

AGENDA*

MEETING OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

DATE: June 13, 2025

TIME: 11:00 a.m.

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

<u>ITEM</u>	<u>PAGE</u>
1. Consideration of minutes of meeting held on April 11, 2025**	3
2. Report from the ADEM Director	3
3. Report from the Commission Chair	3
4. Consideration of proposed amendments to ADEM Administrative Code Division 335-13, Solid Waste Program Regulations, Chapter 335-13-1 General Provisions and Chapter 335-13-3 Processing and Recycling	3
5. Consideration of proposed amendments to ADEM Administrative Code Division 335-17, Medical Waste Program Regulations	3
6. Consideration of correction to the resolution for amendments to ADEM Administrative Code Division 335-6, Water Quality Program Regulations, Chapters 335-6-10 and 335-6-11, adopted by the Commission on April 11, 2025	4
7. Consideration of Petition to Amend Ala. (ADEM) Administrative Code Chapter 335-6-10, Appendix A EMC Rulemaking Petition 25-01 Petitioners – Environmental Defense Alliance, Black Warrior Riverkeeper, Inc., Cahaba Riverkeeper, Mobile Baykeeper, Choctawhatchee Riverkeeper, Inc., Coosa Riverkeeper, Inc., and Alabama Rivers Alliance, Inc.	4
8. Interview final candidates for the ADEM Director position	4-5
9. Other business	5
10. Future business session	5

AEMC Meeting Agenda
Page 2

<u>ITEM</u>	<u>PAGE</u>
PUBLIC COMMENT PERIOD	5
Brief statements by members of the public registered to speak	5

* 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 APRIL 11, 2025
2. REPORT FROM THE ADEM DIRECTOR
3. REPORT FROM THE COMMISSION CHAIR
4. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-13, SOLID WASTE PROGRAM REGULATIONS, CHAPTER 335-13-1 GENERAL PROVISIONS AND 335-13-3 PROCESSING AND RECYCLING

The Commission will consider proposed amendments to ADEM Administrative Code Division 335-13, Solid Waste Program Regulations, Chapter 335-13-1 General Provisions and 335-13-3 Processing and Recycling. Revisions to the ADEM Administrative Code Division 335-13, Chapter 1 include updating several definitions for consistency and adding definitions for Energy Recovery Facilities (ERF) and Whole Tires. Proposed revisions to Chapter 3 include updating, amending, and adding provisions and guidelines for Materials Recovery Facilities (MRF), Recovered Materials Processing Facilities (RMPF), Energy Recovery Facilities (ERF), and End-Use Manufacturing Facilities (EUMF). The Department held a public hearing on the proposed amendments on May 6, 2025.

5. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-17, MEDICAL WASTE PROGRAM REGULATIONS

The Commission will consider proposed amendments to ADEM Administrative Code Division 335-17, Medical Waste Program Regulations (Phase II Changes). Revisions to ADEM Administrative Code Division 335-17 are being proposed to update existing regulations to improve clarity and streamline organization of existing rules based upon experience gained and lessons learned from implementation of the rules, including Chapter 335-17-1 General Provisions, Chapter 335-17-2 Medical Waste Generators, Chapter 335-17-3 Collection of Medical Waste, Chapter 335-17-4 Storage of Medical Waste, Chapter 335-17-5 Transportation of Medical Waste, Chapter 335-17-6 Treatment of Medical Waste, Chapter 335-17-7 Disposal of Medical Waste, and Chapter 335-17-9 Procedures for Variances. In addition, a new chapter, 335-17-8, is being proposed to include procedures and requirements for registration and permitting of medical waste facilities. The Department held a public hearing on the proposed amendments on May 6, 2025.

6. CONSIDERATION OF CORRECTION TO THE RESOLUTION FOR AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-6, WATER QUALITY PROGRAM REGULATIONS, CHAPTERS 335-6-10 AND 335-6-11, ADOPTED BY THE COMMISSION ON APRIL 11, 2025

The Commission will consider a proposed correction to the resolution for amendments to ADEM Administrative Code Division 335-6, Water Quality Program Regulations, Chapters 335-6-10 and 335-6-11, adopted by the Commission on April 11, 2025.

7. CONSIDERATION OF PETITION TO AMEND ALA. (ADEM) ADMINISTRATIVE CODE CHAPTER 335-6-10, APPENDIX A, EMC RULEMAKING PETITION 25-01, PETITIONERS - ENVIRONMENTAL DEFENSE ALLIANCE, BLACK WARRIOR RIVERKEEPER, INC., CAHABA RIVERKEEPER, MOBILE BAYKEEPER, CHOCTAWHATCHEE RIVERKEEPER, INC., COOSA RIVERKEEPER, INC., AND ALABAMA RIVERS ALLIANCE, INC.

The Commission will consider the Petition to Amend Ala. (ADEM) Administrative Code Chapter 335-6-10, Appendix A. The amendment proposes to revise the toxicity values in Appendix A for the following priority toxic pollutants: Cyanide, 1,3-Dichlorobenzene, 4,6-Dinitro-2-methylphenol, Ethylbenzene, Toluene, 1,3-Dichloropropylene, Hexachloroethane, Pentachlorophenol, Trichloroethylene, Arsenic, and 1,2,4-Trichlorobenzene.

8. INTERVIEW FINAL CANDIDATES FOR THE ADEM DIRECTOR POSITION

The Commission will interview the four final candidates for the ADEM Director position. Following the interviews the Commission may adjourn to Executive Session to review and discuss the final candidates. In accordance with Section 36-25A-7(a)(1) of the Alabama Open Meetings Act, an Executive Session may be held to discuss the general reputation, character and professional competence of individuals. After Executive Session the Commission will reconvene to Regular Session, and it may then consider appointing one of the final candidates to the ADEM Director position and setting the salary and an effective date for the appointment.

The interview schedule is as follows:

INTERVIEW 1

CANDIDATE: Anthony “Scott” Hughes
TIME: 11:30 a.m. – 11:50 a.m.

INTERVIEW 2

CANDIDATE: David A. Perry
TIME: 12 noon – 12:20 p.m.

INTERVIEW 3

CANDIDATE: Edward F. Poolos
TIME: 12:30 p.m. – 12:50 p.m.

INTERVIEW 4

CANDIDATE: James “Mike” Thornton
TIME: 1:00 p.m. – 1:20 p.m.

9. OTHER BUSINESS

10. FUTURE BUSINESS SESSION

PUBLIC COMMENT PERIOD

BRIEF STATEMENTS BY MEMBERS OF THE PUBLIC REGISTERED TO SPEAK

Members of the public that wish to make a brief statement at a Commission meeting may do so by first signing in on a register maintained by the Commission office prior to each regularly scheduled meeting. The register will close ten minutes prior to convening each meeting of the Commission. Following completion of all agenda items, the Commission Chair will call on members of the public wishing to make a statement in the order their names appear on the register. Speakers are encouraged to limit their statement to matters that directly relate to the Commission’s functions. Speakers will be asked to observe a three-minute time limit. While an effort will be made to hear all members of the public signed on the register, the Commission may place reasonable limitations on the number of speakers to be heard. (Guideline 11, Guidelines for Public Comment).

The Guidelines for Public Comment are used in the application of ADEM Administrative Code 335-2, Environmental Management Commission Regulations, Rule 335-2-3-.05, Agenda and Public Participation. The Guidelines for Public Comment serve to educate and inform the public as to how the Commission interprets and intends to apply the Rule. The revised Rule 335-2-3-.05 was effective October 7, 2016.