (13)</b> 13:15;17:22;18:8; 38:8,14,16,17;39:21; 46:19;54:11;55:14; 58:3;60:21 <b>initiated (1)</b> 24:12 <b>initiatives (1)</b> 18:16 <b>innovation (1)</b> 15:23 <b>input (1)</b> 69:7 <b>inspected (2)</b> 28:12,23 <b>inspection (5)</b> 13:4;22:1,9;28:20; 29:5 <b>inspections (6)</b> 26:17,19;28:4,5,7; 29:2 <b>inspectors (1)</b> 22:7 <b>instance (1)</b> 32:11 <b>instances (1)</b> 34:8 <b>intentionally (1)</b> 44:16 <b>interact (1)</b> 63:8 <b>interactive (2)</b> 17:15;25:18 <b>interest (2)</b> 18:10;50:15 <b>interested (2)</b> 23:17;26:6	<b>interns (1)</b> 13:10 <b>interstate (1)</b> 68:9 <b>into (6)</b> 20:15;22:2;24:18; 33:17;64:3,10 <b>intra-governmental (1)</b> 34:7 <b>introduce (1)</b> 13:22 <b>investigations (2)</b> 58:22;59:4 <b>involvement (2)</b> 17:10;69:5 <b>involving (1)</b> 35:11 <b>issuance (1)</b> 27:21 <b>issue (6)</b> 6:18;8:4;62:7;63:8; 65:17,17 <b>issued (1)</b> 35:21 <b>issues (7)</b> 10:23;40:23;54:8; 63:4,8;65:9,15 <b>item (3)</b> 4:9,22,23 <b>items (1)</b> 42:10
<b>H</b>				<b>J</b>	
<b>half (1)</b> 67:4 <b>HALL (4)</b> 47:11,12,16;48:12 <b>hand (2)</b> 34:2;37:17 <b>Happening (4)</b> 18:5;57:5;66:6; 69:19 <b>happy (5)</b> 54:10,14;57:21;				<b>Jerome (1)</b> 37:17 <b>Jim (1)</b> 62:14 <b>Jimmy (1)</b> 62:19 <b>job (10)</b> 41:15;42:7,21;54:5; 56:20,22;57:1,23;58:4; 60:1 <b>jobs (1)</b> 69:18 <b>Johnston (8)</b> 52:11,20,22;53:6; 60:8,12,18;61:3 <b>J-O-H-N-S-T-O-N (1)</b> 52:22 <b>join (1)</b> 37:20 <b>joint (1)</b> 9:5 <b>July (1)</b> 58:1 <b>Justice (4)</b> 16:20;53:1;55:10; 65:19	
				<b>K</b>	



key (1) 30:21	34:6	31:11,23	meetings (6) 7:8;16:15,17;69:3,8, 18	12:10;20:9;23:5; 24:23;34:14;50:2; 54:10,13;57:21;58:3; 60:19,22;69:10
kill (1) 22:19	30:12;49:9	majority (1) 27:14	members (6) 4:13;7:12;42:3; 54:20,21;55:5	morning (11) 4:1;5:21,22;42:2; 47:11;61:23;62:9,16, 17;64:23;68:10
known (3) 20:18;24:22;25:19	55:7	majors (5) 29:3,15,17;38:19; 39:5	memorandum (1) 11:5	most (3) 21:2;24:21;26:19
<b>L</b>	8:1;9:2;30:10	Making (1) 18:11	mentioned (2) 23:8;33:21	motion (7) 4:16;5:4,17;43:17, 23;51:16;70:19
lack (1) 38:8	life (1) 48:23	manage (1) 53:23	merit (1) 44:10	mound (1) 66:16
lag (1) 38:23	lifted (2) 44:11,23	Management (7) 4:6;6:6;11:22;13:6; 26:8;47:18;57:7	MERRITT (1) 43:21	Move (6) 4:17;5:7;39:20; 43:19;52:6;70:21
LAIER (6) 4:19;41:12,21,23; 51:18;70:22	limit (1) 64:17	Manager (2) 36:9,12	met (6) 8:20;29:7;31:21; 42:1;51:11;70:2	moved (1) 51:17
land (2) 12:17;37:3	limits (1) 27:23	managerial (1) 36:15	meteorology (1) 13:14	Mullen (2) 61:19,20
landfill (9) 6:19;35:20;58:21; 59:2,7;63:18;64:8,10; 66:15	line (10) 28:15,17;30:8;31:10, 19;32:3,9;33:5,13;65:6	managers (1) 12:4	method (1) 25:3	multiple (2) 13:13;22:2
landfills (1) 67:19	lines (1) 29:23	Many (5) 20:11;22:23;57:13; 58:9;63:22	metric (2) 34:8,18	Multipurpose (1) 12:19
language (5) 54:23;55:11,17; 56:10,15	litigated (1) 40:22	maps (1) 17:15	metrics (5) 9:1;11:12;24:2; 25:19;34:23	municipal (2) 21:9;35:19
large (2) 27:14;44:18	litigation (1) 61:15	margin (1) 29:21	Michael (1) 61:18	must (2) 10:13;37:7
larger (1) 49:22	little (1) 67:14	Mark (2) 37:1,2	might (2) 40:22;50:7	<b>N</b>
last (7) 7:8;21:21;24:19; 32:22;39:2;44:5;66:8	loading (1) 17:18	MARTIN (1) 5:10	Miles (1) 14:23	name (5) 36:22;47:10;52:17, 21;62:19
Later (1) 7:21	local (1) 12:14	Mastin (1) 37:3	MILLER (5) 5:6;43:19;52:12,14; 70:21	narrow (2) 67:15;68:7
latest (1) 10:23	locate (2) 17:14;63:10	matter (2) 47:3;48:21	million (1) 12:10	nation (2) 9:3;70:11
law (1) 68:23	longer (2) 62:10;68:16	matters (1) 61:14	Mine (1) 65:12	national (9) 28:14;29:22;30:7,13; 31:14;33:6,10;34:22; 35:7
lawyers (1) 69:17	look (6) 4:15;5:4;23:19;24:6; 39:19;49:7	maximum (1) 17:18	minorities (3) 15:4,14;63:12	natural (1) 18:4
lead (1) 53:23	looking (3) 30:14;65:23;67:22	may (6) 23:16;33:23;34:6; 38:2;48:7;49:17	minority (2) 14:16;67:20	nature (1) 16:2
leadership (4) 57:10,12;58:19; 59:13	looks (1) 70:10	maybe (1) 46:8	minute (1) 52:13	Nearly (1) 15:18
least (2) 27:4;69:15	looming (1) 7:14	meager (1) 7:3	minutes (6) 4:10,12,18;53:4; 60:3,5	necessary (7) 8:2,7;19:17;36:7; 49:3,10;50:3
LEFLEUR (16) 5:22;6:3;38:13; 39:11;42:13,19;44:9; 45:17;46:15;48:15,18; 50:20;51:4;57:1;61:7; 65:2	lot (6) 16:9;39:21;58:2; 69:4,10;70:4	mean (1) 32:11	mission (2) 8:17;66:1	need (2) 47:9;51:8
left (3) 15:16;52:14;60:3	low (2) 33:7,11	means (2) 19:22;31:15	mistake (1) 66:8	needed (2) 46:1;48:2
Legislature (8) 6:23;7:13,16;46:3; 48:5;49:2;50:7;51:8	lower (1) 44:19	measurements (1) 24:5	Mobile (1) 8:12	Network (1) 12:18
lends (1) 19:2	lunch (1) 53:2	measures (3) 15:22;35:3,5	moment (3) 12:4;33:21;58:9	new (10) 10:3;11:6;12:6; 15:12;19:8,9;21:3; 22:16,17;40:10
lengthy (1)	Lynn (1) 14:17	media (1) 26:13	Montgomery (2) 15:6;62:22	
	<b>M</b>	meet (7) 8:8;13:2;20:2;21:13; 42:18;62:2;69:20	more (13)	
	main (1) 30:22	meeting (16) 4:5,11,15;6:5;7:21; 11:3;16:19;18:19; 21:22;23:6,16;40:14; 41:17;46:22;52:4,15		
	maintained (1) 44:13			
	major (5) 17:13;20:1;28:11;			

<p><b>Next (13)</b> 4:23;5:19;9:20;28:8; 29:10;31:3,4;32:16; 40:7;41:10;45:18;52:3; 61:18</p> <p><b>night (1)</b> 66:8</p> <p><b>nine (1)</b> 15:14</p> <p><b>Nobles (1)</b> 37:5</p> <p><b>nobody (1)</b> 67:10</p> <p><b>non-compliance (8)</b> 29:16;31:7,13;32:1, 5,12,14;33:2</p> <p><b>none (1)</b> 52:3</p> <p><b>non-majors (5)</b> 28:22;29:3;38:9,14, 17</p> <p><b>non-serious (1)</b> 29:19</p> <p><b>nose (2)</b> 66:9,11</p> <p><b>notable (1)</b> 45:1</p> <p><b>note (4)</b> 28:23;29:8;40:9; 52:3</p> <p><b>noted (1)</b> 12:4</p> <p><b>notify (2)</b> 6:15;35:10</p> <p><b>Notwithstanding (1)</b> 34:17</p> <p><b>NPDES (10)</b> 6:14;21:6,10;24:7; 25:10,15;26:14;27:10, 13;38:11</p> <p><b>nSPECT (1)</b> 21:20</p> <p><b>number (3)</b> 42:16;44:19;49:23</p> <p><b>numbers (1)</b> 23:20</p> <p><b>numerous (3)</b> 16:15;17:3;28:1</p>	<p><b>obviously (2)</b> 63:22;64:2</p> <p><b>occur (1)</b> 32:16</p> <p><b>occurred (1)</b> 17:22</p> <p><b>October (3)</b> 4:5;7:5;21:22</p> <p><b>odor (1)</b> 69:23</p> <p><b>off (4)</b> 67:10,11;68:9;69:17</p> <p><b>office (2)</b> 8:13;55:9</p> <p><b>often (2)</b> 29:20;31:17</p> <p><b>omission (1)</b> 39:10</p> <p><b>Once (6)</b> 29:8,13;32:18;39:12, 15;53:6</p> <p><b>one (16)</b> 13:8;22:6;27:4,5,7; 28:8;31:4,5,17;42:11; 43:18;55:18;61:12; 63:4;65:6;67:6</p> <p><b>one-on-one (1)</b> 16:16</p> <p><b>one-third (1)</b> 30:13</p> <p><b>one-year (1)</b> 38:23</p> <p><b>ongoing (6)</b> 8:18;11:13;14:15; 16:1;40:21;54:8</p> <p><b>only (6)</b> 8:1,20;35:2;49:14, 15;60:5</p> <p><b>onto (1)</b> 39:16</p> <p><b>open (1)</b> 48:6</p> <p><b>operate (7)</b> 7:15;8:2;23:1,4;49:4, 11;50:3</p> <p><b>Operating (12)</b> 6:12;8:9;9:9,13,22; 10:4,6;11:11;19:7; 22:14;23:12;36:20</p> <p><b>operation (2)</b> 18:15;22:7</p> <p><b>operational (1)</b> 22:4</p> <p><b>Operations (6)</b> 7:12;9:19;19:13; 20:9;21:19;61:22</p> <p><b>opportunities (3)</b> 16:17;17:2;53:13</p> <p><b>opportunity (4)</b> 41:5,8;53:7,10</p> <p><b>opposed (1)</b> 45:14</p> <p><b>orally (1)</b></p>	<p>10:22</p> <p><b>orange (1)</b> 29:19</p> <p><b>order (3)</b> 4:7;25:13;42:4</p> <p><b>organization (1)</b> 19:19</p> <p><b>organizations (1)</b> 35:17</p> <p><b>others (4)</b> 6:4;23:16;31:9; 34:14</p> <p><b>out (7)</b> 11:10;16:15;37:11; 51:4;65:5;67:20;69:21</p> <p><b>outlined (1)</b> 52:7</p> <p><b>outreach (4)</b> 18:16,21;19:3,9</p> <p><b>outside (2)</b> 23:15;66:7</p> <p><b>outstanding (1)</b> 27:13</p> <p><b>over (10)</b> 26:2;38:10,22;44:8; 64:4;66:17,23;67:5; 68:12;69:22</p> <p><b>overall (1)</b> 30:23</p> <p><b>overlap (1)</b> 32:10</p> <p><b>oversight (1)</b> 39:9</p>	<p>49:18</p> <p><b>penetration (1)</b> 20:23</p> <p><b>people (12)</b> 39:15,19;52:9;61:10; 63:12,13;64:4;68:14; 69:10,13;70:1,5</p> <p><b>percent (9)</b> 21:5,9,14;28:16; 29:6;30:9;33:12;38:10; 49:3</p> <p><b>percentage (7)</b> 28:11,22;29:15,17; 31:11,23;33:1</p> <p><b>performance (21)</b> 6:14;11:12;15:22; 23:22,23;24:4,10;25:4, 7,15;26:3,4,10;33:8; 34:20;35:3,8;39:18; 41:15;42:7,21</p> <p><b>performed (2)</b> 9:2;26:18</p> <p><b>performing (2)</b> 44:18,19</p> <p><b>performs (1)</b> 26:1</p> <p><b>period (6)</b> 25:1;26:2;32:16; 40:11;52:7,15</p> <p><b>permanent (1)</b> 14:6</p> <p><b>permission (2)</b> 55:5;56:1</p> <p><b>permit (8)</b> 27:20;29:12;35:20; 45:22;47:20;60:13; 63:17;64:8</p> <p><b>permits (12)</b> 6:19;21:11;27:13,15, 18;37:5,8,16,18;57:13; 58:16,17</p> <p><b>permitted (5)</b> 21:6;27:10;59:1,10; 67:1</p> <p><b>permitting (2)</b> 58:20;59:6</p> <p><b>Perry (1)</b> 63:19</p> <p><b>personnel (5)</b> 6:20;41:11,14,23; 42:18</p> <p><b>petition (8)</b> 6:17;7:22;35:13,22; 45:19;46:12,18;47:19</p> <p><b>petitioned (1)</b> 50:16</p> <p><b>Petitioner (2)</b> 47:1,5</p> <p><b>petitioners (1)</b> 65:2</p> <p><b>Phillips (1)</b> 5:8</p> <p><b>photographs (5)</b></p>	<p>22:10;55:3,19,21; 61:9</p> <p><b>photos (2)</b> 22:5;55:6</p> <p><b>picking (1)</b> 67:20</p> <p><b>picture (1)</b> 57:2</p> <p><b>pictures (2)</b> 56:10;67:2</p> <p><b>piece (1)</b> 66:14</p> <p><b>place (2)</b> 22:22;52:5</p> <p><b>plan (20)</b> 9:6,9,11,12,13,22; 10:5,6,9;11:11;13:3; 16:16;19:6,7,23;20:3; 22:14;23:12;29:4;62:4</p> <p><b>planet (1)</b> 66:14</p> <p><b>planned (1)</b> 18:19</p> <p><b>Plans (2)</b> 6:12;36:20</p> <p><b>plant (1)</b> 60:14</p> <p><b>plastic (1)</b> 69:22</p> <p><b>please (6)</b> 4:3;28:17;29:8; 36:21;37:20;40:20</p> <p><b>pleased (4)</b> 6:22;14:4;36:5;38:1</p> <p><b>pleasure (1)</b> 36:3</p> <p><b>pm (1)</b> 71:5</p> <p><b>point (2)</b> 51:4;58:2</p> <p><b>points (1)</b> 6:11</p> <p><b>pollute (1)</b> 57:18</p> <p><b>pollution (2)</b> 12:16;58:18</p> <p><b>Pork (1)</b> 47:13</p> <p><b>Portal (3)</b> 17:7,12;18:3</p> <p><b>portion (2)</b> 40:14;50:5</p> <p><b>position (1)</b> 5:3</p> <p><b>positions (2)</b> 14:10,11</p> <p><b>potential (1)</b> 41:16</p> <p><b>potentially (1)</b> 49:9</p> <p><b>Poultry (1)</b> 47:13</p> <p><b>poverty (1)</b></p>
<b>P</b>				
		<p><b>page (2)</b> 17:8,13</p> <p><b>paid (1)</b> 69:16</p> <p><b>paints (1)</b> 57:2</p> <p><b>part (7)</b> 19:22;39:9,10;45:23; 46:5,9;48:1</p> <p><b>particular (3)</b> 49:15;54:9;58:15</p> <p><b>particularly (2)</b> 38:7;54:2</p> <p><b>party (1)</b> 26:7</p> <p><b>passes (2)</b> 4:22;45:16</p> <p><b>past (5)</b> 10:1;13:11;16:11; 24:9;57:13</p> <p><b>path (1)</b> 69:15</p> <p><b>paths (1)</b> 67:15</p> <p><b>pay (2)</b> 42:14;50:17</p> <p><b>payment (1)</b></p>		
<b>O</b>				
<p><b>Oakwood (1)</b> 15:1</p> <p><b>objective (6)</b> 14:3;20:1,5,6;31:20; 35:3</p> <p><b>objectives (15)</b> 9:23;10:3;11:10,20; 13:8;15:18;16:4;19:5, 8,20;21:17;22:11,18; 23:7;31:18</p> <p><b>obligations (2)</b> 8:22;13:4</p>	<p><b>operate (7)</b> 7:15;8:2;23:1,4;49:4, 11;50:3</p> <p><b>Operating (12)</b> 6:12;8:9;9:9,13,22; 10:4,6;11:11;19:7; 22:14;23:12;36:20</p> <p><b>operation (2)</b> 18:15;22:7</p> <p><b>operational (1)</b> 22:4</p> <p><b>Operations (6)</b> 7:12;9:19;19:13; 20:9;21:19;61:22</p> <p><b>opportunities (3)</b> 16:17;17:2;53:13</p> <p><b>opportunity (4)</b> 41:5,8;53:7,10</p> <p><b>opposed (1)</b> 45:14</p> <p><b>orally (1)</b></p>			



63:13 <b>Powerpoint (1)</b> 70:10 <b>practice (1)</b> 11:4 <b>prefer (1)</b> 44:17 <b>prepared (2)</b> 23:9,13 <b>prepares (1)</b> 36:13 <b>present (2)</b> 6:4;25:14 <b>presentation (1)</b> 38:5 <b>presented (10)</b> 4:18;10:20;16:23; 24:1,19;25:9;27:8; 28:9;38:9;39:4 <b>pretty (2)</b> 33:7;57:2 <b>previous (2)</b> 26:13;30:6 <b>previously (1)</b> 7:18 <b>primary (1)</b> 31:17 <b>prior (2)</b> 4:14;11:2 <b>probably (2)</b> 62:5;65:15 <b>problem (2)</b> 67:17;68:21 <b>problems (4)</b> 24:18;34:15;39:23; 69:2 <b>procedures (1)</b> 22:19 <b>proceeding (1)</b> 71:4 <b>process (3)</b> 34:7,16;70:5 <b>proclivity (1)</b> 63:10 <b>produce (1)</b> 58:18 <b>productive (1)</b> 66:4 <b>productivity (1)</b> 22:3 <b>professional (2)</b> 6:21;36:17 <b>program (26)</b> 7:15;8:2;24:8,10; 25:5,11,12,16;26:14; 35:20;36:13;38:11; 39:7;46:2,11;48:3; 49:1,4,6,11,14,16;50:3, 10,12;51:9 <b>programs (8)</b> 7:7;8:6,14;12:7,12; 24:14;25:9;50:11 <b>progress (2)</b>	11:9;23:6 <b>promote (2)</b> 13:6;20:17 <b>promotes (2)</b> 18:14,15 <b>promoting (1)</b> 15:23 <b>promotional (1)</b> 14:11 <b>pronunciation (1)</b> 62:14 <b>proper (1)</b> 58:15 <b>properly (2)</b> 33:17;55:23 <b>proposed (3)</b> 10:19;46:4;50:4 <b>prospect (1)</b> 14:19 <b>protecting (1)</b> 69:13 <b>provide (8)</b> 8:6;10:2;12:15; 19:15;49:5;50:7;54:10; 55:15 <b>provided (2)</b> 23:13;49:2 <b>provides (1)</b> 10:17 <b>providing (4)</b> 15:20;46:16;49:8,9 <b>public (10)</b> 18:21;36:9,12;40:10; 52:6;53:8;57:19;69:5, 7,8 <b>published (1)</b> 40:19 <b>punitive (1)</b> 68:3 <b>purple (1)</b> 28:12 <b>pursued (1)</b> 53:12 <b>put (9)</b> 21:1;22:22;55:2,6; 62:3;66:22;68:1;69:7, 22	56:3  <b>R</b>  <b>racism (2)</b> 63:6,9 <b>raise (2)</b> 44:22;45:1 <b>raised (1)</b> 66:13 <b>raises (1)</b> 44:11 <b>rate (4)</b> 28:6;29:2,5;30:19 <b>rather (1)</b> 31:13 <b>read (1)</b> 65:3 <b>readily (2)</b> 18:11;26:6 <b>readjusted (1)</b> 25:14 <b>reads (1)</b> 49:13 <b>ready (3)</b> 24:17;41:21,22 <b>real (2)</b> 13:23;65:12 <b>really (1)</b> 39:8 <b>reason (3)</b> 24:11;32:9;66:10 <b>reasonable (1)</b> 53:13 <b>reasons (1)</b> 58:10 <b>recap (1)</b> 9:21 <b>received (3)</b> 12:10;16:9;45:1 <b>recent (6)</b> 17:6;20:16;30:23; 35:11;49:4;54:5 <b>recently (2)</b> 6:16;24:7 <b>recognize (2)</b> 6:20;36:6 <b>recognized (1)</b> 34:15 <b>recommendation (3)</b> 42:11,16;43:20 <b>recommendations (2)</b> 41:13;43:7 <b>recommends (1)</b> 43:6 <b>record (3)</b> 22:8;52:17;60:2 <b>recruit (1)</b> 15:4 <b>recruiting (1)</b> 14:8 <b>recruitment (1)</b> 14:12	<b>red (9)</b> 11:17;17:8;27:15; 29:22;30:8;31:10;32:3, 9;33:5 <b>reduce (1)</b> 27:19 <b>reducing (1)</b> 12:16 <b>reflect (3)</b> 34:9;46:10;53:22 <b>reflected (1)</b> 9:10 <b>reflection (1)</b> 57:8 <b>reflective (2)</b> 30:21;56:12 <b>refrain (1)</b> 40:20 <b>regard (1)</b> 44:7 <b>regarding (8)</b> 41:19;42:19,23;43:4, 13,23;48:20;61:14 <b>regimen (1)</b> 24:13 <b>registrants (1)</b> 40:12 <b>registration (1)</b> 46:8 <b>regular (2)</b> 28:9;29:14 <b>regularly (2)</b> 10:21;24:1 <b>regulated (1)</b> 26:16 <b>regulatory (1)</b> 8:21 <b>rejection (1)</b> 35:22 <b>related (3)</b> 23:20;28:2;49:14 <b>Relationships (4)</b> 9:16;16:8,12;19:1 <b>relevant (3)</b> 33:20;46:18;54:11 <b>remain (2)</b> 16:5;36:21 <b>remains (1)</b> 62:10 <b>remember (1)</b> 69:12 <b>remind (1)</b> 45:3 <b>reminder (1)</b> 25:17 <b>remove (2)</b> 56:9;61:9 <b>removed (3)</b> 55:18,20;61:13 <b>renewing (2)</b> 63:17;64:7 <b>replace (1)</b> 8:11	<b>report (14)</b> 5:20;6:8,13,22;17:4; 32:15;33:22;36:3; 37:23;38:20,21;40:7; 41:12;43:14 <b>reporting (4)</b> 20:17;24:13;32:16; 39:13 <b>reports (4)</b> 16:10;20:18;23:8; 26:13 <b>represent (2)</b> 31:22;65:9 <b>representative (1)</b> 47:5 <b>representatives (1)</b> 47:2 <b>represented (1)</b> 30:7 <b>represents (1)</b> 31:10 <b>request (2)</b> 54:13;61:12 <b>requested (2)</b> 46:23;60:22 <b>require (1)</b> 34:6 <b>required (4)</b> 25:21;34:12;41:2; 46:7 <b>requires (2)</b> 16:12;32:15 <b>resignation (1)</b> 58:7 <b>resistance (1)</b> 69:16 <b>resolution (1)</b> 8:3 <b>resource (2)</b> 11:21;13:5 <b>resources (3)</b> 11:23;13:1;15:21 <b>respected (1)</b> 36:8 <b>respective (1)</b> 29:21 <b>respectively (1)</b> 12:17 <b>response (14)</b> 5:13;40:5;41:4; 43:15;44:1;45:10,15; 46:17,19;48:10;52:1; 61:4;64:20;70:17 <b>responsibility (1)</b> 53:19 <b>Responsive (2)</b> 9:14;10:11 <b>RESTORE (2)</b> 8:10;12:3 <b>result (5)</b> 7:2;15:11;26:21; 50:1;57:6 <b>resulted (1)</b>
	<b>Q</b>			
	<b>quality (2)</b> 18:20;64:1 <b>quarter (1)</b> 7:19 <b>questionably-defined (1)</b> 34:18 <b>quiet (1)</b> 4:3 <b>Quite (1)</b> 34:11 <b>quorum (2)</b> 4:8;42:2 <b>quote (1)</b>			



24:14	<b>salaries (2)</b> 44:7,20	16,18;70:8	9:20;26:15	<b>started (2)</b> 66:10;70:6
<b>resulting (1)</b> 34:19	<b>salary (3)</b> 41:17;42:12;44:23	<b>session (1)</b> 6:23	<b>slightly (2)</b> 23:18;38:22	<b>state (21)</b> 8:21;12:13;14:23; 18:1;25:23;34:4;44:10; 46:3;48:4;52:17;53:3; 54:8,21;55:8;57:3,8; 58:10;64:5;66:3;67:22; 68:8
<b>results (1)</b> 43:7	<b>same (11)</b> 9:10;10:6;16:5;31:5; 38:18;52:5,5;65:15; 66:14;67:14;68:22	<b>set (6)</b> 11:10;16:15;20:23; 28:18;29:1,9	<b>smaller (1)</b> 32:8	<b>stated (2)</b> 31:17;33:11
<b>return (1)</b> 14:5	<b>Sarah (1)</b> 22:5	<b>seven (1)</b> 10:15	<b>Smith (3)</b> 64:22,23;65:5	<b>statement (2)</b> 43:10;54:6
<b>review (5)</b> 4:14;17:2;25:4; 30:17;58:16	<b>saw (1)</b> 37:2	<b>several (5)</b> 6:20;9:20;11:19; 21:1;27:2	<b>social (3)</b> 62:22;63:1,4	<b>states (6)</b> 21:2,12;24:4;25:22; 26:2;38:19
<b>reviewed (2)</b> 7:7;16:20	<b>saying (4)</b> 60:7,8,11,12	<b>severe (3)</b> 57:15,15,15	<b>society (1)</b> 63:6	<b>State's (1)</b> 51:9
<b>reviewing (1)</b> 24:9	<b>scale (1)</b> 34:3	<b>share (2)</b> 58:4;66:5	<b>soil (2)</b> 66:22;69:23	<b>statutory (1)</b> 8:21
<b>revoke (1)</b> 60:13	<b>schedule (1)</b> 10:17	<b>shared (1)</b> 9:13	<b>solid (2)</b> 28:17;35:19	<b>stay (3)</b> 53:3;64:2;68:6
<b>reworking (2)</b> 24:15;34:17	<b>school (3)</b> 14:3;67:7,8	<b>shortcoming (1)</b> 39:6	<b>someone (1)</b> 48:15	<b>staying (1)</b> 64:16
<b>RICHARDSON (9)</b> 4:17;38:3;39:8;40:1; 51:5,17;60:6,10,15	<b>schools (2)</b> 13:16;18:22	<b>show (3)</b> 25:23;33:8;69:9	<b>sometime (1)</b> 58:1	<b>steadily (1)</b> 30:11
<b>right (3)</b> 39:7;45:5;60:1	<b>scientists (1)</b> 36:14	<b>showing (3)</b> 28:21;30:4,18	<b>sometimes (1)</b> 34:11	<b>step (1)</b> 42:14
<b>Rights (7)</b> 55:9;58:22;59:3,8, 12,15;63:21	<b>screen (1)</b> 31:4	<b>shown (9)</b> 11:16;21:8;27:15; 28:14,16;29:18,20,22; 33:12	<b>somewhat (1)</b> 33:10	<b>steps (1)</b> 42:14
<b>river (1)</b> 17:16	<b>screenshot (2)</b> 11:17;17:8	<b>shows (8)</b> 11:12;27:9,12;28:10; 29:15;32:3,23;33:6	<b>sorry (2)</b> 61:8;71:2	<b>still (5)</b> 14:2;33:10;55:20; 59:22;62:7
<b>rivers (1)</b> 64:4	<b>seat (2)</b> 60:7,11	<b>side (2)</b> 12:1;68:6	<b>sounds (2)</b> 50:21;70:9	<b>Stones (1)</b> 59:6
<b>road (2)</b> 67:16;68:6	<b>Second (9)</b> 4:19;5:10;7:19; 32:21,23;43:21;51:18; 67:23;70:22	<b>signed (1)</b> 40:16	<b>South (2)</b> 13:19;15:10	<b>Storage (2)</b> 12:22;17:20
<b>Ron (1)</b> 64:22	<b>security (1)</b> 22:21	<b>significant (5)</b> 11:6;31:13;32:4,12; 36:4	<b>speak (9)</b> 40:12,16;41:2,3; 47:8;52:9;56:13;65:7,8	<b>strange (1)</b> 50:20
<b>room (3)</b> 20:11;23:16;70:6	<b>seeing (1)</b> 69:14	<b>significantly (2)</b> 25:2;34:21	<b>speakers (1)</b> 41:7	<b>strategic (6)</b> 9:6,11,12;10:8; 36:19;62:4
<b>rotating (1)</b> 24:5	<b>seeking (1)</b> 12:6	<b>simple (1)</b> 65:12	<b>speaking (1)</b> 52:18	<b>strategy (3)</b> 13:22;27:17;30:21
<b>rotation (1)</b> 25:13	<b>seem (3)</b> 65:20,21;68:2	<b>simply (1)</b> 34:11	<b>special (1)</b> 6:23	<b>stream (1)</b> 18:3
<b>rough (1)</b> 68:18	<b>seems (1)</b> 67:19	<b>single (1)</b> 8:14	<b>specific (8)</b> 8:1;14:19;18:2,9; 20:23;55:7;62:2,8	<b>streams (1)</b> 68:16
<b>route (1)</b> 67:12	<b>segment (1)</b> 18:3	<b>sister (1)</b> 34:4	<b>specifically (4)</b> 28:2;30:3;54:18; 63:14	<b>street (1)</b> 18:2
<b>rule (8)</b> 20:13,14;21:4;40:22; 46:6;49:12,15,16	<b>Selecting (1)</b> 17:12	<b>sites (1)</b> 17:16	<b>spills (1)</b> 17:21	<b>strongly (1)</b> 63:5
<b>rulemaking (4)</b> 7:22;10:18;11:13; 45:20	<b>semi's (1)</b> 68:4	<b>siting (2)</b> 67:18;69:1	<b>spring (2)</b> 14:14;37:8	<b>structure (1)</b> 50:1
<b>rules (2)</b> 10:19;52:8	<b>send (2)</b> 11:4;62:5	<b>sitting (1)</b> 68:12	<b>staff (3)</b> 53:3;57:7,9	<b>students (3)</b> 13:10,12,23
<b>run (1)</b> 24:18	<b>separate (1)</b> 19:5	<b>situation (2)</b> 63:20;64:13	<b>Stakeholders (6)</b> 9:17;16:9,14;17:11; 18:12;19:2	<b>subgoals (1)</b> 11:19
<b>rundown (1)</b> 23:5	<b>September (2)</b> 7:1;35:21	<b>six (1)</b> 23:7	<b>stand (2)</b> 36:21;53:2	<b>submit (3)</b> 38:18,18,20
<b>S</b>	<b>serious (6)</b> 26:19;29:18;30:1,3, 4,10	<b>size (2)</b> 26:15;27:9	<b>standard (3)</b> 11:12;25:21;49:23	<b>submitted (5)</b> 25:22;43:8;46:20; 56:21;57:21
<b>safe (1)</b> 66:3	<b>Service (2)</b> 19:10;70:2	<b>slide (6)</b> 21:8;27:7;28:8; 29:13;30:4,6	<b>standardized (1)</b> 24:4	
<b>safely (1)</b> 67:8	<b>services (7)</b> 19:16;34:6;37:5,9,	<b>slides (2)</b>	<b>standing (1)</b> 36:22	
			<b>start (1)</b> 53:11	

subset (1) 30:5	taxpayer (1) 56:19	67:13	universities (4) 14:13,21;15:3,13	69:12
substandard (1) 8:12	team (1) 14:12	transparency (1) 18:14	University (15) 13:17,18,18,19,20, 21:14;23;15:1,2,5,5,7, 7,8,9	Vice (2) 5:3,9
success (2) 36:16;51:12	tear (1) 69:21	trash (2) 66:16;67:4	unlike (2) 31:9;50:11	view (1) 17:23
successfully (1) 42:9	technology (2) 13:15;22:20	treatment (1) 60:14	unquote (1) 56:3	views (1) 48:20
sufficient (1) 55:18	telling (1) 50:15	trees (1) 68:13	unrealistic (1) 34:19	violated (1) 59:8
summary (4) 41:19;42:6,20;48:22	therefore (1) 53:21	trend (4) 30:14,18;31:6,14	unresponsive (1) 58:13	violation (3) 33:18,23;63:21
Sunday (1) 70:3	third (1) 16:7	trending (1) 35:8	unsatisfactory (1) 58:5	violations (12) 26:18,20,22;29:11, 12,18,19;30:1,3,5,11; 59:15
supplement (1) 50:6	Though (3) 21:11;39:22;68:18	trends (1) 26:4	update (6) 6:8;11:5,14;23:8; 24:16,19	virtue (1) 49:22
supplemented (1) 50:12	thought (1) 37:6	trouble (1) 70:12	updated (2) 9:5;25:9	visit (1) 14:12
supplements (1) 12:23	three (5) 35:15;36:10;42:3; 53:4;60:5	Troy (1) 15:7	updates (5) 9:8;27:8;28:10; 29:14;57:22	visited (1) 14:21
supports (1) 20:20	throughout (1) 14:14	trying (1) 51:7	upon (1) 14:5	Visual (1) 25:18
sure (2) 62:14;65:13	Throw (1) 59:6	Tuskegee (2) 13:17;15:2	use (4) 13:9;27:18;56:19; 67:1	
surface (1) 66:22	thus (1) 32:7	TV (1) 70:4	used (3) 17:14;24:20;54:23	<b>W</b>
surpassed (1) 21:15	tight (1) 23:2	two (9) 7:8;8:11;31:3;39:1; 42:10,13,16;44:12; 63:8	useful (1) 26:8	wake (1) 68:9
Susan (1) 37:14	tighter (1) 27:23	type (4) 33:17,18;54:11; 60:20	user (1) 17:23	walked (1) 66:7
suspend (1) 49:17	timeliness (1) 31:7	typically (4) 27:8;28:9;29:13; 30:17	using (6) 6:15;15:21;22:8; 24:1;25:21;33:3	warranted (2) 32:20;33:19
suspended (2) 7:18;46:8	timely (6) 32:15;33:2,4,15; 34:9;38:16		UST (1) 17:21	Waste (4) 24:6;25:8;35:19; 65:11
Switching (1) 23:18	times (2) 50:23;65:14	<b>U</b>	usually (1) 38:22	water (12) 12:17;17:16;18:20; 21:6;24:7,8;25:8,10, 15;26:14;64:1,1
system (4) 20:22;21:7,11,21	Title (4) 58:21;61:14;65:20; 69:12	ultimate (1) 53:18		water-discharging (1) 27:11
systems (2) 18:13;70:7	titled (1) 11:5	Unanimous (5) 4:21;5:16;45:13; 51:20;71:3		way (4) 18:1;25:17;49:12; 65:22
<b>T</b>	today (10) 8:17;21:5;25:16; 36:5;47:2;53:16;54:1, 4,15,18	under (7) 11:15;20:1;57:11; 58:19;59:13;60:1; 61:15		web (1) 17:8
table (1) 23:15	Today's (2) 6:7;37:23	Underground (2) 12:22;17:20	<b>V</b>	website (7) 11:14,17;17:5,7; 23:11;26:7;39:16
tablet (1) 22:8	together (1) 42:4	underneath (1) 53:21	vacancies (1) 15:16	welcome (5) 6:3;40:15;47:16; 62:18;64:22
tablets (1) 21:23	tools (1) 26:9	unfortunately (1) 59:19	variables (1) 27:5	What's (3) 18:5;57:3;69:19
talking (1) 14:19	top (5) 33:13;66:17,23;67:5; 68:12	Uniontown (7) 54:9,20;56:5;58:14; 60:14;63:18;64:3	vegetation (1) 66:18	whatsoever (1) 57:8
Tallasse (2) 59:7;65:11	total (1) 17:17	Unitarian (1) 62:21	verifiable (1) 35:2	whole (5) 46:5,9;69:4,10;70:4
Tank (2) 12:22;13:3	toward (1) 35:8	Universalist (1) 62:21	Verification (1) 43:1	wholeheartedly (1) 20:20
tanks (1) 17:20	toxic (1) 64:11	universe (4) 21:7;26:16;27:10; 49:20	Vessel (1) 12:14	wide (1) 29:21
target (3) 28:16;29:1;34:19	traffic (1)		VI (4) 58:21;61:15;65:20;	Wildlife (1)
tarp (2) 67:1,2				
Tate (1) 37:8				



19:10	<b>zero (1)</b>	<b>335-1-6-043 (1)</b>	
<b>William (1)</b>	39:1	46:6	
61:19	<b>zoom (1)</b>		
<b>winding (1)</b>	18:1	<b>4</b>	
67:15			
<b>wings (1)</b>	<b>1</b>	<b>40 (1)</b>	
68:11		15:12	
<b>wishes (1)</b>	<b>1 (2)</b>	<b>49 (1)</b>	
51:23	7:5;21:23	68:8	
<b>withdraw (3)</b>	<b>10 (1)</b>		
6:17;35:17;61:23	42:2	<b>5</b>	
<b>within (8)</b>	<b>10,400 (1)</b>		
14:9;16:4;19:18;	27:13	<b>50 (1)</b>	
20:7;21:17;23:4;53:4;	<b>100 (1)</b>	28:16	
64:16	49:2	<b>5303 (1)</b>	
<b>without (1)</b>	<b>12 (1)</b>	60:13	
55:3	19:4		
<b>woefully (1)</b>	<b>12:00 (1)</b>	<b>6</b>	
8:11	71:5		
<b>wonder (1)</b>	<b>15 (1)</b>	<b>6 (1)</b>	
64:6	13:12	66:22	
<b>word (1)</b>	<b>150 (1)</b>		
37:10	39:17	<b>7</b>	
<b>wording (2)</b>	<b>16 (2)</b>		
46:5;47:23	52:4;66:13	<b>7 (1)</b>	
<b>work (12)</b>	<b>17 (1)</b>	7:1	
7:10;8:10;9:15;	42:14		
11:18;13:3,7;15:19;	<b>18 (1)</b>	<b>8</b>	
20:2;29:4;36:7;37:21;	35:12		
69:11	<b>19 (1)</b>	<b>80 (1)</b>	
<b>working (3)</b>	4:12	38:10	
37:7;38:15;39:3	<b>1994 (1)</b>	<b>85 (1)</b>	
<b>workload (1)</b>	35:18	68:9	
27:20	<b>1999 (3)</b>		
<b>Wrap (1)</b>	49:1,20,22	<b>9</b>	
60:17			
<b>writing (2)</b>	<b>2</b>	<b>90 (2)</b>	
10:22;62:6		21:13;42:14	
<b>written (4)</b>	<b>2 (3)</b>	<b>90s (1)</b>	
41:20;42:6,20;55:7	11:18;37:12;66:21	65:16	
<b>wrote (2)</b>	<b>20 (2)</b>	<b>93 (1)</b>	
55:13,16	29:5;30:9	21:5	
<b>Y</b>	<b>2014 (3)</b>	<b>98 (2)</b>	
	9:4;24:20;62:4	21:9;33:12	
	<b>2016 (17)</b>		
<b>y'all (6)</b>	4:5,12;6:12;9:21;		
37:22;41:8;53:7;	12:8;15:16;16:6;19:5;		
54:12,14;69:15	20:4;23:6,10;28:18;		
<b>year (16)</b>	29:9;35:13,21;49:5;		
6:7,10;7:6,20;9:8;	52:5		
10:1;12:8;13:3,11;	<b>2017 (13)</b>		
15:15;16:11;20:16;	6:7,13;7:6,20;10:4;		
25:6;29:7;44:3;56:23	16:4;19:7;20:5;21:14;		
<b>years (7)</b>	22:14,17;23:12;49:7		
9:7;21:1;26:3;39:1;	<b>21 (1)</b>		
44:5,12;66:13	4:5		
<b>yellow (1)</b>	<b>26 (1)</b>		
33:7	35:21		
<b>Youth (1)</b>			
34:5	<b>3</b>		
<b>Z</b>	<b>335-1-6-04 (2)</b>		
	45:21;47:20		



**Part B**

## Attachment Index

**Attachment 1 Agenda**

**Attachment 2 Order to adopt motion to accept Lanier Brown as Chair and Scott Phillips as Vice Chair  
(Agenda Item 2)**

**Attachment 3 Director's Slides  
(Agenda Item 3)**

**Attachment 4 Order to adopt recommendations of the Personnel Committee  
(Agenda Item 5)**

**Attachment 5 Order to refer petition to the Department to proceed to rulemaking with the proposed amendment and attached Petition for Amendment of ADEM State Administrative Rule, EMC Rulemaking Petition 17-01  
(Agenda Item 6)**

**Attachment 1**



AGENDA\*  
MEETING OF THE  
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION  
DATE: October 21, 2016  
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 August 19, 2016**	2
2. Elections	2
3. Report from the ADEM Director	2
4. Report from the Commission Chair	2
5. Report and recommendations from the Personnel Committee on the ADEM Director Job Performance Evaluation for Commission consideration	2
6. Consideration of Petition for Rulemaking to Amend ADEM Administrative Code Rule 335-1-6-.04 Permit Application Fees EMC Rulemaking Petition 17-01 Petitioner – Alabama Farmers Federation (NPDES-Related Matter)	2
7. Other business	2
8. Future business session	2
PUBLIC COMMENT PERIOD	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.

1. CONSIDERATION OF MINUTES OF MEETING HELD ON AUGUST 19, 2016

2. ELECTIONS

The Commission will elect a Commission Chair and Vice Chair.

3. REPORT FROM THE ADEM DIRECTOR

4. REPORT FROM THE COMMISSION CHAIR

5. REPORT AND RECOMMENDATIONS FROM THE PERSONNEL COMMITTEE ON THE ADEM DIRECTOR JOB PERFORMANCE EVALUATION FOR COMMISSION CONSIDERATION

The Personnel Committee will report on the ADEM Director Job Performance Evaluation and present the Committee's recommendations to the Commission for consideration.

6. CONSIDERATION OF PETITION FOR RULEMAKING TO AMEND ADEM ADMINISTRATIVE CODE RULE 335-1-6-.04 PERMIT APPLICATION FEES, EMC RULEMAKING PETITION 17-01, PETITIONER – ALABAMA FARMERS FEDERATION (NPDES-RELATED MATTER)

The Commission will consider the petition for rulemaking to amend ADEM Administrative Code Rule 335-1-6-.04 Permit Application Fees to allow the Director to collect part or all of funding needed to administer the AFO/CAFO program not allocated by the state legislature. The proposed amendment would add the wording "in part or whole" to Rule 335-1-6-.04(3) as follows: Fees required by AFO/CAFO registration may be suspended in part or whole by category by the Director to reflect the budgetary circumstances of the AFO/CAFO program.

7. OTHER BUSINESS

8. 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.



**Attachment 2**

BEFORE THE  
ENVIRONMENTAL MANAGEMENT COMMISSION  
OF THE  
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

MOTION

Accept Lanier Brown as Chair and

Scott Phillips as Vice Chair

ORDER

This cause having come before the Environmental Management Commission pursuant to the above motion, and having considered the same, the Commission hereby ORDERS, ADJUDGES, and DECREES as follows:

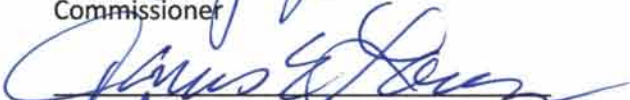
1. That the above motion is hereby adopted; and
2. That this action has been taken and this Order shall be deemed rendered effective as of the date shown below.


Environmental Management Commission Order  
Page 2


ISSUED this 21st day of October 2016.

APPROVED:

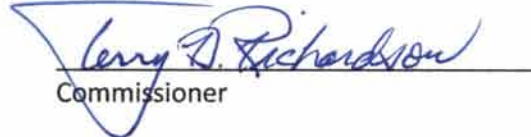
  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

DISAPPROVED:

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

This is to certify that this Order is a true and accurate account of the actions taken by the Environmental Management Commission on this 21st day of October 2016.

  
\_\_\_\_\_  
H. Lanier Brown, II, Chair  
Environmental Management Commission  
Certified this 21st day of October 2016



**Attachment 3**



## Alabama Department of Environmental Management

### Shared AEMC / ADEM Plan Goals

- Effective and Responsive Commission
- High Performing Work Environment
- Credible Relationships with External Stakeholders
- Efficient and Effective Departmental Operations



## Alabama Department of Environmental Management

### ADEM Operating Plan Goals

- Effective and Responsive Commission
  - Information on proposed rulemaking
  - Information on current environmental policy issues
  - Regular updates on Operating Plan progress
  - Provide performance metrics



### Menu


[Main](#)

[UST Search](#)

**[Director's Correspondence](#)**

[Complaint](#)

[Disclaimer](#)

 [How-To Guide](#)

## Director's Correspondence

1 2 3 4 5 6 7 8 9 10 ...

### File Name

- [Download](#) 2016 08 19 Director's Report to AEMC.pdf
- ~~[Download](#) 2016 08 12 LeFleur to EMC - ADEM Update.pdf~~
- ~~[Download](#) 2016 08 12 LeFleur to EMC - ADEM Ongoing Rulemaking.pdf~~
- [Download](#) 2016 08 12 LeFleur to EMC - ADEM Contracts.pdf
- ~~[Download](#) 2016 06 17 Director's Report to AEMC.pdf~~
- ~~[Download](#) 2016 06 10 LeFleur to EMC - ADEM Update.pdf~~
- ~~[Download](#) 2016 06 10 LeFleur to EMC - ADEM Ongoing Rulemaking.pdf~~
- [Download](#) 2016 06 10 LeFleur to EMC - ADEM Contracts.pdf
- [Download](#) 2016 04 15 Director's Report to AEMC.pdf
- ~~[Download](#) 2016 04 08 LeFleur to EMC - ADEM Update.pdf~~

1 2 3 4 5 6 7 8 9 10 ...



## Alabama Department of Environmental Management

### ADEM Operating Plan Goals

- High Performing Work Environment
  - Financial resources
  - Human resources
  - Data driven performance measurement
  - Promote innovation

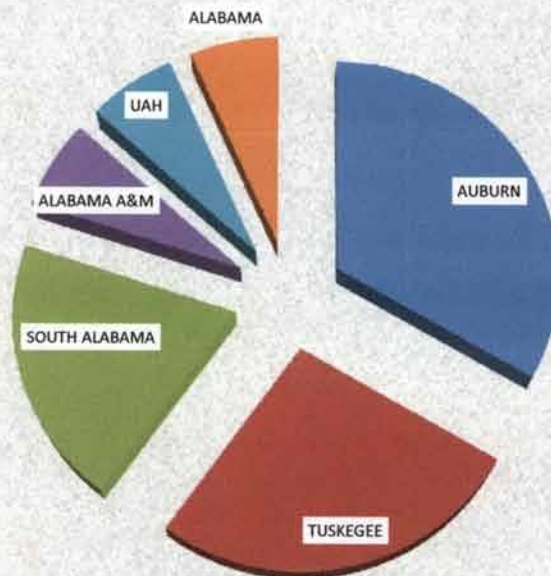


## Alabama Department of Environmental Management

<u>NEW FUNDING SOURCES</u>	<u>DOLLARS</u>
Clean Diesel	219,000
Clean Vessel	704,000
Brownfield	45,000
Exchange Network	211,000
Multi-purpose	380,000
Underground Storage Tank	<u>200,000</u>
TOTAL	1,760,000

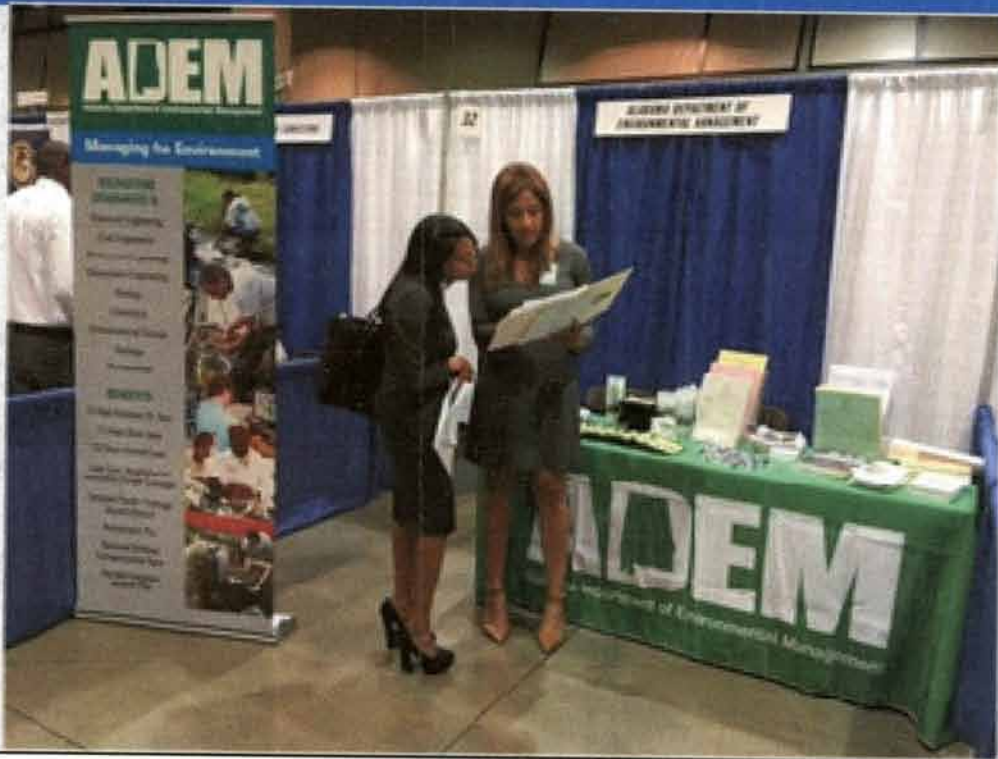


### UNIVERSITY INTERNS



# ADEM

## Alabama Department of Environmental Management



**ADEM Operating Plan Goals**

- **Credible Relationships with External Stakeholders**
  - Meet with private sector, NGOs, Fed & State
  - Community engagement document
  - Website information
  - Energy efficiency and safe water outreach





# Alabama Department of Environmental Management



## Community Engagement

ADEM is committed to keeping all residents of Alabama informed and involved regarding the environmental activities in their local communities

Updated 2016

- ADEM Forms
- ADEM Programs
- Alabama Environmental Regulations and Fees
- Compliance Information
- Environmental Management Commission
- Visit ADEM
- Media Information
- Notices and Events
- Contact Us

Enter your email address  
to sign up for ADEM  
Email Notifications

Submit

Search for ADEM Website

Search



### Welcome to ADEM

Alabama is blessed with a wealth and variety of natural resources which provide significant social, economic, and environmental benefits and opportunities for the citizens of Alabama. The mission at ADEM is to assure for all citizens of the State a safe, healthful, and productive environment. [Reproduction Statement](#). This web site is designed to keep you informed and to help you as you live and work in Alabama.

### Upcoming Events and Latest News

**August 23, 2016**  
ADEM Updates Conditions in Mulberry Fork

**August 19, 2016**  
ADEM Investigates Release into Mulberry Fork

**Now Available** - Community Engagement Document

eGov Portal

Complaints

Calendar

What's Happening  
in Your County

Permit  
Wizard

eFile

E-Verify

UST Delivery  
Prohibition List

eMaps Portal

ADQM Terms

ADQM Programs

Alabama Environmental  
Regulations and Laws

Compliance Information

Environmental  
Management Certificates

Inside ADEM

More Information

Permits and Permits

Contact Us

Enter your email address  
subscribe for ADEM  
Digital Notifications

Submit

Search the ADEM Website

Search



**e-Maps Portal**

**GIS Inspector for Brownfields**

The **GIS Inspector for Brownfields** allows users to click on the map and see all of the Brownfields in the county selected. Click on a county. Mouse-over a point on the map or a record in the table to see the corresponding record or point. Click on the note symbol on the left of the table and see all of the files associated with the site. Slider in the upper left allows users to switch to Topo map or Aerial. After sliding to right click on USGS Topo in slider control.

**Lat Lon Query Tool**

The **Lat Lon Query Tool** allows users to enter a lat and lon and return values for County, Hydrologic Unit Code (HUC), RPS, ECO Region, ECO Region Code, River Basin, Ztl, Section, Township, and Range. Enter in the lat and lon. Click the Locate Using Coordinates button. Slider in the upper left allows users to switch to Topo map.

**Water Info Map**

The **Water Info Map** allows users to get information about a variety of state waters. Layers include Ateezed Units, Outstanding Alabama Waters, Outstanding National Water Resource, 2030 Layers, TMDL Layers, and HUC codes. Base maps include Street, Aerial, and Topo. Zoom into users area of interest. Click on a stream or reservoir. The information about the record in the top layer will be displayed. Turn layers off and on as needed.

**UST Regulatory Sites**

The **UST Regulatory Sites** map allows users to see active Underground Storage Tank (UST) sites. Click on the Locate By Clicking Map button in the upper-right. Click on the map in an area of interest. The UST Sites will be displayed. Mouse-over a point on the map or a record in the table to see the corresponding record or point. Click on the note symbol on the left of the table and see all of the files associated with the site. Slider in the upper left allows users to switch to Topo map or Aerial. After sliding to right click on USGS Topo in slider control.

**UST Incident Sites**

The **UST Release Incident Site** map allows users to see the UST Release incidents that have not received a letter of No Further Action. Click on the Locate By Clicking Map button in the upper-right. Click on the map in an area of interest. The UST Release Incident Sites will be displayed. Mouse-over a point on the map or a record in the table to see the corresponding record or point. Click on the note symbol on the left of the table and see all of the files associated with the site that have been scanned and placed in eFile. Only the records associated with the incident will be displayed. Slider in the upper left allows users to switch to Topo map or Aerial. After sliding to right, click on USGS Topo in slider control.





## Alabama Department of Environmental Management

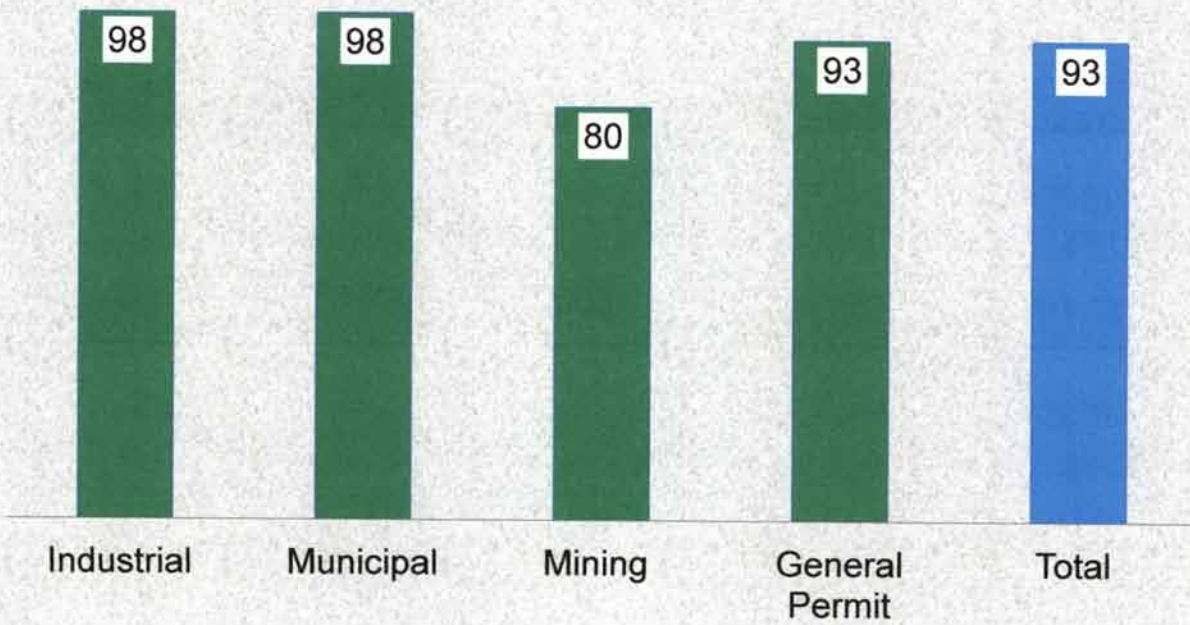
### ADEM Operating Plan Goals

- Efficient and Effective Departmental Operations
  - Effective internal communication
  - Meet or exceed EPA work plan
  - Incorporate electronic applications
  - Operate with tight budget



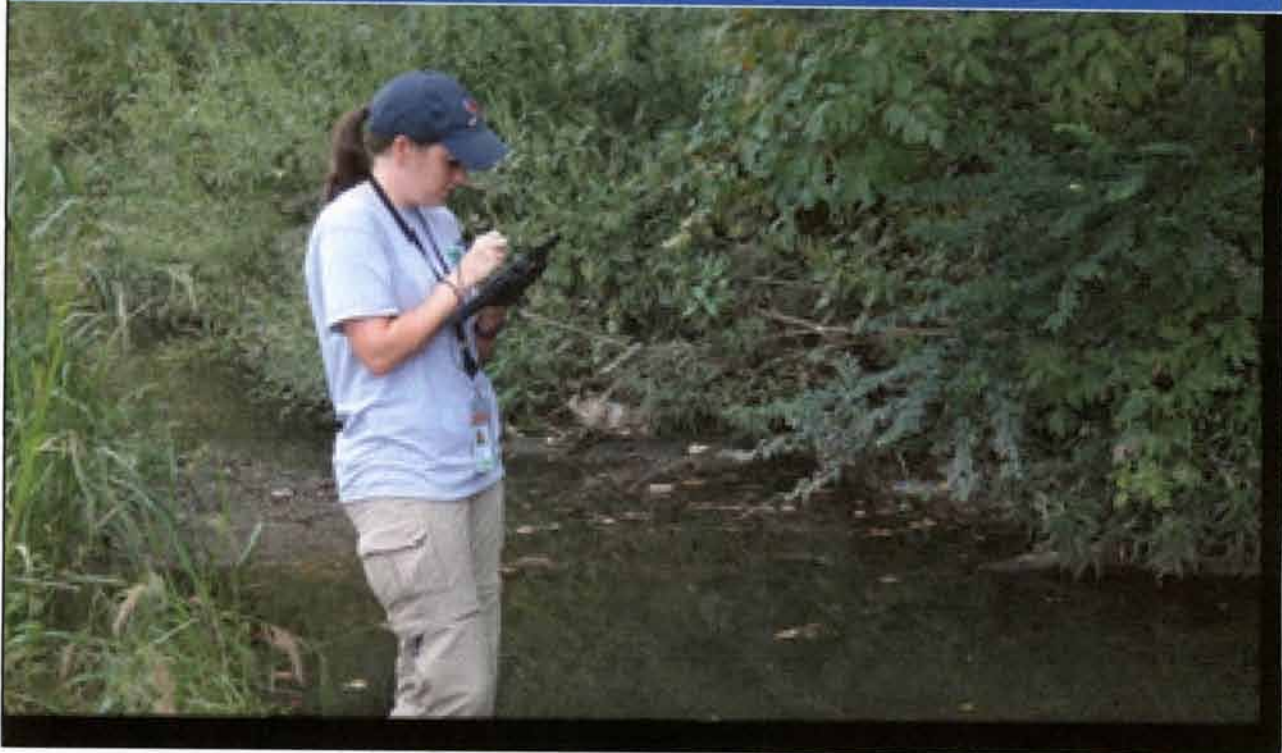
# Alabama Department of Environmental Management

Percent in eDMR



**ADEM**

**Alabama Department of  
Environmental Management**





**ADEM**

**Alabama Department of  
Environmental Management**

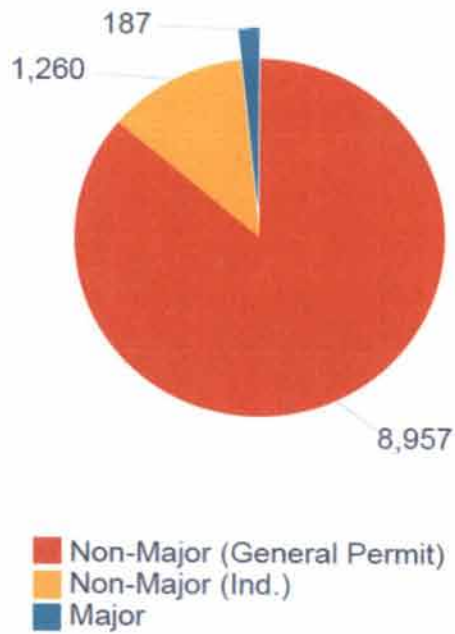


**ADEM**

**Alabama Department of  
Environmental Management**



NPDES Permits by Type - FY15 (All)

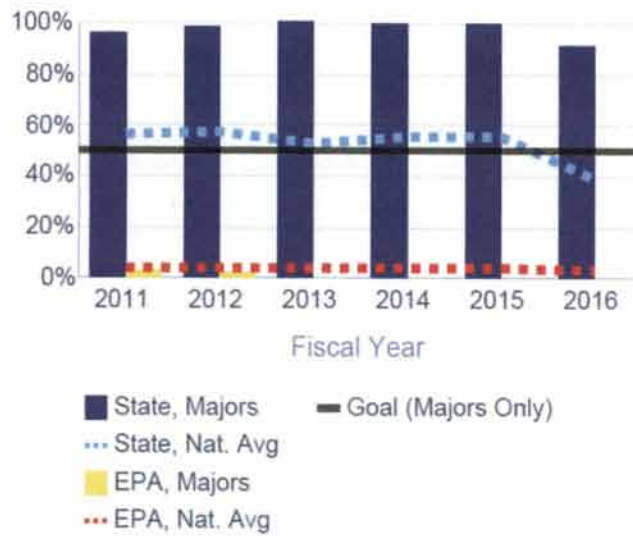






# Alabama Department of Environmental Management

### Facilities Inspected by State or EPA (Majors, %)



States are provided flexibility in meeting EPA's goal of 50% inspection coverage.

### Facilities Inspected by State or EPA (Non-Majors Ind., %)



Percentages calculated from EPA's data system (ICIS-NPDES). Only state inspection data on major permittees is required to be shared with EPA.

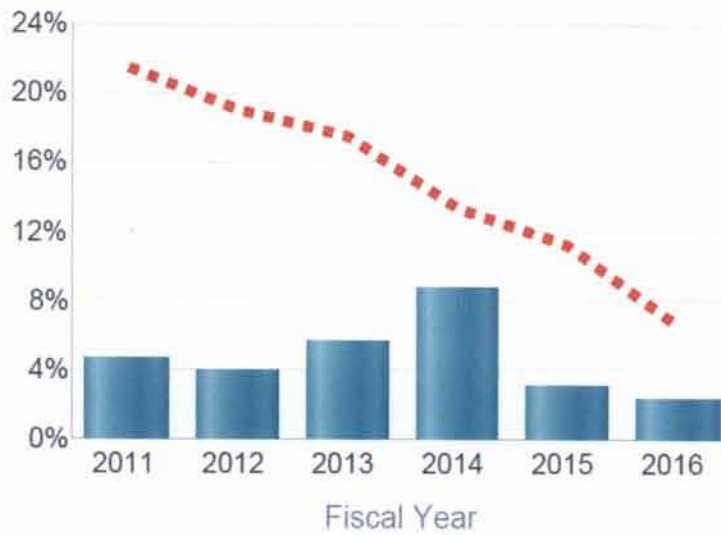
### Facilities in Non-Compliance (Majors, %)





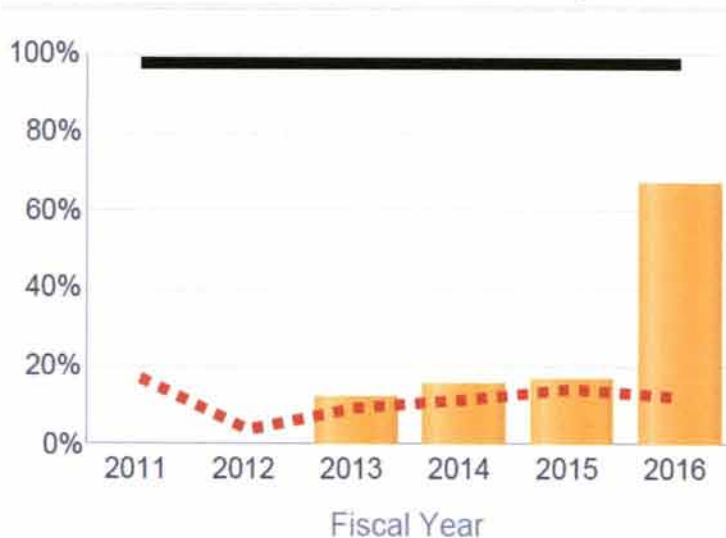
**Major Facilities in Significant  
Non-Compliance (%)**

### Major Facilities in Non-Compliance with Formal Enforcement Actions (%)



■ Major Facilities in NC w/ Formal Actions (%)  
●●● Majors in Significant Non-Compliance (%)

Facilities with Timely Enforcement Action as Appropriate (Majors, Individual, %)



- Major Facilities (Individual)
- National Average (Majors Only)
- National Goal - 98% (Majors Only)

**Attachment 4**



BEFORE THE  
ENVIRONMENTAL MANAGEMENT COMMISSION  
OF THE  
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

MOTION

Adopt the recommendations of the Personnel Committee

ORDER

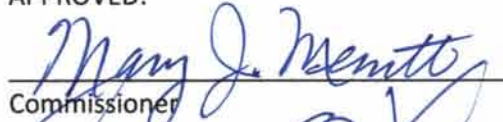
This cause having come before the Environmental Management Commission pursuant to the above motion, and having considered the same, the Commission hereby ORDERS, ADJUDGES, and DECREES as follows:

1. That the above motion is hereby adopted; and
2. That pursuant to the adoption of the recommendations of the Personnel Committee, the Commission approves a salary advance for Director LeFleur of two steps to Step 17 in Pay Grade 90 (per year salary of \$160,440.00); and
3. That pursuant to the adoption of the recommendations of the Personnel Committee, the Chair of the Personnel Committee is authorized to meet with Director LeFleur regarding the Summary of Written Comments on ADEM Director Job Performance Evaluation and action taken by the Commission regarding the evaluation and to execute the verification of understanding between the Commission and the Director regarding the evaluation; and
4. That this action has been taken and this Order shall be deemed rendered effective as of the date shown below.

Environmental Management Commission Order  
Page 2

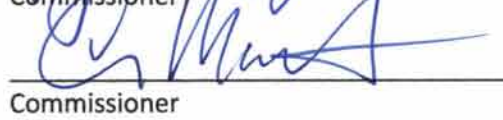
ISSUED this 21<sup>st</sup> day of October 2016.

APPROVED:

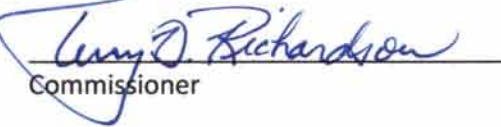
  
Commissioner

  
Commissioner

  
Commissioner

  
Commissioner

  
Commissioner

  
Commissioner

\_\_\_\_\_  
Commissioner

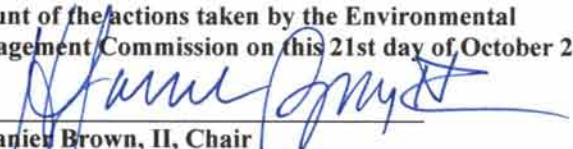
DISAPPROVED:

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

This is to certify that this Order is a true and accurate account of the actions taken by the Environmental Management Commission on this 21st day of October 2016.

  
\_\_\_\_\_  
H. Lanier Brown, II, Chair  
Environmental Management Commission  
Certified this 21st day of October 2016

**Attachment 5**

BEFORE THE  
ENVIRONMENTAL MANAGEMENT COMMISSION  
OF THE  
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

In the matter of:	)	
	)	
Petition for Rulemaking to Amend	)	EMC Rulemaking Petition 17-01
ADEM Administrative Code	)	
Rule 335-1-6-.04 Permit Application Fees	)	
Petitioner – Alabama Farmers Federation	)	

---

MOTION

Refer petition to the Department to proceed to rulemaking  
with the proposed amendment

ORDER

This cause coming before the Alabama Environmental Management Commission pursuant to the above-referenced petition for rulemaking and arguments supporting said petition, and the position of the Alabama Department of Environmental Management having been considered, it is hereby ORDERED:

That the above-referenced motion is hereby adopted;

That the petition is hereby referred to the Department to proceed to rulemaking with the proposed amendment to ADEM Administrative Code Rule 335-1-6-.04(3); and

That rulemaking proceedings shall be initiated in accordance with Code of Alabama 1975, §§ 22-22A-8 and 41-22-5, as amended; and

That this action has been taken and this order issued by the Alabama Environmental Management Commission effective October 21, 2016; and

That a copy of this order shall be served upon the parties either personally or by certified mail, return receipt requested.



ISSUED this 21<sup>st</sup> day of October 2016.

APPROVED:

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

DISAPPROVED:

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

This is to certify that this Order is a true and accurate account of the actions taken by the Environmental Management Commission on this 21st day of October 2016.

  
\_\_\_\_\_  
H. Lanier Brown, II, Chair  
Environmental Management Commission  
Certified this 21st day of October 2016

**H. Lanier Brown, II, Esq. (Chair)** of the Environmental Management Commission (EMC)  
C/O Alabama Department of Environmental Management (ADEM)  
1400 Coliseum Boulevard, Montgomery, Alabama 36110

**PETITION FOR AMENDMENT OF ADEM STATE ADMINISTRATIVE RULE**

In accordance with 335-2-2-.03 Right to Petition of the ADEM Environmental Management Commission any person may petition the commission to adopt, amend or repeal a rule by making and filing a written petition in accordance with rule.

**Contact Information of the Organization requesting the Petition**

Petitioner's Name: Alabama Farmers Federation  
Contact: Guy Hall  
Mailing Address: PO Box 11000, Montgomery, Alabama 36191-0001  
Telephone: 334-612-5181                      Email: ghall@alfafarmers.org

**Statement of Interest of the Petition**

We are requesting the EMC to amend the current language in the Alabama Department of Environmental Management's (ADEM) AFO/CAFO General Administration Administrative Code Chapter 335-1-6-.04 Permit Application Fees. This will allow the Director of ADEM to collect part or all of funding needed to administer the AFO/CAFO program not allocated by the state legislature.

**Specific Rule and how it is to be amended**

Requested Amendment of Rule:  
335-1-6-.04 Permit Application Fees.  
(3) Fees required by AFO/CAFO registration may be suspended in part or whole by category by the Director to reflect the budgetary circumstances of the AFO/CAFO program.

**Information to Support the Petition**

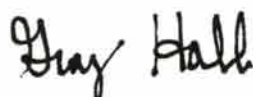
**History of Alabama Working Together to Protect the Environment**

Since the beginning of the program the state of Alabama Legislature has allocated all or part of the funding needed to run the AFO/CAFO program. In years when the state does not allocate enough funding, the director needs the discretion to collect part of the fees from farms under the NPDES permit.

**Petitions Position on the Considerations**

We want to thank the ADEM Environmental Management Commission for considering our petition for the amendment 335-1-6-.04 Permit Application Fees. Our organization supports state and federal funding being allocated to defray the cost of burdensome environmental rules and regulations on Alabama farmers. If state or federal funding are not adequate to administer the program, we would prefer that the ADEM Director collect only the amount of funding not allocated by the state legislature.

Sincerely,



Guy Hall, Director, Dairy, Pork & Poultry Divisions

