

Summary of Reasons Supporting the Adoption of the Proposed Amendments to the Alabama Department of Environmental Management’s Administrative Code for Division 14 (Hazardous Waste Program).

Revisions to the ADEM Admin. Code r. 335-14 are being proposed to adopt two newly codified and revised federal rules promulgated by EPA. The first of these federal rules, Modernizing Ignitable Liquids Determinations (hereinafter “the Ignitable Liquids Rule”), was published on July 7, 2020. This rule updates the criteria for identifying ignitable hazardous waste and modernizes the test methods for making such identifications, many of which currently require the use of mercury thermometers. The second of these federal rules, Conforming Changes to Canada-Specific Hazardous Waste Import-Export Recovery and Disposal Operations Codes (hereinafter “the Canada Import-Export Rule”), was published on October 1, 2021. This rule updates rules related to twelve hazardous waste import-export recovery and disposal operations between the United States and Canada, which are necessary to reflect changes to rules related to hazardous waste import-export recovery and disposal operations promulgated by Canada on March 17, 2021. The Department proposes additional modifications to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-1-.01 General

The Department proposes to revise Rule 335-14-1-.01 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-1-.02 Definitions and References

The Department proposes to revise Rule 335-14-1-.02 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-1-.03 Rulemaking Petitions

The Department proposes to revise Rule 335-14-1-.03 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-2-.01 General

The Department proposes to revise Rule 335-14-2-.01 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-2-.03 Characteristics of Hazardous Waste

The Department proposes to revise Rule 335-14-2-.03 to adopt the Ignitable Liquids Rule (as described above), make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations. These revisions are necessary for the Department to maintain regulations that are at least as stringent as those promulgated federally, a requirement to preserve the State’s authorized status.

ADEM Admin. Code r. 335-14-2-.04 Lists of Hazardous Wastes

The Department proposes to revise Rule 335-14-2-.04 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-2-.05 Exclusions/Exemptions

The Department proposes to revise Rule 335-14-2-.05 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-2-.08 Financial Requirements for Management of Excluded Hazardous Secondary Materials

The Department proposes to revise Rule 335-14-2-.08 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-2-.09 Use and Management of Containers

The Department proposes to revise Rule 335-14-2-.09 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-2-.10 Tank Systems

The Department proposes to revise Rule 335-14-2-.10 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-2-.13 Emergency Preparedness and Response for Management of Excluded Hazardous Secondary Materials

The Department proposes to revise Rule 335-14-2-.13 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-2-.27 Subpart AA-Air Emission Standards for Process Vents

The Department proposes to revise Rule 335-14-2-.27 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-2-.28 Subpart BB-Air Emission Standards for Equipment Leaks

The Department proposes to revise Rule 335-14-2-.28 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-2-.29 Subpart CC - Air Emission Standards for Tanks and Containers

The Department proposes to revise Rule 335-14-2-.29 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code R. 335-14-2-APPENDIX VIII- Hazardous Constituents

The Department proposes to revise Rule 335-14-2-APPENDIX VIII to correct typographical or grammatical errors and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-2 APPENDIX IX Wastes Excluded Under 335-14-1-.03(2)

The Department proposes to revise Rule 335-14-2 APPENDIX IX to adopt the Ignitable Liquids Rule (as described above), make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations. These revisions are necessary for the Department to maintain regulations that are at least as stringent as those promulgated federally, a requirement to preserve the State's authorized status.

ADEM Admin. Code r. 335-14-3-.01 General

The Department proposes to revise Rule 335-14-3-.01 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-3-.02 Manifest Requirements Applicable to Small and Large Quantity Generators

The Department proposes to revise Rule 335-14-3-.02 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-3-.03 Pre Transport Requirements Applicable to Small and Large Quantity Generators

The Department proposes to revise Rule 335-14-3-.03 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335 14 3 .04 Recordkeeping and Reporting Applicable to Small and Large Quantity Generators.

The Department proposes to revise Rule 335-14-3-.04 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-3-.09 Transboundary Movements of Hazardous Waste for Recovery or Disposal

The Department proposes to revise Rule 335-14-3-.09 to adopt the Canada Import-Export Rule (as described above), make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations. These revisions are necessary for the Department to maintain regulations that are at least as stringent as those promulgated federally, a requirement to preserve the State's authorized status.

ADEM Admin. Code r. 335-14-3-.12 Alternative Requirements for Hazardous Waste Determination and Accumulation of Unwanted Material for Laboratories Owned by Eligible Academic Entities

The Department proposes to revise Rule 335-14-3-.12 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-3-.13 Alternative Standards for Episodic Generation

The Department proposes to revise Rule 335-14-3-.13 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-3-.14 Preparedness, Prevention, Emergency Procedures for Large Quantity Generators

The Department proposes to revise Rule 335-14-3-.14 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-3 Appendix I

The Department proposes to reserve Rule 335-14-3 Appendix I to maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-4-.01 General

The Department proposes to revise Rule 335-14-4-.01 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-4-.02 Compliance with the Manifest System and Recordkeeping

The Department proposes to revise Rule 335-14-4-.02 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-4-.03 Hazardous Waste Discharges

The Department proposes to revise Rule 335-14-4-.03 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-4-.04 Financial Requirements

The Department proposes to revise Rule 335-14-4-.04 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-4-.05 Transfer Facility Requirements

The Department proposes to revise Rule 335-14-4-.05 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-5-.02 General Facility Standards

The Department proposes to revise Rule 335-14-5-.02 to adopt the Canada Import-Export Rule (as described above), make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations. These revisions are necessary for the Department to maintain regulations that are at least as stringent as those promulgated federally, a requirement to preserve the State's authorized status.

ADEM Admin. Code r. 335-14-5-.05 Manifest Systems, Recordkeeping and Reporting

The Department proposes to revise Rule 335-14-5-.05 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-5-.06 Releases from Solid Waste Management Units

The Department proposes to revise Rule 335-14-5-.06 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-5-.08 Financial Requirements

The Department proposes to revise Rule 335-14-5-.08 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-5-.09 Use and Management of Containers

The Department proposes to revise Rule 335-14-5-.09 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-5-.10 Tank Systems

The Department proposes to revise Rule 335-14-5-.10 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-5-.19 Special Provisions for Cleanup

The Department proposes to revise Rule 335-14-5-.19 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-5-.27 Subpart AA – Air Emission Standards for Process Vents

The Department proposes to revise Rule 335-14-5-.27 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-5-.28 Subpart BB – Air Emission Standards for Equipment Leaks

The Department proposes to revise Rule 335-14-5-.28 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-5-.30 Containment Buildings

The Department proposes to revise Rule 335-14-5-.30 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-6-.01 General

The Department proposes to revise Rule 335-14-6-.01 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-6-.02 General Facility Standards

The Department proposes to revise Rule 335-14-6-.02 to adopt the Canada Import-Export Rule (as described above), make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations. These revisions are necessary for the Department to maintain regulations that are at least as stringent as those promulgated federally, a requirement to preserve the State's authorized status.

ADEM Admin. Code r. 335-14-6-.05 Manifest System, Recordkeeping and Reporting

The Department proposes to revise Rule 335-14-6-.05 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-6-.09 Use and Management of Containers

The Department proposes to revise Rule 335-14-6-.09 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-6-.10 Tank Systems

The Department proposes to revise Rule 335-14-6-.10 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-6-.23 Drip Pads

The Department proposes to revise Rule 335-14-6-.23 to correct typographical or grammatical errors and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-6-.27 Subpart AA – Air Emission Standards for Process Vents

The Department proposes to revise Rule 335-14-6-.27 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-6-.28 Subpart BB – Air Emission Standards for Equipment Leaks

The Department proposes to revise Rule 335-14-6-.28 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-6-.29 Subpart CC – Air Emission Standards for Tanks, Surface Impoundments, and Containers

The Department proposes to revise Rule 335-14-6-.29 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-6-.30 Containment Buildings

The Department proposes to revise Rule 335-14-6-.30 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-7-.06 Recyclable Materials Utilized for Precious Metal Recovery

The Department proposes to revise Rule 335-14-7-.06 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-7-.07 Spent Lead-Acid Batteries Being Reclaimed

The Department proposed to revise Rule 335-14-7-.07 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-7-.13 Military Munitions

The Department proposed to revise Rule 335-14-7-.13 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-7-.14 Conditional Exemption for Low-Level Mixed Waste Storage, Treatment, Transportation, and Disposal.

The Department proposed to revise Rule 335-14-7-.14 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-7-.16 Hazardous Waste Pharmaceuticals

The Department proposed to revise Rule 335-14-7-.16 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-8-.01 General Information

The Department proposed to revise Rule 335-14-8-.01 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-8-.04 Changes to Permit- Treatment, Storage, and Disposal Facilities

The Department proposed to revise Rule 335-14-8-.04 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-8-.08 Procedures for Decision Making-Treatment, Storage, and Disposal Facility Permits.

The Department proposed to revise Rule 335-14-8-.08 to correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-9-.00 References Adopted

The Department proposes to revise Rule 335-14-9-.00 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-9-.01 Subpart A - General

The Department proposes to revise Rule 335-14-9-.01 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-9-.05 Subpart E – Prohibitions on Storage

The Department proposes to revise Rule 335-14-9-.05 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-11-.01 General

The Department proposes to revise Rule 335-14-11-.01 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.

ADEM Admin. Code r. 335-14-11-.03 Standards for Large Quantity Handlers of Universal Waste

The Department proposes to revise Rule 335-14-11-.03 to make general clarifications, correct typographical or grammatical errors, and maintain equivalency with federal regulations.