Minutes
Environmental Management Commission Meeting
Alabama Department of Environmental Management Building
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400
February 19, 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 February 19, 2016.

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

Certified this 15th day of April 2016.
Minutes
Environmental Management Commission Meeting
Alabama Department of Environmental Management Building
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400
February 19, 2016

Convened: 11:00 a.m.
Adjourned: 11:32 a.m.

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Part A
CHAIRMAN BROWN: We will call the meeting of the Environmental Management Commission to order. Chair acknowledges that there is a quorum present.

First item on the agenda is the consideration of the minutes of the meeting held on December 18, 2015. The minutes have been circulated amongst the Commission members in advance of this meeting. And I will entertain a motion.

MR. PHILLIPS: So moved.

DR. LAIER: Second.

CHAIRMAN BROWN: So moved to what?

MR. PHILLIPS: To accept the minutes.

CHAIRMAN BROWN: Thank you.

DR. LAIER: Second.

CHAIRMAN BROWN: All in favor say aye.

THE COMMISSION: Aye.

CHAIRMAN BROWN: Any opposed?

(No response.)

CHAIRMAN BROWN: Motion passes.

Next on the agenda is the report from the Director. Good morning.

MR. LeFLEUR: Good morning.

And good morning to all of those present here this morning.

Today's report will address the efforts to obtain increased Department funding from the General Fund, provide some perspective on ADEM budget cuts in the context of the State's total budget, present our regular review of the RCRA, Hazardous Waste Performance Dashboards, highlight a recent
innovation to improve
efficiency, and close with some
comments on the lead and
greenhouse gas environmental
issues currently receiving
national attention.
The 2016 Legislative Session
is now underway with seven
legislative days behind us and
another 23 to go. The
Department was one of ten state
Agencies to be granted a joint
hearing with the House and
Senate budget committees to
present testimony on its FY2017
budget request. ADEM is not one
of the ten largest state
agencies receiving
appropriations from the General
Fund, so it is very unusual for
the Department to appear before
the budget committees. It can
be assumed that the requested
appearance is an indication of
heightened legislative interest
in ADEM’s financial issues.
ADEM requested a FY2017
General Fund appropriation of
$8.5 million, which includes $6
million for a new field office
in Mobile. The new facility
would replace the two locations
currently in use, and most
importantly, would move the
field operations staff out of
their current substandard and
badly outdated facility. The
remaining $2.5 million in the
request covered emergency
response funding, increased
resources to meet the demands of
the new federal coal ash and
eReporting regulations, and the
Department’s costs related to
the state-mandated new financial
reporting system.
The General Fund budget for
FY2017 is anticipated to be even
more challenging than the FY2016
budget. As painful as the ADEM
FY2016 budget cuts were, many
state agencies were cut even
more deeply. The budget
requests presented at the
recently held budget hearings,
include efforts by nearly all
state agencies to recover FY2016
cuts, as well as unmet needs
from prior years. It appears
that state revenues available
for FY2017 will be at least $40
million less than FY2016, and
there appears to be no likely
sources of new revenue.

On the first day of the
session, the Governor submitted
a proposed budget to the
Legislature that called for the
budget of zero as compared to the
FY2016 budget adopted by the
Legislature, which net funded
the Department at a negative
$944,000. For other agencies,
the Governor’s proposed budget
called for a general 5% cut.

Given the State’s dire financial
circumstances, the Department is
preparing for the possibility
that none of its budget requests
will be granted in the final
General Fund budget to come out
of the Legislature. As the
budget process moves forward, I
will be reporting on adjustments
to operations to adapt to such
funding as is available.

The Department has mounted
an aggressive outreach to the
Legislature to educate members
on the work of ADEM and the need
to adequately fund the
Department. The message to the legislature is that ADEM work includes: Issuing permits protective of the environment that adhere to legal requirements without a political agenda; obtaining permit compliance based on inspections, education and, failing that, penalties; and, providing rapid and efficient service to all constituencies. These priorities help assure a safe, healthful, and productive environment for Alabama.

The message goes on to maintain that a financially sound ADEM allows the State to be master of its own destiny. An underfunded ADEM invites greater federal involvement in our state through EPA. We are all well aware that ADEM is under close scrutiny by EPA for alleged insufficient funding. If that scrutiny shows an underfunded ADEM, it can lead to greater EPA involvement in the environmental affairs of Alabama. Unfortunately, recent history has shown that EPA activities negatively impact economic development and job creation.

Finally, members of the Legislature are being made aware of the urgency of acting in this legislative session since EPA has stated that it will act on whether to seek to take over the ADEM water program on or before 12/31/16. As you all remember, last year the Legislature required the transfer of $1.2 million from the Department's funds, including those designated to clean up existing pollution. We are, therefore, not only working for funding, we are working against any efforts to transfer money from the Department to the General Fund. When the public agreed to pay fees specifically to clean up existing pollution in the form of scrap tire dumps, illegal solid waste dumps, and leaking underground storage tanks, they entered into a trust agreement that the funds would be used for their intended purposes. The public has every right to expect that if the fees are not being used for their intended purposes, that the fees will no longer be collected. We must maintain the integrity of these cleanup funds and we are sparing no effort to do so.

An important component of our Legislative outreach is to encourage all interested parties, including regulated industries, environmental organizations, elected leaders, Commission members, and others, to contact individual legislators with the ADEM message. Efforts also continue with these same groups to solicit ideas for other sources of funding, as well as ideas to improve efficiency. We hope to leave no stone unturned in dealing with the ongoing critical issue of funding. The next portion of today's report is related to the scrutiny EPA is continuing to give Departmental funding. It has been noted that EPA
often not initiated through compliance and enforcement
actions, and thus do not appear in EPA's compliance and enforcement metrics.

The following slides will look at the size and composition of the regulated universe, the rate of inspection of components of that universe, the rate of identifying noncompliance, and the timeliness of enforcement actions.

Only a small, active RCRA-permitted facility universe is reflected on the following RCRA dashboards. They are shown on this first slide as TSDFs, which stands for Hazardous Waste Treatment Storage and Disposal Facilities. The remainder of the regulated universe shown on this slide are the generators of hazardous waste, and are classified based on the amount of hazardous waste they produce monthly. This chart shows Alabama's total hazardous waste universe in fiscal year 2015 was more than 5,200 facilities. The universe is broken down into four categories: Treatment, storage and disposal facilities, TSDFs, shown in purple; large quantity generators, LQGs, shown in yellow; small quantity generators, SQGs, in the blue portion; and "others" represented in orange.

The majority of the RCRA-regulated facilities in our state fall into the small quantity generator and "other" categories. These facilities either generate or store small amounts of hazardous wastes or...
they simply transport hazardous wastes. This large number of small facilities represents a very small fraction of the total hazardous waste generated and managed in Alabama; and therefore, a very small fraction of environmental exposure risk. By contrast, there are fewer large generators of hazardous waste, but they produce the vast majority of hazardous wastes in the State.

Interestingly, since the last update, there has been an upswing in the number of hazardous waste notifications received by the Department. This increase in hazardous waste notifications is due to pharmaceutical notifications from retail stores. Pharmacies and big box stores, which have now been categorized as Large Quantity Generators, have begun to routinely provide notice of hazardous waste activity based on the management of expired pharmaceuticals, such as nicotine patches.

In light of this trend, EPA has developed proposed RCRA regulations concerning retail operations. The comment period for the proposed rule ended on December 24, 2015. This rule is projected to prevent the flushing of more than 6,400 tons of hazardous waste pharmaceuticals annually down the sink and toilet, which will have important environmental benefits.

This next dashboard focuses on large quantity generators, which represent the greatest potential hazardous waste risk. This slide is a performance dashboard. It shows a comparison of the percentage of annual inspections coverage of large quantity generators made in Alabama for the period 2011 through 2015, to the national goal of 20% established by EPA. The national goal for the RCRA program is that all large quantity generators receive a comprehensive inspection every five years, resulting in a goal of 20% of the universe per year. This measure of the rate of inspections is one of our RCRA grant commitments made each year to EPA. If you look closely at the graph, you can see the dotted light blue line hovering around the 20% EPA standard. That dotted line is the national average percentage of inspections for all states. In 2015, there was a slight uptick in national average for inspection coverage for all states, while Alabama declined; however, as you can see, the ADEM Hazardous Waste Program continues to exceed the EPA 20% goal for the rate of inspections.

This slide is another performance dashboard slide that shows the percentage of comprehensive hazardous waste inspections in which one or more violations were found during the inspection. The EPA national average, shown as the purple dotted line, is approximately 26%, while the state national average, shown as the green dotted line, is approximately
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Commission Meeting

35%. As you can see, the
Alabama Hazardous Waste Program has exceeded both of these
national averages every year when it comes to identifying areas of noncompliance. Our Hazardous Waste Compliance Inspectors are experienced and well trained in identifying noncompliance issues.

This slide is another RCRA performance dashboard, which shows the percentage of hazardous waste generator facilities that were found to be in significant noncompliance, or SNC, with an applicable state or federal requirement. The percentages of these facilities found to be in significant noncompliance in both Alabama and the nation is very small. For the past several years, ADEM hazardous waste inspectors have been consistent with or have slightly exceeded the national average of other state inspectors in identifying SNCs during facility inspections. You see the red portion of this slide representing the percentages of sites where EPA participated with ADEM in the inspection, is higher than the other percentages shown. This would stand to reason, since ADEM and EPA jointly target for inspection a small number of facilities where there is either a high probability or have a history of significant noncompliance.

This final slide is a performance dashboard for formal enforcement actions. As you recall, a formal enforcement action, according to EPA's Dashboards, consists of Administrative Orders and Consent Orders. The timeliness metric shown on this slide for RCRA is not present in other media programs. This Dashboard shows the percentage of facilities where a formal enforcement action has been taken against the facility within 360 days of discovery of the violation. The EPA and State National Goal is at least 80% of all formal enforcement actions must be issued in 360 days or less. In 2013 and 2014, the Department did not quite achieve the 80% goal. Prior to 2013, EPA did not include the 35-day public notice period required in Alabama when calculating the 360 days. Without prior notice in 2013, EPA changed the calculation to include the public notice period, which resulted in the Department failing to meeting the 80% goal in 2013 and 2014. The process for issuing formal enforcement has now been adjusted to ensure that formal enforcement actions, including the added 35-day public notice required in Alabama, are issued by the Hazardous Waste Program within 360 days. As you can see from the 2015 data, the adjustment to the enforcement process has achieved the desired outcome and 100% of formal enforcement actions are issued within 360 days. To summarize, these dashboards show: An increasing
universe of hazardous waste handling facilities, primarily in the retail sector; the rate of inspections continues to exceed EPA's goals; identification of facilities found to be in both noncompliance and significant noncompliance is on par with or exceeds national averages; and, enforcement actions are timely. As has been previously noted, the dashboards presented today are just a few of the more than 150 available on the EPA website.

Given the Department's funding issues, the type of performance reflected in these dashboards is likely the only thing preventing EPA from being more involved in Alabama's environmental programs.

From time to time, these reports highlight innovations that are being implemented to improve efficiency and reduce costs. Low cost is apparent in the earlier review of the budget situation. High performance is evident in such things as the dashboard metrics just presented. An example of the type of innovation that contributes to high performance at low cost, is the recent successful deployment in the Decatur Office of field inspection tablets that are fully integrated with Departmental and EPA databases.

This innovation will soon transition to the remaining ADEM offices, allowing inspectors to complete preformatted inspection reports in real time and have that data transmitted to the central office where it automatically feeds into the data transmitted to EPA, all without the need for labor-intensive multiple entries. Another benefit of this innovation is that the opportunity for human error is greatly reduced.

In light of the crisis in Flint, Michigan, resulting from the apparent failure of the appropriate State and Federal officials to safeguard the drinking water from lead contamination, I believe that it is important to report what ADEM is doing to protect our drinking water and to assure all citizens that it is indeed safe to drink the water from their faucets. ADEM's Drinking Water Program requires a thorough state review and approval of source water quality data, and treatment methodologies before allowing a new public water supply source to come on line. Alabama public water systems are also required to conduct routine monitoring of the water source and distribution system and to report the results to ADEM for review and appropriate actions as needed.

I'm delighted to report that based on available monitoring data, no Alabama public drinking water source, that is, a well, river, reservoir, or other, has shown any significant amount of lead. And no finished drinking water from any Alabama public drinking water source, contains lead.
However, lead can also enter drinking water through corrosion of lead plumbing materials in individual homes. By monitoring water at those homes most likely to have lead plumbing components or installing system-wide corrosion control treatment, all of the public water systems in Alabama affirmatively demonstrate effective lead contamination control. The results of regular testing for lead are submitted to ADEM. If any public water system continues to show an actionable level of lead contamination, the public water system must also offer to replace lead service lines under their customer's control at an equitable cost to the customer. All Alabama public drinking water systems, regardless of size, have what is acknowledged by EPA to have optimal corrosion control.

In the last five years there have been less than a dozen isolated cases of action-level exceedances for lead found as a result of testing in individual older homes. In all cases, the problem was quickly corrected by the public water system. I am pleased to report that in all of 2015, there were no actionable levels of lead contamination in the service area of any public water system in Alabama. This record is not surprising, since ADEM's Water Program oversight has resulted in Alabama having the third least drinking water violations in the nation. Approximately two years ago, EPA proposed a sweeping new regulation called the Clean Power Plan, seeking to reduce the amount of carbon dioxide produced by the electric power generating industry in the United States. The rule was made final in 2015. The rule has significant economic implications throughout the nation, and especially in Alabama. Many questions have been raised regarding the legal authority of EPA to implement the rule. The State of Alabama, through the Attorney General's Office, joined with 26 other states challenging the rule in Federal court. Last week, the United States Supreme Court issued a stay, stopping implementation of the rule until lower court decisions are rendered and the Supreme Court finally acts on any appeals of the lower court decisions. The September 2016 deadline for submission of a state plan to comply with the EPA rule, will, therefore, be delayed until at least some time in 2017. I will keep you informed as matters develop on this extremely important and controversial rule. With that, my report for today is concluded. I'll be pleased to address any questions you may have.

CHAIRMAN BROWN: Thank you. Any questions or comments from Commissioners?

(No response.)

CHAIRMAN BROWN: Thank you. The report from the Commission: The only thing I
Mr. Chairman. The EMC
Rulemaking Committee met this
morning at 10:00 a.m. in this
Commission room to continue our
assessment of ADEM
Administrative Code 335-2,
Environmental Management
Commission Regulations Rule
335-2-3-.05, Agenda, Sections 1
through 3.

The Committee has worked for
the last year in this effort as
requested by the Commission.
Over this time, we asked for
public participation several
times. We conducted a
stakeholder meeting and asked
for public comments relative to
versions, revised versions we
had prepared at the Committee
level. Based on this input, the
Committee agreed this morning on
some revisions to the existing

rule. We voted to bring this
amended rule to the full
Commission today to be
considered for rulemaking. We
ask that the amended rule be
placed on the agenda for the
next regular Commission meeting
to be discussed and considered
for a vote of the full
Commission.

The Committee would
encourage all Commissioners to
review the work of the Committee
and be prepared to discuss and
consider for rulemaking at our
next regular Commission meeting.
I want to take a moment and
thank the Rulemaking Committee
members, Debi, Robert, and the
Director and his staff, for all
of their hard work and support
of our Committee over the last
year. I also want to thank the

public for their input. We've
had some real dynamic exchanges
and some good information
provided to the Committee that
really played a large role in
what we proposed.
So I would be happy to
answer any questions at this
time or allow either of my
Rulemaking Committee members to
add to this report. Thank you.
(No response.)

CHAIRMAN BROWN: Any other
comments or questions?
(No response.)

CHAIRMAN BROWN: We will
place it on the agenda for the
next meeting.

MR. PHILLIPS: Thank you.

CHAIRMAN BROWN: Thank you
to the Committee for all of your
work.

Agenda item 5 is
The proposed regulations would be subject to the public hearing in support of the uppermost aquifer. The proposed regulations were adopted, the proposed regulation is subject to the Commission's Division of Solid Waste Program Regulations. These proposed amendments would provide alternative management and disposal options, subject to certain criteria for facilities. The regulations would become effective upon adoption of the Department's response to the comments received during the comment period.
know, the Department is required
to ensure that its hazardous
waste regulations remain
equivalent to the U.S. EPA's
regulations in order to fully
retain our authorized status.
Proposed revisions to Division
14 of the ADEM Administrative
Code before you today are a
result of the Department's
annual efforts to maintain this
equivalency.
Public notice of these
proposed rules began on October
25, and a public hearing was
held on December 16. No written
comments were received during
the comment period and there was
no one who attended the public
hearing.
On January 20, the State
Board of Public Health concurred
with the Department's
recommendations to adopt the
rules as proposed.
At this time, I request that
the Commission adopt these
rules.
And, again, I'll be glad to
answer any questions.
MR. PHILLIPS: Mr. Chairman,
I move we adopt the proposed
rule.
DR. MILLER: Second.
CHAIRMAN BROWN: Call for
the question. All in favor?
THE COMMISSION: Aye.
CHAIRMAN BROWN: Any
opposed?
(No response.)
CHAIRMAN BROWN: It passes.
Thank you.
Next, is there any other
business any Commissioner would
want to bring forth?
(No response.)

CHAIRMAN BROWN: Then I will
note that the next Commission
meeting is April 15, 2016.
And I'll entertain a motion
to adjourn.
MR. PHILLIPS: So moved.
DR. LAIER: Second.
CHAIRMAN BROWN: All in
favor?
THE COMMISSION: Aye.
CHAIRMAN BROWN: We're
adjourned.

(The meeting was concluded at 11:32 A.M.)
CERTIFICATE

STATE OF ALABAMA )
COUNTY OF CONECUH )

I hereby certify that the above and
foregoing transcript of proceedings was
taken down by me in machine shorthand, and
the questions and answers thereto were
transcribed by means of computer-aided
transcription, and that the foregoing
represents a true and correct transcript of
the proceedings given by said witness upon
said hearing.

I further certify that I am neither
of counsel nor of kin to the parties to the
action, nor am I in anywise interested in
the result of said cause.
I further certify that I am duly licensed
by the Alabama Board of Court Reporting as
a Certified Court Reporter as evidenced by
the ACCR number following my name below.

Charity McCulley

CHARITY McCULLEY ACCR# 424

My Commission Expires: 2/19/17
February 19, 2016

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(Agenda Item 6)
Attachment 1
AGENDA*
MEETING OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION
DATE: February 19, 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

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* The Agenda for this meeting will be available on the ADEM website, www.adem.alabama.gov,
under Environmental Management Commission.

** The Minutes for this meeting will be available on the ADEM website
under Environmental Management Commission.
1. CONSIDERATION OF MINUTES OF MEETING HELD ON DECEMBER 18, 2015

2. REPORT FROM THE ADEM DIRECTOR

3. REPORT FROM THE COMMISSION CHAIR

4. REPORT AND POSSIBLE RECOMMENDATION FROM THE RULEMAKING COMMITTEE ON ADEM ADMINISTRATIVE CODE 335-2, ENVIRONMENTAL MANAGEMENT COMMISSION REGULATIONS, RULE 335-2-3-.05, AGENDA, SECTIONS (1) THROUGH (3)

   The Rulemaking Committee Chair will report on the Committee's re-examination and study of ADEM Administrative Code 335-2, Environmental Management Commission Regulations, Rule 335-2-3-.05, Agenda, Sections (1) through (3). The Committee will also consider presenting to the Commission a recommendation as to whether the Commission should proceed to rulemaking and whether the Commission should consider adopting proposed guidelines to accompany the proposed Rule.

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

   The Commission will consider proposed amendments to ADEM Administrative Code 335-13, Solid Waste Program Regulations to amend ADEM Administrative Code Chapters 335-13-1 and 335-13-4. The Department held a public hearing on the proposed amendments on January 6, 2016.

6. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE 335-14, HAZARDOUS WASTE PROGRAM REGULATIONS

   The Commission will consider proposed amendments to ADEM Administrative Code 335-14, Hazardous Waste Program Regulations to amend ADEM Administrative Code Chapters 335-14-1 to 335-14-3 and 335-14-5. The Department held a public hearing on the proposed amendments on December 16, 2015.

7. OTHER BUSINESS

8. FUTURE BUSINESS SESSION
Attachment 2
RCRA Regulated Facilities

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>2015</th>
<th>Agency</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facilities Regulated</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TSDFs</td>
<td>LQGs</td>
<td>SQGs</td>
<td>Others</td>
</tr>
<tr>
<td>11</td>
<td>496</td>
<td>053</td>
<td>3,769</td>
</tr>
</tbody>
</table>

TSDF - Treatment, Storage & Disposal Facilities
LQG - Large Quantity Generator
SQG - Small Quantity Generator
RCRA Inspections of LQGs

1-year inspection coverage - Large Quantity Generators

- State, Coverage
- State, National Goal
- State, National Average
- Combined, Coverage
- Combined, National Goal
- Combined, National Average
RCRA Violation Status

% of non-TSDFs/LQGs with comprehensive inspections in which one or more violations was...

- State, % of Facilities
- EPA, % of Facilities
- State, National Average
- EPA, National Average

<table>
<thead>
<tr>
<th>Year</th>
<th>State, % of Facilities</th>
<th>EPA, % of Facilities</th>
<th>State, National Average</th>
<th>EPA, National Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>45%</td>
<td>35%</td>
<td>30%</td>
<td>25%</td>
</tr>
<tr>
<td>2012</td>
<td>40%</td>
<td>30%</td>
<td>25%</td>
<td>20%</td>
</tr>
<tr>
<td>2013</td>
<td>45%</td>
<td>35%</td>
<td>30%</td>
<td>25%</td>
</tr>
<tr>
<td>2014</td>
<td>40%</td>
<td>30%</td>
<td>25%</td>
<td>20%</td>
</tr>
<tr>
<td>2015</td>
<td>45%</td>
<td>35%</td>
<td>30%</td>
<td>25%</td>
</tr>
</tbody>
</table>
% of non-TSDFs/LQGs with comprehensive inspections in which SNC was determined

- **State, % of Facilities**
- **EPA, % of Facilities**
- **State, National Average**
- **EPA, National Average**
RCRA Enforcement Actions

% of formal enforcement actions taken at non-TSDFs/LQGs within 360 days

- State, % of Formal Enforcements
- State, National Goal
- EPA, % of Formal Enforcements
- EPA, National Goal
Attachment 3
ENVIRONMENTAL MANAGEMENT COMMISSION
RESOLUTION

WHEREAS, the Alabama Department of Environmental Management gave notice of a
public hearing on the proposed revisions to ADEM Admin. Code 335-13 of the Department’s

WHEREAS, a public hearing was held before a representative of the Alabama
Department of Environmental Management designated by the Environmental Management
Commission for the purpose of receiving data, views and arguments on the amendment of such
proposed rules; and

WHEREAS, the Alabama Department of Environmental Management has reviewed the
oral and written submissions introduced into the hearing record, and has prepared a concise
statement of the principal reasons for and against the adoption of the proposed rules
incorporating therein its reasons for the adoption of certain revisions to the proposed rules in
response to oral and written submissions, such revisions, where appropriate, having been
incorporated into the proposed rules attached hereto; and

WHEREAS, the Environmental Management Commission has considered fully all oral and
written submissions respecting the proposed amendments and the Reconciliation Statement
prepared by the Alabama Department of Environmental Management.

the Environmental Management Commission, we do hereby adopt and promulgate these
revisions to division 335-14 [335-13-1-.03/Definitions (Amend), 335-13-4-.26/Requirements for
Management and Disposal of Special Waste (Amend)] of the Department’s Land Division –
ENVIRONMENTAL MANAGEMENT COMMISSION
RESOLUTION

Solid Waste Program rules, administrative code attached hereto, to become effective forty-five
days, unless otherwise indicated, after filing with the Alabama Legislative Reference Service.
ENVIRONMENTAL MANAGEMENT COMMISSION RESOLUTION

ADEM Admin. Code division 335-13 – Solid Waste Program

IN WITNESS WHEREOF, we have affixed our signatures below on this 19th day of February 2016.

APPROVED:

Mary

[Signature]

[Signature]

[Signature]

DISAPPROVED:

[Signature]

[Signature]

This is to certify that this Resolution is a true and accurate account of the actions taken by the Environmental Management Commission on this 19th day of February 2016.

H. Lanier Brown, II, Chair
Environmental Management Commission
Certified this 19th day of February 2016
Attachment 4

WHEREAS, a public hearing was held before a representative of the Alabama Department of Environmental Management designated by the Environmental Management Commission for the purpose of receiving data, views and arguments on the amendment of such proposed rules; and

WHEREAS, the Alabama Department of Environmental Management did not receive any written or oral comments at the public hearing or during the public comment period.

NOW THEREFORE, pursuant to Ala. Code. §§ 22-30-3, 22-30-9, 22-30-10, 22-30-11, 22-30-12, 22-30-14, 22-30-15, 22-30-16 (2006 Rplc. Vol.), and Ala. Code. § 41-22-5 (2000 Rplc. Vol.), as duly appointed members of the Environmental Management Commission, we do hereby adopt and promulgate these revisions to division 335-6 [rules 335-14-1-.02/ Definitions and References (Amend); 335-14-1-.03/Petitions for Equivalent Testing or Analytical Methods (Amend); 335-14-2-.01/General (Amend); 335-14-2-.04/Lists of Hazardous Wastes (Amend); 335-14-2-.05/Exclusions/Exemptions (Amend); 335-14-2-.07/Reserved (New); 335-14-3-.08/Financial Requirements for Management of Excluded Hazardous Secondary Materials (New); 335-14-2-.09/Use and Management of Containers (New); 335-14-2-.10/Tank Systems (New); 335-14-2-.11/Reserved (New); 335-14-2-.12/Reserved (New); 335-14-2-.13/Emergency Preparedness and Response for Management of Excluded Hazardous Secondary Materials (New); 335-14-2-.14/Reserved (New); 335-14-2-.15/Reserved (New); 335-14-2-.16/Reserved (New); 335-14-2-.17/Reserved (New); 335-14-2-.18/Reserved (New); 335-14-2-.19/Reserved (New); 335-14-2-.20/Reserved (New); 335-14-2-.21/Reserved (New); 335-14-2-.22/Reserved (New); 335-14-2-.23/Reserved (New); 335-14-2-.}
.24/Reserved (New); 335-14-2-.25/Reserved (New); 335-14-2-.26/Reserved (New); 335-14-2-.27/Subpart AA-Air Emission Standards for Process Vents (New); 335-14-2-.28/Subpart BB-Air Emission Standards for Equipment Leaks (New); 335-14-2-.29/Subpart CC-Air Emission Standards for Tanks, Surface Impoundments, and Containers (New); 335-14-2 Appendix IX/Wastes Excluded Under 335-14-1-.03(2) (Amend); 335-14-3-.03/Pre-Transport Requirements (Amend); 335-14-3-.05/Exports of Hazardous Waste (Amend); 335-14-3-.08/Special Requirements for Generators of Waste Destined For Disposal at Commercial Hazardous Waste Disposal Facilities Located in the State of Alabama (Amend); 335-14-5-.07/Closure and Post-Closure (Amend); 335-14-5-.15/Incinerators (Amend);] of the Department’s Hazardous Waste Program rules, administrative code attached hereto, to become effective thirty-five days, unless otherwise indicated, after filing with the Alabama Legislative Reference Service.
ENVIRONMENTAL MANAGEMENT COMMISSION
RESOLUTION

ADEM Admin. Code division 335-14 – Water Quality Program

IN WITNESS WHEREOF, we have affixed our signatures below on this 19th day of February 2016.

APPROVED:

Mary Bennett

A. Scott Pannier

DISAPPROVED:


This is to certify that this Resolution is a true and accurate account of the actions taken by the Environmental Management Commission on this 19th day of February 2016.

H. Lanier Brown, II, Chair
Environmental Management Commission
Certified this 19th day of February 2016