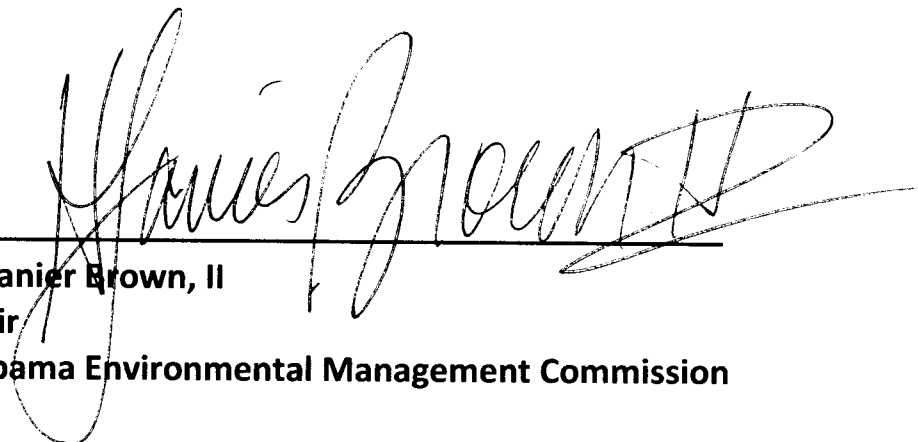


**6/19/15**

**Minutes  
Environmental Management Commission Meeting  
Alabama Department of Environmental Management Building  
1400 Coliseum Boulevard  
Montgomery, Alabama 36110-2400  
April 17, 2015**

**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 April 17, 2015.**



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

**Certified this 19th day of June 2015.**

**Minutes  
Environmental Management Commission Meeting  
Alabama Department of Environmental Management Building  
1400 Coliseum Boulevard  
Montgomery, Alabama 36110-2400  
April 17, 2015**

**Convened: 11:00 a.m.  
Adjourned: 11:35 a.m.**

**Part A**

**Transcript  
Word Index**

**Part B**

**Attachment Index  
Attachment 1  
Attachment 2  
Attachment 3**

## Part A

Page 1

1 ALABAMA ENVIRONMENTAL MANAGEMENT  
2 COMMISSION MEETING  
3  
4  
5  
6  
7  
8  
9 ALABAMA DEPARTMENT OF ENVIRONMENTAL  
10 MANAGEMENT  
11 Alabama Room  
12 1400 Coliseum Boulevard  
13 Montgomery, Alabama 36110-2400  
14 April 17, 2015  
15 11:00 a.m.  
16  
17  
18  
19  
20  
21  
22  
23 Taken by: Victoria M. Castillo, CCR#17

Page 3

1 VICE-CHAIR PHILLIPS: Good  
2 morning. I want to call to order the April  
3 17th, 2015 meeting of the Alabama  
4 Environmental Management Commission. I  
5 want to acknowledge that we do have a  
6 quorum. I also want to acknowledge that we  
7 have a new Commission member with us with  
8 the appointment of Dr. Craig Martin to my  
9 left. Pleased to meet you, and I want to  
10 welcome you to the Commission.  
11 DR. MARTIN: Thank you.  
12 VICE-CHAIR PHILLIPS: Agenda  
13 Item No. 1, consideration of minutes for  
14 the meeting held on February 20th, 2015.  
15 We will consider a motion to approve the  
16 minutes.  
17 DR. RICHARDSON: I move to  
18 adopt the minutes from the February 20th,  
19 2015 Commission meeting as circulated.  
20 DR. LAIER: Second.  
21 VICE-CHAIR PHILLIPS: I have  
22 a motion and a second. Any discussion  
23 regarding the motion?

Page 2

1 A P P E A R A N C E S  
2  
3 COMMISSION MEMBERS PRESENT:  
4 W. Scott Phillips, Vice Chair  
5 James E. Laier, Ph.D, P.E.  
6 Terry D. Richardson, Ph.D.  
7 Craig Martin, D.V.M  
8 Mary J. Merritt  
9  
10 COMMISSION MEMBER NOT PRESENT:  
11 H. Lanier Brown, II, Esquire, Chair  
12 Samuel L. Miller, M.D.  
13  
14 ALSO PRESENT:  
15 Robert Tambling, EMC Legal Counsel  
16 Debi Thomas, EMC Executive Assistant  
17 Lance R. LeFleur, ADEM Director  
18  
19  
20  
21  
22  
23

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1 (No response)  
2 VICE-CHAIR PHILLIPS: No  
3 discussion. All in favor, signify with the  
4 sign "aye."  
5 (All Commission members  
6 indicate "aye.")  
7 VICE-CHAIR PHILLIPS: All  
8 opposed?  
9 (No response)  
10 VICE-CHAIR PHILLIPS: Motion  
11 carries. Agenda Item No. 2, because we  
12 have a new Commission member, I would like  
13 to note that we'll consider the election of  
14 a member to the Commission's Personnel  
15 Committee. A draft list of the  
16 Commission's 2015 Committees was circulated  
17 to the Commission members.  
18 This draft list included the  
19 nomination of Dr. Craig Martin to the  
20 Personnel Committee to fill the member  
21 position held previously by Dr. Carson.  
22 So I'd like to propose an option  
23 for that motion to move to accept to

Page 5

1 nomination of Craig Martin to the Personnel  
2 Committee, as cited by me.  
3 MS. MERRITT: I move to  
4 accept the nomination of Dr. Craig Martin  
5 to the Personnel Committee.  
6 DR. LAIER: Second.  
7 VICE-CHAIR PHILLIPS: Any  
8 discussion?  
9 (No response)  
10 VICE-CHAIR PHILLIPS: All in  
11 favor signify with the sign "aye."  
12 (All Commission members  
13 indicate "aye.")  
14 VICE-CHAIR PHILLIPS: All  
15 opposed, same sign.  
16 (No response.)  
17 VICE-CHAIR PHILLIPS: Motion  
18 carries. Welcome to the Personnel  
19 Committee.  
20 DR. RICHARDSON: Isn't there  
21 a report due next meeting from him?  
22 VICE-CHAIR PHILLIPS: Agenda  
23 Item No. 3, the report from our Director.

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1 DIRECTOR LeFLEUR: Good  
2 morning. And let me add a special welcome  
3 to you, Dr. Martin, this morning and a  
4 regular welcome to all others present for  
5 this fourth scheduled meeting of the  
6 Alabama Environmental Management Commission  
7 for Fiscal Year 2015.  
8 Today's report will update you  
9 on the operating budget, the Department's  
10 innovations in permitting, the Department's  
11 recycling activities, including grants  
12 awarded from 2015, and close with some  
13 examples of other ongoing community  
14 engagement activities.  
15 As you know, we are currently in  
16 the third quarter of the Fiscal Year 2015  
17 budget cycle. At this point the  
18 Department, with our General Fund  
19 appropriation, Federal Grants, and other  
20 generated revenue, is able to meet all of  
21 our financial obligations.  
22 As reported in previous  
23 meetings, the Department requested an

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1 increase of approximately \$1.3 million in  
2 general funds in its FY 2016 budget request  
3 to the Department of Finance. The Governor  
4 subsequently proposed a budget that would  
5 essentially maintain the Department's  
6 Fiscal Year 2015 funding level.  
7 As you are no doubt aware, there  
8 is considerable ongoing debate between the  
9 Governor's Office and the Legislature  
10 regarding additional revenue, primarily in  
11 the form of tax increases.  
12 On the first of this month, the  
13 Senate General Fund Budget Chair made  
14 public a pro forma budget labeled the  
15 "austerity budget." Although by no means a  
16 final budget, it outlines the funding that  
17 would be available to each agency should no  
18 additional revenue become available for the  
19 General Fund in Fiscal Year 2016.  
20 In that "austerity budget," ADEM  
21 would receive no General Fund appropriation  
22 for Fiscal Year 2016 and the money normally  
23 received from its regulation of the

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1 hazardous waste site at Emelle would go  
2 instead to the General Fund.  
3 Additionally, ADEM would be  
4 required to transfer \$9.6 million to the  
5 General Fund from its non-general fund  
6 state dollars. Although it is not clear at  
7 this point, these dollars would most likely  
8 come from permit fees and from programs  
9 that generate self-funding tax and fee  
10 based dollars.  
11 The ramifications of this budget  
12 passing could be catastrophic for the  
13 State. The Department will continue to  
14 work closely with the Governor's Office and  
15 the Legislature to at least maintain our FY  
16 2015 funding level, which is believed to be  
17 the minimum necessary to avoid  
18 relinquishing State control of the NPDES  
19 water permitting program to EPA. The  
20 Department will also seek to focus  
21 attention on the benefits of using for  
22 their intended purposes the taxes and fees  
23 created specifically for identified

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1 environmental programs.  
2 A common theme in my remarks  
3 over the past several years has been  
4 obtaining high performance with a limited  
5 budget. One purpose of these past reports  
6 was to give the Commission and the public a  
7 sense of how the Department is using  
8 funding that is 49th in the nation to  
9 obtain results that are in the top ten in  
10 the nation.  
11 A critical component of past and  
12 future success remains the embrace of  
13 innovation and the implementation of  
14 forward leaning ideas. In this vein, I  
15 have reported on how innovation and new  
16 ideas have been applied to our inspection  
17 and enforcement activities through such  
18 things as "Next Generation Compliance,"  
19 streamlined inspections and enforcement,  
20 and increased emphasis on the regulatory  
21 activities shown by research to promote  
22 compliance. Inspections and enforcement  
23 are two of the three main activities of the

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1 Department. Both these activities are  
2 preceded by permitting.  
3 I will focus our discussion  
4 today on permitting and, like the  
5 inspections and enforcement discussions,  
6 will report on how innovation is being  
7 embraced in the permitting process. In the  
8 case of permitting, automation, in the form  
9 of electronic permitting, is one of the key  
10 innovations that has been successfully  
11 implemented. This has helped position the  
12 Department as a low cost provider of high  
13 quality service. With the next few slides,  
14 I will walk you through a typical automated  
15 permitting activity. Please direct your  
16 attention to the monitor.  
17 We begin with this screen shot  
18 of the ADEM Web page. Please note the  
19 Permit Wizard on the right side of the  
20 screen. The Permit Wizard program was  
21 developed in order to facilitate the  
22 permitting process. By selecting the  
23 Permit Wizard icon and answering a few

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1 questions, the public is able to navigate  
2 through the permitting process and  
3 ultimately determine which permit  
4 applications are necessary for a specific  
5 type permit.  
6 After clicking the Permit Wizard  
7 icon, there are four program types from  
8 which to select. For today's example, I  
9 will select the Waste/Remediation program  
10 to search for information concerning a  
11 landfill permit.  
12 It's a little hard to read, but  
13 displayed on the next screen here is a list  
14 of questions/statements. In this example,  
15 I will check the box relating to  
16 "constructing/operating a landfill for  
17 disposal of municipal solid waste  
18 (household waste) and approved special  
19 waste," and afterwards then click "Submit."  
20 It should be noted that multiple boxes can  
21 be checked and permit fact sheets and  
22 permit application forms will be provided  
23 for each individual type permit.

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1 After clicking on "Submit," the  
2 next screen shot identifies links to the  
3 appropriate permit fact sheets. Bear in  
4 mind that if multiple boxes are checked on  
5 the previous screen, there will be multiple  
6 links displayed on the current page. By  
7 clicking on the desired link, we will now  
8 see the permit fact sheet.  
9 This one here is also difficult  
10 to read, but this fact sheet contains an  
11 assortment of information as it relates to  
12 the permitting of a Municipal Solid Waste  
13 Landfill. As I hope you can see, it  
14 identifies the permit issuing Branch, time  
15 frames, application procedure, permit fee,  
16 public notice/public hearing information,  
17 contact information, and other general  
18 information along with the proper  
19 application forms that are required to be  
20 submitted to the Department.  
21 As with many of our innovations  
22 involving automation, this application  
23 frees up Departmental resources for other

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1 uses and also provides benefits to the  
2 regulated community and the general public.  
3 Feedback from small businesses that lack  
4 the resources to hire consultants has been  
5 very favorable. They have indicated the  
6 application is easy to use and further  
7 simplifies the permitting process.  
8 This then rounds out our  
9 discussion of our three main activities:  
10 Permitting, inspections, and enforcement.  
11 Not only do the innovations and forward  
12 leaning ideas implemented in these areas  
13 make the Department more efficient, they  
14 also provide unparalleled transparency.  
15 The general public now has ready access to  
16 every permit, every inspection, and every  
17 enforcement action through our eFile  
18 system.  
19 Moving on now to the Recycling  
20 Grant program administered by the  
21 Department. Grant applications requesting  
22 funds from the Alabama Recycling Fund for  
23 Fiscal Year 2015 were due to the Department

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1 next slide showing all the recipients of  
2 the grant program to date. It's a little  
3 difficult to read that slide also. I  
4 apologize.  
5 The first grants from the  
6 Alabama Recycling Fund were awarded in  
7 2009. Over the first five years of the  
8 program, we awarded 94 grants to local  
9 governments across Alabama, totaling more  
10 than \$11 million. As mentioned earlier, we  
11 will be awarding a total of \$1.6 million  
12 this year. The Department will have  
13 awarded nearly \$13 million over the  
14 seven-year life of the program.  
15 What do we have to show for our  
16 \$13 million investment? Since the first  
17 grants were awarded in 2009, grantees have  
18 increased their annual collections of  
19 recyclable materials by 11,400 tons. This  
20 amounts to a 59 percent increase in state-  
21 wide recycling over the past five years.  
22 The dividends from this investment will  
23 continue for many years.

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1 on March 1st of this year. The Department  
2 is currently reviewing the submitted  
3 applications and is expected to award the  
4 FY 2015 grants in June.  
5 It is anticipated that  
6 approximately \$1.6 million in grant funds  
7 will be given to local communities to help  
8 with their recycling efforts. As you know,  
9 the authority for the recycling program  
10 came from the 2008 amendments to the State  
11 Solid Wastes and Recyclable Materials  
12 Management Act -- that's a mouthful -- and  
13 funding is provided by the \$1 per ton solid  
14 waste disposal fee implemented by the Act.  
15 A key component of the  
16 Department's recycling effort is our  
17 recycling grants program. The recycling  
18 grants program provides funds at a local  
19 level to expand existing recycling programs  
20 or help local governments establish  
21 recycling programs in areas where that is  
22 not currently an option for its citizens.  
23 I direct your attention to this

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1 ADEM has for several years  
2 worked in concert with both public and  
3 private stakeholders on another recycling  
4 program to create a public-private  
5 partnership model to increase investment in  
6 recycling. The model is both fiscally and  
7 socially responsible in that it advances  
8 the goals of commercial stakeholders, and  
9 at the same time it provides sustainable  
10 waste management and efficient use of  
11 natural resources.  
12 In an endeavor that has become  
13 known as the Recycling Partnership, the  
14 funding partners shown on the screen agreed  
15 to pool resources to invest in model  
16 communities to increase the recycling of  
17 valuable commodities.  
18 The Partnership seeks candidate  
19 cities around the nation to implement the  
20 model program. In an effort to attract  
21 this significant private investment in  
22 recycling to Alabama, the Department agreed  
23 to match up to \$300,000 from the Alabama



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1 Recycling Fund.  
2 We are pleased -- and,  
3 Dr. Richardson I know is especially  
4 pleased, that his home town, the City of  
5 Florence, Alabama, was chosen as one of  
6 only three model cities in the Southeast  
7 for the first year of the program. The  
8 other two winners were the much larger  
9 cities of Richmond, Virginia and Columbia,  
10 South Carolina.  
11 Florence had been using small  
12 bins for residents to place recyclables  
13 curbside for collection, but only had  
14 enough for a small portion of the city.  
15 This meant many residents had to use their  
16 own containers, limiting participation to  
17 those either willing to buy their own  
18 containers or use whatever they might have  
19 on hand. Ease and convenience tend to be  
20 the main drivers of recycling volume.  
21 Combined with the \$300,000  
22 pledged from the Alabama Recycling Fund by  
23 ADEM, private businesses and industries

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1 the City and private funding partners  
2 including Coca-Cola, the American Forest &  
3 Paper Association, and ALCOA.  
4 One of the collection carts is  
5 pictured in this slide. Each cart contains  
6 a radio frequency identification (RFID)  
7 tag, which is read by software on a laptop  
8 computer inside each collection truck.  
9 This allows the cart to be "read" each time  
10 there is a pickup. Should the cart go  
11 missing or not be utilized by a resident,  
12 it allows the City to follow up.  
13 An interesting side note is that  
14 much of the plastic resin used to  
15 manufacture the carts was donated by KW  
16 Plastics in Troy, Alabama. So here we have  
17 a true example of "closing the loop."  
18 Florence sent plastic collected from their  
19 residents to KW in Troy, KW broke it down  
20 into the resin which went to the cart  
21 manufacturer, and the finished carts were  
22 returned to the residents to aid in future  
23 collection.

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1 that make up the Recycling Partnership  
2 provided \$301,000 towards the purchase of  
3 65 gallon recycling carts for each  
4 household in Florence. Using this combined  
5 funding of over \$600,000, all single family  
6 homes in Florence will have access to  
7 recycling curbside, while multi-family  
8 homes and businesses will have access to  
9 drop-off locations.  
10 Recycling in Florence will now  
11 become much easier and convenient, and we  
12 can expect to see significant increase in  
13 collection volumes.  
14 The campaign was "rolled out"  
15 Friday, April 3rd with a press conference  
16 at the Florence Recycling Center. The  
17 event served to inform residents of the new  
18 effort and the importance of their  
19 participation in the program. ADEM,  
20 represented here by our fearless Land  
21 Division Chief Phil Davis, attended along  
22 with members of our Solid Waste Program.  
23 Also in attendance were representatives of

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1 A third successful recycling  
2 effort involves a traveling road show. In  
3 2012, the Recycling Program purchased two  
4 graphic wrapped special event recycling  
5 trailers to support recycling events state-  
6 wide. The trailers and staff are available  
7 to provide recycling education and outreach  
8 and assist event coordinators and staff  
9 with the collection of recyclable  
10 commodities.  
11 Over the past three years,  
12 recycling staff have represented the  
13 Department at numerous events in every  
14 corner of the state and helped to educate  
15 K-12 students and the general public on the  
16 environmental and economic importance of  
17 recycling in Alabama.  
18 I will note that we have plenty  
19 of volunteers to take the trailer to the  
20 Talladega races and to the beach and places  
21 like that.  
22 One very special event I'd like  
23 to highlight is the School Recycling

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1 Challenge that we recently completed. Four  
2 schools in the Montgomery area participated  
3 in this year's competition. Our Recycling  
4 program staff parked our trailers at the  
5 participating schools for two weeks earlier  
6 this year and weighed the recyclables  
7 gathered when we returned to retrieve the  
8 trailers. The recycled materials were  
9 taken to a local processing facility, and  
10 next week the schools will be given the  
11 money paid for the amounts they collected.  
12 In addition, the participating schools will  
13 split a total of \$1,000 from the Alabama  
14 Recycling Fund, with the school that  
15 collected the most material being awarded a  
16 first prize of \$500. The winning school  
17 will be announced as part of our Earth Day  
18 activities here at the Department.  
19       Having had the privilege of  
20 personally awarding these monies to the  
21 winning schools for the past couple of  
22 years, I can tell you that this is not only  
23 a tremendous educational outreach, the

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1 does not allow us to cover all these  
2 programs, but I will highlight a few today.  
3       This year will mark the fifth  
4 year that ADEM has offered community  
5 outreach in the form of grants from funds  
6 originating from an enforcement action with  
7 the Tennessee Valley Authority. These  
8 funds are distributed to eligible  
9 applicants in the TVA service area in the  
10 form of a 50 percent grant and 50 percent  
11 loan from ADEM's State Revolving Fund  
12 program.  
13       The grant funds are used for SRF  
14 projects that will provide improvements to  
15 drinking water and wastewater treatment  
16 capabilities along with improved energy  
17 efficiency or renewable energy. The idea  
18 for this program came, by the way, from  
19 Marilyn Elliott, our Deputy Director. I  
20 tip my hat to her for coming up with that.  
21       From the program's inception in  
22 2012 through 2014, \$3.36 million in grant  
23 funds have been awarded to ten drinking

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1 students, teachers, and administrators of  
2 the participating schools are really  
3 excited about the prospect of winning this  
4 competition and certainly appreciate the  
5 extra funds.  
6       Through activities and  
7 initiatives like these, the Department's  
8 Recycling program is successfully working  
9 to increase the diversion of recyclable  
10 commodities from the solid waste stream and  
11 help Alabama realize the environmental and  
12 economic benefits of recycling. Although  
13 much work remains to be done before we as a  
14 State are fully capturing and utilizing all  
15 recyclable commodities, we are encouraged  
16 by the ongoing success and look forward to  
17 its continued expansion.  
18       The recycling programs are types  
19 of community outreach. The Department is  
20 involved in a number of other outreach  
21 programs as well. Some take the form of  
22 grants, others may take the form of  
23 compliance assistance or education. Time

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1 water and wastewater systems. For 2015,  
2 five additional systems in the TVA service  
3 area in the cities of Madison,  
4 Jacksonville, Scottsboro, Moulton, and  
5 Piedmont have been identified as eligible  
6 to receive these grants. The funding for  
7 this program will end, however, in 2016.  
8       Another community outreach is  
9 the Permits & Services Division's  
10 Compliance Assistance Program. ADEM is  
11 helping Alabama wastewater utilities  
12 preserve resources and obtain significant  
13 cost savings by reducing their energy use  
14 for wastewater treatment plant operation.  
15 For many local governments, the largest  
16 single consumer of electricity is the  
17 wastewater treatment plant. This effort  
18 goes beyond the issue of wastewater permit  
19 compliance. It's about saving real  
20 dollars, while continuing to achieve  
21 compliance.  
22       To date, fifteen of the targeted  
23 21 plants have been assessed. Those with

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1 the highest potential for cost savings  
2 (approximately ten sites) will be tracked  
3 to determine the actual energy savings  
4 after capital and operational improvements  
5 are made. With six final reports complete,  
6 we have identified a potential savings of  
7 2.5 million kilowatt hours per year or  
8 \$220,000 per year, which also reduces CO2  
9 emissions by 4.4 million pounds per year.  
10 This is a win for the environment and a win  
11 for the bank account. This is the kind of  
12 program I like to see.  
13 We will hold a series of  
14 workshops around the state later in the  
15 year to discuss select case studies and to  
16 demonstrate how success was achieved. With  
17 this in mind, our goal is to work in  
18 partnership with utilities and other state  
19 agencies to achieve a wider range of energy  
20 savings in many arenas, not just drinking  
21 water and wastewater. These compliance  
22 assistance efforts both reduce pollution  
23 and conserve scarce resources, not to

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1 science-related fields.  
2 Another educational outreach is  
3 the financial and personnel support to  
4 local Water Festivals that are held each  
5 year in more than 25 counties across  
6 Alabama. While the Earth Day event targets  
7 students in junior high through high  
8 school, the Water Festivals specifically  
9 target fourth grade students. In addition,  
10 volunteers, community leaders, and citizens  
11 benefit from this effort.  
12 In 1997, the Department granted  
13 the University of Alabama in Huntsville  
14 funds to organize Alabama's very first  
15 Groundwater Festival in Madison County.  
16 Each year these Water Festivals, with the  
17 support from ADEM employees, educate more  
18 than 20,000 fourth grade students, many of  
19 whom are minorities or live in low income  
20 households, on the importance of protecting  
21 Alabama's water resources. They also  
22 provide students with an opportunity to  
23 participate in hands-on events, such as

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1 mention money.  
2 In the area of educational  
3 outreach, the Department has hosted an  
4 Earth Day event each year since 2012 to  
5 educate tomorrow's leaders on various  
6 environmental issues. This event often  
7 includes minority schools in an effort to  
8 encourage minority students to pursue a  
9 future career at ADEM and inspire them to  
10 protect the environment of their local  
11 communities. The Earth Day event provides  
12 an opportunity for students to visit ADEM  
13 and learn about the environmental programs  
14 that are implemented to protect Alabama's  
15 air, land, and water resources.  
16 These Earth Day events have  
17 allowed ADEM employees to interact with  
18 almost 500 students and provide them with  
19 hands-on demonstrations about fish tissue  
20 monitoring, water quality sampling, air  
21 monitoring, and recycling. Students also  
22 learn about career opportunities at ADEM  
23 and are encouraged to pursue careers in

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1 making water cycle bracelets or building an  
2 edible aquifer -- which, by the way, is ice  
3 cream on top of various sizes of candies,  
4 covered in clear soda. I haven't  
5 personally tried one of them, but the kids  
6 evidently remember that for the rest of  
7 their lives.  
8 Over the past 18 years, the  
9 Department has been a major contributing  
10 sponsor of this effort. In total, these  
11 Water Festivals have touched the lives of  
12 more than 280,000 young Alabamians. These  
13 young people will become better  
14 environmental citizens as a result of these  
15 efforts. The Department's professional,  
16 highly-trained, and dedicated staff takes  
17 great pride in its work and facilitates  
18 planning efforts, preparation of the  
19 educational materials, and technical  
20 assistance during these events.  
21 That concludes today's report.  
22 If there are any questions, I will be  
23 pleased to address them now.

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1 VICE-CHAIR PHILLIPS: Anyone  
2 from the Commission have questions for the  
3 director?  
4 (No response)  
5 VICE-CHAIR PHILLIPS: Thank  
6 you, Mr. Director.  
7 DIRECTOR LeFLEUR: Thank  
8 you.  
9 VICE-CHAIR PHILLIPS: Agenda  
10 Item No. 4 is the report from the  
11 Commission Chair. As you can see, Chairman  
12 Brown is not here today, so I don't have  
13 his report to provide to you.  
14 However, the Chairman did want  
15 me to present the proposed resolution  
16 posthumous recognition of Commission Member  
17 Robert L. Carson, Jr., Doctor of Veterinary  
18 Medicine. So I want to read that.  
19 Whereas, Robert L. Carson, Jr.,  
20 DVM, served as a member of the Alabama  
21 Environmental Management Commission in the  
22 Chemist/Veterinarian position from November  
23 18th, 2013 until his untimely death on

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1 March 20th, 2015.  
2 Whereas, Dr. Carson consistently  
3 brought to the Commission's deliberations  
4 the perspective of an educator, scholar,  
5 veterinarian, and small businessman.  
6 And, whereas, Dr. Carson's  
7 abilities were recognized by his election  
8 as a member of the Commission's Personnel  
9 Committee in December 2013, a position he  
10 held until his passing.  
11 And, whereas, Dr. Carson was  
12 conscientious about his obligations as a  
13 Commissioner to the people of Alabama and  
14 the environment.  
15 And, whereas, Dr. Carson's  
16 commitment and contributions to the  
17 education of collegiate students of  
18 veterinary medicine in this state reflected  
19 his desire for a better future for the  
20 state.  
21 And, whereas, Dr. Carson's  
22 dedication, wisdom, and insight will be  
23 sorely missed. Now, therefore, be it

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1 resolved that the Alabama Environmental  
2 Commission expresses appreciation to  
3 Dr. Carson's family for his service to the  
4 citizens of Alabama and offers its sympathy  
5 for his loss. Done this 17th day of April  
6 2015.  
7 I will entertain a motion from  
8 the Commission regarding the adoption of  
9 the resolution for Dr. Carson that I just  
10 read.  
11 DR. RICHARDSON: Move to  
12 adopt the resolution for Dr. Carson.  
13 MS. MERRITT: Second.  
14 VICE-CHAIR PHILLIPS: I have  
15 a motion and a second.  
16 Any further discussion?  
17 (No response)  
18 VICE-CHAIR PHILLIPS: All in  
19 favor, signify with the sign "aye."  
20 (All Commission members  
21 indicate "aye.")  
22 VICE-CHAIR PHILLIPS: All  
23 opposed, same sign.

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1 (No response)  
2 VICE-CHAIR PHILLIPS: We  
3 will hold for a moment and sign the  
4 resolution.  
5 I would like to ask us all to  
6 pause for a moment in recognition of  
7 Dr. Carson and his family.  
8 11:31 a.m.  
9 (Pause for recognition)  
10 11:32 a.m.  
11 VICE-CHAIR PHILLIPS: Thank  
12 you all. Moving to Agenda Item No. 5,  
13 report from the Rulemaking Committee. I am  
14 the chair of the Rulemaking Committee, so I  
15 will provide this report for the  
16 Commission.  
17 We held a meeting after our last  
18 Commission meeting of February 20th, 2015  
19 at 1 p.m. after the meeting. We conducted  
20 that meeting in a round-table format to  
21 provide dialogue, which I want the  
22 Commission to know, from my perspective and  
23 the Committee's perspective, was extremely

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1 productive. We've gotten very much of the  
2 same feedback from those that participated.  
3 It resulted in many ideas,  
4 thoughts, suggestions, and comments to the  
5 Rulemaking Committee. The volume of those  
6 comments and suggestions are quite  
7 voluminous. And so in our Rulemaking  
8 Committee meeting held this morning at  
9 10 a.m., the Committee decided that we  
10 would take time to categorize those  
11 suggestions, thoughts, ideas, comments into  
12 areas that we really needed to consider and  
13 to take the time and be deliberate about  
14 what we put together. So we will take  
15 those back up in August at our August  
16 meeting at 10 a.m. That's all the report.  
17 Do any of the Commissioners have  
18 questions?  
19 (No response)  
20 VICE-CHAIR PHILLIPS: Thank  
21 you. Moving to Agenda Item No. 6, other  
22 business. I will ask of the Commission  
23 members, is there any other business to

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1 11:35 a.m.)  
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1 bring before this Commission?  
2 (No response)  
3 VICE-CHAIR PHILLIPS: No  
4 other business, I will move to Agenda Item  
5 7, future business session. The date of  
6 the next Commission meeting is set for June  
7 19th, 2015. The start time for that  
8 meeting will be 11 a.m., as it was today.  
9 And if you have any availability  
10 issues, please provide those to Debi so  
11 that she's aware. I will not be at the  
12 next meeting, but Debi is aware of that.  
13 I will move for a motion to  
14 adjourn.  
15 DR. LAIER: So moved.  
16 DR. RICHARDSON: Second.  
17 VICE-CHAIR PHILLIPS: All in  
18 favor?  
19 (All Commission members  
20 signify "aye.")  
21 VICE-CHAIR PHILLIPS: Thank  
22 you.  
23 (The meeting adjourned at

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1 STATE OF ALABAMA)  
2 COUNTY OF MONTGOMERY)  
3  
4 I hereby certify that the above  
5 proceedings were taken down by me and  
6 transcribed by me using computer-aided  
7 transcription and that the above is a true  
8 and accurate transcript of said proceedings  
9 taken down by me and transcribed by me.  
10 I further certify that I am  
11 neither of kin nor of counsel to any of the  
12 parties nor in anywise financially  
13 interested in the outcome of this case.  
14 I further certify that I am duly  
15 licensed by the Alabama Board of Court  
16 Reporting as a Certified Court Reporter as  
17 evidenced by the ACCR number following my  
18 name found below.  
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I further certify that I am neither of kin nor of counsel to any of the parties nor in anywise financially interested in the outcome of this case.

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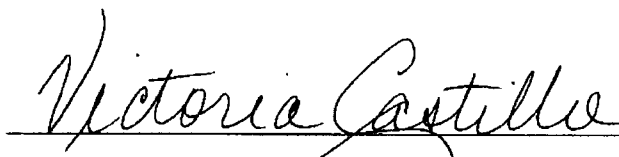
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## **Part B**

## **Attachment Index**

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| <b>Attachment 1</b> | <b>Agenda</b>  |
| <b>Attachment 2</b> | <b>Order adopting motion to accept the nomination of<br/>Craig Martin to the Personnel Committee as cited by the<br/>Chair<br/>(Agenda Item 2)</b> |
| <b>Attachment 3</b> | <b>Resolution for posthumous recognition of Commission<br/>Member Robert L. Carson, Jr., D.V.M.<br/>(Agenda Item 4</b>                             |



**Attachment 1**

Amended 4/10/15

AGENDA\*  
MEETING OF THE  
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION  
DATE: April 17, 2015  
TIME: 11:00 a.m.

LOCATION: Alabama Department of Environmental Management (ADEM) Building  
Alabama Room (Main Conference Room)  
1400 Coliseum Boulevard  
Montgomery, Alabama 36110-2400

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\* The Agenda for this meeting will be available on the ADEM website, [www.adem.alabama.gov](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 FEBRUARY 20, 2015

2. ELECTION

The Commission will consider the election of a Member to the Commission's Personnel Committee.

3. REPORT FROM THE ADEM DIRECTOR

4. REPORT FROM THE COMMISSION CHAIR

During this report, Commission Chair Brown will present a Resolution to be considered by the Commission for posthumous recognition of Commission Member Robert L. Carson, Jr., D.V.M.

5. REPORT FROM THE RULEMAKING COMMITTEE

6. OTHER BUSINESS

7. FUTURE BUSINESS SESSION

## **Attachment 2**

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

MOTION

Accept the nomination of Craig Martin to the Personnel Committee as cited by the 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:

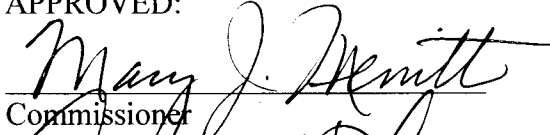
1. That the above motion is hereby adopted; and
2. That a copy of the list of committees is attached and made a part hereof; and
3. That this action has been taken and this Order shall be deemed rendered effective

as of the date shown below.

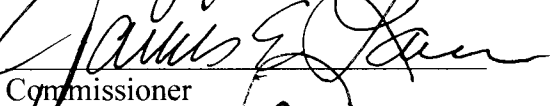
Environmental Management Commission Order  
Page 2

ISSUED this 17th day of April 2015.

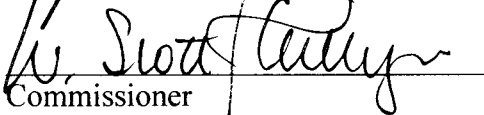
APPROVED:

  
Commissioner

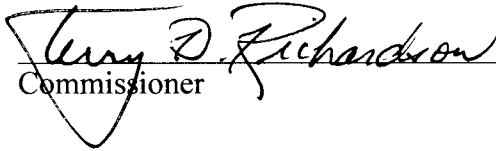
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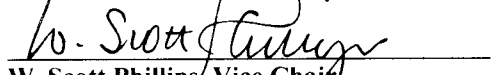
DISAPPROVED:

\_\_\_\_\_  
Commissioner

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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 17th day of April 2015.

  
W. Scott Phillips, Vice Chair  
Environmental Management Commission  
Certified this 17th day of April 2015

4/17/15

## Alabama Environmental Management Commission 2015 Committees

### Personnel Committee

Chair: Jim Laier

Members: Craig Martin  
Sam Miller

### Rulemaking Committee

Chair: Scott Phillips

Members: Mary Merritt  
Terry Richardson

## **Attachment 3**



# State of Alabama



## RESOLUTION

*WHEREAS, Robert L. Carson, Jr., D.V.M. served as a member of the Alabama Environmental Management Commission in the chemist/veterinarian position from November 18, 2013, until his untimely death on March 20, 2015; and*

*WHEREAS, Dr. Carson consistently brought to the Commission's deliberations the perspective of an educator, scholar, veterinarian, and small businessman; and*

*WHEREAS, Dr. Carson's abilities were recognized by his election as a Member of the Commission's Personnel Committee in December 2013, a position he held until his passing; and*

*WHEREAS, Dr. Carson was conscientious about his obligations as a Commissioner to the people of Alabama and the environment; and*

*WHEREAS, Dr. Carson's commitment and contributions to the education of collegiate students of veterinary medicine in this state reflected his desire for a better future for the state; and*

*WHEREAS, Dr. Carson's dedication, wisdom, and insight will be sorely missed; now*

*THEREFORE, be it resolved that the Alabama Environmental Management Commission expresses appreciation to Dr. Carson's family for his service to the citizens of Alabama and offers its sympathy for his loss.*

*DONE this 17th day of April 2015.*

*Mary J. Merritt*  
*James E. Lee*  
*Al March*  
*W. Scott Phillips*

*Larry D. Richardson*

This is to certify that this Resolution is a true and accurate account of the actions taken by the Environmental Management Commission on this 17th day of April 2015.

*W. Scott Phillips*  
W. Scott Phillips, Vice Chair  
Environmental Management Commission  
Certified this 17th day of April 2015